



**Service of Process  
Transmittal**

02/13/2020

CT Log Number 537190176

**TO:** Dinorah Vasquez  
PennyMac Mortgage Investment Trust  
3043 Townsgate Rd Ste 300  
Westlake Village, CA 91361-3027

**RE: Process Served in Massachusetts**

**FOR:** PennyMac Loan Services, LLC (Domestic State: DE)

**ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:**

**TITLE OF ACTION:** Walter Rozanski, on behalf of himself and all others similarly situated, Pltf. vs. PennyMac Loan Services, LLC, Dft.

**DOCUMENT(S) SERVED:** Summons, Proof, Complaint, Cover Sheet, Motion, Order

**COURT/AGENCY:** Plymouth Superior Court- Brockton, Plymouth County, MA  
Case # 2083CV00084

**NATURE OF ACTION:** Foreclosure Litigation - Mortgage - VIOLATIONS OF M.G.L., c. 93A. 2, AND 940 CMR 7.04(1)(f) (see document for additional information)

**ON WHOM PROCESS WAS SERVED:** C T Corporation System, Boston, MA

**DATE AND HOUR OF SERVICE:** By Process Server on 02/13/2020 at 15:31

**JURISDICTION SERVED :** Massachusetts

**APPEARANCE OR ANSWER DUE:** Within 20 days (Document(s) may contain additional answer dates)

**ATTORNEY(S) / SENDER(S):** Sergei Lemberg  
LEMBERG LAW, LLC  
43 Danbury Road  
Wilton, CT 06897  
203-653-2250

**ACTION ITEMS:** CT has retained the current log, Retain Date: 02/13/2020, Expected Purge Date: 02/18/2020

Image SOP

Email Notification, Theresa Eykel [theresa.eykel@pnmac.com](mailto:theresa.eykel@pnmac.com)

Email Notification, Eric Jorgensen [eric.jorgensen@pnmac.com](mailto:eric.jorgensen@pnmac.com)

Email Notification, Cynthia Egold [cynthia.egold@pnmac.com](mailto:cynthia.egold@pnmac.com)

Email Notification, Morgan Ford [morgan.ford@pnmac.com](mailto:morgan.ford@pnmac.com)

Email Notification, Dinorah Vasquez [dinorah.vasquez@pnmac.com](mailto:dinorah.vasquez@pnmac.com)

**SIGNED:** C T Corporation System  
**ADDRESS:** 208 S La Salle St Ste 814  
Chicago, IL 60604-1101



**Service of Process  
Transmittal**

02/13/2020

CT Log Number 537190176

**TO:** Dinorah Vasquez  
PennyMac Mortgage Investment Trust  
3043 Townsgate Rd Ste 300  
Westlake Village, CA 91361-3027

**RE: Process Served in Massachusetts**

**FOR:** PennyMac Loan Services, LLC (Domestic State: DE)

**For Questions:**

866-203-1500  
DealTeam@wolterskluwer.com

2083CV00084

The Superior Court



CASE NAME:

Walter Rozanski on behalf of himself and all others similarly situated

Plaintiff(s)

vs.

Penny Mac Loan Services, Inc.

Defendant(s)

Robert S. Creedon, Jr. Clerk of Courts  
Plymouth County

COURT NAME & ADDRESS:

Plymouth Superior Court  
72 Belmont Street  
Brockton, MA. 02301

THIS SUMMONS IS DIRECTED TO Penny Mac Loan Services, Inc. (Defendant's name)

**You are being sued.** The Plaintiff(s) named above has started a lawsuit against you. A copy of the Plaintiff's Complaint filed against you is attached to this summons and the original complaint has been filed in the Plymouth Superior Court.

**YOU MUST ACT PROMPTLY TO PROTECT YOUR RIGHTS.**

**1. You must respond to this lawsuit in writing within 20 days.**

If you do not respond, the court may decide the case against you and award the Plaintiff everything asked for in the complaint. You will also lose the opportunity to tell your side of the story. You must respond to this lawsuit in writing even if you expect to resolve this matter with the Plaintiff. If you need more time to respond, you may request an extension of time in writing from the Court.

