

# Ice checked 'under every rock' for document flaws

► ICE from 1A

On Wednesday, attorneys general from every state launched a nationwide probe of loan servicers.

Ice credits his engineering background for his attention to detail and years of litigating for his tenacity. He was trained, he said, to doubt everything the other side says and "look under every rock."

What he and his wife, Ariane, found buried under boulders of foreclosure paperwork were backdated documents, affidavits sworn to by bank employees processing thousands of foreclosures a month, and questionable assignments of mortgages coming out of the Mortgage Electronic Registration System, or MERS.

After the discoveries, Ice did what any good litigator would do: He asked to depose employees involved in creating the documents.

Then he made the unusual move of posting the depositions on his website, a strategy he credits for much of the snowball of foreclosure suspensions.

"None of this could have occurred without an exchange of information," said Matt Weidner, a St. Petersburg foreclosure defense attorney. "Ice was absolutely instrumental and an essential key."

Ice believes his firm was the first to depose GMAC Mortgage employee Jeffrey Stephan.

Stephan was one of the first identified "robo-signers," attesting to the veracity of 10,000 foreclosure affidavits a month and swearing to the impossible feat of personally reviewing support documentation on each.

GMAC, renamed Ally Financial Inc., announced last month it was suspending some foreclosures. JPMorgan Chase, Bank of America, Litton Loan Ser-

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ving and PNC Financial Services Group followed.

"We've studied this for two years and I fear we are just scratching the surface," Ice said. "It is a rabbit hole."

Ice, who has been quoted by major U.S. newspapers about his foreclosure work, never expected to be a foreclosure attorney. For most of his 25 years practicing law, he has worked for large firms defending corporations.

But about 2½ years ago, Ice, who has an 8-year-old son, decided to go out on his own, opening a one-man bankruptcy firm. He soon realized he could better help his clients by defending foreclosures in state court.

"The real estate attorneys would get an affidavit and say, 'OK, I guess we lose,'" Ice said. "My thing was to say, 'Well, let's take a deposition and file for discovery.'"

Ice Legal, where the motto is "Your home is your castle, defend it," now has seven attorneys working mostly on foreclosure cases.

Riviera Beach resident Barbara Williams, 57, has been an Ice Legal client since 2008, when a work injury and subsequent income reduction led her into foreclosure.

Williams, a licensed practical nurse, said she's hoping to work out a new payment agreement with her bank.

"I don't feel like they are just doing something to make a buck," Williams said of Ice Legal. "I am

very confident they are doing everything for my benefit and giving it 100 percent."

Ice has 400 active clients and said he has lost only a handful of cases. He admits to workaholic hours, describing himself as an early riser and an insomniac.

"It was hard to get people to take us seriously in the beginning," Ice said.

He has undoubtedly stepped on toes.

He filed more than 100 motions to disqualify Palm Beach County foreclosure Judge Meenu Sasser, alleging she was biased against his attorneys and gave preferential treatment to lenders.

Several of the cases in which Sasser denied his motion to disqualify her went to the 4th District Court of Appeal. The appeals court sided with the judge, saying in one case that Ice seemed intent on frustrating the "efficient function of the foreclosure division."

West Palm Beach attorney Gerald Richman of Richman Greer, P.A., has complained in general about foreclosure defense attorneys using questionable tactics to stall cases.

"If someone is clearly in default and really doesn't have a valid defense, it's wrong to go ahead and drag a case on," Richman said. "Some defense lawyers are basically creating issues to delay for delay's sake."

But Ice said forging signatures, as is alleged to have occurred at one South Florida foreclosure law firm, and swearing to things that aren't true are fraud upon the court that should be exposed.

"Just because the bank says they own your home doesn't mean they do," Ice said. "For too long, people were just hoping no one would look behind the curtain."

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