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FILED
SUPERIOR COURT OF CALIFORNIA
COUNTY OF ORANGE
CENTRAL JUSTICE CENTER

MAR 24 2010

ALAN CARLSON, Clerk of the Court

BY B. ARD DEPUTY



10 SUPERIOR COURT OF THE STATE OF CALIFORNIA
11 COUNTY OF ORANGE, CENTRAL DISTRICT
12
13

14 **PEOPLE OF THE STATE OF CALIFORNIA,**

Plaintiff,

15
16 v.

17 **MARIANNE CURTIS (DOB: 3/29/41);**
18 **MARY ALICE YRACEBURU (DOB: 2/16/64),**

19 Defendants.
20

Case No. 09CF0683

**SECOND-AMENDED
FELONY COMPLAINT**

21 The ATTORNEY GENERAL OF THE STATE OF CALIFORNIA accuses defendants
22 MARY YRACEBURU and MARIANNE CURTIS of the following crimes, which are connected
23 to one another in their commission:

COUNT 1 - GRAND THEFT

24 On and between June 21, 2007 and June 27, 2007, in the County of Orange, defendants MARY
25 YRACEBURU and MARIANNE CURTIS unlawfully took property, to wit: money for loan
26 modification services, of a value in excess of Four hundred dollars (\$400) from another, to wit:
[REDACTED] in violation of Penal Code section 487, subdivision (a), a felony.

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1 **COUNT 2 - FORECLOSURE CONSULTANT -PROHIBITED ACTS**

2 On and between June 21, 2007 and June 27, 2007, in the County of Orange, defendants MARY
3 YRACEBURU and MARIANNE CURTIS, being foreclosure consultants as defined by Civil
4 Code section 2945.1 did unlawfully claim, demand, charge, collect, or receive compensation to
5 wit: money, from the owner of a residence in foreclosure as defined by Civil Code section 1695.1
6 to wit: [REDACTED] before fully performing each and every service contracted, or otherwise
7 represented to be performed, in violation of Civil Code sections 2945.4, subdivision(a), a felony.

8 **COUNT 3 - GRAND THEFT**

9 On or about January 25, 2008, in the County of Orange, defendants MARY YRACEBURU and
10 MARIANNE CURTIS unlawfully took property, to wit: money for a loan modification services,
11 of a value in excess of Four hundred dollars (\$400) from another, to wit: [REDACTED], in
12 violation of Penal Code section 487, subdivision (a), a felony.

13 **COUNT 4 - FORECLOSURE CONSULTANT -PROHIBITED ACTS**

14 On and between January 25, 2008 and February 2, 2008, in the County of Orange, defendants
15 MARY YRACEBURU and MARIANNE CURTIS, being foreclosure consultants as defined by
16 Civil Code section 2945.1 did unlawfully claim, demand, charge, collect, or receive compensation
17 to wit: money, from the owner of a residence in foreclosure as defined by Civil Code section
18 1695.1 to wit: [REDACTED], before fully performing each and every service contracted, or
19 otherwise represented to be performed, in violation of Civil Code sections 2945.4, subdivision(a),
20 a felony.

21 **COUNT 5 - GRAND THEFT**

22 On and between August 28, 2007 and November 13, 2007, in the County of Orange, defendants
23 MARY YRACEBURU and MARIANNE CURTIS unlawfully took property, to wit: money for
24 loan modification services, of a value in excess of Four hundred dollars (\$400) from another, to
25 wit: [REDACTED], in violation of Penal Code section 487, subdivision (a), a felony.

26 **COUNT 6 - FORECLOSURE CONSULTANT -PROHIBITED ACTS**

27 On and between August 28, 2007 and November 13, 2007, in the County of Orange, defendants
28 MARY YRACEBURU and MARIANNE CURTIS, being foreclosure consultants as defined by
Civil Code section 2945.1 did unlawfully claim, demand, charge, collect, or receive compensation
to wit: money, from the owner of a residence in foreclosure as defined by Civil Code section
1695.1 to wit: [REDACTED], before fully performing each and every service contracted, or
otherwise represented to be performed, in violation of Civil Code section 2945.4, subdivision(a),
a felony.

COUNT 7 - GRAND THEFT

On and between September 10, 2007 and September 13, 2007, in the County of Orange,
defendants MARY YRACEBURU and MARIANNE CURTIS unlawfully took property, to wit:
money for loan modification services, of a value in excess of Four hundred dollars (\$400) from

1 another, to wit: [REDACTED], in violation of Penal Code section 487, subdivision (a), a
2 felony.

3 **COUNT 8 - GRAND THEFT**

4 On and between September 13, 2007 and September 20, 2007, in the County of Orange,
5 defendants MARY YRACEBURU and MARIANNE CURTIS unlawfully took property, to wit:
6 money for loan modification services, of a value in excess of Four hundred dollars (\$400) from
7 another, to wit: [REDACTED], in violation of Penal Code section 487, subdivision (a), a
8 felony.

9 **COUNT 9 - FORECLOSURE CONSULTANT -PROHIBITED ACTS**

10 On and between September 13, 2007 and September 20, 2007, in the County of Orange,
11 defendants MARY YRACEBURU and MARIANNE CURTIS, being foreclosure consultants as
12 defined by Civil Code section 2945.1 did unlawfully claim, demand, charge, collect, or receive
13 compensation to wit: money, from the owner of a residence in foreclosure as defined by Civil
14 Code section 1695.1 to wit: [REDACTED], before fully performing each and every service
15 contracted, or otherwise represented to be performed, in violation of Civil Code section 2945.4,
16 subdivision(a) , a felony.

17 **COUNT 10 - GRAND THEFT**

18 On and between September 17, 2007 and September 20, 2007, in the County of Orange,
19 defendants MARY YRACEBURU and MARIANNE CURTIS unlawfully took property, to wit:
20 money for loan modification services, of a value in excess of Four hundred dollars (\$400) from
21 another, to wit: [REDACTED], in violation of Penal Code section 487, subdivision (a), a
22 felony.

