

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS

DAVID MCCRAE AND BARBARA MCCRAE,]	
PLAINTIFFS, qui tam]	
CONSUMER FINANCIAL PROTECTION BUREAU]	
vs.]	
LENDER PHH MORTGAGE, LLC., and]	CIVIL ACTION NO.
SUBSTITUTE TRUSTEE BARRETT BURKE DAFFIN]	1:14-cv-00733-LY
FRAPPIER TURNER AND ENGEL, LLP,]	
and VARIOUS ACTORS AND EMPLOYEES]	
OF DEFENDANTS JOHN DOE 1-100]	

Motion for Discovery to Department of Justice

Judge -

Our investigation to this point has been limited to our own experience with PHH Mortgage. We've requested business records of PHH that we would expect would validate our experience and extend validation to other members of our class, without effect.

Simultaneously with our own efforts, The Department of Justice has initiated in FY2013 a Residential Mortgage Backed Securities Working Group, to extend the capability of the Financial Fraud Enforcement Task Force, which has leveraged state and federal resources to strengthen current and future efforts to investigate and prosecute instances of wrongdoing in mortgage fraud. Federal expenditures in 2013 have totaled \$555 million for this effort. I've attached the FY2013 DOJ budget request to this motion.

This is the first prosecution we are aware of involving PHH Mortgage. We realize that others are in progress, at some stage of maturity. In order to present to our jury the most complete body of evidence available, we would like to review all complaints to date and all evidence collected thus far regarding PHH Mortgage, in Texas and in the 45 other states in which PHH Mortgage operates. This would include foreclosed and sold properties within the last four years, properties currently languishing as lender-owned real estate, and properties currently in default process with PHH. This would comprise a small subset of the data that has already been collected concerning financial fraud in America. PHH Mortgage is not of the size of the major institutions such as JPM, Bank of America, or Citigroup that requires sensitive negotiations to limit or prevent collateral damage to the community. PHH Mortgage is actually the size of such as WAMU, Countrywide, or Ameriquest, the collapse of which institutions have been trivial, or some would even say beneficial, to their communities. In balance, the effect of their actions among the affected families who no longer have a home has been significant.

Respectfully,

Date: 22 August 2014

Signature: /s/ David McCrae

Case Number: 1:14-cv-00733

[PROPOSED] ORDER GRANTING

Motion for Discovery

DATE:

TIME:

COURTROOM:

JUDGE: Lee Yeakel

The Court has considered the Motion for Discovery to Department of Justice

Finding that good cause exists, the Motion is GRANTED/DENIED.

MAKE IT SO.

DATED:

United States District/Magistrate Judge

SERVICE

I have served this Motion for Discovery to DOJ

To

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Ms. Donna Wilkinson

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By e-mail

Sworn to on 20 August 2014 by /s/David McCrae

Pro se