**2. How to Respond.**

To respond to this lawsuit; you must file a written to response with the court and mail a copy to the Plaintiff's Attorney (or the Plaintiff, if unrepresented). You can do this by:

a) Filing your signed original response with the Clerk's Office for Civil Business, Plymouth Superior Court  
72 Belmont Street, Brockton, MA. 02301 (address), by mail or in person **AND**

b) Delivering or mailing a copy of your response to the Plaintiff's Attorney/Plaintiff at the following address:  
Sergei Lemberg, Esq., Lemberg Law, LLC 43 Danbury Rd., Wilton CT 06897

**3. What to Include in Your Response.**

An "Answer" is one type of response to a Complaint. Your Answer must state whether you agree or disagree with the fact(s) alleged in each paragraph of the Complaint. Some defenses, called affirmative defenses, must be stated in your Answer or you may lose your right to use them in court. If you have any claims against the Plaintiff (referred to as counterclaims) that are based on the same facts or transaction described in the Complaint, then you must include those claims in your Answer. Otherwise, you may lose your right to sue the Plaintiff about anything related to this lawsuit. If you want to have your case heard by a jury, you must specifically request a jury trial in your court no more than 10 days after sending your Answer.

3 (cont). You can also respond to a Complaint by filing a "Motion to Dismiss," if you believe that the complaint is legally invalid or legally insufficient. A Motion to Dismiss must be based on one of the legal deficiencies or reasons listed under Mass. R. Civ. P. 12. If you are filing a Motion to Dismiss, you must also comply with the filing procedures for "Civil Motions" described in the rules of the Court in which the complaint was filed, available at:

[www.mass.gov/courts/case-legal-res/rules\\_of\\_court](http://www.mass.gov/courts/case-legal-res/rules_of_court)


4. Legal Assistance.

You may wish to get legal help from a lawyer. If you cannot get legal help, some basic information for people who represent themselves is available at [www.mass.gov/courts/selfhelp](http://www.mass.gov/courts/selfhelp).

5. Required Information on All Filings:

The "civil docket number" appearing at the top of this notice is the case number assigned to this case and must appear on the front of your Answer or Motion to Dismiss. You should refer to yourself as the "Defendant."

Witness Hon. Judith Fabricant, Chief Justice on \_\_\_\_\_, 20\_\_\_\_. (Seal)

Clerk-Magistrate 

Note: The number assigned to the Complaint by the Clerk-Magistrate at the beginning of the lawsuit should be indicated on the summons before it is served on the Defendant.

PROOF OF SERVICE OF PROCESS

I hereby certify that on \_\_\_\_\_ I served a copy of this summons, together with a copy of the complaint in this action, on the defendant named in this summons, in the following manner (See Mass. R. Civ. P. 4(d)(1-5)):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Dated. \_\_\_\_\_

Signature: \_\_\_\_\_

N.B. TO PROCESS SERVER:

PLEASE ENTER THE DATE THAT YOU MADE SERVICE ON THE DEFENDANT IN THIS BOX - BOTH ON THE ORIGINAL SUMMONS AND ON THE COPY OF THE SUMMONS SERVED ON THE DEFENDANT.

A TRUE COPY ATTEST

Date: Feb 13, 2020

Special Process Server & Disinterested Person

**COMMONWEALTH OF MASSACHUSETTS  
County of Plymouth  
The Superior Court**

COPY

\_\_\_\_\_  
Walter Rozanski, *on behalf of himself and all  
others similarly situated,*  
  
Plaintiff,  
  
v.  
  
PennyMac Loan Services, LLC,  
  
Defendant.  
\_\_\_\_\_

Civil Docket #: 2083CV00084B

FILED  
COMMONWEALTH OF MASSACHUSETTS  
SUPERIOR COURT DEPT. OF THE TRIAL COURT  
PLYMOUTH COUNTY  
  
JAN 27 2020  
  
*[Signature]*  
Clerk of Court

**CLASS ACTION COMPLAINT AND DEMAND FOR JURY TRIAL**

For this Class Action Complaint, Plaintiff Walter Rozanski, by and through undersigned counsel, pleading on his own behalf and on behalf of all others similarly situated, states as follows:

**INTRODUCTION**

1. Defendant PennyMac Loan Services, LLC ("PennyMac") purports to be a "top national mortgage lender" with over 1.5 million customers. See <https://www.pennymacusa.com/about-us> (last visited Jan. 22, 2020).

