

DISTRICT COURT, BOULDER COUNTY, COLORADO
Court Address: 1777 6th Street
Boulder, CO 80302

IN THE MATTER OF THE MOTION OF SPECIALIZED
LOAN SERVICING, LLC, FOR AN ORDER AUTHORIZING
THE PUBLIC TRUSTEE OF BOULDER COUNTY, STATE OF
COLORADO, TO SELL CERTAIN REAL ESTATE
PURSUANT TO A POWER OF SALE CONTAINED IN A
DEED OF TRUST.

Attorney or Party Without Attorney: *Specialized Loan
Servicing, LLC*

Marcello G. Rojas, Atty Reg. No. 46396
The Sayer Law Group, P.C.
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Denver, Colorado 80237
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Case Number:

2023CV30389

Div.: **3** Ctrm: **R**

NOTICE

MOVANT, Specialized Loan Servicing, LLC, by and through its counsel, The Sayer Law Group, P.C., for its Notice, asserts as follows:

YOU HAVE THE RIGHT TO FILE A RESPONSE TO THE VERIFIED MOTION FOR ORDER AUTHORIZING A FORECLOSURE SALE UNDER C.R.C.P. 120 ON OR BEFORE July 5, 2023, pursuant to Colo. R. Civ. P. 120(c) with the District Court Clerk of the Boulder County District Court located at 1777 6th Street, Boulder, CO 80302, and to pay the required non-refundable fee.

1. On December 10, 2002, John E Michael IV, Michelle A Michael and Alison Michael executed a promissory note ("Note") in the amount of \$215,000.00 for the benefit of CH Mortgage Company I DBA Melody Mortgage Co.. John E Michael IV, Michelle A Michael and Alison

Michael are liable under the terms of the Note.

2. On December 10, 2002, John E. Michael IV, a married man, Michelle A. Michael, a married woman and Alison Michael, a married woman executed a deed of trust (“Deed of Trust”) for the benefit of Mortgage Electronic Registration Systems, Inc., acting solely as nominee for CH Mortgage Company I DBA Melody Mortgage Co., to secure the indebtedness under the Note by encumbering certain real property legally described as:

Lot 10, Block 2, Pleasant Valley Second Filing, County of Boulder, State of Colorado., which is commonly known as: 2311 Santa Fe Drive , Longmont, CO 80504 (the “Property”).

The Deed of Trust was duly recorded on December 30, 2002, at reception number 2378093, in the official records of Boulder County, State of Colorado.

3. Subsequent to the execution of the Note and Deed of Trust, John E Michael IV, Michelle A Michael and Alison Michael defaulted under the terms of the same by failing to make the required monthly payments.

4. Movant is entitled to and does seek the sale of the Property as described above.

5. Any interested person who disputes the grounds within the scope of the hearing provided in Rule 120(d) of the Colorado Rules of Civil Procedure, may file a response, setting for the facts upon which he or she relies and attaching copies of all documents which support his or her position. Colo. R. Civ. P. 120(c).

6. Pursuant to Rule 5 of the Colorado Rules of Civil Procedure, if you file a response, you must serve a copy of the response on counsel for [Specialized Loan Servicing, LLC](#) at the address listed in paragraph 12. Colo. R. Civ. P. 5.

7. “If this case is not filed in the county where your property or a substantial part of your property is located, you have the right to ask the court to move the case to that county. If you file a response and the court sets a hearing date, your request to move the case must be filed with the court at least 7 days before the date of the hearing unless the request was included in your response.” See, Colo. R. Civ. P. 120(c).

8. Unless the court shall order otherwise, any person filing a response to the motion shall pay, at the time of filing such response, a non-refundable docket fee in the amount specified by law for a defendant or respondent in a civil action under section 13-32-101(1)(2), Colo. Rev. Stat. Colo. R. Civ. P. 120(h).

9. Pursuant to Colo. R. Civ. P. 120(e), if no response has been filed with the court on or before the deadline, the court shall examine the motion, and if satisfied venue is proper and the moving party is entitled to an order authorizing sale upon the facts stated therein, the court shall dispense with the hearing and forthwith enter an order authorizing sale. Colo. R. Civ. P. 120(e).

10. If you are interested in loss mitigation, please contact Specialized Loan Servicing, 6200 S. Quebec St., Suite 300, Greenwood Village, CO 80111.

11. Movant's return address is: Specialized Loan Servicing, LLC, c/o The Sayer Law Group, P.C., 3600 Beeler Street, Suite 330, Denver, CO 80237.

12. PLEASE BE ADVISED THAT PURSUANT TO COLO. REV. STAT. § 6-1-1107, WHICH IS KNOWN AS THE COLORADO FORECLOSURE PROTECTION ACT, IT IS ILLEGAL FOR ANY PERSON ACTING AS A FORECLOSURE CONSULTANT TO CHARGE AN UP-FRONT FEE OR DEPOSIT TO THE BORROWER FOR SERVICES RELATED TO THE FORECLOSURE. *See*, Colo. Rev. Stat. § 6-1-1101 *et. seq.*

13. EFFECTIVE JANUARY 1, 2015: IF YOU BELIEVE THAT THE LENDER OR SERVICER OF THIS MORTGAGE HAS VIOLATED THE REQUIREMENTS FOR A SINGLE POINT OF CONTACT IN COLO. REV. STAT. § 38-38-103.1, COLORADO REVISED STATUTES, OR THE PROHIBITION ON DUAL TRACKING IN SECTION 38-38-103.2 COLORADO REVISED STATUTES, YOU MAY FILE A COMPLAINT WITH THE COLORADO ATTORNEY GENERAL, THE FEDERAL CONSUMER FINANCIAL PROTECTION BUREAU, OR BOTH AT:

Colorado Attorney General
Ralph L. Carr Colorado Judicial Center
1300 Broadway, 10th Floor
Denver, Colorado 80203
www.coloradoattorneygeneral.gov

Consumer Financial Protection Bureau
PO Box 4503
Iowa City, IA 52244

Fax: 855-237-2392

Online: <http://www.consumerfinance.gov/complaint/>

**THE FILING OF A COMPLAINT WILL NOT STOP THE FORECLOSURE
PROCESS.**

Dated this 31st day of May, 2023.

Respectfully submitted,

/s/Marcello G. Rojas

Marcello G. Rojas, Atty #46396

Counsel for Specialized Loan Servicing, LLC