23 **COUNT 11 - FORECLOSURE CONSULTANT -PROHIBITED ACTS**

24 On and between September 17, 2007 and September 20, 2007, in the County of Orange,
25 defendants MARY YRACEBURU and MARIANNE CURTIS, being foreclosure consultants as
26 defined by Civil Code section 2945.1 did unlawfully claim, demand, charge, collect, or receive
27 compensation to wit: money, from the owner of a residence in foreclosure as defined by Civil
28 Code section 1695.1 to wit: [REDACTED], before fully performing each and every service
contracted, or otherwise represented to be performed, in violation of Civil Code section 2945.4,
subdivision (a)/2945.7, a felony.

COUNT 12 - GRAND THEFT

On and between October 25, 2007 and December 21, 2007, in the County of Orange, defendants
MARY YRACEBURU and MARIANNE CURTIS unlawfully took property, to wit: money for
loan modification services, of a value in excess of four hundred dollars (\$400) from another, to
wit: [REDACTED], in violation of Penal Code section 487, subdivision (a),
a felony.

1 **COUNT 13 - FORECLOSURE CONSULTANT –PROHIBITED ACTS**

2 On and between October 25, 2007 and December 21, 2007, in the County of Orange, defendants
3 MARY YRACEBURU and MARIANNE CURTIS, being foreclosure consultants as defined by
4 Civil Code section 2945.1 did unlawfully claim, demand, charge, collect, or receive compensation
5 to wit: money, from the owner of a residence in foreclosure as defined by Civil Code section
6 1695.1 to wit: [REDACTED], before fully performing each and every
7 service contracted, or otherwise represented to be performed, in violation of Civil Code section
8 2945.4, subdivision(a) , a felony.

7 **COUNT 14 - GRAND THEFT**

8 On and between November 2, 2007 and November 5, 2007, in the County of Orange, defendants
9 MARY YRACEBURU and MARIANNE CURTIS unlawfully took property, to wit: money for
10 loan modification services, of a value in excess of Four hundred dollars (\$400) from another, to
11 wit: [REDACTED], in violation of Penal Code section 487, subdivision (a), a felony.

11 **COUNT 15 - FORECLOSURE CONSULTANT –PROHIBITED ACTS**

12 On and between November 2, 2007 and November 5, 2007, in the County of Orange, defendants
13 MARY YRACEBURU and MARIANNE CURTIS, being foreclosure consultants as defined by
14 Civil Code section 2945.1 did unlawfully claim, demand, charge, collect, or receive compensation
15 to wit: money, from the owner of a residence in foreclosure as defined by Civil Code section
16 1695.1 to wit: [REDACTED], before fully performing each and every service
17 contracted, or otherwise represented to be performed, in violation of Civil Code section 2945.4,
18 subdivision(a) , a felony.

16 **COUNT 16 - GRAND THEFT**

17 On and between October 29, 2007 and November 5, 2007, in the County of Orange, defendants
18 MARY YRACEBURU and MARIANNE CURTIS unlawfully took property, to wit: money for
19 loan modification services, of a value in excess of Four hundred dollars (\$400) from another, to
20 wit: [REDACTED], in violation of Penal Code section 487, subdivision (a),
21 a felony.

21 **COUNT 17 - GRAND THEFT**

22 On and between October 30, 2007 and November 5, 2007, in the County of Orange, defendants
23 MARY YRACEBURU and MARIANNE CURTIS unlawfully took property, to wit: money for
24 loan modification services, of a value in excess of Four hundred dollars (\$400) from another, to
25 wit: [REDACTED], in violation of Penal Code section 487, subdivision (a), a felony.

25 **COUNT 18 - FORECLOSURE CONSULTANT –PROHIBITED ACTS**

26 On and between October 30, 2007 and November 5, 2007, in the County of Orange, defendants
27 MARY YRACEBURU and MARIANNE CURTIS, being foreclosure consultants as defined by
28 Civil Code section 2945.1 did unlawfully claim, demand, charge, collect, or receive compensation
to wit: money, from the owner of a residence in foreclosure as defined by Civil Code section

1 1695.1 to wit: [REDACTED], before fully performing each and every service contracted, or
2 otherwise represented to be performed, in violation of Civil Code section 2945.4, subdivision(a),
3 a felony.

4 **COUNT 19 - GRAND THEFT**

5 On and between November 2, 2007 and December 21, 2007, in the County of Orange, defendants
6 MARY YRACEBURU and MARIANNE CURTIS unlawfully took property, to wit: money for
7 loan modification services, of a value in excess of Four hundred dollars (\$400) from another, to
8 wit: [REDACTED], in violation of Penal Code section 487, subdivision (a), a felony.

9 **COUNT 20 - FORECLOSURE CONSULTANT -PROHIBITED ACTS**

10 On and between November 2, 2007 and December 21, 2007, in the County of Orange, defendants
11 MARY YRACEBURU and MARIANNE CURTIS, being foreclosure consultants as defined by
12 Civil Code section 2945.1 did unlawfully claim, demand, charge, collect, or receive compensation
13 to wit: money, from the owner of a residence in foreclosure as defined by Civil Code section
14 1695.1 to wit: [REDACTED], before fully performing each and every service contracted,
15 or otherwise represented to be performed, in violation of Civil Code section 2945.4, subdivision
16 (a), a felony.

17 **COUNT 21 - GRAND THEFT**

18 On and between November 7, 2007 and November 16, 2007, in the County of Orange, defendants
19 MARY YRACEBURU and MARIANNE CURTIS unlawfully took property, to wit: money for
20 loan modification services, of a value in excess of Four hundred dollars (\$400) from another, to
21 wit: [REDACTED], in violation of Penal Code section 487, subdivision (a), a felony.