2. It has received hundreds of consumer complaints concerning its mortgage servicing practices. See, e.g., <https://www.bbb.org/us/ca/moorpark/profile/mortgage-lenders/pennymac-loan-services-llc-1236-92011078/complaints> (BBB received 463 complaints concerning PennyMac, including borrowers complaining that they were "harassed almost 2-3 times a week" by PennyMac's calls, that they "have been harassed [and] talked down to" by PennyMac, and that PennyMac places "numerous calls when you are late on your mortgage payment. They hand deliver letters to your front door to collect the payment. I think this is an

invasion of privacy . . . .”); *see also* <https://www.trustpilot.com/review/pennymacusa.com> (PennyMac has rating of 1.5 out of 5 stars out of 600 reviews).

3. Through call centers located in Honolulu, Hawaii, Moorpark, California, Pasadena, California, Plano, Texas, Roseville, California, Summerlin, Nevada, and Tampa, Florida, PennyMac aggressively contacts mortgage borrowers in order to collect alleged debts.

4. As part of its debt collection operation, PennyMac regularly places more than two collection calls a week to Massachusetts consumers.

5. This practice is illegal in Massachusetts as the Massachusetts Attorney General has regulated it an “unfair or deceptive act or practice for a creditor” to “initiate a communication with any debtor via telephone, either in person or via text messaging or recorded audio message, in excess of two such communications in each seven-day period to either the debtor’s residence, cellular telephone, or other telephone number provided by the debtor as his or her personal telephone number, for each debt . . . .” 940 CMR § 7.04(1)(f); *see also Armata v. Target Corp.*, 480 Mass. 14, 15–16, 23, 99 N.E.3d 788, 790, 795-96 (2018) (“The regulation applies to any attempted telephonic communication by a creditor to a debtor in an effort to collect a debt, so long as . . . the creditor is able to reach the debtor or to leave a voicemail message for the debtor.”) (quoting 940 CMR § 7.04(1)(f)).

6. PennyMac placed more than two collection calls to Plaintiff Walter Rozanski (“Plaintiff”) within a seven-day period in an attempt to collect a debt, violating the express provisions of § 7.04(1)(f).

7. Plaintiff seeks to represent all consumers similarly situated. Plaintiff seeks injunctive relief to end PennyMac’s illegal practice, declaratory relief to make PennyMac’s violations known to the class, actual and statutory damages, as well as attorneys’ fees and costs.

**PARTIES**

8. Plaintiff, Walter Rozanski, is an adult individual residing in Brockton, Plymouth County, Commonwealth of Massachusetts, and is a “debtor” as defined by 940 C.M.R. § 7.03.

9. Defendant, PennyMac Loan Services, LLC, is a California -based company with a principal place of business at 3043 Townsgate Road, Suite 200, Westlake Village, California 91361, and is a “creditor” as defined by 940 CMR § 7.03. Upon information and belief, PennyMac does not maintain a place of business within the Commonwealth of Massachusetts, nor does it keep any assets in the Commonwealth of Massachusetts.<sup>1</sup>

**ALLEGATIONS APPLICABLE TO ALL COUNTS**

**A. PennyMac Engages in Unfair Business Practices**

10. Plaintiff allegedly incurred a financial obligation arising out of home mortgage loan (the “Debt”) which meet the definition of a “debt” under 940 CMR § 7.03.

11. PennyMac attempted to collect the Debt from Plaintiff and, as such, initiated and engaged in “communications” as defined in 940 CMR § 7.03.

12. At all relevant times that PennyMac attempted to collect the Debt from Plaintiff, the Debt was alleged to be more than thirty days past due.

13. Beginning in or around April 2019, PennyMac repeatedly called Plaintiff’s residential telephone in an attempt to collect the Debt.

14. PennyMac called Plaintiff’s residential telephone at number 508-XXX-0364.

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<sup>1</sup> Accordingly, the requirement for a pre-suit letter under Chapter 93A is inapplicable here. *See* M.G.L.c. 93A § 9(3) (“The demand requirements of this paragraph shall not apply if the claim is asserted by way of counterclaim or cross-claim, or if the prospective respondent does not maintain a place of business or does not keep assets within the commonwealth . . . .”) (emphasis supplied).

