

**ELECTRONICALLY FILED**

Superior Court of California,  
County of Alameda

**06/01/2023 at 05:04:26 PM**

By: Curtiyah Ganter,  
Deputy Clerk

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Attorneys for Plaintiff Renee Shizue Ramos, aka Renee Shizue Yamagishi

**SUPERIOR COURT OF CALIFORNIA COUNTY OF ALAMEDA**

**RENE C. DAVISON COURTHOUSE**

RENEE SHIZUE RAMOS, AKA RENEE  
SHIZUE YAMAGISHI,

Plaintiffs,

v.

WILMINGTON TRUST NATIONAL  
ASSOCIATION, SUCCESSOR TRUSTEE  
TO CITIBANK, N.A., AS TRUSTEE FOR  
MERRILL LYNCH MORTGAGE  
INVESTORS TRUST, MORTGAGE LOAN  
ASSET-BACKED CERTIFICATES, AND  
SERIES 2006-HES, a business entity form  
unknown; NATIONSTAR MORTGAGE  
LLC, dba MR. COOPER, a Texas Limited  
Liability Corporation; AZTEC  
FORECLOSURE COMPANY, INC., a  
California Corporation; BRECKENRIDGE  
PROPERTY FUND 2016, LLC, a Delaware  
Limited Liability Company; CHAMPERY  
REAL ESTATE 2015, LLC, a California  
Limited Liability Company; ALL PERSONS  
OR ENTITIES UNKNOWN CLAIMING (A)  
ANY LEGAL OR EQUITABLE RIGHT,  
TITLE, ESTATE, LIEN, OR INTEREST IN  
PLAINTIFF'S REAL PROPERTY

Case No.: 23CV029813

**SUPPLEMENTAL DECLARATION OF  
RENEE RAMOS IN SUPPORT REPLY  
TO OPPOSITION OF ORDER TO SHOW  
CAUSE RE PRELIMINARY  
INJUNCTION**

Judge: Frank Roesch  
Dept: 17  
Date Filed: 03/22/2023

Date: June 8, 2023  
Time: 3:30 p.m.  
Dept. 17

1 DESCRIBED IN THIS VERIFIED )  
 2 COMPLAINT ADVERSE TO PLAINTIFF’S )  
 3 TITLE, OR (B) ANY CLOUD ON )  
 4 PLAINTIFF’S TITLE TO THE REAL )  
 5 PROPERTY. THE CLAIMS OF EACH )  
 6 UNKNOWN DEFENDANT ARE WITHOUT )  
 7 ANY RIGHT, AND THESE DEFENDANTS )  
 8 HAVE NO RIGHT, TITLE, ESTATE, LIEN, )  
 9 OR INTEREST IN THE PROPERTY and )  
 10 DOES 1 through 25, inclusive, )  
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Defendants.

I, Renee Ramos, declare as follows:

1. I am Plaintiff in the above-captioned action. I have personal knowledge of the facts stated herein and if called to testify thereon, can competently do so.

2. Contrary to the claims of Defendants in response to the order to show cause, I did have the ability to pay off the subject loan as of the date of my tender to them. On September 24, 2019, at 3:57 pm I sent Amanda Hamilton, via email an, “approved” loan offer I had received from Pacshores Mortgage Inc. A true and correct copy of that email and the attached approval is attached hereto as Exhibit “A” and incorporated herein by this reference. This was in addition to

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1 the other loan which had been approved and sent to Amanda Hamilton on September 25, 2019, at  
2 7:46 am as previously referenced in my prior declaration and complaint.

3 I declare under penalty of perjury under the laws of the state of California that the  
4 foregoing is true and correct.

5 Executed this 1st day of June 2023 at Berkeley California.

7 DocuSigned by:  
8 *Renee Yamagishi*  
A2ECD00668B4449...

9 Renee Shizue Ramos, aka Renee Shizue  
10 Yamagishi, Declarant

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# EXHIBIT "A"



Renee <ryamagishi@gmail.com>

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## LOAN\_APPROVAL\_Renee.pdf

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ryamagishi <ryamagishi@gmail.com>

Tue, Sep 24, 2019 at 3:57 PM

To: "Hamilton, Amanda H." <AHHamilton@reedsmith.com>, acolman@reedsmith.com, rkassabian@reedsmith.com, "Dept. 22, Superior Court" <dept22@alameda.courts.ca.gov>

Cc: amarth@logs.com, dhernandez@logs.com, Elaine Malone <emalone@logs.com>, aconnolly@logs.com

Dear counselors,

The LOI just came in. I have to sign, scan and send back but after phone call with my agent Mr. Todd Tucker just now I am approving this loan for moving forward.

