

IN THE CIRCUIT COURT OF THE  
SIXTH JUDICIAL CIRCUIT IN AND  
FOR PASCO COUNTY, FLORIDA

CASE No. 2010CA002183CAAXES | J4

GMAC MORTGAGE, LLC,  
PLANTIFF,

VS.

CONSTANCE M. BROUGHAN A/K/A  
CONSTANCE MARIE BROUGHAN, ET AL.  
DEFENDANT

Filed For Record  
Pasco County, Florida  
2011 NOV 15 PM 2:11  
Nikki Alvarez-Covatta  
Clerk & Comptroller  
Pasco County, Florida

**MOTION TO DISMISS**  
**FOR MALPRACTICE MISCONDUCT, FRAUD, FRAUD ON THE COURT,**  
**MISREPRESENTATION BY ATTORNEY MARK STOPPA**

In 2010, I filed a bankruptcy and received a permanent loan modification. However, after GMAC filed their bankruptcy I received my 5th check back and was told that I had to reapply. Which I did do several times. I can prove that I have an official and binding contract, proving that I have a permanent modification done through the court. Later, I would receive information about GMAC service-rs filing wrongful foreclosures due to some technicality with the Titles, and robo-signing, It is called MER's or "show me the papers", these are deemed as illegitimate foreclosures.

I wanted to get things right, and knew that GMAC through Florida Law would have to reinstate my permanent modification.

In 2013 I retained Mark Stoppa's firm to fix my breached contract with GMAC.

I didn't speak to him at that time. I spoke with Dave Wientrab, and he definitely understood what the situation was and assured me that I was at the right place. However, that did not come to pass. And I think he told me anything to get my money.

That year was a living hell for me, as his employee Dave Wientrab, was pretending to be an attorney, and began seriously taking advantage of my situation threatening me and acting like I was going to lose my house. (Even though I did nothing wrong). Dave Wientraub from Mark Stoppa's firm began sexually harassing me. He would call at all hours of the night, He would send really gross stuff to me, pics of himself or pics of his

wife being gang banged. It was horrible, and he would not stop. This is a crime.

This caused an incredible amount of stress, and was really taking effect on my job performance as an Elementary School Teacher. I started to have panic attacks at work, something that had never happened to me before and eventually I had to take a medical leave.

The only conversation I ever had with Mark Stoppa is when I called him to report his employee Dave Wientraub for his illegal behavior. He told me he would take care of it. Which I doubt he ever did.

I don't know what Mark did with my Wrongful Foreclosure case, as he never sent me any documents, I never signed anything after that. I hired another company. I believe what ever he did, is not only unethical but illegal. I haven't read what he was disbarred for life for, but I'm positive he was scamming people out of their properties.

Anything Mark Stoppa did with my case should be thrown out of court.

GMAC, Christine Morais is equally as guilty, as she was working with Mark Stoppa to illegally take my home from me and my family. I have not been allowed to see any of the documents that she filed against me. It was not the original title as she claimed. Christine Morais then, did not allow me to have representation, discriminating against me. Therefore, I did not even get a trial. I believe that she was deliberately working with Mark Stoppa, keeping this case open and dragging it out for years, without my knowledge, so eventually I would have to sell my home. GMAC did not summons me or ever send me any documents ether. And its a little too ironic that my trial is exactly when Mark Stoppa is being disbarred.

After randomly getting a call from Attorney Richard Mockler, who was trying to take over for Mark Stoppa, saying that my trial was tomorrow. I explained what had happened to me and that I wanted to keep my home, and apparently Mark Stoppa had wrongly settled my case; cash for keys \$7,500. Mr. Mockler did send an attorney Kevin Paul to represent me. I told him that I wanted to keep my home, and GMAC breached the contract.

Kevin Paul a bankruptcy attorney sent to represent me that day, during our conversation he did say that GMAC would have to reinstate my original permanent loan modification. Christine Morais also said it was the law. Which I agreed to do at that time. Then, took appropriate steps to put that in motion.

Because I agreed to that scenario, I retained Tampa attorney Christie D. Arkovich to file a bankruptcy and to help me reinstate the permanent modification. And also, Michael

Alex Wasylik a Wrongful Foreclosure attorney who definitely wanted my case. Our only problem now is that Christine Morais did not honor the agreement made in court. Nor, do I believe she had any intention to, as she already declared the new owner of my property.

Mike Wasylik, after he found out this case is involving Mark Stoppa, he said he could not take my case. They are buddies, "just had lunch together". He has made sure that I do not receive any documents sent from Christine Morais, GMAC. And, that I cannot speak to anyone regarding my case, as he remained as the attorney listed, after withdrawing from my case. They have left me in the dark.

Christine Morias has gone behind my back several times to talk to the judge. During a zoom call regarding my case of which Mike Wasylik was suppose to attend, but didn't. I found out about through his receptionist, Krista and I showed up late. During this zoom call, I was allowed to tell the judge what attorney Kevin Paul, Christine Morais and myself agreed upon. That, I would be reinstating the permanent modification and that it would be according to Florida Bankruptcy Law. During that zoom call, Christine Morais said that was not true and that she never said that. She lied to the judge. I have a witness though, Kevin Paul.

I tried to get that transcript at the Dade City office for my case, however was not successful.

This is at a minimum FRAUD ON THE COURT. I believe it is straight up FRAUD.

I am prayerfully asking the court to Dismiss this Wrongful Foreclosure as Mark Stoppa has committed Malpractice, Misconduct, Misrepresentation Fraud, and Fraud on the Court. Mark Stoppa had no right or permission to file anything or do anything to my case without my knowledge.

I have a right to have representation and a fair and impartial trial. I also have a right to see what Mark Stoppa and Christine Morais filed against me regarding my property.

I received a text message from a stranger that my house is being sold at an action. I have not received any documentation from Christine Morias. I do not agree and if this is true, that it must be stopped immediately, as Mark Stoppa has played a huge role in this and anything he did to my case must be thrown out of court.

As a United States citizen I would like to invoke some of my Constitutional Rights, predominately:

Amendment 7: In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise re-examed in any court of the United States, than according to the rules of the common law.

Amendment 14: All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the protection of the laws.

I respectfully ask the court, to postpone the sale of my home of 25 years, for 30 days and allow me to retain counsel, so that I am aware of all my rights in this situation. I'm positive I can work this out in a way that everyone is satisfied. Also, if it comes down to it and it is determined that it is best if I sell my house, please allow me to sell it on my own. Rather than lose it so unjustly and have to contend with a foreclosure on my record.

I swear on the penalty of perjury that is is true and correct to the best of my ability.

Respectfully Submitted,

Signed *Constance Broughan* Date 11-15-21  
11-15-21

Constance Broughan  
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State of Florida County of Pasco

The foregoing instrument was acknowledged by me by means of  
( physical presence or  online notarization, this 15 day of Nov, 2021  
by Constance Broughan, who is  
 personally known to me or  who has produced FDL as identification.

WITNESS my hand and official seal *Carla Freund*  
(notary signature)

Copies sent to: Tromberg Law  
Attention Christie Morais  
Attorney for Plaintiff  
1515 South Federal Highway, Suite 100  
Boca Raton, FL 33432

