



STATE OF NEVADA
DIVISION OF MORTGAGE LENDING
DEPARTMENT OF BUSINESS AND INDUSTRY

KENNY C. GUINN
Governor

SYDNEY H. WICKLIFFE, C.P.A.
Director

SCOTT E. BICE
Commissioner

August 15, 2005

Patrick Missud
91 San Juan Ave.
San Francisco, CA 94112

Dear Patrick Missud:

The Mortgage Lending Division (Division) has received your letter of complaint. Your complaint will be assigned to an examiner to review your complaint and determine if it falls under our jurisdiction.

The Division regulates the licensing and the origination of loans of mortgage brokers and bankers, enforces the rules and regulations under NRS 645A (Escrow companies), NRS 645B (Mortgage brokers) and NRS 645E Mortgage bankers. Upon review of your complaint, if it is determined that we do not have jurisdiction we will refer you to the appropriate agency.

If your complaint is regarding servicing issues, impound accounts or general account activity, you may also want to contact the following agencies:

www.hud.gov/complaints or www.ftc.gov

The Division is authorized to take action against companies based upon violations of the law; however, the Division does not represent you and wishes to inform you that you should consider your right to take a private right of action to recover any losses.

Your complaint will be forwarded to the company and we will request the company to respond to the allegations of the complaint. After we receive a response from the company we will review the response and determine if there have been any violations of law under NRS 645A, 645B or 645E. We will send you a copy of the response and a letter to inform you of our decision to take action, if any.

Sincerely,

Susan Eckhardt
Deputy Commissioner

Enclosure
Carson City Office

400 W. King Street, Suite 406
Carson City, Nevada 89703
(775) 684-7060 Fax (775) 684-7061

Web Address: www.mld.nv.gov

Las Vegas Office
Office of the Commissioner
3075 E. Flamingo, Suite 104-A
Las Vegas, Nevada 89121
(702) 486-0780 Fax (702) 486-0785

? Ever sent ?



STATE OF NEVADA
DIVISION OF MORTGAGE LENDING
DEPARTMENT OF BUSINESS AND INDUSTRY

KENNY C. GUINN
Governor

SYDNEY H. WICKLIFFE, C.P.A.
Director

SCOTT E. BICE
Commissioner

September 19, 2005

Dawn Fraley, Qualified Employee
DHI Mortgage Company LTD
8215 S Eastern Ave Ste 225
Las Vegas NV 89123

Re: Complaint filed by Patrick Missud

Dear Dawn Fraley,

The Mortgage Lending Division (Division) has received a complaint against your firm. Please respond to the Division at the Las Vegas Office address to the allegations in the complaint.

Provide the Division with a written explanation addressing the items in the letter of complaint.

Please provide the information to the Division within 15 days of receipt of this letter. If you have questions please feel free to contact the undersigned at 702-486-7563

Sincerely,

Linda L Chavez
Senior Examiner

Carson City Office

400 W. King Street, Suite 406
Carson City Nevada 89703
(775) 694-7900 Fax (775) 684-0064

Web Address: www.dbi.nv.gov

Las Vegas Office

Office of the Commissioner
3075 E. Flamingo, Suite 104-A
Las Vegas, Nevada 89121
(702) 486-0780 Fax (702) 486-0785

October 5, 2005

VIA FACSIMILE AND U.S. MAIL

Linda L. Chavez, Senior Examiner
Division of Mortgage Lending
Office of the Commissioner
3075 E. Flamingo, Suite 104-A
Las Vegas, NV 89121

RECEIVED

OCT 07 2005

Mortgage Lending Division

Re: ***Complaint filed by Patrick Missud***
Our Client: **DHI Mortgage Company, LTD**

Dear Ms. Chavez:

We have been retained by DHI Mortgage Company, LTD ("DHI") to respond to a Complaint filed in your office by Patrick Missud. Pursuant to your letter dated September 19, 2005, we are providing you with a response to the allegations set forth in Mr. Missud's Complaint.

Mr. Missud alleges in his Complaint that various employees of DHI and D.R. Horton, Inc. including; Mike Mason, Anne Schankin, and Daniel Callihan, made false representations to him regarding his contractual obligations to purchase 1353 Romanesca from D.R. Horton, Inc. We see no reference by Mr. Missud regarding what he is alleging were "false representations." DHI Mortgage and D.R. Horton, Inc., vigorously dispute that any false representations were ever made to Mr. Missud at any time during the course of dealing with Mr. Missud.

BACKGROUND

On or about November 22, 2003, Mr. Missud entered a contract with D.R. Horton, Inc. to purchase a home at 1353 Romanesca, Las Vegas, Nevada, from D.R. Horton, Inc.. D.R. Horton, like many builders, has an "in-house" lending company to assist potential homebuyers with their mortgage needs. During the relevant time period for Mr. Missud's purchase, the in-house lending company was "CH Mortgage Company I, Ltd."

WOOD SMITH
HENNING & BERMAN LLP

Linda L. Chavez, Senior Examiner
Our File No.: 5708-042
October 5, 2005
Page 2

The name of the company has since changed to "DHI Mortgage Company, Ltd." It is always represented to buyers, and is not disputed by Mr. Missud, that the homebuyer is not required to use CH Mortgage/DHI but may use whatever lender they prefer in their purchase of a home from D.R. Horton, Inc.

Mr. Missud initially contacted CH Mortgage/DHI at the beginning of his home purchase process to provide him with information and to begin an application for a home loan. He also states in his Complaint that at that time he was also contacting outside lenders.

During the course of the application process, CH Mortgage (now DHI), sent two separate letters, authored by Mr. Mike Mason, to Mr. Missud preliminarily approving Mr. Missud's loan with CH Mortgage and requesting additional information in order to process his loan. From Mr. Missud's "brief timeline of key events" it shows that on February 8, 2004, he received Wells Fargo loan documents with "the best offer". He also states that "by 2-11-04" he sent phone and fax communications to complete his loan with CH Mortgage. However, as of February 12, 2004, Mr. Missud had not completed all lender requirements as requested by CH Mortgage.

On February 12, 2004, former D.R. Horton employee, Anne Schankin, still under the impression that Mr. Missud was going to use CH Mortgage as his lender, drafted a letter to Mr. Missud providing notice that he had not completed the lender requirements and advising that if he did not respond to the notice, D.R. Horton had the discretion to cancel his contract, retain his earnest money and retain any deposits he had made.

Prior to receiving Ms. Schankin's letter, Mr. Missud advised Mr. Mason, that he was going to use Wells Fargo as his lender. Ms. Schankin was advised of the same. At that point, Mr. Mason closed Mr. Missud's file and did not have any further contact with Mr. Missud.

