

## BANK OF AMERICA MORTGAGE FRAUD

COMPLAINT

DISPUTE OF DEBIT/VALIDATION OF DEBT

RICO VIOLATIONS

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Gregory P. LaPorta  
7260 Early Pioneer Ave  
Las Vegas, NV 89129

Nevada Attorney General  
Attn: Catherine Cortez Masto  
Grant Sawyer Building  
555 E. Washington Ave, Suite 3900  
Las Vegas, NV 89101

RE: Bank of America Corporation, Bank of America National Corporation &  
BAC Home Loans Servicing, LP  
Nevada Deceptive Trade Practices Act  
NRS 205.372 Mortgage lending fraud

Certified Mail # 7196 9009 2720 0905 7021

Date: February 7, 2011

Dear Catherine:

I have been making payments to Bank of America Home Loans since October 1, 2009. It was discovered over the past several months that Bank of America Home Loans has been defrauding me by accepting mortgage payments they are not entitled to do so.

Here are the facts showing the fraud being perpetrated upon me by Bank of America Home Loans:

1. I originated my mortgages through First Horizon Home Loans on February 27, 2008. All documents signed state First Horizon Home Loans as my lender.
2. I received a letter from First Horizon Home Loan dated March 25, 2008 stating my mortgages were assigned, sold or transferred to Countrywide Bank FSB.
3. I checked the Clark County, Nevada Recorder's Office and the Assignments of Deed of Trust to Countrywide Bank FSB are dated July 29, 2008. There are only 3 pages recorded for each deed of trust. My promissory notes were never transferred to the trusts (recorded) during this assignment, sale or transfer. Essentially, it's been unsecured debt ever since July 29, 2008.
4. I continued paying Countrywide Bank FSB through September 2009.
5. I received a statement from Bank of America Home Loans on October 1, 2009 and acting in good faith and unaware of their ponzi-scheme I began paying them right until present day. I never received a letter from Countrywide Bank FSB stating my mortgages were assigned, sold or transferred to Bank of America Home Loans.
6. As of the date of this letter, the Clark County, Nevada Recorder's Office shows no mortgage assignments were ever made from Countrywide Bank FSB to Bank of America Home Loans. Please go to the Clark County, Nevada Recorder's website and query on my name and you'll see what I am talking about. The proof is evident.

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Bank of America Home Loans continues to defraud me by collecting mortgage payments they are not authorized to do so. Please look at the order in Pasco County, Florida's Sixth Judicial Court Case No: 51-2009-CA-7656-ES. A comment in the order states **"a thief who steals a check payable to bearer becomes the holder of the check... but does not become the owner of it."**

Bank of America Home Loans "Home Retention Unit" has been harassing me at home and at work. Is it because they want to refinance me now to cover-up the mortgage fraud they have been perpetrating on me so they can make all the paperwork look legit now that the "cat is out of the box".

I have sent 3 Qualified Written Request letters to Bank of America and every response contained copies of my original mortgage loan documents signed with First Horizon Home Loans. On each promissory note signed with First Horizon Home Loans, a stamp appears which reads "Paid to the order of Countrywide Bank FSB Without Recourse, First Horizon Home Loans, a division of First Tennessee Bank N.A." and signed by Ed Fisher, Vice President. Essentially my promissory notes were paid off by Countrywide Bank FSB, a lender that no longer exists, kaput, gone, bankrupt, bye-bye.

It's not my fault Countrywide Bank FSB went bankrupt. I always paid my mortgage and to this date, if Countrywide Bank FSB was still in business, Countrywide Bank FSB would still legally have the right to collect payments from me as they are still currently assigned as the mortgagor. Bank of America has no legal right to collect payments and they know it. Bank of America is just trying to keep the appearance of these mortgages on their "books" to hide their insolvency. The American people are not this stupid.

