

September 29, 2009

**THIS LETTER IS NOT AN ATTEMPT**

[REDACTED]  
[REDACTED]  
Santa Clara, CA 95051

**TO COLLECT A DEBT**

RE: Short Payoff Acceptance  
Property Address: [REDACTED], Santa Clara CA 95051  
Orange Mortgage Account # [REDACTED]

Dear [REDACTED]:

You have (i) provided us with documentation supporting the proposed sale of the above referenced property in the amount of \$ 320,000.00 (the "Sale"); and (ii) requested that in connection with the Sale, ING Bank, fsb ("ING DIRECT") accept a partial or "short" payment in the amount of \$275,770.26 in full satisfaction of the above-referenced mortgage debt. This proposed payment is less than the full amount currently owed.

This letter confirms that, subject to the following conditions, ING DIRECT will accept a payment in the amount of \$275,770.26 (the "Payoff Amount") in full satisfaction of the above-referenced mortgage debt:

1. The sale must close on or before September 15th , 2009; and
2. Neither buyer or seller can receive any cash proceeds from the Sale; and
3. The minimum Payoff Amount, in certified funds, must be received by ING DIRECT at the address specified below no later than 4:00 p.m. Eastern Time on September 16th, 2009; and

**ING Direct**  
**1 South Orange Street**  
**Wilmington, DE 19801**  
**Attn: Erik Skinner, Loss Mitigation Dept**

4. The realtor commission cannot exceed the lesser of 5% of the sale price or \$ 16,000.00 dollars and
5. If there are additional proceeds from the Sale after payment of the minimum Payoff Amount, those additional proceeds are to be paid to ING DIRECT. In the event there are junior lienholders with interests in the subject property, one-half of the additional Sale proceeds are to be paid to ING DIRECT and the remaining portion is to be allocated among junior lienholders in such proportions as they deem appropriate. If after payment of the junior lienholders there are any Sale proceeds remaining, those amounts shall be paid to ING DIRECT; and