22 **COUNT 22 - FORECLOSURE CONSULTANT -PROHIBITED ACTS**

23 On and between November 7, 2007 and November 16, 2007, in the County of Orange, defendants
24 MARY YRACEBURU and MARIANNE CURTIS, being foreclosure consultants as defined by
25 Civil Code section 2945.1 did unlawfully claim, demand, charge, collect, or receive compensation
26 to wit: money, from the owner of a residence in foreclosure as defined by Civil Code section
27 1695.1 to wit: [REDACTED], before fully performing each and every service contracted, or
28 otherwise represented to be performed, in violation of Civil Code section 2945.4, subdivision(a),
a felony.

COUNT 23 - GRAND THEFT

On and between November 30, 2007 and December 5, 2007, in the County of Orange, defendants
MARY YRACEBURU and MARIANNE CURTIS unlawfully took property, to wit: money for
loan modification services, of a value in excess of Four hundred dollars (\$400) from another, to
wit: [REDACTED], in violation of Penal Code section 487, subdivision (a), a felony.//

COUNT 24 - GRAND THEFT

On and between December 4, 2007 and December 21, 2007, in the County of Orange, defendants
MARY YRACEBURU and MARIANNE CURTIS unlawfully took property, to wit: money for

1 loan modification services, of a value in excess of Four hundred dollars (\$400) from another, to
2 wit: [REDACTED], in violation of Penal Code section 487, subdivision (a), a
3 felony.

4 **COUNT 25 - FORECLOSURE CONSULTANT -PROHIBITED ACTS**

5 On and between December 4, 2007 and December 21, 2007, in the County of Orange, defendants
6 MARY YRACEBURU and MARIANNE CURTIS, being foreclosure consultants as defined by
7 Civil Code section 2945.1 did unlawfully claim, demand, charge, collect, or receive compensation
8 to wit: money, from the owner of a residence in foreclosure as defined by Civil Code section
1695.1 to wit: [REDACTED], before fully performing each and every service
contracted, or otherwise represented to be performed, in violation of Civil Code section 2945.4,
subdivision(a), a felony.

9 **COUNT 26 - GRAND THEFT**

10 On and between December 4, 2007 and January 18, 2008, in the County of Orange, defendants
11 MARY YRACEBURU and MARIANNE CURTIS unlawfully took property, to wit: money for
12 loan modification services, of a value in excess of Four hundred dollars (\$400) from another, to
wit: [REDACTED], in violation of Penal Code section 487, subdivision (a), a felony.

13 **COUNT 27 - FORECLOSURE CONSULTANT -PROHIBITED ACTS**

14 On and between December 4, 2007 and January 18, 2008, in the County of Orange, defendants
15 MARY YRACEBURU and MARIANNE CURTIS, being foreclosure consultants as defined by
16 Civil Code section 2945.1 did unlawfully claim, demand, charge, collect, or receive compensation
17 to wit: money, from the owner of a residence in foreclosure as defined by Civil Code section
1695.1 to wit: [REDACTED], before fully performing each and every service contracted, or
otherwise represented to be performed, in violation of Civil Code section 2945.4, subdivision(a),
a felony.

18 **COUNT 28 - GRAND THEFT**

19 On and between December 14, 2007 and December 21, 2007, in the County of Orange,
20 defendants MARY YRACEBURU and MARIANNE CURTIS unlawfully took property, to wit:
21 money for loan modification services, of a value in excess of Four hundred dollars (\$400) from
22 another, to wit: [REDACTED], in violation of Penal Code section 487, subdivision (a), a
felony.

23 **COUNT 29 - FORECLOSURE CONSULTANT -PROHIBITED ACTS**

24 On and between December 14, 2007 and December 21, 2007, in the County of Orange,
25 defendants MARY YRACEBURU and MARIANNE CURTIS, being foreclosure consultants as
26 defined by Civil Code section 2945.1 did unlawfully claim, demand, charge, collect, or receive
27 compensation to wit: money, from the owner of a residence in foreclosure as defined by Civil
Code section 1695.1 to wit: [REDACTED], before fully performing each and every service
28 contracted, or otherwise represented to be performed, in violation of Civil Code section 2945.4,
subdivision(a), a felony.

1 **COUNT 30 - GRAND THEFT**

2 On and between December 14, 2007 and January 18, 2008, in the County of Orange, defendants
3 MARY YRACEBURU and MARIANNE CURTIS unlawfully took property, to wit: money for
4 loan modification services, of a value in excess of Four hundred dollars (\$400) from another, to
5 wit: [REDACTED], in violation of Penal Code section 487, subdivision (a), a felony.

6 **COUNT 31 - FORECLOSURE CONSULTANT –PROHIBITED ACTS**

7 On and between December 14, 2007 and January 18, 2008, in the County of Orange, defendants
8 MARY YRACEBURU and MARIANNE CURTIS, being foreclosure consultants as defined by
9 Civil Code section 2945.1 did unlawfully claim, demand, charge, collect, or receive compensation
10 to wit: money, from the owner of a residence in foreclosure as defined by Civil Code section
11 1695.1 to wit: [REDACTED], before fully performing each and every service contracted,
12 or otherwise represented to be performed, in violation of Civil Code section 2945.4, subdivision
13 (a), a felony.

14 **COUNT 32 - GRAND THEFT**

15 On and between December 15, 2007 and January 18, 2008, in the County of Orange, defendants
16 MARY YRACEBURU and MARIANNE CURTIS unlawfully took property, to wit: money for
17 loan modification services, of a value in excess of Four hundred dollars (\$400) from another, to
18 wit: [REDACTED] in violation of Penal Code section 487, subdivision (a), a felony.

