

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
(Southern Division)**

NADINE M. PROCTOR, et al.	*	
Plaintiffs,	*	Case No. 07-cv-01957-RWT
v.		
	*	
METROPOLITAN MONEY STORE CORP., et al.	*	
Defendants.	*	

NOTICE OF CLASS ACTION

If you entered into an agreement with Metropolitan Money Store, Inc. and it resulted in the transfer of title to your principal residence to a third person with whom Metropolitan Money store had an agreement and the transfer was settled by Regional Title & Escrow, LLC. or CAP Title LLC (N/K/A Sussex Title LLC), this Notice may affect your rights. Please read carefully.

A court authorized this notice. This is not a solicitation from a lawyer.

Notice is hereby given pursuant to Rule 23 of the *Federal Rules of Civil Procedure* and an Order of the United States District Court for the District of Maryland, to the following Class:

ALL HOMEOWNERS WHO ENTERED INTO AN AGREEMENT WITH JOY JACKSON (“JACKSON”), JENNIFER MCCALL (“MCCALL”), KURT FORDHAM (“FORDHAM”), METROPOLITAN MONEY STORE CORP. (“MMS”), AND/OR FORDHAM & FORDHAM INVESTMENT GROUP LTD. (“F&F”) WHEREBY (1) TITLE TO THE PRINCIPAL RESIDENCE OF THE HOMEOWNERS WAS TRANSFERRED TO A THIRD PERSON WITH WHOM JACKSON, MCCALL, FORDHAM, MMS AND/OR F&F HAD AN AGREEMENT TO HAVE AN INTEREST IN THE TRANSFERRED PROPERTY, (2) WHERE JACKSON, MCCALL, FORDHAM, MMS, AND/OR F&F OBTAINED PROCEEDS THAT SETTLEMENT DOCUMENTS INDICATED WERE TO GO TO THE HOMEOWNERS, AND (3) WHERE THE PROPERTY TRANSFER WAS SETTLED BY SUSSEX OR RTE TITLE.

Notice is also hereby given pursuant to Rule 23 of the *Federal Rules of Civil Procedure* and an Order of the United States District Court for the District of Maryland, to the following Subclass:

NAMED PLAINTIFFS MELVIN J. PROCTOR, JR., AND NADINE M. MCKENZIE-PROCTOR AND CLASS MEMBERS WHO RESIDE IN THE STATE OF MARYLAND WHERE THE TRANSACTION TOOK PLACE DURING OR INCIDENT TO A PROPOSED FORECLOSURE PROCEEDING AGAINST THEIR PRINCIPAL RESIDENCE.

If you fit the class description(s) above, your transaction occurred between July 24, 2003 and the present, and you timely submit the enclosed Request to Opt-In/Participate, you are a member of the Class and your rights may be affected by a lawsuit pending in this Court, Civil Action 07-cv-01957-RWT.

Plaintiffs in this Class Action allege that the Metropolitan Money Store unlawfully set up a foreclosure reversal program in order to facilitate the illegal transfer of equity rich properties to non-bona fide strawpersons which resulted in illegal kickbacks, equity stripping, and referral fees to the multiple parties including Defendants **Alexander Jamil Chaudhry** (“Chaudhry”), **Ali Farahpour** (“Farahpour”), **Joy Jenis Jackson** (“Jackson”), **Jennifer McCall** (“McCall”), **Kurt Fordham** (“Fordham”), **Metropolitan Money Store Corp.** (“MMS”), **Fordham & Fordham Investment Group LTD** (“F&F”), **Diane Linda Jones** (“Jones”), **Leticia Nicholls** (“Nicholls”), and **John Does 1-50**.

Plaintiffs allege that Defendants conducted this program in violation of the Racketeer Influenced and Corrupt Organizations Act (“RICO”), Real Estate Settlement Procedures Act (“RESPA”), Protection of Homeowners in Foreclosure Act (“PHIFA”), and common law negligence. In addition the Plaintiffs are seeking certain declaratory relief pursuant to the Federal Declaratory Judgment Act. Some Defendants deny Plaintiffs’ allegations, contend that their individual actions were genuine and lawful under federal and/or state law, and assert that RICO, PHIFA, and RESPA were not violated, and contend that they have other valid defenses.