Again, the lenders have generated this LOI and Mr. Tucker is my contact agent. If Nationstar and counsel need my permission to speak with either the agent or these lenders you have my permission.

We duly request cancellation of tomorrows trustee sale in favor closing the loan for Nationstar full payoff which we take to be the amount of \$690,000. Alternately a 30 day minimum extension should be ample time to close barring any unforeseen issues.

Please reply pronto thank you.

Renee S. YAMAGISHI  
510-295-7214

P.s. please see that the case against Nationstar et al, RG19015807 is now voluntarily dismissed without prejudice by plaintiff

Sent from Samsung Galaxy smartphone.

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 **LOAN\_APPROVAL\_Renee.pdf**  
110K

**PACSHORES MORTGAGE INC.**

**PHONE: (800)334-1266 / FAX (866)715-7155**

**UNDERWRITING LOAN ANALYSIS**

LOAN NUMBER: L19-0923-01		BROKER NAME: COMPLETE REAL ESTATE / BRIAN SPOCK	
RENNE SHIZUE YAMAGISHI			
PROPERTY ADDRESS: 2703 MATHEWS STREET, BERKELEY, CA 94702			
LOAN		PRICING	
LOAN AMOUNT: \$800,000.00	LIEN POSITION: 1ST	NOTE RATE: 9.99%	TERM: 60 MONTHS
LOAN TYPE: DUE IN 5 YEARS	DOC TYPE: ALT	PSRMI POINTS: 3	PSRMI ADMIN FEES: \$970.00
LOAN PROGRAM: FIXED	LOAN PURPOSE: REFINANCE	INDEX: N/A	MARGIN: N/A
PROPERTY TYPE: TRIPLEX	OCCUPANCY: INVESTMENT	PREPAYMENT TERMS: 6 MONTHS	CAPS: N/A
APPRAISED VALUE: \$1,250,000.00	LTV: 67%	CLTV: 67%	MAX BKR PTS \$ FEES: TBD
			REBATE: N/A

**APPROVAL CONDITIONS**

\*\$970.00 ON NON CAL 32 LOANS

F	1	INVESTOR / MI APPROVAL AND CONDITIONS
F	2	BROKER/APPRaiser TO BE APPROVED
D	3	SATISFACTORY APPRAISAL REVIEW: DESK \$ FIELD \$ 225.00
F	4	SIGNED, DATED, TYPED 1003 AT FINAL RATE AND TERMS SHOWING ALL CORRECTIONS
N/A	5	ORIGINAL HANDWRITTEN 1003 COMPLETED, SIGNED AND DATED BY ALL PARTIES
N/A	6	SATISFACTORY LETTER OF EXPLANATION FOR CREDIT INQUIRIES:
N/A	7	SIGNED PURPOSE LETTER FOR REFINANCE, INCLUDING DETAILED USE OF CASH OUT
N/A	8	1040'S, P&L, & BALANCE SHEETS TO BE SIGNED BY BORROWERS
F	9	AMENDED ESCROW INSTRUCTIONS TO REFLECT FINAL LOAN AMOUNT AND TERMS, BY ALL PARTIES
N/A	10	CERTIFIED HUD TO REFLECT ( X ) NO CASH OUT TO BORROWERS.
F	11	COPY OF BROKER'S LICENSE, NMLS CERTIFICATE AND SIGNED W9 FORM
D	12	SIGNED BROKER INITIAL DISCLOSURES FORMS TO BE DATED WITHIN 3 DAYS OF APPLICATION
D	13	COPY OF HAZARD INSURANCE
D	14	SIGNED CREDIT AUTHORIZATION
D	15	SIGNED BROKER FEE AGREEMENT
D	16	SIGNED REDISCLOSURE (to be provided by Pacshores Mortgage when conditions are submitted)
D	17	SATISFACTORY APPRAISAL TO SUPPORT \$1,250,000.00 Value to (rissaghlian@psmtg.com)
D	18	COPY RENTAL AGREEMENTS
D	19	COPY OF RECENT MORTGAGE STATEMENTS

PRIOR TO DOC CONDITIONS 3,12-18

PRIOR TO FUNDING CONDITIONS 1, 2, 4, 9 & 11

SUSPENSE CONDITIONS \_\_\_\_\_

UNDERWRITER  \_\_\_\_\_

COMMENTS: \_\_\_\_\_

- APPROVED
- SUSPENDED
- DECLINED

DATE 9/23/2019