19 **COUNT 33 - FORECLOSURE CONSULTANT –PROHIBITED ACTS**

20 On and between December 15, 2007 and January 18, 2008, in the County of Orange, defendants
21 MARY YRACEBURU and MARIANNE CURTIS, being foreclosure consultants as defined by
22 Civil Code section 2945.1 did unlawfully claim, demand, charge, collect, or receive compensation
23 to wit: money, from the owner of a residence in foreclosure as defined by Civil Code section
24 1695.1 to wit: [REDACTED], before fully performing each and every service contracted, or
25 otherwise represented to be performed, in violation of Civil Code section 2945.4, subdivision(a),
26 a felony.

27 **COUNT 34 - GRAND THEFT**

28 On and between December 17, 2007 and January 18, 2008, in the County of Orange, defendants
MARY YRACEBURU and MARIANNE CURTIS unlawfully took property, to wit: money for
loan modification services, of a value in excess of Four hundred dollars (\$400) from another, to
wit: [REDACTED], in violation of Penal Code section 487, subdivision (a), a felony.

COUNT 35 - FORECLOSURE CONSULTANT –PROHIBITED ACTS

On and between December 17, 2007 and January 18, 2008, in the County of Orange, defendants
MARY YRACEBURU and MARIANNE CURTIS, being foreclosure consultants as defined by
Civil Code section 2945.1 did unlawfully claim, demand, charge, collect, or receive compensation
to wit: money, from the owner of a residence in foreclosure as defined by Civil Code section
1695.1 to wit: [REDACTED], before fully performing each and every service contracted, or

1 otherwise represented to be performed, in violation of Civil Code section 2945.4, subdivision(a),
2 a felony.

3 **COUNT 36 - FORECLOSURE CONSULTANT -PROHIBITED ACTS**

4 On and between January 7, 2008 and January 10, 2008, in the County of Orange, defendants
5 MARY YRACEBURU and MARIANNE CURTIS, being foreclosure consultants as defined by
6 Civil Code section 2945.1 did unlawfully claim, demand, charge, collect, or receive compensation
7 to wit: money, from the owner of a residence in foreclosure as defined by Civil Code section
8 1695.1 to wit: [REDACTED], before fully performing each and every service contracted, or
9 otherwise represented to be performed, in violation of Civil Code section 2945.4, subdivision(a),
10 a felony.

11 **COUNT 37 - GRAND THEFT**

12 On and between January 9, 2008 and January 18, 2008, in the County of Orange, defendants
13 MARY YRACEBURU and MARIANNE CURTIS unlawfully took property, to wit: money for
14 loan modification services, of a value in excess of Four hundred dollars (\$400) from another, to
15 wit: [REDACTED], in violation of Penal Code section 487, subdivision (a), a felony.

16 **COUNT 38 - FORECLOSURE CONSULTANT -PROHIBITED ACTS**

17 On and between January 9, 2008 and January 18, 2008, in the County of Orange, defendants
18 MARY YRACEBURU and MARIANNE CURTIS, being foreclosure consultants as defined by
19 Civil Code section 2945.1 did unlawfully claim, demand, charge, collect, or receive compensation
20 to wit: money, from the owner of a residence in foreclosure as defined by Civil Code section
21 1695.1 to wit: [REDACTED], before fully performing each and every service
22 contracted, or otherwise represented to be performed, in violation of Civil Code section 2945.4,
23 subdivision(a), a felony.

24 **COUNT 39 -GRAND THEFT**

25 On and between January 11, 2008 and January 18, 2008, in the County of Orange, defendants
26 MARY YRACEBURU and MARIANNE CURTIS unlawfully took property, to wit: money for
27 loan modification services, of a value in excess of Four hundred dollars (\$400) from another, to
28 wit: [REDACTED], in violation of Penal Code section 487, subdivision (a), a felony.

COUNT 40 - FORECLOSURE CONSULTANT -PROHIBITED ACTS

On and between January 11, 2008 and January 18, 2008, in the County of Orange, defendants
MARY YRACEBURU and MARIANNE CURTIS, being foreclosure consultants as defined by
Civil Code section 2945.1 did unlawfully claim, demand, charge, collect, or receive compensation
to wit: money, from the owner of a residence in foreclosure as defined by Civil Code section
1695.1 to wit: [REDACTED], before fully performing each and every service contracted, or
otherwise represented to be performed, in violation of Civil Code section 2945.4, subdivision(a),
a felony.

1 **COUNT 41 - FORECLOSURE CONSULTANT –PROHIBITED ACTS**

2 On or about January 28, 2008, in the County of Orange, defendants MARY YRACEBURU and
3 MARIANNE CURTIS, being foreclosure consultants as defined by Civil Code section 2945.1 did
4 unlawfully claim, demand, charge, collect, or receive compensation to wit: money, from the
5 owner of a residence in foreclosure as defined by Civil Code section 1695.1 to wit: [REDACTED],
before fully performing each and every service contracted, or otherwise represented to be
performed, in violation of Civil Code section 2945.4, subdivision(a), a felony.

6 **COUNT 42- GRAND THEFT**

7 On or about June 2, 2007, in the County of Orange, defendants MARY YRACEBURU and
8 MARIANNE CURTIS unlawfully took property, to wit: money for loan modification services, of
9 a value in excess of Four hundred dollars (\$400) from another, to wit: [REDACTED], in violation of
Penal Code section 487, subdivision (a), a felony.

10 **COUNT 43 - FORECLOSURE CONSULTANT –PROHIBITED ACTS**

11 On or about June 2, 2007, in the County of Orange, defendants MARY YRACEBURU and
12 MARIANNE CURTIS, being foreclosure consultants as defined by Civil Code section 2945.1 did
13 unlawfully claim, demand, charge, collect, or receive compensation to wit: money, from the
14 owner of a residence in foreclosure as defined by Civil Code section 1695.1 to wit: [REDACTED],
before fully performing each and every service contracted, or otherwise represented to be
performed, in violation of Civil Code section 2945.4, subdivision(a), a felony.

