

FAX

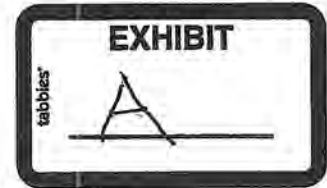
FROM

James Minerve
The Minerve Law Firm
115 saddle blanket trail
Buda
Texas 78610

Phone (888) 819-1440 * 101
Fax Number (888) 819-1440

TO

Phone
Fax Number +18177966079



DATE 03/06/2023

NOTE

To Whom It May Concern:

Re: Claudia Orellana v. Lakeview Loan Servicing LLC; Property: 10343 Leafy Autumn Path, Houston, Texas 77044.

James Minerve is submitting an application for a TRO to the Harris County District Ancillary Court Tuesday morning, March 7, 2023 and has a TRO hearing set at 9:10 a.m. and will request the Court to sign the TRO Order ex parte in chambers. Please call James Minerve at 210-336-5867 with the name and phone number of an attorney who can participate in the TRO hearing video conference or at the TRO hearing.



CAUSE NO. _____

Claudia Orellana,
Plaintiff(s),

v.

Lakeview Loan Servicing, LLC,
Defendant(s),

§ IN THE DISTRICT COURT OF
§
§
§
§
§ HARRISCOUNTY, TEXAS
§
§
§
§ _____ JUDICIAL DISTRICT
§

CERTIFICATE OF COMPLIANCE WITH LOCAL RULES
REGARDING NOTIFYING OPPOSING COUNSEL

CERTIFICATE OF CONFERENCE

I, James Minerve, do hereby certify that I am the attorney for the Plaintiff Claudia Orellana in the above captioned cause, that Monday, March 6, 2023 at approximately 10 p.m. I faxed the trustee, William Attmore, an Attorney of Robertson, Anschutz, Schneid, Crane & Partners, PLLC, a copy of the pleadings and informed Mr. Attmore that I am submitting an application for a TRO to the Harris County District Ancillary Court Tuesday morning, March 7, 2023 and has a TRO hearing set at 9:10 a.m. and will request the Court to sign the TRO Order ex parte in chambers; I requested Mr. Attmore please call James Minerve with the name and phone number of an attorney who can participate in the TRO hearing video conference or at the TRO hearing, and included my phone number and fax.

The information contained herein is within my knowledge, is true and correct to the best of my knowledge.

/s/ James Minerve

James Minerve
State Bar No. 24008692
13276 N HWY 183
Austin, Texas 78750
(888) 819-1440 (Office)
(210) 336-5867 (Cell)
(888) 230-6397 (Fax)
jgm@minervelaw.com
Attorney for Plaintiff
Claudia Orellana

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing document was sent to the following in accordance with the Texas Rules of Civil Procedure on this 6th day of March 2023:

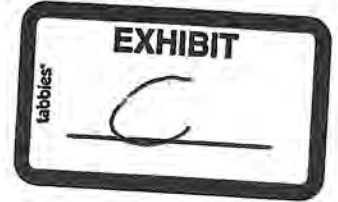
William Attmore
Managing Attorney – Texas
Robertson, Anschutz, Schneid, Crane & Partners, PLLC
5601 Executive Drive, Suite 400
Irving, Texas 75038
Phone: 817-873-3080 Ext. 53112
Fax: 817-796-6079
Email: wattmore@raslg.com

/s/ James Minerve

JAMES MINERVE

Harris County DISTRICT CLERK Contact Information and Bond Payment Instructions

From: James Minerve (jgminerve@aol.com)
To: jgm@minervelaw.com; josh@ftwinvest.com; dave@ftwinvest.com
Date: Tuesday, March 7, 2023 at 09:39 AM CST



Please acknowledge receipt of this email.