The Court has not ruled on the merits of Plaintiffs’ charges or on the denials and other defenses made by Defendants, Chaudhry, Farahpour, Jackson, McCall, Fordham, MMS, F&F, Jones, or Nicholls. The Court has, however, certified for trial the class of consumers identified above under: (i) the illegal kickback claims under RESPA against all Defendants; (ii) the racketeering claims under RICO against all Defendants; and (iii) the illegal foreclosure reconveyance transactions under PHIFA for Maryland class members. In addition the Court has certified for trial purposes certain claims related to legal title to the properties of class members pursuant to the Federal Declaratory Judgment Act (“FDJA”). All borrowers who fit the class description(s) above and whose transaction occurred between July 24, 2003 and the present are members of the class and may have claims against one or more of the Defendants. The purpose of this Notice is to advise you of these events and their potential effect on your rights.

CLASS ACTION RULING

The Court has ruled that this lawsuit may be maintained as a claim for damages under RICO, RESPA, and PHIFA, each of which may include triple damages, attorneys fees and costs, not only by the named Plaintiff but also on behalf of a Class consisting of certain other borrowers who entered into MMS’ foreclosure reversal program. The Court has approved the named Plaintiffs as representatives of the Class and has approved the attorneys representing the named Plaintiffs, identified below, as counsel for the Class.

This ruling by the Court does not mean that any money will be obtained for Members of the Class because these are contested issues that have not been decided. Rather, the ruling means that the decisions made by this Court, whether favorable to the Plaintiffs or to the Defendants will apply to every similarly situated Class Member (though the damages recoverable by each class member may vary). In other words, the Court’s final decisions in this lawsuit will apply to all homeowners who entered into Metropolitan Money Store’s unlawful foreclosure reversal program, as described above, who timely elect to be included as part of the Class (*see* below).

ELECTION BY CLASS MEMBERS

If you fit the above description of a Class Member, you have a choice whether or not to remain a Member of the Class on whose behalf this suit is being maintained. Either choice will have its consequences, which you should understand before making your decision.

1. If you want to be **included** in this Class action (that is, **participate in the case**), you must complete the enclosed form (“Request to Opt-In/Participate”) and return it no later than October 15, 2009 to:

MMS Plaintiffs Counsel

c/o Legg Law Firm, LLC.

5500 Buckeystown Pike

Frederick, MD 21703

Email: *MMSClass@metromoneystore.com*

2. If you wish to be **excluded** from this Class action (that is, **not participate in the case**) you need to do nothing. By doing nothing, you will not be included in the class and will not share in the common fund. You will have the right to pursue your own claims at your own cost and expense. You should talk to your own lawyer or find a lawyer soon, because your claims may be subject to a statute of limitations. By making this election to be excluded:
 - (a) You will not share in any recovery that might be paid to Class Members as a result of trial or settlement of this lawsuit;
 - (b) You will not be bound by any decision in this lawsuit favorable to the Defendants; and
 - (c) You may present any claims you have against the Defendants by filing your own lawsuit, or you may seek to intervene in this lawsuit.

RIGHTS AND OBLIGATIONS OF CLASS MEMBERS

If you remain a member of either Class:

1. The named Plaintiffs in this case, and their attorneys, will act as your representative and counsel for the presentation of the claims against the Defendants. If you desire, you may also appear by your attorney. You may also seek to intervene individually and may advise the Court if at any time you consider that you are not being fairly and adequately represented by the named Plaintiff and her attorneys.
2. Your participation in any recovery which may be obtained from the Defendants through trial or settlement will depend on the results of this lawsuit. If no recovery is obtained for the Class, you will be bound by that result also.
3. You may be required as a condition to participating in any recovery through settlement or trial to present evidence respecting your transaction with Chaudhry, Farahpour, Jackson, McCall, Fordham, MMS, F&F, Jones, Nicholls, or their affiliates. You should, therefore, preserve all documentation surrounding the transaction.
4. You will be entitled to notice of any ruling reducing the size of the Class and also notice of, and an opportunity to be heard respecting, any proposed settlement or dismissal of the Class claims. For this reason, as well as to participate in any recovery, you are requested to notify Plaintiffs’ counsel at the address identified below of any corrections or changes in your name or address.