Thereafter, Mr. Missud did obtain a loan with Wells Fargo, his preferred lender, and closed on the purchase of 1353 Romanesca, Las Vegas, Nevada.

WOOD SMITH
HENNING & BERMAN LLP

Linda L. Chavez, Senior Examiner
Our File No.: 5708-042
October 5, 2005
Page 3

ANALYSIS

With regard to the specific allegations in Mr. Missud's Complaint, the allegation against Mr. Mason is that he "affirmatively and explicitly" approved Mr. Missud's mortgage loan and thereafter made "false representations". As shown above, Mr. Missud's loan was only preliminarily approved by Mr. Mason pending the receipt of additional information. Mr. Missud does not substantiate any allegations that Mr. Mason made any false statement to Mr. Missud regarding the processing of his application for a loan. Further, Mr. Missud does not provide the Division of Mortgage Lending with specific statements he alleges Mr. Mason made that were false. At all times, Mr. Mason worked diligently to assist Mr. Missud in obtaining a loan through CH Mortgage. It was Mr. Missud's choice and prerogative to use an outside lender. After informing Mr. Mason of that choice, Mr. Mason closed his file and that was the end his interaction with Mr. Missud.

With regard to Ms. Schankin, Mr. Missud takes issue with the letter sent on February 12, 2004. In that letter, Ms. Schankin provided notice that all lending requirements for CH Mortgage had not been met and advised that a response to the letter was necessary to avoid cancellation of the contract and possible retention of earnest money and deposits. Pursuant to the Purchase and Sales Agreement contract signed by Mr. Missud, if he did not obtain a loan by the specified date for closing, the penalties were exactly as Ms. Schankin advised. No false statements were made to Mr. Missud by Ms. Schankin at any time. Upon her best information and belief, at the time Ms. Schankin sent the letter, Mr. Missud had not secured a loan through CH Mortgage nor any other lender and, pursuant to his Purchase and Sales Agreement, needed to do so in order to avoid possible cancellation of the contract.

The only allegation against Mr. Callihan is that he was the supervisor of Mr. Mason and as such is charged by Mr. Missud in his supervisory position with the actions of Mr. Mason. As demonstrated above, Mr. Mason never falsely represented anything to Mr. Missud and resultantly, no allegation can be imputed to Mr. Callihan.

Most importantly, it should be noted that Mr. Missud purchased the home from D.R. Horton with his preferred lender. Without knowing the exact terms of Mr. Missud's loan, it is presumed that he chose to go with the lender that gave him the most favorable terms so any "damages" he sustained by not being approved for a loan with

**WOOD SMITH
HENNING & BERMAN LLP**

Linda L. Chavez, Senior Examiner
Our File No.: 5708-042
October 5, 2005
Page 4

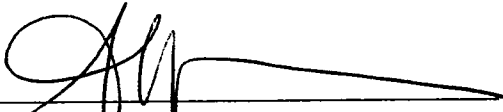
CH Mortgage are non-existent. CH Mortgage in no way hindered Mr. Missud's ability to obtain said loan, D.R. Horton did not cancel Mr. Missud's contract to purchase the subject property, did not unlawfully retain any monies, nor misrepresent any aspect of the transaction with Mr. Missud. Mr. Missud's allegations for false representations in his Complaint with the Division of Mortgage lending are unsubstantiated and untrue.

For information purposes, Mr. Missud has filed a frivolous suit against DHI Mortgage Company, Ltd., D.R. Horton, Inc., Mike Mason, Daniel Callihan, Anne Schankin in the Superior Court of the State of California in and for the county of San Francisco for intentional infliction of emotional distress, and reckless and wanton infliction of emotional distress with regard to the same facts and circumstances alleged in the Complaint with the Division of Mortgage lending. Mr. Missud has also drafted letters alleging fraud on the part of DHI and D.R. Horton to various governmental agencies which may, in fact, be actionable by DHI Mortgage and D.R. Horton, Inc.. DHI and D.R. Horton are committed to the highest level of service and vigorously defend their actions in their dealings with Mr. Missud.

Should you require any additional information, please do not hesitate to contact us.

Very truly yours,

WOOD, SMITH, HENNING & BERMAN LLP

By: 
JOEL D. ODOU
ALLYSON R. ROBERTS

JDO/ARR:aj

cc: David Morice, D.R. Horton, Inc.
C. Michael Rasmussen, D.R. Horton, Inc.
Sharron Simmons, D.R. Horton, Inc.



STATE OF NEVADA
DIVISION OF MORTGAGE LENDING
DEPARTMENT OF BUSINESS AND INDUSTRY

KENNY C. GUINN
Governor

SYDNEY H. WICKLIFFE, C.P.A.
Director

November 4, 2005

SCOTT E. BICE
Commissioner

Patrick Missud
91 San Juan Ave
San Francisco CA 94112

Re: Complaint filed against DHI Mortgage

Dear Mr. Missud,

The Mortgage Lending Division has received the response from DHI Mortgage with regard to your letter of complaint and has enclosed a copy for your review.

The Division has reviewed the information provided to us from you and the response from the mortgage broker. The broker states that you were allowed to purchase the home using a lender of your choice. With no additional charges retained.

If you feel the company's response is inaccurate and you have additional supporting documentation, please contact us.

This does not mean that you are precluded from filing your own action. The Division does not represent borrowers and you may wish to consult with an attorney if you feel you want to take action against the company to recover any losses.

You may also contact HUD www.hud.gov/complaints or the FTC www.ftc.gov at one of their offices or obtain a complaint form at their website to report any possible federal law violations.

The Division thanks you for bringing this to our attention and we will keep this complaint on file for future reference. We hope this information assists you.

Sincerely,

A handwritten signature in cursive script that reads "Linda Chavez".

Linda Chavez
Senior Examiner

Carson City Office

400 W. King Street, Suite 406
Carson City, Nevada 89703
(775) 684-7060 Fax (775) 684-7061

Web Address: www.mld.nv.gov

Las Vegas Office

Office of the Commissioner
3075 E. Flamingo, Suite 104-A
Las Vegas, Nevada 89121
(702) 486-0780 Fax (702) 486-0785

**ATTORNEY GENERAL
NEVADA DEPARTMENT OF JUSTICE**

555 East Washington Ave., #3900
Las Vegas, Nevada 89101-1068

GEORGE J. CHANOS
Attorney General



GERALD J. GARDNER
Chief Deputy Attorney General

December 16, 2005

Patrick Missud
Attorney at Law
91 San Juan Ave.
San Francisco, CA 94112

Re: Complaint against DHI Mortgage

Dear Mr. Missud:

This letter is in response to your correspondence dated November 13, 2005. Your complaint was in reference to a complaint against DHI Mortgage. The Office of the Attorney General does not have legal jurisdiction over your complaint. This office represents various state agencies, boards, and commissions charged with a duty to enforce state laws, and Nevada law prohibits this office from rendering legal assistance and/or providing legal advice to anyone other than our assigned agencies, boards, and/or commissions. Therefore, this office cannot give legal advice, opinions or interpret Nevada law for private citizens.