15. PennyMac called Plaintiff's residential telephone in an attempt to collect the Debt in excess of two times within a seven-day period, often placing four calls a week to Plaintiff.

16. During the calls, PennyMac demanded that Plaintiff make an immediate payment and threatened to foreclose on his home if he did not make a payment.

**B. Plaintiff Suffered Actual Damages and Injury**

17. As a direct consequence of PennyMac's repeated calls to Plaintiff's residential telephone in an attempt to collect the Debt, Plaintiff felt miserable, aggravated, frustrated and suffered emotional distress.

18. PennyMac's repeated calls to Plaintiff were also distracting and an inconvenience to Plaintiff, and wasted Plaintiff's time and energy spent tending to PennyMac's calls.

**CLASS ACTION ALLEGATIONS**

**A. The Class**

19. Plaintiff brings this case as a class action pursuant to M.G.L. c. 93A, § 9(2) and Rule 23 of the Massachusetts Rules of Civil Procedure.

20. Plaintiff seeks to represent the following class (the "Class"):

**All consumers residing in the Commonwealth of Massachusetts who, within four years prior to the filing of this action, received in excess of two telephone calls regarding a debt from PennyMac within a seven-day period to their residence, cellular telephone, or other provided telephone number.**

**B. Numerosity**

21. As its regular business practice, PennyMac hounds Massachusetts consumers with numerous debt collection calls per week. Class members are believed to be so numerous that joinder of all members is impractical.



22. The exact number and identities of class members are unknown at this time and can only be ascertained through discovery. Identification of the class members is a matter capable of ministerial determination from Defendant's records.

23. Plaintiff reasonably believes that there are thousands of Massachusetts consumers who are members of the Class.

**C. Common Questions of Law and Fact**

24. There are common questions of law and fact raised in this Complaint which predominate over any questions affecting only individual class members.

25. The following questions of law and fact common to the class members are ripe for determination and are raised herein:

- a. Whether Defendant violated M.G.L. c. 93A § 2 and 940 CMR § 7.04(1)(f) by placing in excess of two debt collection calls per debt per seven-day period; and
- b. Whether Defendant willfully and knowingly placed in excess of two debt collection calls per debt per seven-day period.

**D. Typicality**

26. Plaintiff's claims are typical of the claims of the class members, since each of the claims arises from receiving in excess of two debt collection calls within a seven-day period.

**E. Protecting the Interests of Class Members**

27. Plaintiff will fairly and adequately represent the interests of class members, all of whom are victims of Defendant's unlawful conduct.

28. All of the class members' claims arise from the very course of conduct and specific activities complained of herein and require application of the same legal principles.

29. Plaintiff has retained counsel experienced in bringing class actions and debt collection abuse claims and who stands ready, willing and able to represent the Class.

**F. Proceeding Via Class Action is Superior and Advisable**

30. A class action is superior to other available methods for the fair and efficient adjudication of the controversy.

31. Absent a class action, most members of the class would find the cost of litigating their claims to be prohibitive and, therefore, would have no effective remedy at law.

32. The class treatment of common questions of law and fact is also superior to multiple individual actions or piecemeal litigation in that it conserves the resources of the court and the litigants and promotes consistency and efficiency of adjudication.

33. Prosecution of separate actions could result in inconsistent or varying adjudications with respect to individual class members that would establish incompatible standards of conduct for Defendant and other debt collectors. Conversely, adjudications with respect to individual class members would be dispositive of the interest of all other class members.

34. The amount of money at issue is such that proceeding by way of a class action is the only economical and sensible manner in which to vindicate the injuries sustained by Plaintiffs and the other class members.

**COUNT I**  
**VIOLATIONS OF M.G.L. c. 93A, § 2,**  
**AND 940 CMR § 7.04(1)(f)**

35. Plaintiff incorporates by reference all of the above paragraphs of this Complaint as though fully stated herein.

36. Defendant initiated communication via telephone in excess of two times within a seven-day period regarding a Debt to Plaintiff's residential telephone, in violation of 940 CMR § 7.04(1)(f).

