

# **EXHIBIT A**

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

<b>WILMINGTON SAVINGS FUND</b>	§	
<b>SOCIETY, FSB, NOT IN ITS INDIVIDUAL</b>	§	
<b>CAPACITY BUT SOLELY AS</b>	§	
<b>CERTIFICATE TRUSTEE OF BOSCO</b>	§	
<b>CREDIT II TRUST SERIES 2010-1,</b>	§	<b>Civil Action No. 4:22-cv-1342</b>
	§	
<b>Plaintiff,</b>	§	
	§	
<b>v.</b>	§	
	§	
<b>KRISTI DUNN,</b>	§	
	§	
<b>Defendant.</b>	§	

**DECLARATION OF MARK D. CRONENWETT**

Pursuant to 28 U.S.C. Section 1746, I declare under penalty of perjury that the following statements are true and correct:

1. “My name is Mark D. Cronenwett. I am over the age of 21 years and am fully competent to make this Declaration. All statements of fact made herein are true, correct, and within my personal knowledge.
2. I am an attorney for Wilmington Savings Fund Society, FSB, not in its Individual Capacity but Solely as Certificate Trustee of Bosco Credit II Trust Series 2010-1 (“Wilmington” or “Plaintiff”).
3. My firm has represented Plaintiff in prior actions, including but not limited to Civil Action No. 4:22-cv-1342 in the United States District Court for the Southern District of Texas.
4. I am an attorney licensed to practice in the State of Texas and I am a member the United States District Court for the Southern District of Texas. I am currently managing attorney for the litigation department of the law firm of Mackie Wolf Zientz & Mann, P.C. (MWZM), with

offices located in Dallas, Texas and Houston, Texas. I am in good standing with respect to the State Bar of Texas.

5. MWZM was retained by Plaintiff to enforce Defendant's obligation to pay the Note and seek a personal money judgment against the Defendant. The legal professionals of MWZM with whom I worked in providing these services are at all relevant times attorneys licensed by the State of Texas, in good standing and experienced in the areas of business, real estate, and commercial litigation practice. Without waiving the attorney-client privilege, the subject matter of the counsel and representation provided to Plaintiff by MWZM legal professionals included, but was not limited to: review and analysis of the loan documents at issue; review and analysis of the history of this matter; preparation and filing of the Original Complaint in this action; completing service; drafting a motion for summary judgment; drafting a response to a motion to dismiss; conducting legal research; drafting a response to a motion for summary judgment and multiple conferences with Plaintiff's mortgage servicer regarding all of these items and this matter generally. These activities are set forth in chronological order by name and date on the invoices included with the motion as **Exhibit A-1**. The hours set forth for each activity were actually expended on the topics stated.

6. The reasonable incurred attorneys' fees are \$6,037.50 in filing and prosecuting Plaintiff's claims as a result of the default of under the Note between the parties. The hourly rate charged is \$200.00 per hour for attorneys and \$125.00 per hour for paralegals and legal assistants.

7. I have become familiar with the legal services necessary to handle claims based on and the reasonable charges for such legal services in the United States District Court for the Southern District of Texas and within the State of Texas.

8. I anticipate that Plaintiff will incur an additional \$30,000.00 in attorney's fees in order to enforce Plaintiff's right to collect under the Note, through trial.

9. Based upon my knowledge and experience with similar litigation in the state and federal courts in Texas, and applying the facts and factors set out above, it is my opinion that the hourly rate of up to \$200.00 per hour for attorneys and \$125.00 per hour for paralegals and legal assistants are reasonable and customary."

FURTHER DECLARANT SAYETH NAUGHT.

Signed this June 5, 2023.

A handwritten signature in black ink, appearing to read 'M. D. Cronenwett', written in a cursive style.