The State of Nevada Business and Industry, Financial Institutions Division, is charged with the licensing and regulation of mortgage broker activity pursuant to Chapters 645B and 645 E of the Nevada Revised Statutes. Therefore, the Financial Institutions Division *may* have the jurisdiction and authority over your complaint.

Below, I have listed the addresses and telephone numbers of the agency/agencies that *may* have jurisdiction over your complaint/complaints.

**STATE OF NEVADA
FINANCIAL INSTITUTIONS DIVISION
DEPARTMENT OF BUSINESS AND INDUSTRY
2501 E. SAHARA, SUITE 300
LAS VEGAS, NEVADA 89104
(702) 486-4120**

**DIVISION OF MORTGAGE LENDING
LAS VEGAS OFFICE
OFFICE OF THE COMMISSIONER
3075 E. FLAMINGO, SUITE 104-A
LAS VEGAS, NV 89121
(702) 486-0780**

Patrick Missud
Page 2
December 16, 2005

It appears by your correspondence that your residence is located in San Francisco. Below, I have listed the relevant contact information should you wish to contact a private attorney in San Francisco regarding this matter.

CALIFORNIA STATE BAR
(916) 442-8018
BAY AREA LEGAL AID
(800) 551-5554
NORTHERN CALIF. LEGAL SVCS.
(916) 551-2150

Should you wish to contact a private attorney in Nevada regarding this matter, you *may* contact the State Bar of Nevada which sponsors the Lawyer Referral and Information Service. Their telephone number is (702) 382-0504, or toll free at (800) 789-5747.

In addition, I will be forwarding a copy of your letter, your documentation, and a copy of my response to the Nevada State Mortgage Lending Division. You *may* wish to follow up with the aforementioned agency at the above-referenced telephone number in regards to your complaint against DHI Mortgage.

I hope you find this information useful. Good luck in your endeavors.

Sincere regards,

GEORGE J. CHANOS

Attorney General

By: 
Dianna Hegeduis
Chief Deputy Attorney General.

**ATTORNEY GENERAL
NEVADA DEPARTMENT OF JUSTICE**

555 East Washington Ave., #3900
Las Vegas, Nevada 89101-1068

GEORGE J. CHANOS
Attorney General



ERIC WITKOSKI
*Consumer Advocate
Chief Deputy Attorney General*

December 20, 2005

Patrick Missud, Esq.
91 San Juan Ave.
San Francisco, CA 94112

Dear Mr. Missud:

Thank you for your November 13, 2005 correspondence referred to our office from the State of Hawaii, Department of Attorney General involving DR Horton and DHI mortgage lending practices. We are reviewing your information and will take whatever action we feel is warranted. Our office appreciates your interest in the enforcement of Nevada's antitrust laws.

Sincere Regards,

GEORGE J. CHANOS, Attorney General
ERIC WITKOSKI, Consumer Advocate
By: Bureau of Consumer Protection

FILE COPY

Patrick Missud
Attorney at Law
91 San Juan Ave.
San Francisco, CA, 94112
415-584-7251 office

May 8, 2006

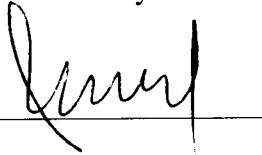
Office of the Attorney General
Nevada Department of Justice
Las Vegas Office
555 E. Washington Ave. Suite 3900
Las Vegas, Nevada, 89101

Dear Investigator,

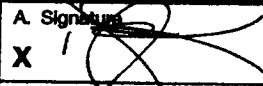
I was in contact with your office in November of 2005 regarding a fraudulent real estate transaction in the Anthem Heights sub division in Henderson which occurred in February 2004. The builder was DR Horton and its affiliated in house lender was DHI Mortgage.

I have included the relevant part of a letter to provide an update and explain the details regarding my transaction. Copies of the supporting evidence are also included for your review. I have contacted 340 of my neighbors, many of whom have experienced similar fraudulent situations which I am compiling for future action. Forthcoming inquiries with additional neighbors will likely yield the same results.

Thank you in advance for your attention,



Patrick Missud
Encl.

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature  <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>X</p> <p>B. Receiver's (or Printed Name) <u>Dr. Doctor</u> C. Date of Delivery <u>6.30.06</u></p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>1. Article Addressed to:</p> <p>Dept. of Business & Industry - Real Estate Division Attn: BRUCE ALTT 2501 E. SAMARA BLVD SUITE 102 LAS VEGAS, NV, 89104-4137</p>	<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>
<p>2. Article Number (Transfer from service label) <u>7005 3110 0001 8498 4395</u></p>	<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>PS Form 3811, February 2004 Domestic Return Receipt 102586-02-M-1540</p>	

7005 3110 0001 8498 0830

U.S. Postal Service
CERTIFIED MAIL RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$ 1.83
Certified Fee	\$ 2.40
Return Receipt Fee (Endorsement Required)	\$ 0.00
Restricted Delivery Fee (Endorsement Required)	\$ 0.00
Total Postage & Fees	\$ 4.23

Postmark: **8** Here

Sent To: AG - NEW DEPT of JUST., LV OFFICE
 Street, Apt. No., or PO Box No. 555 E. WASH. AVE, STE 3900
 City, State, ZIP+4 LV, NEV, 89101

PS Form 3800 June 2002 See Reverse for Instructions

Issue PVI:	\$4.23
WASHINGTON DC 20530	\$1.83
First-Class	\$2.40
6.40 oz. Certified	70053110000184980847
Label #:	=====
Issue PVI:	\$4.23
LAS VEGAS NV 89101	\$1.83
First-Class	\$2.40
6.40 oz. Certified	70053110000184980830
Label #:	=====
Issue PVI:	\$4.23
Total:	\$16.92
Paid by:	
Account #	XXXXXXXXXXXX7149
Approval #:	172184
Transaction #:	18
Bill #:	1000202096011
Clerk:	08

