

**APPENDIX INDEX TO
STATEMENT OF RHETTA B. SWEENEY
BEFORE THE UNITED STATES
HOUSE OF REPRESENTATIVES HEARING
OF SEPTEMBER 25, 1996, at 2 P.M.**

1. **August 20, 1987**
Trial Exhibit 20
Loan Commitment \$1,600,000
2. **August 28, 1987**
Trial Exhibit 80
ComFed's Appraisal for Sweeney Loan
3. **August 27, 1987**
Trial Exhibit 9
ComFed Savings Bank
Statement of Transaction
4. **August 27, 1987**
Trial Exhibit 7
ComFed Savings Bank
Construction Loan Agreement
5. **August 10, 1987**
Trial Exhibit 114
Loan Commitment \$1,600,000
6. **January through May, 1988**
Hamilton Planning Board
Approval process
7. **November , 1988**
Correspondence between
Hanify & King
and Powers & Hall
re. Construction Loan Agreement
8. **November 30, 1988**
Hanify & King
foreclosure filing
9. **January 23, 1989**
Hanify & King
P&S \$775,000 (**refusal of sale**)

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10. **August 27, 1987**
Porter & Coakley
letter of ComFed
“NB – Construction Loan”
11. **June, 1989**
Hanify & King
Settlement
12. **March, 1990**
Hanify & King
excerpt of trial testimony
Note: John Hanify representation of Baldini
13. **October 1, 1990**
C.A. 90-6712
ComFed Savings Bank, ComFed Mortgage Co. Inc. v. Baldini, et al.,
Middlesex Superior Court, Cambridge, MA.
Note: James Baldini is charged with RICO by ComFed
14. **December 13, 1990**
Office of Thrift Supervision
ComFed Savings Bank
15. **January 7, 1991**
Emergency Notice and
note: filed by John Hanify
Motion of Resolution Trust
Corporation for Substitution
as Party Defendant
no emergency existed
16. **January 10, 1991**
(a.) Plaintiff’s Objection to
Defendants Emergency Notice
and Motion of Resolution Trust
Corporation for Substitution
as Party Defendant
(b.) **note secretary of state filing ComFed Mortgage re.**
“ComFed Mortgage Co., a corporation organized and existing under the
laws of the Commonwealth of Massachusetts”

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17. **January 11, 1991**
Notice of Removal
filed U. S. District Court

18. **January 11, 1991**
David McCarthy letter
Notice of Removal

19. **January 15, 1991**
Emergency Notice and Motion
of Resolution Trust Corporation
for **Substitution as Party Defendant**
After Hearing allowance **VACATED.**
Motion allowed as to
'ComFed Savings Banks'
ONLY. (Sullivan, J.) NB

20. **January 24, 1991**
Rhetta Sweeney letter to RTC

21. **January 30, 1991**
Final Judgment 89:2424
The Honorable Katherine Liacos Izzo
Middlesex Superior Court

22. **January 30, 1991**
Notice of Removal Filed
in the Office of the
Clerk of Courts
for the County of Middlesex
**Note: Plaintiffs received no
notice entire original file
was removed on this date**

23. **January 31, 1996**
Office of Thrift Supervision
Pass-Through Receivership
ComFed Savings Bank

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24. **February 5, 1991**
John D. Hanify letter
to Edward J. Sullivan, Clerk
Middlesex Superior Court
25. **February 6, 1991**
John D. Hanify
Petition for Relief Pursuant
to M.G.L. Chapter 211 Section 3
26. **February 6, 1991**
John D. Hanify letter
to Attorney General's Office
threat of litigation
27. **February 8, 1991**
Hanify & King letter
Robert J. Smith, Clerk
U. S. District Court
**false statement "comprising
complete record"**
NOTE: Final Judgment hidden
in the office of Hanify & King
- NOTE:** Plaintiffs were not
notified of February 8, 1991
Federal filing
28. **February 25, 1991**
John D. Hanify letter
to Edward J. Sullivan, Clerk
Middlesex Superior Court
29. **February 25, 1991**
Plaintiffs receive notice
FOR THE FIRST TIME
of final judgment order of
January 30, 1991 by way of
the docket entry being sent to
Plaintiffs attorney by
Clerk, Middlesex Superior Court

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30. **February 28, 1991**
Plaintiff's Motion to Remand

31. **March 1, 1991**
Hearing
U.S. District Court
The Honorable Douglas P. Woodlock
NOTE: Judge Woodlock acknowledgment
that John Hanify had possession of **original**
judgment, pp. 4 and 5.

