

WHEN RECORDED MAIL TO:

**The Cooper Castle Law Firm, LLP**  
**A Multijurisdictional Law Firm**  
820 South Valley View Blvd.  
Las Vegas, Nevada 89107  
(702) 435-4175 Telephone  
Attn.: Shannon White

DOC # 747938  
07/29/2009 11:23AM Deputy: PK  
OFFICIAL RECORD  
Requested By:  
FIRST AMERICAN TITLE NDT  
Douglas County - NV  
Karen Ellison - Recorder  
Page: 1 of 4 Fee: 67.00  
BK-709 PG-7024 RPTT: 0.00



T.S. No.: 09-06-4913  
Loan No.: 19795160  
Tax Parcel No.: 1319-30-615-005  
Title Report No.: 4181486 -AJ

## NOTICE OF BREACH AND DEFAULT AND OF ELECTION TO CAUSE SALE OF REAL PROPERTY UNDER DEED OF TRUST

**NOTICE IS HEREBY GIVEN THAT: THE COOPER CASTLE LAW FIRM, LLP, A MULTIJURISDICTIONAL LAW FIRM** is the duly appointed Trustee under a Deed of Trust dated Nov 02, 2004, executed by Philip Goetz, as Trustor in favor of New Century Mortgage Corporation, recorded Instrument No. 0628996, on Nov 10, 2004, in Book of Official Records in the office of the County recorder of Douglas County, Nevada securing, among other obligations:

One note(s) for the Original sum of \$266,000.00, that the beneficial interest under such Deed of Trust and the obligations secured hereby are presently held by the undersigned; that a breach of and default in the obligations for which such Deed of Trust is security has occurred or that payment has not been made of:

The installment of Principal, Interest, impounds and late fees which became due Mar 01, 2009 together with all subsequent installments of principal, interest, impounds, late fees and foreclosure fees and expenses. Any advances which may hereafter be made. All obligations and indebtedness as they become due and charges pursuant to said Note and Deed of Trust.

That by reason thereof the present Beneficiary under such deed of Trust has executed and delivered to said duly appointed Trustee a written Declaration of Default and Demand for Sale and has deposited with said duly appointed Trustee such Deed of Trust and all documents evidencing obligations secured thereby and has declared and does hereby declare all sums secured thereby immediately due and payable and has elected and does hereby elect to cause the trust property to be sold to satisfy the obligations secured thereby.

### NOTICE

You may have the right to cure the default hereon and reinstate the one obligation secured by such Deed of Trust above described. Section NRS 107.080 permits certain defaults to be cured upon the Payment of the amounts required by that statutory section without requiring payment of that portion of principal and interest which would not be due had no default occurred. Where reinstatement is possible, if the default is not cured within 35 days following recording and mailing of this Notice to Trustor of Trustor's successor in interest, the right of reinstatement will terminate and the property may thereafter be sold. The Trustor may have the right to bring a court action to assert the nonexistence of a default or any other defense of Trustor to acceleration and Sale.



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To determine if reinstatement is possible and the amount, if any, to cure the default, contact:

**Bank of America National  
Association, as Trustee for Structured  
Asset Securities Corporation,  
Mortgage Pass-Through Certificates,  
Series 2005-NC1**  
C/O The Cooper Castle Law Firm, LLP  
A MultiJurisdictional Law Firm  
820 South Valley View Blvd.  
Las Vegas, Nevada 89107  
(702) 435-4175 Telephone  
(702) 877-7424 Facsimile

BE ADVISED THAT THE COOPER CASTLE LAW FIRM, LLP A MULTIJURISDICTIONAL LAW FIRM IS ACTING AS A DEBT COLLECTOR AND IS ATTEMPTING TO COLLECT A DEBT. ANY INFORMATION PROVIDED BY YOU WILL BE USED FOR THAT PURPOSE.

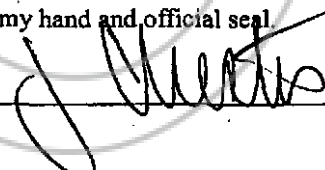
Dated: July 17, 2009

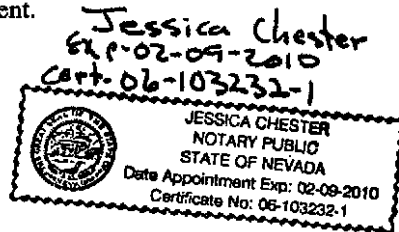
**THE COOPER CASTLE LAW FIRM, LLP**  
A MultiJurisdictional Law Firm

By:   
Shannon White *Shannon White*  
Trustee Sale Officer

State of NEVADA } ss.  
County of Clark }

On July 17, 2009, before me, Jessica Chester, Notary Public, personally appeared Shannon White personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal  
Signature  (Seal)





STATE OF NEVADA  
FORECLOSURE MEDIATION PROGRAM

**ELECTION/WAIVER OF MEDIATION FORM**

PROPERTY ADDRESS 761 Milky Way Court #5  
Stateline, Nevada 89449 TS # 09-06-4913

APN 1319-30-615-005

TRUSTEE The Cooper Castle Law Firm, LLP

DO Nov 02, 2004 Book/Inst/ 0628996

**\*\*\*ATTENTION—YOU MUST ACT WITHIN THIRTY (30) DAYS\*\*\*  
IF NO ACTION IS TAKEN, THE FORECLOSURE MAY PROCEED**

You have been served with a Notice of Default and Election to Sell, a copy of which is enclosed, that could result in the loss of your home. You may want to consult with an attorney concerning your rights and responsibilities.