15 **COUNT 44 - GRAND THEFT**

16 On or about August 17, 2007, in the County of Orange, defendants MARY YRACEBURU and
17 MARIANNE CURTIS unlawfully took property, to wit: money for loan modification services, of
18 a value in excess of Four hundred dollars (\$400) from another, to wit: [REDACTED], in
violation of Penal Code section 487, subdivision (a), a felony.

19 **COUNT 45 - GRAND THEFT**

20 On or about September 24, 2007, in the County of Orange, defendants MARY YRACEBURU
21 and MARIANNE CURTIS unlawfully took property, to wit: money for loan modification
22 services, of a value in excess of Four hundred dollars (\$400) from another, to wit: [REDACTED],
in violation of Penal Code section 487, subdivision (a), a felony.

23 **COUNT 46 - FORECLOSURE CONSULTANT –PROHIBITED ACTS**

24 On or about September 24, 2007, in the County of Orange, defendants MARY YRACEBURU
25 and MARIANNE CURTIS, being foreclosure consultants as defined by Civil Code section
26 2945.1 did unlawfully claim, demand, charge, collect, or receive compensation to wit: money,
27 from the owner of a residence in foreclosure as defined by Civil Code section 1695.1 to wit:
[REDACTED] before fully performing each and every service contracted, or otherwise
represented to be performed, in violation of Civil Code section 2945.4, subdivision (a), a felony

1 **COUNT 47 - GRAND THEFT**

2 On or about October 23, 2007, in the County of Orange, defendants MARY YRACEBURU and
3 MARIANNE CURTIS unlawfully took property, to wit: money for loan modification services, of
4 a value in excess of Four hundred dollars (\$400) from another, to wit: [REDACTED], in violation of
Penal Code section 487, subdivision (a), a felony.

5 **COUNT 48 - FORECLOSURE CONSULTANT -PROHIBITED ACTS**

6 On or about October 23, 2007, in the County of Orange, defendants MARY YRACEBURU and
7 MARIANNE CURTIS, being foreclosure consultants as defined by Civil Code section 2945.1 did
8 unlawfully claim, demand, charge, collect, or receive compensation to wit: money, from the
9 owner of a residence in foreclosure as defined by Civil Code section 1695.1 to wit: [REDACTED],
before fully performing each and every service contracted, or otherwise represented to be
performed, in violation of Civil Code section 2945.4, subdivision (a), a felony

10 **COUNT 49 - GRAND THEFT**

11 On or about November 9, 2007, in the County of Orange, defendants MARY YRACEBURU and
12 MARIANNE CURTIS unlawfully took property, to wit: money for loan modification services, of
13 a value in excess of Four hundred dollars (\$400) from another, to wit: [REDACTED],
in violation of Penal Code section 487, subdivision (a), a felony.

14 **COUNT 50 - FORECLOSURE CONSULTANT -PROHIBITED ACTS**

15 On or about November 9, 2007, in the County of Orange, defendants MARY YRACEBURU and
16 MARIANNE CURTIS, being foreclosure consultants as defined by Civil Code section 2945.1 did
17 unlawfully claim, demand, charge, collect, or receive compensation to wit: money, from the
18 owner of a residence in foreclosure as defined by Civil Code section 1695.1 to wit: [REDACTED]
[REDACTED] before fully performing each and every service contracted, or otherwise
represented to be performed, in violation of Civil Code section 2945.4, subdivision(a), a felony.

19 **COUNT 51 - GRAND THEFT**

20 On or about December 22, 2007, in the County of Orange, defendants MARY YRACEBURU and
21 MARIANNE CURTIS unlawfully took property, to wit: money for loan modification services, of
22 a value in excess of Four hundred dollars (\$400) from another, to wit: [REDACTED]
[REDACTED], in violation of Penal Code section 487, subdivision (a), a felony.

23 **COUNT 52 - FORECLOSURE CONSULTANT -PROHIBITED ACTS**

24 On or about December 22, 2007, in the County of Orange, defendants MARY YRACEBURU and
25 MARIANNE CURTIS, being foreclosure consultants as defined by Civil Code section 2945.1 did
26 unlawfully claim, demand, charge, collect, or receive compensation to wit: money, from the
27 owner of a residence in foreclosure as defined by Civil Code section 1695.1 to wit: [REDACTED]
[REDACTED], before fully performing each and every service contracted, or otherwise represented to
be performed, in violation of Civil Code section 2945.4, subdivision (a), a felony

1 **COUNT 53 - GRAND THEFT**

2 On or about February 5, 2008, in the County of Orange, defendants MARY YRACEBURU and
3 MARIANNE CURTIS unlawfully took property, to wit: money for loan modification services, of
4 a value in excess of Four hundred dollars (\$400) from another, to wit: [REDACTED], in
violation of Penal Code section 487, subdivision (a), a felony.

5 **COUNT 54 - FORECLOSURE CONSULTANT -PROHIBITED ACTS**

6 On or about February 5, 2008, in the County of Orange, defendants MARY YRACEBURU and
7 MARIANNE CURTIS, being foreclosure consultants as defined by Civil Code section 2945.1 did
8 unlawfully claim, demand, charge, collect, or receive compensation to wit: money, from the
9 owner of a residence in foreclosure as defined by Civil Code section 1695.1 to wit: [REDACTED]
[REDACTED] before fully performing each and every service contracted, or otherwise represented
to be performed, in violation of Civil Code section 2945.4, subdivision (a), a felony

10 **COUNT 55 - GRAND THEFT**

11 On or about February 6, 2008, in the County of Orange, defendants MARY YRACEBURU and
12 MARIANNE CURTIS unlawfully took property, to wit: money for loan modification services, of
13 a value in excess of Four hundred dollars (\$400) from another, to wit: [REDACTED], in
violation of Penal Code section 487, subdivision (a), a felony.