Section 1: Case Information

You obtained a TRO **Tuesday, March 7, 2023** in the following Civil Case:

Cause: Re: Cause 202314624

Style: Claudia Orellana v. Lakeview Loan Servicing LLC

Property: 10343 Leafy Autumn Path, Houston, Texas 77044

Section 2: Kendall County District Clerk Contact Information

Address:

Harris County District Clerk
Civil Courthouse
201 Caroline, Suite 210
Houston, Texas 77002
832-927-5800
Monday - Friday, 8 a.m. – 4:30 p.m

Section 3: Bond Payment Instructions

1. Please call the District Clerk ASAP and ask what types of payment the District Clerk accepts (e.g., personal check, certified check, or cash).
2. When you get to the District Clerk's Office provide the Clerk the Case information: the Cause # and the Style (See Section 1 above). **Tell the Clerk you do not need Service of Citation now. I'll take care of that later.**
3. When you pay the bond, immediately text me and the Trustee (email trustee) a very legible picture of the bond receipt.
4. When you get back to your home or office email (jgm@minervelaw.com) or fax me (888-230-6397) a legible pdf copy.

Trustee Contact Information

William Attmore

Managing Attorney – Texas

Robertson, Anschutz, Schneid, Crane & Partners, PLLC

5601 Executive Drive, Suite 400

Irving, Texas 75038

Phone: 817-873-3080 Ext. 53112

Fax: 817-796-6079

Email: wattmore@raslg.com

On Monday, March 6, 2023 at 08:19:03 PM CST, Dave Merriken <dave@ftwinvest.com> wrote:

Additional pages of the Deed of Trust

On Mon, Mar 6, 2023 at 8:06 PM Dave Merriken <dave@ftwinvest.com> wrote:

On Mon, Mar 6, 2023 at 7:09 PM Dave Merriken <dave@ftwinvest.com> wrote:

Home Owner name - Claudia Patricia Orellana
Borrower - alive
Phone - (832) 766-8085
Email - orellanc8@yahoo.com
Address - 10343 Leafy Autumn Path, Houston, TX 77044
Loan type - FHA - \$155,951
Loan # - 2018.243475

Last Payment - July 2022
Payments behind - 7 - 10

Ball Park Arrears - 14,500.00
Property Value - 230,000.00
Payoff Amount - 155,000.00
Loan date - 6/1/2018
Original Lender - ARK-LA-TEX FINANCE SERVICES LL

On Mon, Mar 6, 2023 at 6:44 PM Dave Merriken <dave@ftwinvest.com> wrote:

Good Evening

I have attached the purchase contract and the mortgage statement

----- Forwarded message -----

From: **Josh Fuller** <josh@ftwinvest.com>

Date: Mon, Mar 6, 2023 at 6:00 PM

Subject: Fwd: TRO Engagement Letter and Wrongful Foreclosure Questionnaire Attached

To: Dave Merriken <Dave@ftwinvest.com>

Josh Fuller

IT IS ORDERED, ADJUDGED, AND DECREED that the foregoing orders shall be binding on Defendant; on Defendant's agents, servants and employees; and on those persons in active concert or participation with them who receive actual notice of these Orders by personal service or otherwise.

IT IS ORDERED, ADJUDGED, AND DECREED that Plaintiff post a bond of

II.

IT IS FURTHER ORDERED that the Clerk shall issue notice to Defendant, Lakeview Loan Servicing, LLC to appear and such Defendant is hereby ordered to appear, before this Court in the Courthouse at 201 Caroline Street, Houston, Texas 77002 on March 16, 2023, at 3:00 p.m., to show cause, if any, why the following temporary injunctive and other interim relief should not be granted as requested by Plaintiff during the pendency of this cause:

1. That the preceding temporary restraining orders in sections 'I' be made a temporary injunction pending final hearing in this cause;
2. That the additional orders and temporary injunctions requested by Plaintiff be granted;
3. That all other orders should be entered or further relief granted respecting the parties as pled for by Plaintiff in Plaintiff's Original Petition in this cause.

UPON THE PLAINTIFF POSTING A BOND OF \$200. THE CLERK OF THIS COURT IS DIRECTED TO ISSUE A TEMPORARY RESTRAINING ORDER IN CONFORMITY WITH THE LAW AND THE TERMS OF THIS ORDER.