37. Defendant's failure to comply with 940 CMR § 7.04(1)(f) constitutes an unfair or deceptive act in violation of M.G.L. c. 93A § 2.

38. Defendant willfully or knowingly violated 940 CMR § 7.04(1)(f), and as such, Plaintiff is entitled to double or treble damages plus reasonable attorney's fees and costs.

39. Pursuant to M.G.L. c. 93A, § 9, Plaintiff is entitled to and does seek equitable relief in the form of an injunction preventing Defendant from placing in excess of two collection calls within any seven days to any Massachusetts consumers' telephone regarding a debt.

40. Pursuant to M.G.L. c. 93A, § 9, Plaintiff is entitled to and does seek declaratory relief such that:

- Defendant knowingly and willfully violated M.G.L. c. 93A c. 93A, § 2 and 940 CMR § 7.04(1)(f) as to Plaintiff and the class; and
- It has been Defendant's practice and history to place in excess of two debt collection telephone calls within seven days to Massachusetts consumers regarding a debt.

#### **DEMAND FOR RELIEF**

WHEREFORE, Plaintiff asks that the Court enter judgment in favor of Plaintiff and the Class and against Defendant, as follows:

- A) An injunction preventing Defendant from placing in excess of two collection calls within any seven days to any Massachusetts consumers' telephone regarding a debt;

- B) **Declaratory relief as prayed for herein;**
- C) **Awarding actual and/or statutory damages under M.G.L. c. 93A § 9;**
- D) **Awarding actual and/or statutory damages under M.G.L. c. 93A § 9 for the Class;**
- E) **Awarding treble damages under M.G.L. c. 93A § 9;**
- F) **Awarding treble damages under M.G.L. c. 93A § 9 for the Class;**
- G) **Awarding reasonable attorney fees, litigation expenses and costs incurred pursuant to M.G.L. c. 93A § 9; and**
- H) **Granting such other and further relief this Court deems just and appropriate.**

**TRIAL BY JURY DEMANDED ON ALL COUNTS**

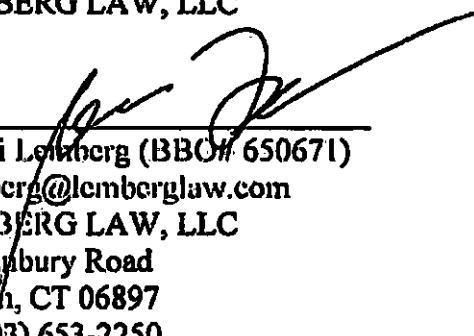
**Dated: January 24, 2020**

**PLAINTIFF,**

**WALTER ROZANSKI**

**By Plaintiff's attorneys,**

**LEMBERG LAW, LLC**



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**Sergei Lemberg (BBO# 650671)  
slemberg@lemborglaw.com  
LEMBERG LAW, LLC  
43 Danbury Road  
Wilton, CT 06897  
T: (203) 653-2250  
F: (203) 653-3424**

CIVIL ACTION COVER SHEET

DOCKET NUMBER

Trial Court of Massachusetts  
The Superior Court



PLAINTIFF(S): Walter Rozanski, on behalf of himself and all others similarly situated,  
ADDRESS: 26 Bark Circle, Brockton, MA 02302

COUNTY  
Plymouth

DEFENDANT(S): PennyMac Loan Services, LLC,

ATTORNEY: Sergei Lemberg, LLC  
ADDRESS: Lemberg Law, LLC  
43 Danbury Road, Wilton, CT 06897  
(203) 653-2250

ADDRESS: 3043 Townsgate Rd, Suite 200, Westlake Village, CA 91361

BBO: 650671

TYPE OF ACTION AND TRACK DESIGNATION (see reverse side)

CODE NO. TYPE OF ACTION (specify) TRACK HAS A JURY CLAIM BEEN MADE?  
B99 M.G.L. c. 93A § 2, et seq F  YES  NO

\*If "Other" please describe:

Is there a claim under G.L. c. 93A?  
 YES  NO

Is this a class action under Mass. R. Civ. P. 23?  
 YES  NO

STATEMENT OF DAMAGES PURSUANT TO G.L. c. 212, § 3A

The following is a full, itemized and detailed statement of the facts on which the undersigned plaintiff or plaintiff's counsel relies to determine money damages. For this form, disregard double or treble damage claims; indicate single damages only.