14 **COUNT 56 - FORECLOSURE CONSULTANT -PROHIBITED ACTS**

15 On or about February 6, 2008, in the County of Orange, defendants MARY YRACEBURU and
16 MARIANNE CURTIS, being foreclosure consultants as defined by Civil Code section 2945.1 did
17 unlawfully claim, demand, charge, collect, or receive compensation to wit: money, from the
owner of a residence in foreclosure as defined by Civil Code section 1695.1 to wit: [REDACTED]
[REDACTED] before fully performing each and every service contracted, or otherwise represented
to be performed, in violation of Civil Code section 2945.4, subdivision (a), a felony

18 **COUNT 57 - ATTEMPTED GRAND THEFT**

19 On or about August 13, 2007, in the County of Orange, defendants MARY YRACEBURU and
20 MARIANNE CURTIS unlawfully attempt to take property, to wit: money for loan modification
21 services, of a value in excess of Four hundred dollars (\$400) from another, to wit: [REDACTED]
[REDACTED], in violation of Penal Code section 487, subdivision (a), a felony.

22 **COUNT 58 - FORECLOSURE CONSULTANT -PROHIBITED ACTS**

23 On or about August 13, 2007, in the County of Orange, defendants MARY YRACEBURU and
24 MARIANNE CURTIS, being foreclosure consultants as defined by Civil Code section 2945.1 did
25 unlawfully claim, demand, charge, collect, or receive compensation to wit: money, from the
26 owner of a residence in foreclosure as defined by Civil Code section 1695.1 to wit: [REDACTED]
[REDACTED], before fully performing each and every service contracted, or otherwise represented to
be performed, in violation of Civil Code section 2945.4, subdivision (a), a felony

1 **COUNT 59 - ATTEMPTED GRAND THEFT**

2 On or about November 28, 2007, in the County of Orange, defendants MARY YRACEBURU
3 and MARIANNE CURTIS unlawfully attempt to take property, to wit: money for loan
4 modification services, of a value in excess of Four hundred dollars (\$400) from another, to wit:
5 [REDACTED], in violation of Penal Code section 487, subdivision (a), a felony.

5 **COUNT 60 - FORECLOSURE CONSULTANT -PROHIBITED ACTS**

6 On or about November 28, 2007, in the County of Orange, defendants MARY YRACEBURU
7 and MARIANNE CURTIS, being foreclosure consultants as defined by Civil Code section
8 2945.1 did unlawfully claim, demand, charge, collect, or receive compensation to wit: money,
9 from the owner of a residence in foreclosure as defined by Civil Code section 1695.1 to wit:
10 [REDACTED], before fully performing each and every service contracted, or otherwise
11 represented to be performed, in violation of Civil Code section 2945.4, subdivision (a), a felony

10 **COUNT 61 - ATTEMPTED GRAND THEFT**

11 On or about January 11, 2008, in the County of Orange, defendants MARY YRACEBURU and
12 MARIANNE CURTIS unlawfully attempt to take property, to wit: money for loan modification
13 services, of a value in excess of Four hundred dollars (\$400) from another, to wit: [REDACTED],
14 in violation of Penal Code section 487, subdivision (a), a felony.

14 **COUNT 62 - FORECLOSURE CONSULTANT -PROHIBITED ACTS**

15 On or about January 11, 2008, in the County of Orange, defendants MARY YRACEBURU and
16 MARIANNE CURTIS, being foreclosure consultants as defined by Civil Code section 2945.1 did
17 unlawfully claim, demand, charge, collect, or receive compensation to wit: money, from the
18 owner of a residence in foreclosure as defined by Civil Code section 1695.1 to wit: [REDACTED]
19 [REDACTED], before fully performing each and every service contracted, or otherwise represented to
20 be performed, in violation of Civil Code section 2945.4, subdivision (a), a felony

18 **COUNT 63 - ATTEMPTED GRAND THEFT**

19 On or about January 18, 2008, in the County of Orange, defendants MARY YRACEBURU and
20 MARIANNE CURTIS unlawfully attempt to take property, to wit: money for loan modification
21 services, of a value in excess of Four hundred dollars (\$400) from another, to wit: [REDACTED]
22 in violation of Penal Code section 487, subdivision (a), a felony.

22 **COUNT 64 - FORECLOSURE CONSULTANT -PROHIBITED ACTS**

23 On or about January 18, 2008, in the County of Orange, defendants MARY YRACEBURU and
24 MARIANNE CURTIS, being foreclosure consultants as defined by Civil Code section 2945.1 did
25 unlawfully claim, demand, charge, collect, or receive compensation to wit: money, from the
26 owner of a residence in foreclosure as defined by Civil Code section 1695.1 to wit: [REDACTED],
27 before fully performing each and every service contracted, or otherwise represented to be
28 performed, in violation of Civil Code section 2945.4, subdivision (a), a felony

1 **COUNT 65 - ATTEMPTED GRAND THEFT**

2 On or about January 23, 2008, in the County of Orange, defendants MARY YRACEBURU and
3 MARIANNE CURTIS unlawfully attempt to take property, to wit: money for loan modification
4 services, of a value in excess of Four hundred dollars (\$400) from another, to wit: [REDACTED],
in violation of Penal Code section 487, subdivision (a), a felony.

5 **COUNT 66 - FORECLOSURE CONSULTANT -PROHIBITED ACTS**

6 On or about January 23, 2008, in the County of Orange, defendants MARY YRACEBURU and
7 MARIANNE CURTIS, being foreclosure consultants as defined by Civil Code section 2945.1 did
8 unlawfully claim, demand, charge, collect, or receive compensation to wit: money, from the
9 owner of a residence in foreclosure as defined by Civil Code section 1695.1 to wit: [REDACTED],
before fully performing each and every service contracted, or otherwise represented to be
performed, in violation of Civil Code section 2945.4, subdivision (a), a felony

10 **COUNT 67 - ATTEMPTED GRAND THEFT**

11 On or about January 28, 2008, in the County of Orange, defendants MARY YRACEBURU and
12 MARIANNE CURTIS unlawfully attempt to take property, to wit: money for loan modification
13 services, of a value in excess of Four hundred dollars (\$400) from another, to wit: [REDACTED]
[REDACTED], in violation of Penal Code section 487, subdivision (a), a felony.