1402 ↑

— All sales final on stamps and postage. —

ATTORNEY GENERAL
NEVADA DEPARTMENT OF JUSTICE

555 East Washington Ave., #3900
Las Vegas, Nevada 89101-1068

GEORGE J. CHANOS
Attorney General



GERALD GARDNER
Assistant Attorney General

May 12, 2006

Patrick Missud, Esq.
91 San Juan Street
San Francisco, CA 94102

*Re: Civil Subpoena Duces Tecum addressed to State of Nevada, Deputy
Commissioner of Mortgage Lending Susan Eckhardt.*

Dear Mr. Missud:

Your Civil Subpoena Duces Tecum was forwarded to me by Deputy Commissioner Susan J. Eckhardt ("Deputy Commissioner Eckhardt"). I met with Deputy Commissioner Eckhardt on May 9, 2006 concerning your complaint against D. R. Horton that you filed with the State of Nevada, Division of Mortgage Lending ("Division"). Additionally, I have spoken with Linda Chavez, the Division's examiner who was responsible for following up on your complaint. We determined that you already have every document that was compiled as a result of the Division looking into your complaint against D. R. Horton. We have enclosed the one document in the Division's file that was submitted by D. R. Horton.

If you have any questions, please do not hesitate to contact me.

Sincere Regards,

GEORGE J. CHANOS
Attorney General

A handwritten signature in black ink that reads "Robert A. Whitney".

Robert A. Whitney, Esq.
Deputy Attorney General

Enclosure

FILE COPY

Patrick Missud
Attorney at Law
91 San Juan Ave.
San Francisco, CA, 94112
415-584-7251 office

May 19, 2006

Office of the Attorney General
Nevada Department of Justice
Las Vegas Office
555 E. Washington Ave. Suite 3900
Las Vegas, Nevada, 89101

7005 3110 0001 8501 6798

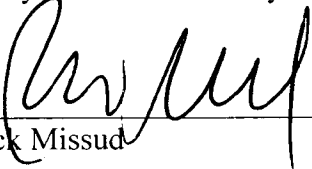
Dear Mr. Whitney,

While you were meeting with Ms. Eckhardt, I had meetings with my neighbors. Many of them are mortgage brokers and realtors who have agreed to sign court declarations regarding mortgage fraud.

I beg to differ with Ms. Eckhardt's statement that I received every document that I am due. I have enclosed a copy of a third subpoena detailing my request for your review.

By week's end, I will have contacted an additional 201 of my neighbors, many of whom may have experienced similar situations which I am continuing to compile for future action and consumer advocacy.

Thank you in advance for your attention,



Patrick Missud
Encl.

**ATTORNEY GENERAL
NEVADA DEPARTMENT OF JUSTICE**

555 East Washington Ave., #3900
Las Vegas, Nevada 89101-1068

GEORGE J. CHANOS
Attorney General



GERALD J. GARDNER
Chief Deputy Attorney General

May 22, 2006

Patrick Missud
Attorney at Law
91 San Juan Ave.
San Francisco, CA 94112

Re: Complaint against DHI Mortgage and DR Horton

Dear Mr. Missud:

This letter is in response to your correspondence that was received in our office on May 15, 2006. Your complaint was in reference to a complaint against DHI Mortgage and DR Horton. I will reiterate, as stated in my previous letter that was in response to your correspondence dated November 13, 2005, the Office of the Attorney General does not have legal jurisdiction over your complaint/complaints. This office represents various state agencies, boards, and commissions charged with a duty to enforce our state laws, and Nevada law prohibits this office from rendering legal assistance and/or providing legal advice to anyone other than our assigned agencies, boards, and/or commissions. Therefore, this office cannot give legal advice, opinions or interpret Nevada law for private citizens.

It appears by your correspondence that you have you have been in contact with the Nevada Department of Real Estate and the Division of Mortgage Lending without satisfaction.

It also appears that you dissatisfied with a specific law firm in Nevada. Below, I have listed the website and information on filing a complaint with a specific attorney/attorneys in Nevada.

**STATE BAR OF NEVADA DISCIPLINE DEPT.
600 EAST CHARLESTON BLVD.,
LAS VEGAS, NV 89104
TEL: (702) 382-2200 or
TOLL FREE: (800) 254-2797**

Patrick Missud
Page 2
May 22, 2006

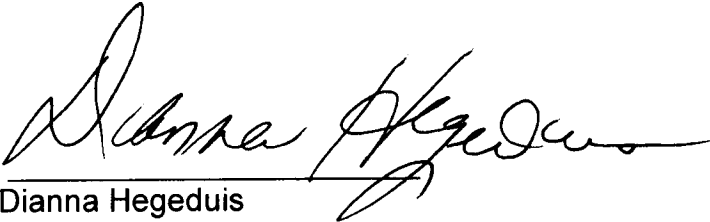
Should you wish to contact a private attorney in Nevada regarding this matter, you **may** contact the State Bar of Nevada which sponsors the Lawyer Referral and Information Service. Their telephone number is (702) 382-0504, or toll free at (800) 789-5747.

I hope you find this information useful. Good luck in your endeavors.

Sincere regards,

GEORGE J. CHANOS

Attorney General

By: 
Dianna Hegeduis
Chief Deputy Attorney General



STATE OF NEVADA
DIVISION OF MORTGAGE LENDING
DEPARTMENT OF BUSINESS AND INDUSTRY

KENNY C. GUINN
Governor

SYDNEY H. WICKLIFFE, C.P.A.
Director

Patrick Missud
91 San Juan St
San Francisco CA 94112

June 1, 2006

SCOTT E. BICE
Commissioner

Re: Civil Subpoena for Production for Documents

Dear Mr. Missud:

The Mortgage Lending Division has received your request "pursuant to NRS 645B.610(4) . . . reason for determination [of a complaint]." Your complaint is directed at the DR Horton and its affiliate DHI Mortgage fka CH Mortgage. The Division regulates mortgage brokers and bankers under 645B and 645E which includes a definition in part as:

NRS 645B.0127 "Mortgage broker" defined.

1. "Mortgage broker" means a person who, directly or indirectly:
 - (a) Holds himself out for hire to serve as an agent for any person in an attempt to obtain a loan which will be secured by a lien on real property;

We have reviewed the documentation and summary of your complaint that relate to the real estate transaction and purchase of the property from DR Horton, a builder. DR Horton is not nor have they been licensed as a mortgage broker under NRS 645B or 645E, and therefore the Division does not have regulatory jurisdiction over their actions.

DHI Mortgage is an affiliate of DR Horton and this information was disclosed to you in the Offer and Acceptance Contract of which you provided a copy to the Division. This contract also states that the Buyer is not required to use the affiliated mortgage company.

The Division does not have jurisdiction over builders and their actions concerning the contract related to the real estate transaction, therefore, we find that there is no violation related to DHI Mortgage, the licensed mortgage company related to the real estate transaction. We hope this information assists you.