TORT CLAIMS

(attach additional sheets as necessary)

A. Documented medical expenses to date:

- 1. Total hospital expenses ..... \$
  - 2. Total doctor expenses ..... \$
  - 3. Total chiropractic expenses ..... \$
  - 4. Total physical therapy expenses ..... \$
  - 5. Total other expenses (describe below) ..... \$
- Subtotal (A): \$

B. Documented lost wages and compensation to date ..... \$

C. Documented property damages to date ..... \$

D. Reasonably anticipated future medical and hospital expenses ..... \$

E. Reasonably anticipated lost wages ..... \$

F. Other documented items of damages (describe below) ..... \$

G. Briefly describe plaintiff's injury, including the nature and extent of injury:

TOTAL (A-F): \$

CONTRACT CLAIMS

(attach additional sheets as necessary)

This action includes a claim involving collection of a debt incurred pursuant to a revolving credit agreement. Mass. R. Civ. P. 8.1(a).

Provide a detailed description of claim(s):

TOTAL: \$ 25,001.00

On Behalf of Plaintiff and Class

Signature of Attorney/ Unrepresented Plaintiff: X

Date: Jan 24, 2020

RELATED ACTIONS: Please provide the case number, case name, and county of any related actions pending in the Superior Court.

CERTIFICATION PURSUANT TO SJC RULE 1:18

I hereby certify that I have complied with requirements of Rule 5 of the Supreme Judicial Court Uniform Rules on Dispute Resolution (SJC Rule 1:18) requiring that I provide my clients with information about court-connected dispute resolution services and discuss with them the advantages and disadvantages of the various methods of dispute resolution.

Signature of Attorney of Record: X

Date: Jan 24, 2020

COMMONWEALTH OF MASSACHUSETTS  
THE TRIAL COURT

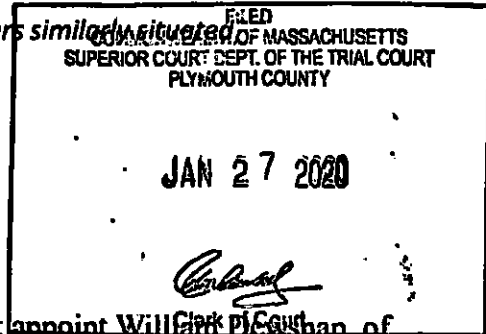
Plymouth County  
Docket number:

Motion to Appoint a Special Process Server  
Pursuant to Rule 4c of the M.R.C.P.

Plaintiff(s): Walter Rozanski, on behalf of himself and all others similarly situated

v.

Defendant(s): PennyMac Loan Services, LLC,



The undersigned moves to request that this honorable court appoint ~~William Dewsnap, of Dewsnap & Associates, LLC~~ Will Clark Dewsnap, of Dewsnap & Associates, LLC or its agents as special process servers in this matter under rule 4c of the Massachusetts Rules of Civil Procedure. We are not parties to this matter, nor do we have any interest in the outcome of this litigation. The above persons are qualified persons over the age of 18 and knowledgeable in the service of process.

Attorney or requesting agent  
address:

Signed under the pains and penalties of perjury:

Sergei Lemberg, Esq.  
Lemberg Law, LLC  
43 Danbury Road  
Wilton, CT 06897

Sergei Lemberg, Esq.

Date: January 24, 2020

ORDER OF THE COURT APPOINTING SPECIAL PROCESS  
SERVERS

Pursuant to rule 4c, it is ordered that William Dewsnap, of Dewsnap & Associates, LLC or its agents thereof, are hereby appointed as special process servers for the above captioned case.