The debt (promissory notes) is no longer valid under any contractual law since Countrywide Bank FSB no longer exists, kaput, gone, bankrupt, bye-bye. Its unsecured debt and Bank of America has violated our state recording laws since Bank of America is not my mortgagor since their name is not found anywhere on the promissory notes or county recordings to continue collecting payments. Does Bank of America think that consumers are that stupid and would not piece this all together? Their ponzi scheme is up in my book.

Shouldn't Bank of America employees be investigated under the Nevada Deceptive Trade Practices Act, particularly NRS 205.372 Mortgage Lending fraud? So, I guess Bank of America employees (I will be sending you under separate cover the names of those employees of whom I suspect have participated in this grand ponzi scheme) don't want to make an assignment with the Clark County, Nevada Recorder's Office because the Nevada statute states "(e) Files or causes to be filed with a county recorder any document that the person knows to include a misstatement, misrepresentation or omission concerning a material fact, commits the offense of mortgage lending fraud which is a category C felony and, upon conviction, shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 10 years, or by a fine of not more than \$10,000, or by both fine and imprisonment."

Please feel free to contact me at work between 8 AM to 5 PM, Monday through Friday or at home (after 6 PM) to discuss this matter pertaining to my issues **revolving around the Nevada Deceptive Trade Practices Act as well as the Federal Racketeering Influence and Corrupt Organizations Act (RICO).**

**BANK OF AMERICA MORTGAGE FRAUD**

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My contact information is as follows:

Work:

Office of the District Attorney  
Criminal Division – DAIT  
Clark County, Nevada  
Direct: (702) 671-0964

Home:

(702) 556-3635

Sincerely,



Gregory P. LaPorta  
Homeowner

**CC:**

**Bank of America Corporate Center**  
**Office of the President & CEO**  
100 North Tryon Street  
Charlotte, NC 28255

**Bank of America Home Loans**  
Attn: Steve Pacheco, Litigation Specialist  
1757 Tapo Canyon Road  
Mailstop CA6-913-02-29  
Simi Valley, CA 93063

**Bank of America Home Loans**  
Attn: Bhagiya Goonetilleke  
Mailstop CA7-701-01-45  
275 Valencia Ave  
Brea, CA 92823

**Comptroller of the Currency**  
**Administrator of National Banks**  
Case # 1263610 & 1278836  
1301 McKinney Street, Suite 3450  
Houston, TX 77010-9050

**The White House**  
Attn: President Barack Obama  
1600 Pennsylvania Avenue NW  
Washington, DC 20500

**Nevada Department of Business and Industry**  
Attn: Terry Johnson, Director  
555 E. Washington Ave, Suite 4900  
Las Vegas, NV 89101

**US Attorney, Daniel G. Bogden**  
333 South Las Vegas Blvd.  
Lloyd George Federal Building  
Las Vegas, NV 89101

**U.S. Secret Service**  
**Office of Government and Public Affairs**  
245 Murray Drive - Building 410,  
Washington, DC 20223

**Callister & Associates**  
Matthew Q. Callister, Esq.  
Brooke Bohlke, Esq.  
823 Las Vegas Blvd. South, 5<sup>th</sup> Floor  
Las Vegas, NV 89101

**Cogburn Law Offices**  
Jamie Cogburn, Esq.  
Peter Rinato, Esq.  
9555 South Eastern Ave, Suite 280  
Las Vegas, NV 89123

**Bank of America** 

**Home Loans**

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1757 Tapo Canyon Road  
Mailstop CA6-913-02-29  
Simi Valley, CA 93063

**VIA FEDEX TRACKING # 7966 7375 7201**

January 19, 2011

Gregory LaPorta  
7260 Early Pioneer Avenue  
Las Vegas, NV 89129

Re: BAC Loan Numbers Ending in: 39401 and 48651  
Property Address: 7260 Early Pioneer Avenue, Las Vegas, NV 89129

Dear Mr. LaPorta:

BAC Home Loans Servicing, LP, a subsidiary of Bank of America, N.A. ("BAC Home Loans"), acknowledges receipt of your letter dated November 6, 2010, concerning the TILA violations in connection with the origination of the referenced loan.