Sincerely,

A handwritten signature in cursive script that reads "Susan Eckhardt".

Susan Eckhardt

Carson City Office

400 W. King Street, Suite 406
Carson City, Nevada 89703
(775) 684-7060 Fax (775) 684-7061

Web Address: www.mld.nv.gov

Las Vegas Office

Office of the Commissioner
3075 E. Flamingo, Suite 104-A
Las Vegas, Nevada 89121
(702) 486-0780 Fax (702) 486-0785

**ATTORNEY GENERAL
NEVADA DEPARTMENT OF JUSTICE**

555 East Washington Ave., #3900
Las Vegas, Nevada 89101-1068

GEORGE J. CHANOS
Attorney General



GERALD GARDNER
Assistant Attorney General

June 2, 2006

Patrick Missud, Esq.
91 San Juan Street
San Francisco, CA 94102

Re: Your letter dated May 18, 2006.

Dear Mr. Missud:

Thank you for your letter dated May 18, 2006. You indicated that you are entitled to more documentation and cited 645B.610(4). It is my understanding that you spoke with Deputy Commissioner Susan Eckhardt about that matter the morning of Friday, May 26, 2006, and that she has sent you the documentation that you requested via telephone on May 26, 2006. If that is not correct, please let me know.

May I also suggest that you contact the Bureau of Consumer Protection at the State of Nevada, Attorney General's Office? If Horton is engaged in a pattern of dishonest business practices, I think that would be the best agency to contact.

If you have any questions, please do not hesitate to contact me.

Sincere Regards,

GEORGE J. CHANOS
Attorney General

A handwritten signature in cursive script, reading "Robert A. Whitney".

Robert A. Whitney, Esq.
Deputy Attorney General

RAW:fpo

FILE COPY

Patrick Missud
Attorney at Law
91 San Juan Ave.
San Francisco, CA, 94112
415-584-7251 office

June 6, 2006

Office of the Attorney General
Nevada Department of Justice
Las Vegas Office
555 E. Washington Ave. Suite 3900
Las Vegas, Nevada, 89101

Dear Mr. Whitney,

I have enclosed documents forwarded to appropriate authorities for your review. I will add Nevada's Bureau of Consumer Protection to the list of six Federal agencies and a multitude of other organizations.

Ms. Eckhardt has yet to honor my subpoenas, and in our phone conversation she represented that the NDML is merely regulatory?!?

Thank you in advance for your attention,



Patrick Missud

Encl.

**ATTORNEY GENERAL
NEVADA DEPARTMENT OF JUSTICE**

555 East Washington Ave., #3900
Las Vegas, Nevada 89101-1068

GEORGE J. CHANOS
Attorney General



GERALD GARDNER
Assistant Attorney General

June 16, 2006

Patrick Missud, Esq.
91 San Juan Street
San Francisco, CA 94102

Re: Your letter dated June 6, 2006.

Dear Mr. Missud:

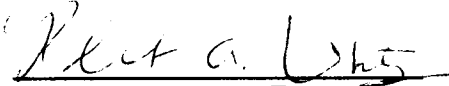
Thank you for your letter dated June 6, 2006, and the information that you submitted with your letter. However, I did not see anything that made me question the fact that Deputy Commissioner Eckhardt and Examiner Linda Chavez of the State of Nevada, Division of Mortgage Lending ("the Division") found that D. R. Horton committed no violations of Nevada Revised Statute ("NRS") 645B or Nevada Administrative Code 645B after they looked into the matter.

You have already received every document in the D. R. Horton file that was not generated by you with the exception of the enclosed letters from Linda Chavez dated November 4, 2005, and September 19, 2006 to DHI Mortgage Ltd., and from Deputy Commissioner Eckhardt dated August 15, 2005, which I accidentally overlooked. The Division is willing to comply with your request, but you are simply going to be receiving your own documents back.

If you have any questions, please do not hesitate to contact me.

Sincere Regards,

GEORGE J. CHANOS
Attorney General


Robert A. Whitney, Esq.
Deputy Attorney General

Enclosure

**ATTORNEY GENERAL
NEVADA DEPARTMENT OF JUSTICE**

555 East Washington Ave., #3900
Las Vegas, Nevada 89101-1068

GEORGE J. CHANOS
Attorney General



GERALD GARDNER
Assistant Attorney General

June 27, 2006

Patrick Missud, Esq.
91 San Juan Street
San Francisco, CA 94102

Re: Your letter dated June 20, 2006.

Dear Mr. Missud:

Thank you for your letter dated June 20, 2006. I am sorry for the late response. I was on vacation from June 16, 2006, until today. Could you please send the declarations referenced in your letter to both me and the Division of Mortgage Lending? May I suggest that you send, for the short-term future, correspondence to the Division of Mortgage Lending to Commissioner Scott Bice, since Ms. Eckhardt's last day was today? Thanks.

If you have any questions, please do not hesitate to contact me.

Sincere Regards,

GEORGE J. CHANOS
Attorney General

A handwritten signature in black ink that reads "Robert A. Whitney". The signature is written in a cursive style and is positioned above the printed name of the signatory.

Robert A. Whitney, Esq.
Deputy Attorney General

PATRICK MISSUD

91 San Juan Ave.
San Francisco, CA, 94112
415-584-7251

June 27, 2006

Department of Business and Industry
Real Estate Division
2501 East Sahara Blvd., Suite 102, Attention: Bruce Alitt
Las Vegas, NV, 89104-4137

RE: S04-03-23-242

7005 3110 0001 8498 4395

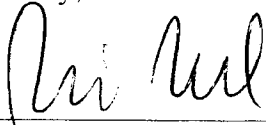
Dear Mr. Alitt,

Based on recent communications with Nevada's Division of Mortgage Lending, discovery of new evidence regarding fraud on the part of D R Horton, and discovery of dozens of similarly aggrieved consumers, I am requesting reopening the above file for further investigation.

Also, the Mortgage Division has claimed that it does not have jurisdiction over DHI Mortgage or its agents, as they collectively are an affiliate of D R Horton. Ms. Eckhardt represented to me by telephone that they too fall under the Real Estate Division's jurisdiction. If this is not correct, please advise.

Please find enclosed updated and recently discovered evidence.

Cordially,



Patrick Missud

Encl.



FOR COURT USE ONLY

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, telephone number, and address):

PATRICK MISSUD 219614
91 SAN JUAN ST.
SAN FRANCISCO, CA 94112

TELEPHONE NO. 415 845 5540 FAX NO. 415 884 7251

ATTORNEY FOR (Name): IN PRO PER

NAME OF COURT: SAN FRANCISCO SUPERIOR COURT

STREET ADDRESS: 400 McALLISTER ST.