SIGNED on March _____, 2023, at _____ o'clock _____ m

Signed:

3/7/2023

10:04 AM

JUDGE PRESIDING

Approved as to Substance and Form

/s/ James Minerve

James Minerve
State Bar No. 24008692
13276 N HWY 183, ste. 209
Austin, Texas 78750
(888) 819-1440 (Office)
(210) 336-5867 (Mobile)
(888) 230-6397 (Fax)
jgm@minervelaw.com
Attorney for Plaintiff
Claudia Orellana



Re: Posted TRO and Bond Receipt

From: Josh Fuller (josh@ftwinvest.com)

To: jgminerve@aol.com

Cc: dave@ftwinvest.com

Date: Tuesday, March 7, 2023 at 07:57 PM CST

By the way, our seller was there to post the bond that you said was \$250. The clerk turned her away and said it was only \$200 and would accept her money order so she had to go and redo that and come back to the court to post the \$200 bond because they wouldn't take the \$250 money order.

Josh Fuller
FTW Invest
817-405-9832

On Mar 7, 2023, at 7:41 PM, Josh Fuller <josh@ftwinvest.com> wrote:

What are our options here?

Josh Fuller
FTW Invest
817-405-9832

On Mar 7, 2023, at 6:40 PM, JAMES MINERVE <jgminerve@aol.com> wrote:

FYI
Sent from my iPhone

Begin forwarded message:

From: William Attmore <wattmore@raslg.com>
Date: March 7, 2023 at 6:06:50 PM CST
To: James Minerve <jgminerve@aol.com>
Cc: Lindsay Marchello <lmarchello@raslg.com>, Joseph Vacek <jvacek@raslg.com>, John Lawson <jlawson@raslg.com>, Shari Vaughan <svaughan@raslg.com>
Subject: RE: Posted TRO and Bond Receipt

James,

The bond was not posted prior to the sale completion. Sale was completed at 10:49 am and per the attached the bond was filed at 12:30 pm.

The TRO was not in effect at the time the sale was concluded based on the timing of the bond filing/posting. The property sold third party and we will not be rescinding.

Thank you,

Bill

William Attmore

Managing Attorney - Texas

<image001.png>

Robertson, Anschutz, Schneid, Crane & Partners, PLLC

5601 Executive Dr, Suite 400

Irving, TX 75038

Phone: 817-873-3080 Ext. 53112

Fax: 817-796-6079

Email: wattmore@raslg.com

* Licensed in Texas and Florida

Pursuant to the Fair Debt Collection Practices Act, it is required that we state the following to you: "This is a communication from a debt collector. This is an attempt to collect a debt and any information obtained may be used for that purpose."

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From: James Minerve <jgminerve@aol.com>
Sent: Tuesday, March 7, 2023 3:30 PM
To: William Attmore <wattmore@raslg.com>; Shari Vaughan <svaughan@raslg.com>
Subject: Posted TRO and Bond Receipt

This message originated outside of the organization. Use caution when opening attachments, clicking links or responding to requests for information.

To Whom It May Concern:

Re: Claudia Orellana v. Lakeview Loan Servicing LLC; Property: 10343 Leafy Autumn Path, Houston, Texas 77044

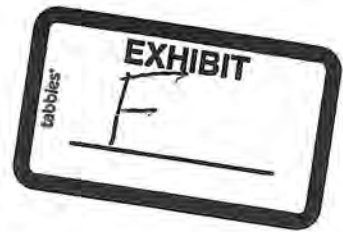
Please find attached a posted TRO and Bond Receipt. Please call James Minerve or email him to confirm the March 7, 2023, scheduled sale is canceled.

*CONSUMER OPT-OUT: Please note that you may **opt out** of receiving further email communications to this email address by replying to this email with the word "**stop**" in the subject line. While the firm will comply with your request to opt out of receiving further electronic communication to this email address, please be advised that the firm may still be required by applicable law or court rule to provide you with certain notices or pleadings.*

In some circumstances this firm may be deemed a "debt collector" as defined by the Fair Debt Collection Practices Act and other applicable law. In such a case, this is an attempt to collect a debt. Any information obtained may be used for that purpose.

