

**MINUTES OF THE  
BENCH – BAR FORECLOSURE COMMITTEE MEETING  
Friday April 13, 2012**

Handouts to Committee Members: Agenda; Draft of Minutes of October 6, 2011 meeting; sample order; info re Hope Loan Port; Attorney Caron's letter to Sen. Looney; information re Investor Restrictions.

Members in attendance: Hon. Douglas C. Mintz, Chair, Hon. James Abrams, Attorney Adam L. Bendett, Attorney Jessica L. Braus, Attorney Denis Caron, Attorney Robert F. Frankel, Attorney Keith Fuller, Attorney Jeffrey S. Gentes, Hon. Lisa K. Morgan, Attorney Richard M. Leibert, Attorney Geoffrey Milne, Ms. Roberta Palmer, Attorney Sarah Poriss, Hon. Antonio Robaina, Hon. Mark Taylor, Attorney Thomas W. Witherspoon.

The Hon. Douglas C. Mintz, Chair called the meeting to order at 2:06 PM.

1. Approval of Minutes of October 6, 2011 Meeting - Motion to approve the minutes of the October 6, 2011 meeting was made and the minutes were approved.
2. Motions to Open Judgment – Judge Mintz gave a summary of the First CT v. Homes of Westport case. Members discussed the problems that arise with a judgment of foreclosure by sale versus a judgment of strict foreclosure. Some suggested solutions were also discussed. The existing subcommittee should meet to discuss a possible rule change. The subcommittee is to meet and report back at the next meeting of the full committee. Attorney Bendett shall be included as a member of the subcommittee.
3. Mediations Scheduling – Roberta Palmer gave an overview of how mediations are scheduled in the foreclosure cases. After discussing the possibility of how consecutive mediations could be scheduled for law firms, the members decided it was not workable.
4. Utilizing HopeLoanPort for Mediations – Attorney Leibert presented the members with information about HopeLoanPort. Documents would be sent through an on-line portal to avoid missed documents; everyone can see the same documents. Roberta Palmer gave an overview of the experience at the Department of Banking. Some discussion regarding confidentiality. Attorney Leibert is considering a pilot program for his office.
5. Letter to Sen. Looney re C.G.S. § 49-17 – Attorney Caron presented the members with an overview of the statute. Members discussed the problems with

implementing the statute, the issues with P.B. Rule §6-3, the proposed bill repealing the statute and a possible solution. Attorney Caron's subcommittee re Motions to Open Judgment is to meet to discuss this and propose a possible rule change.

6. Letter re Proposed Standing Order Regarding "Investor Restrictions" – Jeff Gentes outlined the problem with investor restrictions as set forth in the letter. A motion was made to table the matter. The motion was withdrawn. No further discussion. Attorney Gentes proposed that a subcommittee be formed to discuss the issue. Attorney Gentes is to chair a subcommittee with Attorneys Milne, Bendett, Leibert and Roberta Palmer as members.

A motion was made that the meeting be adjourned. The motion was seconded and passed. Meeting adjourned at 3:15 P.M.