The origination loan file has been requested; once received, we will review and determine if there is basis for a rescission. In order to provide an appropriate response to you, BAC Home Loans, requests additional time to adequately and fully investigate this matter.

In the interim, please feel free to contact me in writing should you have any questions.

Sincerely,



Steve Pacheco  
Litigation Specialist

From: (599) 999-9999  
Steven Pacheco  
Bank of America  
1757 TAPO CANYON RD  
CA6-913-02-29  
Simi Valley, CA 93063

Origin ID: SFRA



Ship Date: 19JAN11  
ActWgt: 1.0 LB  
CAD: 101521310/NET3130

Delivery Address Bar Code



SHIP TO: (213) 345-3690  
**Gregory Laporta**

**BILL SENDER**

**7260 EARLY PIONEER AVE**

**LAS VEGAS, NV 89129**

Ref #  
Invoice #  
PO #  
Dept #

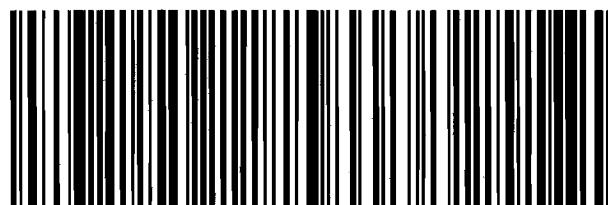
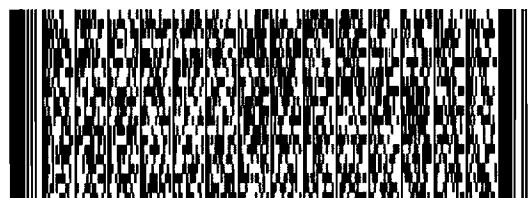
**THU - 20 JAN A1  
STANDARD OVERNIGHT**

**RES  
89129  
NV-US  
LAS**

TRK# 7966 7375 7201

0201

**WR VGTA**



50DG1/DE77/EFB

**After printing this label:**

1. Use the 'Print' button on this page to print your label to your laser or inkjet printer.
2. Fold the printed page along the horizontal line.
3. Place label in shipping pouch and affix it to your shipment so that the barcode portion of the label can be read and scanned.

**Warning:** Use only the printed original label for shipping. Using a photocopy of this label for shipping purposes is fraudulent and could result in additional billing charges, along with the cancellation of your FedEx account number.

Use of this system constitutes your agreement to the service conditions in the current FedEx Service Guide, available on [fedex.com](http://fedex.com). FedEx will not be responsible for any claim in excess of \$100 per package, whether the result of loss, damage, delay, non-delivery, misdelivery, or misinformation, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim. Limitations found in the current FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the package, loss of sales, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of \$100 or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value is \$500, e.g. jewelry, precious metals, negotiable instruments and other items listed in our ServiceGuide. Written claims must be filed within strict time limits, see current FedEx Service Guide.

January 20, 2011

Gregory P. La Porta  
7260 Early Pioneer Ave  
Las Vegas, NV 89129-4410

Bank of America account ending: 9401

Dear Mr. La Porta:

Thank you for contacting our office regarding your home loan. Your concerns were forwarded to my attention for review and reply. Regrettably, my recent attempts to contact you to discuss your concerns were unsuccessful.

In order to review your request for payment assistance, our Home Retention Division will require the following information:

- Letter of hardship
- Evidence of income (2 most recent pay stubs)
- Bank statements (2 most recent)
- Monthly expenditure breakdown (form enclosed)

Please fax the information to the attention of the undersigned at 312.453.4874 by January 27, 2011. It is important for you to know that assistance is not guaranteed and is dependent on several factors; however, Bank of America will look at every option in an effort to assist you.

Mr. La Porta, thank you for this opportunity to be of service. In the event you should require additional assistance, please contact me at 1.877.430.1431, Extension 14460, Monday through Friday, 8 a.m. to 4 p.m., Pacific.