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**MARK D. CRONENWETT**

# **EXHIBIT A-1**

<b>Invoice Date</b>
06/09/2022

<b>Invoice Number</b>
330014

Mackie Wolf Zientz & Mann, P.C.  
 14160 Dallas Pkwy Ste. 900  
 Dallas, TX 75254  
 Phone: (214) 635-2650  
 Fax: (214) 635-2686

INVOICE

Franklin Credit Management Corporation  
 101 Hudson Street  
 25th Floor  
 Jersey City, NJ 07302

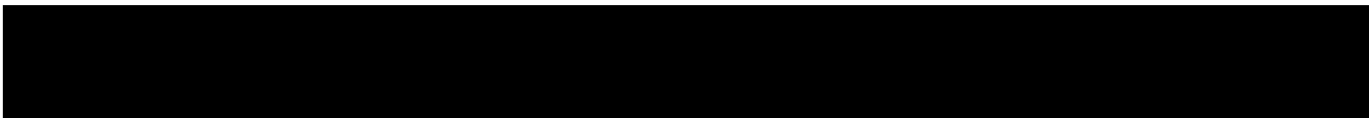
Loan No [REDACTED]  
 Reference:  
 Property Addr: 13681 Bighorn Trail  
 Willis, TX 77378  
 Our File: 20-000023-740-1

MWZM Case No.: 20-000023-740-1; Loan Type: CONV; Case Type: Litigation

BILLING SUMMARY:

COSTS			
DATE	COST DESCRIPTION	RECOVERABLE	AMOUNT
04/26/2022	Filing Costs for original complaint.- Recoverable	Yes	\$402.00
04/27/2022	Process Server Costs- Recoverable	Yes	\$203.50

HOURLY FEES					
DATE	FEE DESCRIPTION	RECOVERABLE	RATE	HOURS	AMOUNT
[REDACTED]					
05/25/2022	Associate Attorney Fee-Hourly- Recoverable Lieber, Robert	Yes	\$200.00	0.30	\$60.00
Review and analyze answer filed by borrower					



## Invoice Date

04/11/2023

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Franklin Credit Management Corporation  
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## BILLING SUMMARY:

HOURLY FEES					
DATE	FEE DESCRIPTION	RECOVERABLE	RATE	HOURS	AMOUNT
07/18/2022	Senior Attorney Fee-Hourly- Recoverable Cronenwett, Mark	Yes	\$200.00	0.20	\$40.00
Prepare email to opposing counsel to follow up on draft of joint case management plan.					
07/19/2022	Senior Attorney Fee-Hourly- Recoverable Cronenwett, Mark	Yes	\$200.00	0.20	\$40.00
Telephone conference with opposing counsel regarding and draft of joint case management plan.					
07/19/2022	Senior Attorney Fee-Hourly- Recoverable Cronenwett, Mark	Yes	\$200.00	0.20	\$40.00
Finalize joint case management plan.					
07/27/2022	Paralegal Fee-Hourly- Recoverable Taplin, Susan	Yes	\$125.00	0.20	\$25.00
Prepare correspondence to court administrator inquiring if we can appear telephonically or via Zoom for the initial pretrial and scheduling conference					
07/27/2022	Paralegal Fee-Hourly- Recoverable Taplin, Susan	Yes	\$125.00	0.50	\$62.50
Prepare agreed scheduling/docket control order per Court's request					
07/27/2022	Paralegal Fee-Hourly- Recoverable Taplin, Susan	Yes	\$125.00	0.30	\$37.50
Prepare revisions to Agreed Scheduling/Docket Control Order					
07/27/2022	Paralegal Fee-Hourly- Recoverable Taplin, Susan	Yes	\$125.00	0.30	\$37.50
Receipt and review signed Agreed Scheduling/Docket Control Order from opposing counsel, finalize and submit to Court for execution					
07/27/2022	Senior Attorney Fee-Hourly- Recoverable Cronenwett, Mark	Yes	\$200.00	0.20	\$40.00
Review and revise agreed scheduling order prepared by S. Taplin.					
07/28/2022	Paralegal Fee-Hourly- Recoverable Taplin, Susan	Yes	\$125.00	0.20	\$25.00
Receipt and review correspondence from case manager about changes needed to be made to the proposed agreed scheduling order					
07/28/2022	Paralegal Fee-Hourly- Recoverable Taplin, Susan	Yes	\$125.00	0.30	\$37.50
Prepare revision to proposed scheduling order and submit same to opposing counsel to review, sign and return for					