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<Posted TRO and Bond Receipt Claudia Orellana.pdf>



CAUSE NUMBER 2023-14024

Claudia Orellana
PETITIONER

vs.
Laterview Loan Servicing LLC
RESPONDENT

§ IN THE DISTRICT COURT OF
§ HARRIS COUNTY, TEXAS
§ 165th JUDICIAL DISTRICT

CLERK'S CERTIFICATE OF CASH DEPOSIT IN LIEU OF INJUNCTION BOND PER ORDER OF THE COURT

THE STATE OF TEXAS §
COUNTY OF HARRIS §

THIS DOCUMENT IS TO CERTIFY that I, the undersigned Clerk of the District Courts of Harris County, Texas have received a cash deposit, as ordered by the Court, in the amount of two hundred Dollars (\$ 200⁰⁰), to be deposited with the Registry of the Court in lieu of a Temporary Restraining Order Bond or a Temporary Injunction Bond, as required by Rule 684, T.R.C.P. in the above styled and numbered cause as provided by the order entered on the 7th day of March, 2023

This cash deposit is made and received in lieu of TEMPORARY RESTRAINING ORDER or a TEMPORARY INJUNCTION, conditioned that the applicant will abide the decision which may be made in the cause, and that he will pay all sums of money and costs that may be adjudged against him if the restraining order or temporary injunction shall be dissolved in whole or in part, and this certificate is issued to have the force and effect of a TEMPORARY RESTRAINING ORDER BOND or a TEMPORARY INJUNCTION BOND in accordance with the Order of the Court.

WITNESS my hand and seal of office this 7th day of March, A.D., 2023

FILED
Marilyn Burgess
District Clerk

MAR 07 2023
Time: 12:30AM
Harris County, Texas
By J. Collins
Deputy

Marilyn Burgess, District Clerk
Harris County, Texas
PO BOX 4651
Houston, Texas 77210-4651

By: Alis Allen
Deputy District Clerk

Principal: _____

Attorney: James Minerve

Bar Number: 24008492



From: James Minerve <jgminerve@aol.com>
Sent: Tuesday, March 7, 2023 3:30 PM
To: William Attmore <wattmore@raslg.com>; Shari Vaughan <svaughan@raslg.com>
Subject: Posted TRO and Bond Receipt

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To Whom It May Concern:

Re: Claudia Orellana v. Lakeview Loan Servicing LLC; Property: 10343 Leafy Autumn Path, Houston, Texas 77044

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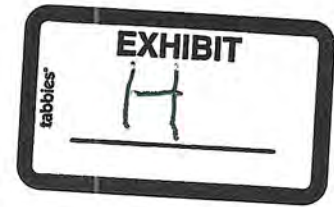
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Posted TRO and Bond Receipt Claudia Orellana.pdf
1.6MB

RE: Posted TRO and Bond Receipt



From: William Attmore (wattmore@raslg.com)

To: jgminerve@aol.com

Cc: Imarchello@raslg.com; jvacek@raslg.com; jlawson@raslg.com; svaughan@raslg.com

Date: Tuesday, March 7, 2023 at 06:06 PM CST

James,

The bond was not posted prior to the sale completion. Sale was completed at 10:49 am and per the attached the bond was filed at 12:30 pm.

The TRO was not in effect at the time the sale was concluded based on the timing of the bond filing/posting. The property sold third party and we will not be rescinding.

Thank you,

Bill

William Attmore
Managing Attorney - Texas



Robertson, Anschutz, Schneid, Crane & Partners, PLLC

5601 Executive Dr, Suite 400

Irving, TX 75038

Phone: 817-873-3080 Ext. 53112

Fax: 817-796-6079

Email: wattmore@raslg.com

* Licensed in Texas and Florida

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