ALLOWED


(Gilder, T) Allowed,  
Signature

Attest: Patrick W. Reed

\_\_\_\_\_  
Title and date

A TRUE COPY ATTEST  
  
Clerk of Courts

cc: J L  
1-30-20

<b>CIVIL TRACKING ORDER</b> <b>(STANDING ORDER 1-88)</b>	<b>DOCKET NUMBER</b> <b>2083CV00084</b>	<b>Trial Court of Massachusetts</b> <b>The Superior Court</b> 
<b>CASE NAME:</b> Walter Rozanski on behalf of Himself and all others similarly situated vs. PennyMac Loan Services, LLC.		Robert S. Creedon, Jr., Clerk of Courts
<b>TO:</b> Sergei Lemberg, Esq. Lemberg Law, LLC 43 Danbury Rd Wilton, CT 06897		<b>COURT NAME &amp; ADDRESS</b> Plymouth County Superior Court - Brockton 72 Belmont Street Brockton, MA 02301

**TRACKING ORDER - F - Fast Track**

You are hereby notified that this case is on the track referenced above as per Superior Court Standing Order 1-88. The order requires that the various stages of litigation described below must be completed not later than the deadlines indicated.

**STAGES OF LITIGATION**

**DEADLINE**

	<b>SERVED BY</b>	<b>FILED BY</b>	<b>HEARD BY</b>
Service of process made and return filed with the Court		04/27/2020	
Response to the complaint filed (also see MRCP 12)		05/26/2020	
All motions under MRCP 12, 19, and 20	05/26/2020	06/25/2020	07/27/2020
All motions under MRCP 15	05/26/2020	06/25/2020	07/27/2020
All discovery requests and depositions served and non-expert depositions completed	11/23/2020		
All motions under MRCP 56	12/22/2020	01/21/2021	
Final pre-trial conference held and/or firm trial date set			05/21/2021
Case shall be resolved and judgment shall issue by			01/26/2022

The final pre-trial deadline is not the scheduled date of the conference. You will be notified of that date at a later time.  
**Counsel for plaintiff must serve this tracking order on defendant before the deadline for filing return of service.**  
This case is assigned to

<b>DATE ISSUED</b> <b>01/27/2020</b>	<b>ASSISTANT CLERK</b>	<b>PHONE</b>
---	------------------------	--------------

COMMONWEALTH OF MASSACHUSETTS

PLYMOUTH, SS.

PLYMOUTH SUPERIOR COURT  
CIVIL ACTION NO. 2083CV00084-B

**WALTER ROZANSKI, *on behalf of  
himself and all others similarly situated,***

**Plaintiff,**

**V.**

**PENNYMAC LOAN SERVICES, LLC,**

**Defendant.**

**ASSENTED-TO MOTION TO EXTEND THE TIME FOR  
PENNYMAC LOAN SERVICES, LLC TO RESPOND TO THE COMPLAINT**

Pursuant to Massachusetts Rule of Civil Procedure 6(b)(3), PennyMac Loan Services, LLC (“PennyMac”) moves for an order extending the time for it to respond to the Complaint to **March 24, 2020**. PennyMac was served with the Complaint on **February 13, 2020**. PennyMac’s response is therefore due on **March 4, 2020**. *See* Mass. R. Civ. P. 12. PennyMac recently retained counsel in this matter and counsel is working diligently to formulate a response, but needs additional time. Good cause therefore exists for this request. Additionally, plaintiff Walter Rozanski assents to the request.

WHEREFORE, for the foregoing reasons, PennyMac respectfully seeks an extension of time to **March 24, 2020** to answer or otherwise respond to the Complaint, and for such other and further relief that the Court deems just and proper.

Date: March 4, 2020



**PENNYMAC LOAN SERVICES, LLC**

By its Attorneys,

  
\_\_\_\_\_  
David Himelfarb, BBO #649596  
Alexander L. Ried, BBO # 705811  
MCCARTER & ENGLISH, LLP  
265 Franklin Street  
Boston, MA 02110  
Tel. 617-449-6500  
Fax 617-326-3086  
dhimelfarb@mccarter.com  
aried@mccarter.com

*Of counsel:*

Marc J. Gottlieb, Esq.  
Akerman LLP  
350 East Las Olas Boulevard, Suite 1600  
Ft. Lauderdale, FL 33301  
Tel. 954-463-2700  
marc.gottlieb@akerman.com

**ASSENTED TO:**

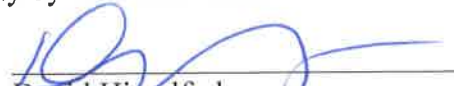
**WALTER ROZANSKI**

By Their Attorneys,

  
\_\_\_\_\_  
Sergei Lemberg, BBO #650671  
LEMBERG LAW, LLC  
43 Danbury Road  
Wilton, CT 06897  
Tel. 203-653-2250  
Fax 203-653-3424  
slemberg@lemborglaw.com

**CERTIFICATE OF SERVICE**

I hereby certify that on this 4<sup>th</sup> day of March, 2020, a true copy of the above document was served upon the attorney of record for each party by first class mail.

