



KABOOM - PAUL NGUYEN v. CHASE BANK - Deed of Trust Voided, Promissory Note Rescinded, Absolute Victory

Foreclosure Fraud | September 17, 2010 at 9:29 AM | Tags: 4closurefraud, bank fraud, bankruptcy, CASE NO. CV09-4589-AHM, cdo, cds, chase bank, deed of trust, fight the banks, Foreclosure Defense, Foreclosure Fraud, forgery, PAUL NGUYEN, rescission, securities fraud | Categories: Corruption, Fannie Mae, Foreclosure Fraud, Front Page, MERS, Mortgage Fraud, bankruptcy, cdo, cds, foreclosure, freddie mac, mortgage electronic registration system, securities fraud | URL: <http://wp.me/pFWnq-2GS>



You all remember Paul Nguyen in California right???

[California Love – Nguyen et.al. v. Chase Bank USA, NA; Chase Home Finance LLC. et.al.](#)

I don't know how many people take it upon themselves to challenge their bank; but I was an experience I will never forget. I challenged Chase on my mortgage based on TILA violations. The bank retained a large law firm in So. CA with 3 lawyers. So much motions and procedures to learn and apply as the case moved along in the last year. Finally, the case went to trial yesterday. **The court finally rendered judgment in plaintiffs' favor in voiding the deed of trust. As far as the outstanding loan, it is forfeited and the bank would have to take that lost. Furthermore, the court imposed statutory damages of \$4k for each violations which amounted to about \$16k.**

I am in the process of preparing the judgment for the court to sign along with tax cost. Believe it or not, I have expended over \$10k in cost alone; which includes expert witness cost.

So much research was done and I hate to see it goes to waste. If you have access to PACER, everything is there for public use. Best of luck to all fighting the bank now and keep up your spirit.

Paul Nguyen

Well then check this out...

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

PAUL NGUYEN, et al.,

Plaintiff,

v.

CHASE BANK USA, N.A., et al.,

Defendants.

CASE NO. CV09-4589-AHM (AJWx)

**ORDER OF DEFAULT JUDGMENT AND
OTHER EQUITABLE RELIEF**

AGAINST CHASE BANK USA, N.A.;

**AND CHASE HOME FINANCE, LLC AND,
JUDGMENT AGAINST FIRST AMERICAN
LOANSTAR TRUSTEE SERVICES, LLC.**

IT IS THEREFORE ORDERED that the Deed of Trust recorded with Orange County Recorder as instrument No. 2007000731120 on 12/12/2007 **is wholly voided** as to plaintiff Laura Nguyen.

IT IS FURTHER ORDERED that Defendant First American Loanstar Trustee Services record a DEED OF RECONVEYANCE to **reconvey unto Plaintiffs thereto all right, title and interest** which was heretofore acquired by First American Loanstar Trustee Services under deed of trust recorded with Orange County Recorder as instrument No. 2007000731120 on 12/12/2007.

IT IS FURTHER ORDERED that **all adverse claims against property known as 16141 Quartz Street, Westminster, CA 92683 are quieted.** The legal description of said property is: LOT 44 TRACT NO. 8977, IN THE CITY OF WESTMINSTER, COUNTY OF ORANGE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 369, PAGE(S) 46 AND 47 OF MISCELLANEOUS MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY. Assessor's Parcel No.: 107-903-44.

IT IS FURTHER ORDERED that the **Promissory Note** dated 12/12/2007 executed by Plaintiff Paul Nguyen in favor of Chase Bank USA, N.A. **rescinded** pursuant to 15 U.S.C. §1635(i).

IT IS FURTHER ORDERED that pursuant to 15 U.S.C. §1635(b), Plaintiffs had made offer to tender the loan evidenced by promissory note dated 12/12/2007 and Defendant Chase Bank USA, N.A. did not take possession within 20 days after tender by the Plaintiffs. Therefore, **ownership of the loan proceed is vested in the Plaintiffs without obligation on their part to pay for it.**

IT IS FURTHER ORDERED that Defendant Chase Bank USA, N.A. within 20 days after entry of judgment **shall return to the Plaintiffs any money or property given as earnest money, down payment,** or otherwise pursuant to 15 U.S.C. §1635(b).

IT IS FURTHER ORDERED that **Plaintiffs are awarded their costs of suit,** to be paid by Defendants Chase Bank USA, N.A. and Chase Home Finance, LLC, in an amount to be determined by the Clerk of the Court. DATED: September 15, 2010

4closureFraud.org - PAUL NGUYEN, et al., Plaintiff, v. CHASE BANK USA, N.A., et al., Defendants