submission to the Court					
07/28/2022	Paralegal Fee-Hourly- Recoverable Taplin, Susan	Yes	\$125.00	0.20	\$25.00
Receipt and review signed proposed agreed scheduling order from opposing counsel and forward same to case manager for Judge's review					
07/28/2022	Senior Attorney Fee-Hourly- Recoverable Cronenwett, Mark	Yes	\$200.00	0.20	\$40.00
Receipt and review signed scheduling order.					
08/01/2022	Paralegal Fee-Hourly- Recoverable Taplin, Susan	Yes	\$125.00	0.40	\$50.00
Receipt and review court ordered deadlines and process same					
08/15/2022	Paralegal Fee-Hourly- Recoverable Taplin, Susan	Yes	\$125.00	0.60	\$75.00
Prepare initial disclosures					
08/16/2022	Paralegal Fee-Hourly- Recoverable Taplin, Susan	Yes	\$125.00	0.20	\$25.00
Prepare service of Plaintiff's initial disclosures on opposing counsel					
08/16/2022	Paralegal Fee-Hourly- Recoverable Taplin, Susan	Yes	\$125.00	0.40	\$50.00
Draft notice of service of rule 26 initial disclosures					
08/16/2022	Senior Attorney Fee-Hourly- Recoverable Cronenwett, Mark	Yes	\$200.00	0.20	\$40.00
Review and revise initial disclosures prepared by S. Taplin.					
08/19/2022	Senior Attorney Fee-Hourly- Recoverable Cronenwett, Mark	Yes	\$200.00	0.20	\$40.00
Receipt and review opposing counsel's initial disclosures.					
11/17/2022	Associate Attorney Fee-Hourly- Recoverable Haley, Cheyenne	Yes	\$200.00	1.50	\$300.00
Begin Drafting MSJ.					
11/23/2022	Associate Attorney Fee-Hourly- Recoverable Haley, Cheyenne	Yes	\$200.00	0.20	\$40.00
Review Payment History to Finish Drafting MSJ.					
01/19/2023	Associate Attorney Fee-Hourly- Recoverable Haley, Cheyenne	Yes	\$200.00	0.30	\$60.00
Prepare for Call with Katie Linder regarding payoff figures.					
03/21/2023	Paralegal Fee-Hourly- Recoverable Lenehan, Rebecca	Yes	\$125.00	0.30	\$37.50
Finalized the Plaintiff's Designation of Expert Witnesses including supporting exhibit prior to filing with the court.					
03/21/2023	Associate Attorney Fee-Hourly- Recoverable Haley, Cheyenne	Yes	\$200.00	0.40	\$80.00
Draft Designation of Expert Witnesses.					
03/31/2023	Associate Attorney Fee-Hourly- Recoverable Haley, Cheyenne	Yes	\$200.00	1.00	\$200.00
Further Draft Motion for Summary Judgment.					
03/31/2023	Associate Attorney Fee-Hourly- Recoverable Haley, Cheyenne	Yes	\$200.00	0.80	\$160.00
Review Amortization Schedule and Calculate updated payoff for loan.					
04/04/2023	Associate Attorney Fee-Hourly- Recoverable Haley, Cheyenne	Yes	\$200.00	1.50	\$300.00
Draft Client Declaration to be attached to MSJ as Exhibit.					
04/04/2023	Paralegal Fee-Hourly- Recoverable Lenehan, Rebecca	Yes	\$125.00	0.30	\$37.50
Combined and redacted supporting exhibits to the Declaration to the Motion for Summary Judgment.					