Sincerely,

*Bhagiya Goonetilleke*

From: (702) 732-7836  
 Gregory P. LaPorta  
 7260 EARLY PIONEER AVE  
 LAS VEGAS, NV 89129

Origin ID: VGTA



Ship Date: 20JAN11  
 ActWgt: 0.5 LB  
 CAD: 102256413/NET3130

SHIP TO: (714) 223-8352  
**Orlando Pimentel**  
**Bank of America**  
**275 Valencia Ave**  
**CA7-701-01-45**  
**Brea, CA 92823**

BILL SENDER

Delivery Address Bar Code



Ref #

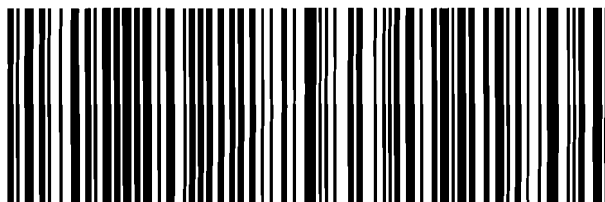
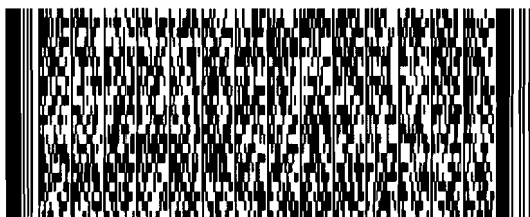
RMA #:  
 Return Reason:

RELEASE#: 3785346

**FRI - 21 JAN A2**  
**STANDARD OVERNIGHT**

TRK# 7966 7512 4445  
 0221

**92823**  
 CA-US  
**LAX**



50DG1/DE777/EFB

1. Select the 'Print' button to print 1 copy of each label.
2. The Return Shipment instructions, which provide your recipient with information on the returns process, will be printed with the label(s).
3. After printing, select your next step by clicking one of the displayed buttons.

**Note:** To review or print individual labels, select the Label button under each label image above.

Use of this system constitutes your agreement to the service conditions in the current FedEx Service Guide, available on fedex.com. FedEx will not be responsible for any claim in excess of \$100 per package, whether the result of loss, damage, delay, non-delivery, misdelivery, or misinformation, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim. Limitations found in the current FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the package, loss of sales, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of \$100 or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value is \$500, e.g. jewelry, precious metals, negotiable instruments and other items listed in our Service Guide. Written claims must be filed within strict time limits, see current FedEx Service Guide.

From: (714) 223-8352  
 Orlando Pimentel  
 Bank of America  
 275 Valencia Ave  
 CA7-701-01-45  
 Brea, CA 92823

Origin ID: RBFA



J11101012220225

Ship Date: 20JAN11  
 ActWgt: 0.5 LB  
 CAD: 102256413/INET3130

Delivery Address Bar Code



SHIP TO: (702) 732-7836  
**Gregory P. LaPorta**

BILL SENDER

7260 EARLY PIONEER AVE

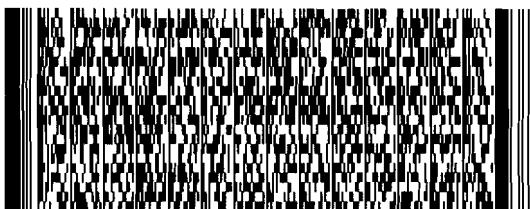
LAS VEGAS, NV 89129

Ref #  
 Invoice #  
 PO #  
 Dept #

RELEASE#: 3785346

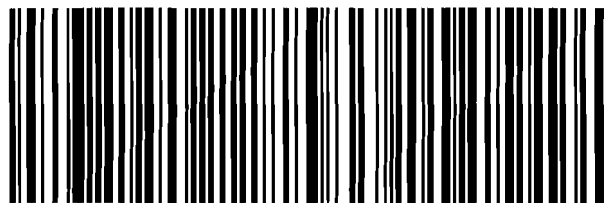
FRI - 21 JAN A1  
 STANDARD OVERNIGHT

TRK# 7966 7512 4342  
 0201



**WR VGTA**

89129  
 NV-US  
 LAS



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