14 **COUNT 68 - FORECLOSURE CONSULTANT -PROHIBITED ACTS**

15 On or about January 28, 2008, in the County of Orange, defendants MARY YRACEBURU and
16 MARIANNE CURTIS, being foreclosure consultants as defined by Civil Code section 2945.1 did
17 unlawfully claim, demand, charge, collect, or receive compensation to wit: money, from the
owner of a residence in foreclosure as defined by Civil Code section 1695.1 to wit: [REDACTED]
[REDACTED], before fully performing each and every service contracted, or otherwise represented to be
performed, in violation of Civil Code section 2945.4, subdivision (a), a felony

18 **COUNT 69 - ATTEMPTED GRAND THEFT**

19 On or about February 6, 2008, in the County of Orange, defendants MARY YRACEBURU and
20 MARIANNE CURTIS unlawfully attempt to take property, to wit: money for loan modification
21 services, of a value in excess of Four hundred dollars (\$400) from another, to wit: Jeremiah
Anderson, in violation of Penal Code section 487, subdivision (a), a felony.

22 **COUNT 70 - FORECLOSURE CONSULTANT -PROHIBITED ACTS**

23 On or about February 15, 2008, in the County of Orange, defendants MARY YRACEBURU and
24 MARIANNE CURTIS, being foreclosure consultants as defined by Civil Code section 2945.1 did
25 unlawfully claim, demand, charge, collect, or receive compensation to wit: money, from the
26 owner of a residence in foreclosure as defined by Civil Code section 1695.1 to wit: [REDACTED]
[REDACTED], before fully performing each and every service contracted, or otherwise represented to
be performed, in violation of Civil Code section 2945.4, subdivision (a), a felony.

1 **COUNT 71 - CONSPIRACY**

2 On or about February 16, 2007, and continuing to February 6, 2008, in the Counties of Orange
3 and Fresno, within the meaning of Penal Code section 781, defendants MARY ALICE
4 YRACEBURU and MARIANNE CURTIS did unlawfully conspire to commit a crime in
5 violation of Section 182 subdivision (a)(1) of the Penal Code, to wit: grand theft, in violation of
6 Section 487(a) of the Penal Code.

7 It is further alleged that pursuant to and for the purpose of carrying out the objectives and
8 purposes of the aforesaid conspiracy, one or both of the defendants committed the following overt
9 acts:

10 **OVERT ACT 1:** On or about February 16, 2007, MARY ALICE YRACEBURU obtained
11 Fresno County fictitious business name permit# 2200710001196 for Foreclose Freedom on which
12 she listed her residence address [REDACTED] Riverdale, California, as the
13 business address.

14 **OVERT ACT 2:** On or about March 16, 2007, MARY ALICE YRACEBURU and MARIANNE
15 CURTIS d.b.a. Foreclosure Freedom opened postal box #267, 2973 Harbor Boulevard, Costa
16 Mesa, California 92626, for the purpose of receiving correspondence and advance payments for
17 purported loan modification services from homeowners.

18 **OVERT ACT 3:** Commencing in or around April 2007 and continuing to February 2008,
19 MARIANNE CURTIS submitted regular payments to *Foreclosures.com* for periodic listings of
20 the names and addresses of homeowners in foreclosure whom she and MARY ALICE
21 YRACEBURU solicited to pay in advance for purported loan modification services.

22 **OVERT ACT 4:** Commencing in or around April 2007 and continuing to February 2008, MARY
23 ALICE YRACEBURU and MARIANNE CURTIS falsely induced owners of a residence in
24 foreclosure to pay in advance for purported loan modification services by soliciting them with
25 mail flyers that contained one or more of the following false and misleading statements: (1)
26 “FINAL NOTICE” (2) “YOUR PROPERTY HAS BEEN TURNED OVER TO THE
27 FORECLOSURE DEPARTMENT”; (2) “WE CAN SAVE YOUR HOME”; (3) “OUR
28 SPECIALTY IS HELPING HOMEOWNERS WHERE CREDIT HAS BEEN DAMAGED”; (4)
29 “YOU MAY QUALIFY FOR PROGRAMS TO CONSOLIDATE . . . THE DEFAULT
30 AMOUNT AND EXISTING MORTGAGE [and/or] BACK TAXES . . . OUTSTANDING
31 DEBTS . . . CREDIT CARDS . . . ADDITIONAL CASH; (5)“YOU MAY QUALIFY FOR
32 PROGRAMS TO . . . REPAIR CREDIT . . . [and/or] LOWER INTEREST RATE AND
33 MONTHLY PAYMENTS”; (7) “WE ARE EXPERTS IF YOU NEED TO SHORT SELL YOUR
34 HOME QUICKLY!!!”; (8) “FORECLOSURE SOLUTIONS DEPARTMENT –
35 REINSTATEMENT OFFICE OF SPECIAL PROGRAMS”.