FURTHER PROCEEDINGS

As noted, the allegations of the charges against the Defendants Chaudhry, Farahpour, Jackson, McCall, Fordham, MMS, F&F, Jones, or Nicholls, are denied by some of the Defendants. Trial of the case is not yet scheduled.

ADDITIONAL INFORMATION

Any questions you have concerning the matters contained in this Notice, and any corrections or changes of name or address, should **NOT** be directed to the Court but should be directed in writing to:

Plaintiffs’ Counsel

Metropolitan Money Store Class Action Litigation

c/o Legg Law Firm, LLC.
5500 Buckeystown Pike
Frederick, MD 21703

If you decide to remain a Member of the Class and wish to communicate with Class counsel as your attorneys in this litigation, you may do so by writing or calling:

Scott Borison
Janet Legg
Legg Law Firm, LLC
5500 Buckeystown Pike
Frederick, MD 21703
Phone: (301) 620-1016
Fax: (301)620-1018

Phillip Robinson
Civil Justice, Inc.
520 West Fayette Street, Suite 410
Baltimore, Maryland 21201
Phone (410) 706-0174
Fax (410) 706-3196

Peter A. Holland
The Holland Law Firm, P.C.
1410 Forest Drive, Suite 21
Annapolis, Maryland 21403
Phone (410) 280-6133
Fax: (410) 280-8650

You may, of course, seek the advice and guidance of your own attorney if you desire. The pleadings and other records in this litigation may be examined and copied at any time during regular hours at the office of the Clerk:

United States District Court for the District of Maryland
101 West Lombard Street
Baltimore, Maryland 21201

or

United States District Court for the District of Maryland
6500 Cherrywood Lane
Greenbelt, MD 20770

This “Notice of Class Action” and other relevant court pleadings will also be posted on an internet website for Class Members to view (reserved under *www.metromoneystore.com*), where they will remain posted throughout the duration of this matter.

REMINDER AS TO TIME LIMIT

If you wish to be included in the CLASS on whose behalf this litigation is being maintained, return the completed “Request to Opt-In/Participate” to Plaintiffs’ Counsel at the address listed on the Request for Exclusion, (i) postmarked or (ii) scanned and emailed on or before **October 15, 2009**.

Dated: August 4, 2009

Clerk of Court, United States District Court for the District of Maryland, 6500 Cherrywood Lane
Greenbelt, MD 20770

Request to Opt-In/Participate

Read the enclosed legal notice carefully before filling out this form.

I have read the Notice of Class Action, dated _____, and **I WISH TO OPT-IN AND PARTICIPATE** as a Member of the Plaintiff Class certified in the case of *Proctor et al. v. Metropolitan Money Store Corp., et al.*, Civil Action No. 07-cv-01957-RWT in the United States District Court for the District of Maryland.

Date: _____

Signature

Printed Name of Class Member

Social Security Number

Complete Printed Address (Street, City, Zip) of the Property of Class Member Subject to this Class Action.

Present Printed Address (Street, City, Zip), if different, of the Class Member

If you want to include yourself as a member of the you *must* complete and return this form by *mailing or emailing it on or before October 15, 2009*, to:

MMS Plaintiffs' Counsel

c/o Legg Law Firm, LLC.

5500 Buckeystown Pike

Frederick, MD 21703

Email: MMSClass@metromoneystore.com

A separate Request to Opt-In/Participate should be completed and timely mailed or emailed for each person electing to be included from the Class.