MAILING ADDRESS:

CITY AND ZIP CODE: SAN FRANCISCO, CA, 94102

BRANCH NAME:

PLAINTIFF/PETITIONER: PATRICE A. MISSUD

DEFENDANT/RESPONDENT: D.R. HORTON et al.

CIVIL SUBPOENA (DUCES TECUM) for Personal Appearance and Production of Documents and Things at Trial or Hearing AND DECLARATION

CASE NUMBER:

CGC 05-447499

THE PEOPLE OF THE STATE OF CALIFORNIA, TO (name, address, and telephone number of witness, if known):

1. YOU ARE ORDERED TO APPEAR AS A WITNESS in this action at the date, time, and place shown in the box below UNLESS your appearance is excused as indicated in box 3b below or you make an agreement with the person named in item 4 below.

a. Date:	Time:	<input type="checkbox"/> Dept.:	<input type="checkbox"/> Div.:	<input type="checkbox"/> Room:
b. Address:				

2. IF YOU HAVE BEEN SERVED WITH THIS SUBPOENA AS A CUSTODIAN OF CONSUMER OR EMPLOYEE RECORDS UNDER CODE OF CIVIL PROCEDURE SECTION 1985.3 OR 1985.6 AND A MOTION TO QUASH OR AN OBJECTION HAS BEEN SERVED ON YOU, A COURT ORDER OR AGREEMENT OF THE PARTIES, WITNESSES, AND CONSUMER OR EMPLOYEE AFFECTED MUST BE OBTAINED BEFORE YOU ARE REQUIRED TO PRODUCE CONSUMER OR EMPLOYEE RECORDS.

3. YOU ARE (item a or b must be checked):

- a. Ordered to appear in person and to produce the records described in the declaration on page two or the attached declaration or affidavit. The personal attendance of the custodian or other qualified witness and the production of the original records are required by this subpoena. The procedure authorized by Evidence Code sections 1560(b), 1561, and 1562 will not be deemed sufficient compliance with this subpoena.
- b. Not required to appear in person if you produce (i) the records described in the declaration on page two or the attached declaration or affidavit and (ii) a completed declaration of custodian of records in compliance with Evidence Code sections 1560, 1561, 1562, and 1271. (1) Place a copy of the records in an envelope (or other wrapper). Enclose the original declaration of the custodian with the records. Seal the envelope. (2) Attach a copy of this subpoena to the envelope or write on the envelope the case name and number; your name; and the date, time, and place from item 1 in the box above. (3) Place this first envelope in an outer envelope, seal it, and mail it to the clerk of the court at the address in item 1. (4) Mail a copy of your declaration to the attorney or party listed at the top of this form.

4. IF YOU HAVE ANY QUESTIONS ABOUT THE TIME OR DATE YOU ARE TO APPEAR, OR IF YOU WANT TO BE CERTAIN THAT YOUR PRESENCE IS REQUIRED, CONTACT THE FOLLOWING PERSON BEFORE THE DATE ON WHICH YOU ARE TO APPEAR:

a. Name of subpoenaing party or attorney:

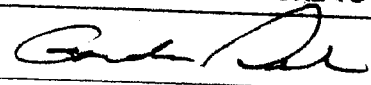
b. Telephone number:

5. **Witness Fees:** You are entitled to witness fees and mileage actually traveled both ways, as provided by law, if you request them at the time of service. You may request them before your scheduled appearance from the person named in item 4.

DISOBEDIENCE OF THIS SUBPOENA MAY BE PUNISHED AS CONTEMPT BY THIS COURT. YOU WILL ALSO BE LIABLE FOR THE SUM OF FIVE HUNDRED DOLLARS AND ALL DAMAGES RESULTING FROM YOUR FAILURE TO OBEY.

Date issued:

GORDON PARK-LI
(TYPE OR PRINT NAME)



(SIGNATURE OF PERSON ISSUING SUBPOENA)

CHIEF EXECUTIVE OFFICER

(TITLE)

(Declaration in support of subpoena on reverse)



Patrick Missud
Attorney at Law
91 San Juan Ave.
San Francisco, CA, 94112
415-584-7251 office
missudpat@yahoo.com

June 27, 2006

DECLARATION IN SUPPORT OF CIVIL SUBPOENA FOR PRODUCTION OF DOCUMENTS- CGC05447499

Attachment 2:

Documents to be produced:

1. Documents listed under NRS 645.625 (2);
2. Documents regarding Schankin's disassociation from DR Horton;
3. The realtor license numbers for D R Horton and Anne Schankin;
4. Transcripts regarding the disciplinary actions in cases S06-07-01-01 and 02-02;
5. Other transcripts regarding disciplinary actions against D R Horton or any of its agents in Nevada;
6. Any other publicly accessible files relevant to my claims.

Attachment 3:

Good cause exists for the production of the documents for the following reasons:

The above listed files are needed as corroborative evidence that the D R Horton, DHI Mortgage or their agents fraudulently tried to cancel the contract for 1353 Romanesca Drive.

Attachment 4:

These documents are material to the issues in this case for the following reasons:

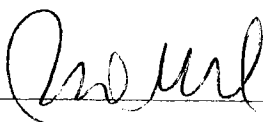
These documents will bolster plaintiff's well documented contention that attempts were made to hinder plaintiff and plaintiff's lender and fraudulently cancel the contract for 1353 Romanesca Drive.

These documents are material to the issues of predatory lending, mail fraud and anti trust violations and will be included in upcoming federal court class action lawsuits.

Additional copies of any and all evidence can again be forwarded at any time.

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

Patrice Missud

X  dated: 6-27-06

Sent via: Certified #70053110000184984395, return receipt, POS.

NAME, ADDRESS, AND TELEPHONE NUMBER OF ATTORNEY(S)

PATRICK MISSUD 415 845 5540
91 SAN JUAN ST.
SAN FRANCISCO, CA 94112

ATTORNEY(S) FOR N PRO PER #219614

SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN FRANCISCO

PATRICE A. MUSSUD

PLAINTIFF(S)

CASE NUMBER

CGC 05-447499

DR HORTON et al.