The State of Nevada has created a mediation program for homeowners whose owner occupied, primary residence is subject to foreclosure. Mediation is a process through which you and the lender meet with a neutral mediator to determine whether an agreement can be reached to cure any defaults in the loan or modify the terms of the loan to enable you to remain in your home. The mediator will be appointed by the Foreclosure Mediation Program Administrator. The mediator will not provide legal advice to either party. If you feel the need for legal representation, it is recommended that you retain an attorney to assist you in the mediation.

Your Name(s): \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_

Co-owner's Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_

Phone No: ( ) \_\_\_\_\_ (telephone)  
( ) \_\_\_\_\_ (cellular)

Phone No: ( ) \_\_\_\_\_ (telephone)  
( ) \_\_\_\_\_ (cellular)

Email: \_\_\_\_\_

Email: \_\_\_\_\_

PLEASE SELECT ONE OF THE CHOICES BELOW AND RETURN COPIES IN ENCLOSED ENVELOPES.

\_\_\_\_ ELECTION OF MEDIATION The undersigned hereby request[s] that a mediation be scheduled to attempt to work out a resolution of the loan. (\$200.00 Money Order or Cashier's Check Applies – See Below)

\_\_\_\_ WAIVER OF MEDIATION The undersigned is/are aware of the right to seek mediation but have determined that I/we do not want to proceed with a mediation and hereby waive the right to do so. The undersigned hereby certify under the penalty of perjury that I/we are the owner[s] of the real property that is the subject of the pending foreclosure and occupy the real property as my/our primary residence.

\_\_\_\_\_  
Signature of Property Owner Date

\_\_\_\_\_  
Signature of Co-Owner Date

COMPLETE TWO COPIES OF THIS FORM AND FORWARD ONE TO THE MEDIATION ADMINISTRATOR AND THE OTHER TO THE TRUSTEE OF THE DEED OF TRUST. TWO UNSTAMPED, PRE-ADDRESSED ENVELOPES HAVE BEEN ENCLOSED.

IF YOU HAVE CHOSEN TO SEEK MEDIATION, YOU MUST SEND A MONEY ORDER OR CASHIER'S CHECK IN THE SUM OF \$200 PAYABLE TO: "STATE OF NEVADA FORECLOSURE MEDIATION PROGRAM." THIS PAYMENT MUST BE RETURNED, BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED, WITHIN 30 DAYS OF THE DATE OF SERVICE OF THE NOTICE OF DEFAULT AND ELECTION TO SELL.

**PAYMENT MUST BE SENT TO THE TRUSTEE IN THE ENVELOPE THAT WAS ENCLOSED WITH THIS FORM.**

**DO NOT SEND PAYMENT TO THE MEDIATION ADMINISTRATOR.**



STATE OF NEVADA  
FORECLOSURE MEDIATION PROGRAM

**ELECTION/WAIVER OF MEDIATION FORM**  
**Instructions**

The Election/Waiver of Mediation is for owner-occupied residential property only. This form is not for use with vacation homes, rental property, or any other property where the owner does not live in the property as a primary residence. This form should come to you from the lender; you cannot begin this process yourself by using this form.

The ELECTION/WAIVER OF MEDIATION form has been provided to you in duplicate. (You may make additional copies if needed.) You must fill out the forms in duplicate so that the same information is included on both copies of the forms. You must fill in the blanks on both forms and make your election to either request mediation or waive mediation.

Print your name and address in the spaces provided. Include your telephone numbers and your email address. If you have a co-owner, their name, address, phone numbers and email address should be included. This information will only be used for the mediation process.

In the designated location, you must select (with a check mark or "X") one of two choices. You may only select one of the two options. Either select:

1. "\_\_\_ ELECTION OF MEDIATION" if you choose to enter into the Mediation Program;

**OR**

2. "\_\_\_ WAIVER OF MEDIATION" if you do not want to participate in the foreclosure Mediation Program.

You must then sign and date each form. NOTE that by signing the form you are certifying under penalty of perjury that you own and occupy the subject property as your primary residence.

Sign each form. One copy of the form must to be mailed to the Trustee of the deed of trust and one copy of the form must be mailed to the Mediation Administrator. The envelopes provided are preaddressed to the Trustee and Mediation Administrator. You must mail both envelopes by Certified U.S. mail, return receipt requested. You will need to pay the postage for the mailings. Do not mail your payment to the Mediation Administrator.

If you elect mediation, you must include the \$200.00 mediation fee along with the form in the envelope addressed to the trustee. The \$200.00 mediation fee must be paid in the form of a money order or cashiers check and made payable to: "State of Nevada Foreclosure Mediation Program".

If you choose to forego or waive mediation, there is no need to send the \$200.00 mediation fee. However, whether you elect to enter into the mediation program or elect not to participate in mediation, both forms should be mailed. If you do not mail the forms to the Trustee and the Mediation Administrator, you will not be allowed to participate in the mediation program and the foreclosure will proceed. This is your only opportunity to elect to participate in the foreclosure mediation process.