36 **OVERT ACT 5:** Commencing in or around April 2007 and continuing to February 2008, MARY
37 ALICE YRACEBURU and MARIANNE CURTIS falsely induced homeowners to pay in
38 advance for purported loan modification services by giving them a standardized contract that
39 contained the following false or misleading statements: “FORECLOSURE FREEDOM HAS
40 MANY OPTIONS TO RESOLVE THE ABOVE DEFAULT. THE DEFAULT SPECIALIST
41 HAS ACCESS TO MANY OPTIONS TO SAVE YOUR HOME AND YOUR CREDIT

1 UNLIKE MOST FORECLOSURE TYPE COMPANIES WITH JUST A SINGLE SERVICE TO
2 PROVIDE”.

3 **OVERT ACT 6:** Commencing in or around April 2007 and continuing to February 2008, MARY
4 ALICE YRACEBURU and MARIANNE CURTIS falsely induced homeowners not to contact
5 their lender by giving them a standardized cover letter to the “Foreclosure Freedom Application
6 Packet” that contained the following false or misleading statements: “IT IS EXTREMELY
7 IMPORTANT NOT TO GIVE OUT ANY FINANCIAL INFORMATION TO YOUR
8 MORTGAGE COMPANY . . . WE STRONGLY ADVISE YOU NOT TO HAVE
9 COMMUNICATIONS DURING THIS TIME WITH YOUR MORTGAGE COMPANY AS
10 THEY WILL HOLD YOU ACCOUNTABLE FOR ANYTHING YOU SAY, ESPECIALLY
11 MONEY, AND WE KNOW HOW TO PRESENT YOUR PACKAGE TO LENDERS TO GET
12 YOU BEST AND LOWEST COST SOLUTION . . . WE ARE VERY EXPERIENCED IN
13 THE VARIOUS OPTIONS AND METHODS USED BY THE MORTGAGE COMPANIES
14 AND HOW TO NEGOTIATE TO SAVE YOUR HOME”.

15 **OVERT ACT 7:** Commencing in or around April 2007 and continuing to February 2008, MARY
16 ALICE YRACEBURU and MARIANNE CURTIS told homeowners not to make their mortgage
17 payments or communicate with their lender but failed to provide any meaningful loan
18 modification service as promised, and thereby causing homeowners to fall further into default and
19 face an even greater risk of losing their home than existed when defendants took their money for
20 the purported loan modification services.

21 **OVERT ACT 8:** Commencing in or around April 2007 and continuing to February 2008, MARY
22 ALICE YRACEBURU and MARIANNE CURTIS promised to provide credit repair assistance
23 without being licensed to operate as a credit repair business in California.

24 **OVERT ACT 9:** Commencing in or around April 2007 and continuing to February 2008, MARY
25 ALICE YRACEBURU and MARIANNE CURTIS promised to provide loan modification
26 services without being licensed by the California Department of Real Estate as a real estate
27 salesperson or broker or being properly affiliated with a licensee.

28 **OVERT ACT 10:** Commencing in or around April 2007 and continuing to February 2008,
MARY ALICE YRACEBURU failed to disclose to homeowners, whom she had induced to pay
money for purported loan modification services she was not licensed or qualified to provide, that
she was on probation for a federal conviction at the time she was operating as Foreclosure
Freedom and had learned how to set-up the business from a former inmate she met while in
custody for that conviction.

OVERT ACT 11: Commencing in or around April 2007 and continuing to February 2008,
MARIANNE CURTIS failed to disclose to homeowners, whom she had induced to pay money
for purported loan modification services she was not licensed or qualified to provide, that she had
suffered a theft conviction and federal wire fraud conviction prior to conducting business as
Foreclosure Freedom.

OVERT ACT 12: On or about April 16, 2007, MARY ALICE YRACEBURU d.b.a. Foreclosure
Freedom opened account [REDACTED] at Bank of America for the deposit and withdrawal of
funds unlawfully obtained from homeowners for purported loan modification services.

1 **OVERT ACT 13:** Between April 2007 and June 2007, MARY YRACEBURU and MARIANNE
2 CURTIS unlawfully induced homeowners identified in bank deposits for Bank of America
3 account [REDACTED] to pay an aggregate amount in excess of \$7,000 for purported loan
modification services.

4 **OVERT ACT 14:** Between April 2007 and June 2007 MARY ALICE YRACEBURU received
5 in excess of \$4,000 through checks made payable to her drawn on Bank of America account #
[REDACTED]

6 **OVERT ACT 15:** Between April 2007 and June 2007, MARIANNE CURTIS received in excess
7 of \$3,000 through checks made payable to her drawn on Bank of America account # [REDACTED]
[REDACTED].

8 **OVERT ACT 16:** On or about June 15, 2007, MARY ALICE YRACEBURU d.b.a. Foreclosure
9 Freedom opened account [REDACTED] at Washington Mutual bank for the deposit,
10 withdrawal, and transfer of funds unlawfully obtained from homeowners for purported loan
modification services.

11 **OVERT ACT 17:** Between June 2007 and January 2008, MARY YRACEBURU and
12 MARIANNE CURTIS unlawfully induced homeowners identified in bank records for
13 Washington Mutual account [REDACTED] to pay an aggregate amount in excess of
\$115,000 for purported loan modification services.

14 **OVERT ACT 18:** Between June 2007 and February 2008, MARY ALICE YRACEBURU
15 received in excess of \$50,000 through transfers to her personnel account and checks made
payable to her drawn on Washington Mutual account [REDACTED].

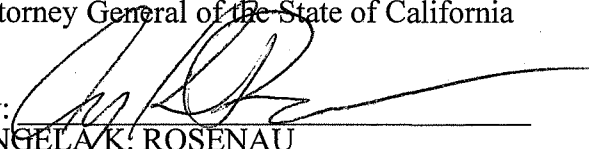
16 **OVERT ACT 19:** Between June 2007 and February 2008, MARIANNE CURTIS received in
17 excess of \$69,000 through checks made payable to her drawn on Washington Mutual account #
[REDACTED]

18 **DECLARATION**

19 I declare under penalty of perjury under the laws of the State of California that the
20 foregoing is true and correct.

21 Dated: February 3, 2010

EDMUND G. BROWN JR.
Attorney General of the State of California

22
23 By: 
24 ANGELO K. ROSENAU
25 Deputy Attorney General
26 *Attorneys for Plaintiff*
27
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