DEFENDANT(S)

PROOF OF SERVICE BY MAIL

-CCP 1013a, 2015.5

I declare that:

I am (a resident of/employed in) the county of SAN FRANCISCO California.
(County where mailing occurred)

I am over the age of eighteen years and not a party to the within cause; my (business/residence) address is:

210 JUMPERO TERRA BLVD

On JUNE 27, 2006 (Date), I served the within SUBPOENA FOR PRODUCTION OF DOCUMENTS

(982615.1) & SUPPORTING DOCUMENTS on the CUSTODIAN OF RECORDS

in said cause, by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States

mail at EXCELSIOR POST OFFICE @ ONONDAGA addressed as follows:

DEPT. OF BUSINESS & INDUSTRY ATTN: BRUCE ALITI
REAL ESTATE DIVISION
2501 E. SAHARA BLVD, SUITE 102
LAS VEGAS, NV, 89104-4137

I declare under penalty of perjury that the foregoing is true and correct, and that this declaration was executed on
June 27, 2006 (Date) at SAN FRANCISCO (Place), California.

Evelyn M. Garibaldi
(Type or Print Name)

Evelyn M. Garibaldi
(Signature)

Certified # 7005 3110 0001 8498 4395



Track & Confirm

Track & Confirm

Search Results

Label/Receipt Number: **7005 3110 0001 8498 4395**
Status: **Delivered**

Your item was delivered at 11:34 am on June 30, 2006 in LAS VEGAS, NV 89104.

Track & Confirm

Enter Label/Receipt Number.

[Additional Details >](#) [Return to USPS.com Home >](#)

Notification Options

Track & Confirm by email

Get current event information or updates for your item sent to you or others by email. [Go >](#)



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SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) C. Date of Delivery</p> <p><i>D. Porter</i> <i>6.30.06</i></p>
<p>1. Article Addressed to:</p> <p><i>Dept. of Business & Industry</i> <i>Red State Division Admin.</i> <i>BLUCE AUTO</i> <i>2501 E. SAMARA BLVD. SUITE 100</i> <i>LAS VEGAS, NV, 89102-1000</i></p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If YES, enter delivery address below:</p> <p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>
<p>2. Article Number (Transfer from service label)</p> <p><i>7005 3110 0001 8498 4395</i></p>	<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>

FILE COPY

Patrick Missud
Attorney at Law
91 San Juan Ave.
San Francisco, CA, 94112
415-584-7251 office

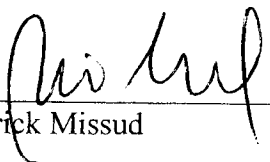
July 7, 2006

Office of the Attorney General
Nevada Department of Justice
Las Vegas Office
555 E. Washington Ave. Suite 3900
Las Vegas, Nevada, 89101

Dear Mr. Whitney,

I have already gathered several verified complaints and will be in Las Vegas from July 24-28, 2006. During that week I will be assisting additional neighbors with preparation of their forms, however I prefer that they recount their stories in their own words. If you would like, I can arrange to meet with you and deliver a copy of my files, including neighbor contact information in the event that you would also like to meet with them.

Cordially,



Patrick Missud

**ATTORNEY GENERAL
NEVADA DEPARTMENT OF JUSTICE**

555 East Washington Ave., #3900
Las Vegas, Nevada 89101-1068

GEORGE J. CHANOS
Attorney General



GERALD GARDNER
Assistant Attorney General

September 7, 2006

Patrick Missud, Esq.
91 San Juan Street
San Francisco, CA 94102

Re: Your letter dated August 31, 2006.

Dear Mr. Missud:

Thank you for your letter from August 31, 2006, and your concern for the State of Nevada, Division of Mortgage Lending's ("Division") investigation concerning the matters you have been informing the Division and I about. Please do not worry, though; the Division will not lose standing without suitable damaged Plaintiffs.

If you have any questions, please do not hesitate to contact me.

Sincere Regards,

GEORGE J. CHANOS
Attorney General

A handwritten signature in black ink that reads "Robert A. Whitney".

Robert A. Whitney, Esq.
Deputy Attorney General

SYDNEY H. WICKLIFFE, C.P.A.
Director



DEPARTMENT OF BUSINESS AND INDUSTRY
REAL ESTATE DIVISION

www.red.state.nv.us

November 6, 2006

PATRICK MISSUD
91 SAN JUAN
SAN FRANCISCO CA 94112

Re: NJ S07-11-15-126

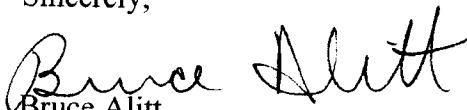
Dear Mr. Missud:

We are in receipt of your complaint from the Consumer Affairs Division. After carefully reviewing your complaint, most of the complaints forwarded from Consumer Affairs should be sent to the Mortgage Lending Division

Anything regarding a real estate licensee should name the specific licensee allegation and property address. We can not accept a complaint about a company.

We appreciate your letter, as it is only through consumers like you that we are made aware of potential problems. I am sorry we are unable to assist you in resolving this particular situation.

Sincerely,


Bruce Alitt
Chief Investigator

KENNY C. GUINN
Governor

STATE OF NEVADA

GAIL J. ANDERSON
Administrator

SYDNEY H. WICKLIFFE, C.P.A.
Director



DEPARTMENT OF BUSINESS AND INDUSTRY
REAL ESTATE DIVISION
www.red.state.nv.us

November 9, 2006

Patrick Missud
91 San Juan Street
San Francisco CA 94112

Re: Request for Records of Complaints.

Dear Mr. Missud:

You requested a record of complaints for Annie Schankin and James Frasure. We are unable to provide information as neither of these individuals are registered with the Nevada Real Estate Division, as a real estate licensee, property manager, community manager or appraiser.

Thank you for your inquiry.

Sincerely,

Alex Alexander *For*
Bruce Alitt
Compliance Chief Investigator

cc: *James Frasure*
Annie Schankin

**STATE OF NEVADA
DEPARTMENT OF BUSINESS & INDUSTRY
REAL ESTATE DIVISION
2501 E. Sahara Avenue, Suite 300
Las Vegas, NV 89104
(702)486-4046**

RECORD OF COMPLAINTS AGAINST REAL ESTATE LICENSEE

Name of Licensee: **JAMES FRASURE**

License Number: **No Credentials on File**

No. of complaints:	Fiscal Year filed:	Status of complaint:
1	'FY' 2005	CL-Closed
1	'FY' 2006	HEARING-Discipline Imposed by Real Estate Commission.

