

**EX. 23 -- EXCERPT FROM THE
DEPOSITION OF KENNETH SWAIN**

1 BY ATTORNEY LEDERER:

2 Q. Answer, please.

3 A. From the third amended
4 complaint, I recall that the named
5 plaintiffs allege that Prestamos filed a
6 Form 1502 -- or I should -- how do I say
7 this -- perhaps misfiled the Form 1502,
8 et cetera, et cetera.

9 Q. So you're using the term --
10 were you finished with your answer?

11 A. I'm done with my answer.

12 Q. So you're using the term
13 "misreported" to mean that Prestamos
14 misreported the status of the loans on
15 Form 1502s, correct?

16 A. Yes.

17 Q. Okay.

18 ATTORNEY LEDERER: I'm going
19 to object right now. You're
20 sitting right next to your
21 counsel. Your counsel has papers
22 out. And I don't know what those
23 papers are, but to the extent that
24 they're showing him anything that