<b>TOTALS</b>					
<b>DESCRIPTION</b>					<b>AMOUNT</b>
Total Hourly Fees Since Last Billing					\$1,945.00



Invoice Date

05/15/2023

Mackie Wolf Zientz & Mann, P.C.  
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## INVOICE

Franklin Credit Management Corporation  
 101 Hudson Street  
 25th Floor  
 Jersey City, NJ 07302

Loan No. [REDACTED]  
 Reference:  
 Property Addr: 13681 Bighorn Trail  
 Willis, TX 77378  
 Our File: 20-000023-740-1

MWZM Case No.: 20-000023-740-1; Loan Type: CONV; Case Type: Litigation

## BILLING SUMMARY:

HOURLY FEES					
DATE	FEE DESCRIPTION	RECOVERABLE	RATE	HOURS	AMOUNT
04/26/2023	Associate Attorney Fee-Hourly- Recoverable Haley, Cheyenne	Yes	\$200.00	0.30	\$60.00
Receipt and review of Defendants expert witness designation.					
05/11/2023	Associate Attorney Fee-Hourly- Recoverable Haley, Cheyenne	Yes	\$200.00	0.20	\$40.00
Review updated payoff statement to be attached to MSJ.					
05/11/2023	Associate Attorney Fee-Hourly- Recoverable Haley, Cheyenne	Yes	\$200.00	0.60	\$120.00
Draft Proposed Order for Motion for Summary Judgment.					
05/11/2023	Paralegal Fee-Hourly- Recoverable Lenehan, Rebecca	Yes	\$125.00	0.30	\$37.50
Combined and redacted supporting exhibits to the Declaration in support of the Motion for Summary Judgment.					
05/11/2023	Associate Attorney Fee-Hourly- Recoverable Haley, Cheyenne	Yes	\$200.00	0.30	\$60.00
Review Exhibits to client declaration prepared by R. Lenehan.					
05/12/2023	Associate Attorney Fee-Hourly- Recoverable Haley, Cheyenne	Yes	\$200.00	0.20	\$40.00
Review of corrected payoff statement.					
05/12/2023	Associate Attorney Fee-Hourly- Recoverable Haley, Cheyenne	Yes	\$200.00	0.30	\$60.00
Review updated payment history.					
05/12/2023	Paralegal Fee-Hourly- Recoverable Lenehan, Rebecca	Yes	\$125.00	0.30	\$37.50
Declaration in support of the Motion for Summary Judgment submitted for review, execution and return.					
05/12/2023	Paralegal Fee-Hourly- Recoverable Lenehan, Rebecca	Yes	\$125.00	0.20	\$25.00
Revised Combined and redacted supporting exhibits to the Declaration in support of the Motion for Summary Judgment.					
05/12/2023	Paralegal Fee-Hourly- Recoverable Lenehan, Rebecca	Yes	\$125.00	0.30	\$37.50
Receipt and review of the executed Declaration in support of the Motion for Summary Judgment.					
05/12/2023	Associate Attorney Fee-Hourly- Recoverable Haley, Cheyenne	Yes	\$200.00	0.30	\$60.00
Review executed client declaration to be added as an exhibit to the MSJ.					