  
\_\_\_\_\_  
David Himelfarb

COMMONWEALTH OF MASSACHUSETTS

PLYMOUTH, SS.

PLYMOUTH SUPERIOR COURT  
CIVIL ACTION NO. 2083CV00084-B

WALTER ROZANSKI, *on behalf of  
himself and all others similarly situated,*

Plaintiff,

V.

PENNYMAC LOAN SERVICES, LLC,

Defendant.

NOTICE OF APPEARANCE OF DAVID HIMELFARB

Pursuant to Mass. R. Civ. P. 11(b), please enter the appearance of David Himelfarb, McCarter & English, LLP, 265 Franklin Street, Boston, Massachusetts 02110, Tel. (617) 449-6555, Fax (617) 326-3086, email: dhimelfarb@mccarter.com, as counsel for defendant PennyMac Loan Services, LLC in this action.

Date: March 4, 2020

PENNYMAC LOAN SERVICES, LLC

By its Attorneys,



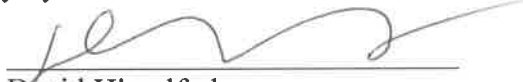
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*Of counsel:*

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350 East Las Olas Boulevard, Suite 1600  
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marc.gottlieb@akerman.com

**CERTIFICATE OF SERVICE**

I hereby certify that on this 4<sup>th</sup> day of March, 2020, a true copy of the above document was served upon the attorney of record for each party by first class mail.

  
\_\_\_\_\_  
David Himelfarb

COMMONWEALTH OF MASSACHUSETTS

PLYMOUTH, SS.

PLYMOUTH SUPERIOR COURT  
CIVIL ACTION NO. 2083CV00084-B

WALTER ROZANSKI, *on behalf of  
himself and all others similarly situated,*

Plaintiff,

V.

PENNYMAC LOAN SERVICES, LLC,

Defendant.

NOTICE OF APPEARANCE OF ALEXANDER L. RIED

Pursuant to Mass. R. Civ. P. 11(b), please enter the appearance of Alexander L. Ried, McCarter & English, LLP, 265 Franklin Street, Boston, Massachusetts 02110, Tel. (617) 535-6262, Fax (617) 326-3086, email: aried@mccarter.com, as counsel for defendant PennyMac Loan Services, LLC in this action.

Date: March 4, 2020

PENNYMAC LOAN SERVICES, LLC

By its Attorneys,



Alexander L. Ried, BBO # 705811

David Himelfarb, BBO #649596

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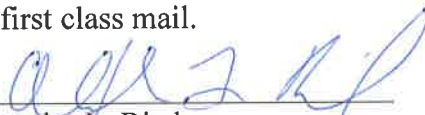
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\_\_\_\_\_  
Alexander L. Ried

<b>CLERK'S NOTICE</b>	DOCKET NUMBER  <b>2083CV00084</b>	<b>Trial Court of Massachusetts The Superior Court</b> 
CASE NAME: Walter Rozanski on behalf of Himself and all others similarly situated vs. PennyMac Loan Services, LLC.		Robert S. Creedon, Jr., Clerk of Courts
TO: David Himelfarb, Esq. McCarter & English, LLP 265 Franklin St Boston, MA 02110		COURT NAME & ADDRESS Plymouth County Superior Court - Brockton 72 Belmont Street Brockton, MA 02301
<p style="text-align: center;">You are hereby notified that on 03/05/2020 the following entry was made on the above referenced docket:</p> <p>Endorsement on Motion to extend the time for PennyMac Loan Services, LLC to respond to the complaint (#6.0):  <b>ALLOWED</b>                  as requested</p> <p>Judge: Leighton, Hon. Joseph</p>		
DATE ISSUED  <b>03/05/2020</b>	ASSOCIATE JUSTICE/ ASSISTANT CLERK  <b>Hon. Joseph Leighton</b>	SESSION PHONE#