

July 5, 2005

Laurence Miscall, Jr.
3634 Genista Pl
Fallbrook, CA 92028

Re: New World Mortgage

Dear Mr. Miscall:

Your letter to me of July 1, 2005, is rife with mistakes; you do your profession a discredit (hard to do) by promoting the line that New World Mortgage is not responsible for the faxes being sent.

First, the reason my letter was sent to “an address, which has not been the address of New World Mortgage, Inc.,...for some time” is because New World Mortgage illegally has that address registered with the California Secretary of State as the address for service of process. You will note that I also sent the letter to the “correct” address—the very same address where I had New World served more than a year ago in another junk fax case in which I won a judgment (which Mr. Leonard has yet to pay, by the way).

Second, I am NOT “following the instructions of John Schiff, and the ADVERTISER list.” More specifically, I am not aware of any “instructions” Mr. Schiff may be giving, nor have I even heard of “the ADVERTISER list.”

None of my calls resulted in any accents other than Southern California accents. In fact, I've been able to ask to be transferred to Kevin Leonard and Melissa Waylett and to be directly transferred to their voice mails—which would not be possible if there was even an ounce of truth in what you say.

Not to mention that Ms. Waylett's name is listed as the New World Mortgage contact person on Fax.com's list of its largest customers (prior to Fax.com's demise).

Each and every time when I have called and gotten a New World Mortgage “loan officer,” I have specifically started by stating that I had received a fax advertising refinancing and reading a portion of the fax to the loan officer. In every case, the loan officer exhibited no surprise that I had received a fax and was quite familiar with the products advertised in the faxes. Each was fully aware of the faxes and actively ratifying the junk faxes.

Occam's Razor wins here; while it is possible that these faxes were sent by aliens from outer space, the simple explanation that fits ALL the facts is that New World Mortgage IS responsible for the faxes—in fact, they pretty clearly have been sending junk faxes for a substantial length of time.

Sincerely,

Jimmy A. Sutton
14231 Hilltop Way
Saratoga, CA 95070