The Nevada Real Estate Division shows two (2) complaints for James Frasure

2 *		LICENSE DENIAL APPEAL:	<ol style="list-style-type: none"> 1. Hoffman, Edward File No. S-LDA-06-004 2. McCullough, Travis File No. S-LDA-06-008
3*		DISCIPLINARY ACTION:	<ol style="list-style-type: none"> 1. NRED v. Valeriano, Luigi F. Case No. S04-06-33-337 License No. 51189 S 2. NRED v. Sweet, Larry Case No. S04-01-33-185 & S04-10-07-105 License No. 11809 3. NRED v. Belding, Kuulei M. Case No. S05-08-31-071 License No. unlicensed 4. NRED v. Frasure, James Case No. S06-07-01-01 License No. unlicensed 5. NRED v. Knobloch, Richard Case No. S06-07-02-02 License No. 48519 6. NRED v. Saleres, Tommy "Sal" Case No. S05-12-37-219 License No. 53824 7. NRED v. Ruybalid, Victor E. Case No. S06-07-22-022 License No. 31441 8. NRED v. Kelley, Kolleen Case No. S06-07-21-021 License No. 27858 9. NRED v. Mosley, Theresa M. Case No. S03-06-08-280 License No. 21506 S
4*		Commission/Division Business	<ol style="list-style-type: none"> 1. Discussion and possible action regarding the post-licensing curriculum for real estate licensees. 2. Discussion regarding Attorney General Case Status Report. 3. Discussion regarding Disciplinary Report. 4. Discussion regarding Administrative Sanction report. 5. Discussion regarding Administrator's Report on: <ol style="list-style-type: none"> (a) Personnel update. (b) Fiscal Year 2005 licensing statistics. 6. Discussion and possible action regarding 2005 Legislative changes that will have an impact on the Commission or the Division, to include but not be limited to: <ol style="list-style-type: none"> (a) Discussion and possible action regarding Section 7 of Senate Bill 332; (b) Discussion and possible action regarding implementation of Senate Bill 315; (c) Discussion and possible action regarding implementation of Assembly Bill 114; and (d) Discussion and possible action regarding Seller Real Property Disclosure form and possible changes relating to airports, meth labs and the changes made by Assembly Bill 215. 7. Discussion to review chapter 645 of NAC and make

2	2/6/06 @ 9:30 A.M.	Regulation Workshop	The Real Estate Division will conduct a workshop to receive public comments on proposed changes to chapter 645 of the Nevada Administrative Code.
3*		License Denial Appeals:	<ol style="list-style-type: none"> 1. NRED v. Black, Yusef Ramon Case No. S-LDA-06-021 2. NRED v. Gerstner, Scott Case No. S-LDA-06-013 3. NRED v. Larsen, James R. Case No. N-LDA-06-015 4. NRED v. Larsen, Terry A. Case No. S-LDA-06-012 5. NRED v. Van Tran, Pete Case No. S-LDA-06-016
4*		DISCIPLINARY ACTION:	<ol style="list-style-type: none"> 1. NRED v. Alarcon, Sergio Case No. S04-09-17-073 License No. 27497 2. NRED v. Britton, Harry (Broker for Alarcon) Case No. S04-09-17-073 License No. 13655 3. NRED v. Knobloch, Richard Case No. S06-07-02-02 License No. 48519 BS 4. NRED v. Frasure, James (Broker for Knobloch) Case No. S06-07-01-01 License No. 39927 5. NRED v. Artiga, Tatiana Case No. S05-07-32-032 License No. 53079S 6. NRED v. Fitzpatrick, Bill (Broker for Artiga) Case No. S05-10-41-141 License No. 36459B 7. NRED v. Murphy, Maureen Anne Case No. S05-03-24-315 License No. 33039 8. NRED v. Trudeau, Jeannine Case No. S05-11-26-181 License No. 34607 BC
5*		Action on Petition for Owner-Developer Experience approval pursuant to NAC 645.750(6)	<ol style="list-style-type: none"> 1. Fetterly, Kim Lic # S.0042652 2. Wynne, Richard Chat Lic #BS.0000104

JIM GIBBONS
Governor

STATE OF NEVADA

GAIL J. ANDERSON
Administrator

MENDY K. ELLIOTT
Director



DEPARTMENT OF BUSINESS AND INDUSTRY
REAL ESTATE DIVISION

www.red.state.nv.us

November 14, 2007

Patrick Missud
Attorney at Law
91 San Juan Avenue
San Francisco CA 94112

Re: RES08-11-03-134 MISSUD vs. WARD/MARTINEZ

Dear Mr. Missud:

This is to acknowledge receipt of your complaint on October 29, 2007. A case has been opened and an investigation will be conducted. Thank you for your patience and cooperation.

The following are important facts which you should be aware:

- The Division cannot compel cancellation of listing agreements, purchase contracts, or refunds of any kind.**
- Do not delay any civil action you might be considering regarding this matter.**
- If a court judgement has been obtained against a licensee for fraud, misrepresentation or deceit, the Real Estate Education, Research and Recovery fund is available for petition if the judgement has not been satisfied.**

You may be called to testify should this matter proceed to hearing. Otherwise, you will be advised of the disposition of this matter when our investigation is completed. Should you have any questions, you may contact me at (702) 486-4033 ext. 64325.

Sincerely,

A handwritten signature in black ink that reads "Carolyn Washington".

Carolyn Washington
Compliance/Audit Investigator

2501 E. Sahara Avenue, Suite 102 • Las Vegas, Nevada 89104-4137 • Telephone (702) 486-4033 • Fax (702) 486-4275
788 Fairview Drive, Suite 200 • Carson City, Nevada 89701-5453 • Telephone (775) 687-4280 • Fax (775) 687-4868



DEPARTMENT OF BUSINESS AND INDUSTRY
REAL ESTATE DIVISION

www.red.state.nv.us

February 8, 2008

Patrick Missud
Attorney at Law
91 San Juan Avenue
San Francisco CA 94112

Re: RES08-11-03-134 MISSUD vs. WARD/MARTINEZ

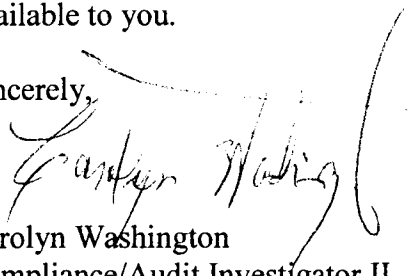
Dear Mr. Missud:

The Division has completed its investigation of the above referenced matter.

After a thorough investigation, including a review of all the evidence and documents submitted, the Division has determined there is insufficient evidence available at this time to substantiate any violations of NRS or NAC. The information you provided was for a civil action procedure. This was not a criminal suit in which neither of the respondents was found guilty of a felony or misdemeanor.

The decision to close this matter is made without prejudice. The Division reserves the right to reopen its investigation should such action be warranted. The Division's decision to close this file does not preclude you from seeking any legal remedies which may be available to you.

Sincerely,


Carolyn Washington
Compliance/Audit Investigator II

c.c. file