Invoice Date

06/05/2023

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HOURLY FEES					
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05/15/2023	Associate Attorney Fee-Hourly- Recoverable Haley, Cheyenne	Yes	\$200.00	0.30	\$60.00
Review invoices from 4/26/22 to be attached as Exhibit B-1 to MSJ.					
[REDACTED]					
05/15/2023	Associate Attorney Fee-Hourly- Recoverable Haley, Cheyenne	Yes	\$200.00	0.40	\$80.00
Final Review of MSJ Motion, Brief and Proposed Order prior to filing.					
05/15/2023	Paralegal Fee-Hourly- Recoverable Lenehan, Rebecca	Yes	\$125.00	0.30	\$37.50
Research and obtain SCRA/Pacer results for each named defendant prior to filing the Motion for Summary Judgment.					
05/15/2023	Paralegal Fee-Hourly- Recoverable Lenehan, Rebecca	Yes	\$125.00	0.40	\$50.00
Finalized the Motion for Summary Judgment and Brief in Support thereof including supporting exhibits prior to filing with the court.					
05/15/2023	Associate Attorney Fee-Hourly- Recoverable Haley, Cheyenne	Yes	\$200.00	0.30	\$60.00
Review Exhibits to the Motion for Summary Judgment prepared by R. Lenehan.					
05/18/2023	Associate Attorney Fee-Hourly- Recoverable Haley, Cheyenne	Yes	\$200.00	0.40	\$80.00
Receipt and review of D's Motion for Summary Judgment.					
05/18/2023	Associate Attorney Fee-Hourly- Recoverable Haley, Cheyenne	Yes	\$200.00	0.40	\$80.00
Receipt and review of D's motion to dismiss due to lack of subject matter jurisdiction.					
06/01/2023	Associate Attorney Fee-Hourly- Recoverable Haley, Cheyenne	Yes	\$200.00	2.50	\$500.00
Begin drafting Response to Defendant's Motion to Dismiss for lack of subject matter jurisdiction.					
06/01/2023	Associate Attorney Fee-Hourly- Recoverable Haley, Cheyenne	Yes	\$200.00	0.30	\$60.00
Draft Proposed order denying defendant's motion to dismiss.					
06/01/2023	Associate Attorney Fee-Hourly- Recoverable Haley, Cheyenne	Yes	\$200.00	0.60	\$120.00

Further review of arguments made in D`s motion to dismiss.					
06/01/2023	Associate Attorney Fee-Hourly-Recoverable Haley, Cheyenne	Yes	\$200.00	1.00	\$200.00
Research on including attorneys fees through trial to amount in controversy requirement.					
06/05/2023	Associate Attorney Fee-Hourly-Recoverable Haley, Cheyenne	Yes	\$200.00	1.00	\$200.00
Further drafting of Response to Defendants MTD.					
06/05/2023	Associate Attorney Fee-Hourly-Recoverable Haley, Cheyenne	Yes	\$200.00	0.80	\$160.00
Pull and review docket/case for cases cited in D`s MTD.					
06/05/2023	Associate Attorney Fee-Hourly-Recoverable Haley, Cheyenne	Yes	\$200.00	3.00	\$600.00
Draft Plaintiff`s response to D`s Motion for Summary Judgment.					
06/05/2023	Associate Attorney Fee-Hourly-Recoverable Haley, Cheyenne	Yes	\$200.00	0.50	\$100.00
Further review of arguments in Defendant`s Motion for Summary Judgment.					
06/05/2023	Associate Attorney Fee-Hourly-Recoverable Haley, Cheyenne	Yes	\$200.00	1.00	\$200.00
Research requirement for standing to enforce promissory Note.					
06/05/2023	Associate Attorney Fee-Hourly-Recoverable Haley, Cheyenne	Yes	\$200.00	1.00	\$200.00
Research deficiency judgment under Texas Property code and collection of unsecured debt under Texas Business and Commerce Code.					
06/05/2023	Paralegal Fee-Hourly-Recoverable Jackson, Erin	Yes	\$125.00	0.50	\$62.50
Preparation of exhibits in support Plaintiffs Response to Defendants Motion to Dismiss					

Invoice#: [REDACTED]

Invoice Date: 06/05/2023

Loan No [REDACTED]

Reference:

Property Addr: 13681 Bighorn Trail

Willis, TX 77378

Our File: 20-000023-740

<b>BILLED CASE SUMMARY SINCE INCEPTION</b>	
FEEES	\$0.00
EXPENSES	\$605.00
TIME	\$5432.50
TOTAL	\$6037.50

Thank you for the opportunity to be of service.

Please contact [invoicing@mwzmlaw.com](mailto:invoicing@mwzmlaw.com) for any questions or concerns regarding items on this invoice.