

December 14, 2010

[REDACTED]  
[REDACTED]  
SAN RAMON CA 94582

**Short Sale Terms and Conditions**

Account: [REDACTED]  
Borrower(s): [REDACTED]  
Seller(s): [REDACTED]  
Property Address: [REDACTED] SAN RAMON CA 94582

Dear Mortgagor(s):

EMC Mortgage Corporation has agreed to your request for a Short Sale. We will accept a minimum of \$738306.08 to settle your account and release the lien(s) on the above-referenced Property. Our acceptance is conditional upon receipt of payment in the form of certified funds on or before 1-18-2011, after which this offer becomes null and void.

To accept this offer, please send payment by wire transfer or overnight mail to the address below. Be sure to include your name and account number.

Overnight Mail: EMC Mortgage Corporation  
Mail Code OH4-7119  
3415 Vision Drive  
Columbus, OH 43219-6009

Wire Transfer: JP Morgan Chase Bank NA  
ABA #021000021  
Account #7001224500  
Account Name: EMC Mortgage Corporation

This acceptance is only for the contract of sale in the amount of \$790,000.00 between [REDACTED] (the "Buyer"), and the Seller(s).

At closing, please forward us a copy of the certified HUD-1 closing statement, as well as the signed and notarized Affidavit of Arm's Length Transaction (enclosed); these documents must be remitted via both fax and overnight mail.

Overnight Mail: EMC Mortgage Corporation  
Mail Code OH4-7119  
3415 Vision Drive  
Columbus, OH 43219-6009

---

800 State Highway 121 Bypass, Lewisville, Texas 75067  
Mailing Address: P.O. Box 293150, Lewisville, Texas 75029-1350

Please call us on the day of closing to provide us with the details regarding the delivery of funds. Once certified funds have been received, EMC Mortgage Corporation will release the lien(s). Any excess funds at closing will be refunded to EMC Mortgage Corporation. As the Seller(s), you will not receive any proceeds from this transaction.

Please be aware that the completion of this transaction is reported to the credit bureaus and may have an adverse affect on your credit rating. Proceeding with this transaction may also have implications on your state or federal tax liability; please consult a tax advisor for additional information.

If you have any questions, please contact us at the number provided below. At EMC, we value you as a customer and want to ensure your continued satisfaction.

Sincerely,  
JENNIFER SPEAKS  
Loss Mitigation Liquidation  
EMC Mortgage Corporation  
(866) 332-7856 Ext. 5084  
(866) 608 9988 Fax

Enclosure

1. Affidavit of Arm's Length Transaction
2. Notary Certification

For California customers, the state Rosenthal Fair Debt Collection Practices Act and the federal Fair Debt Collection Practices Act require that, except under unusual circumstances, collectors may not contact you before 8 a.m. or after 9 p.m. They may not harass you by using threats of violence or arrest or by using obscene language. Collectors may not use false or misleading statements or call you at work if they know or have reason to know that you may not receive personal calls at work. For the most part, collectors may not tell another person, other than your attorney or spouse, about your debt. Collectors may contact another person to confirm your location or enforce a judgment. For more information about debt collection activities, you may contact the Federal Trade Commission toll-free at (877) FTC-HELP or [www.ftc.gov](http://www.ftc.gov).

EMC Mortgage Corporation is attempting to collect a debt, and any information obtained will be used for that purpose.

We may report information about your account to credit bureaus. Late payments, missed payments, or other defaults on your account may be reflected in your credit report. If you are represented by an attorney, please refer this letter to your attorney and provide us with the attorney's name, address, and telephone number.

To the extent your original obligation has been discharged, or is subject to an automatic stay of bankruptcy under Title 11 of the United States Code, this notice is for compliance and/or informational purposes only and does not constitute a demand for payment or an attempt to impose personal liability for such obligation.

---

800 State Highway 121 Bypass, Lewisville, Texas 75067  
Mailing Address: P.O. Box 293150, Lewisville, Texas 75029-1350