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JUN 11 2010

U.S. DISTRICT COURT

Judge Clark Waddoups
450 S. Main Street
Salt Lake City, Utah 84111

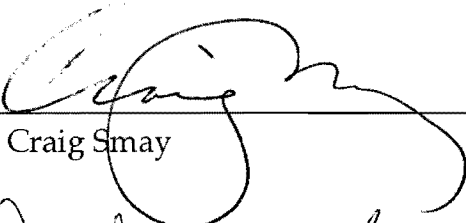
Re: *Peni Cox v. Recontrust Company N.A.*, Case No: 2:10cv492


Your Honor,

At hearing this morning, you observed that rulings on jurisdiction in similar cases before the court may not be fully dispositive, in view of the doctrine of pre-emption respecting national banks insofar as applicable in the present case. I understood the point to be that the pre-emption doctrine regarding a national bank, being a federal question, may provide independent jurisdiction.

Upon return to my office, I pulled up your honor's Memoranda Decision (February 12, 2010, April 29, 2010, respectively) in *Commonwealth Property Advocates, LLC v. J.P. Morgan Chase Bank, National Association and John Does of Unknown Numbers*, Case No. 2:09-cv-1138 CW, *Commonwealth Property Advocates, LLC v. Onewest Bank FSB, MERS, and John Does of Unknown Numbers*, Case No. 2:09-cv-1148 CW, and *Commonwealth Property Advocates, LLC v. Ocwen Loan Servicing, LLC, MERS, Wells Fargo Bank, N.A. and John Does of Unknown Numbers*, Case No. 2:10-cv-86 CW. While the Court did not mention the presence of national banks in the first and third of these cases, or of a federal savings bank in the second, and I did not then expressly raise it, the ruling was uniformly dismissal for lack of jurisdiction.

Respectfully,


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