32. **March 18, 1991**
Rhetta B. Sweeney letter
to Mr. Timothy Ryan
Director
Office of Thrift Supervision

33. **March 29, 1991**
Luis A. Lavin letter
Assistant Attorney General
to Plaintiff's Counsel

34. **April 19, 1991**
John D. Hanify, Affidavit

35. **April 23, 1991**
Hanify & King
Notice and Motion of Conservator
Resolution Trust Corporation
for **SUBSTITUTION** as Receiver
of Defendant, ComFed Savings Bank
and Conservator of
Plaintiff-In-Counterclaim, ComFed Savings Bank, F.A.
NOTE: Judge Harrington never acted on this motion

36. **May 6, 1991**
Timothy Ryan letter
to Rhetta B. Sweeney

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- 37. May 6, 1991**
Michael F. Edgerton letter
to **Hanify & King**
- 38. May 16, 1991**
C.A. 91-12437 WD
John G. O'Brien v. ComFed Savings Bank, et al.
Essex Superior Court
See Paragraph 4, pg.2
**“It admits that the RTC, as Receiver, is successor in interest to ComFed Savings Bank,
but not to COMFED MORTGAGE CO. INC.”**
- 39. May 20, 1991**
Thomas L. Hindes letter
to Rhetta B. Sweeney
- 40. June 21, 1991**
Maryann K. McNally
Claims Specialist
Resolution Trust Corporation
letter to Plaintiffs' counsel
- 41. August 3, 1991**
Freedom of Information Act
ComFed Mortgage Co. Inc., Subsidiary of
ComFed Savings Bank
\$1,238,105,000.00 sold to Goldman Sachs, N.Y.
for \$182,000,000.00 (**15 cents on the dollar**)
- 42. August 31, 1991**
ComFed Mortgage Co. Inc., Subsidiary of
ComFed Savings Bank
\$2,420,457,000.00 sold to Lomas Mortgage USA,
IN Dallas, TX for \$218,500,000. (**9 cents on the dollar**)
- 43. Freedom of Information Act
Cost of Resolution for
ComFed Savings Bank
\$828,440,000.00**

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44. **September 13, 1991** Office of Thrift Supervision
Replacement of Conservator
with Receiver
ComFed Savings Bank, F.A. **second receivership**

45. **August 30, 1991**
C.A. 93-1427 and C.A. 93-1613
Sweeney, et al. v. ComFed/RTC, et al.
U. S. Court of Appeals for the First Circuit

46. **August 31, 1993**
Motion to Substitute Party
filed by the Resolution Trust Corporation
in U. S. District Court for the
District of Massachusetts
Note: Jurisdiction of the case is in the 1st Circuit

47. **Freedom of Information Act**
Legal Fees
Hanify & King -- \$155,402.07
Ropes & Gray -- \$22,131.15
Nutter, McClennen & Fish -- \$884,527.63

48. **August 16, 1996**
FDIC letter to the Sweeneys
(a) Note: “. . .despite an exhaustive search by FDIC’s Legal Division
no records relating to a Legal Service Agreement with Hanify & King
could be located. . . .The firm had been retained by the bank when the
foreclosure was filed in state court. However, when the matter went
to federal court another firm was retained by the RTC. The Hanify &
King did some minor work on motions connected with removal to
federal court, but there was no Legal Services Agreement
evidencing that arrangement.”

(b) **FDIC Legal Services Agreement with “HANIFY & KING”**

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49. June 15, 1992

**John Hanify Affidavit Regarding Attorneys' Fees
stating "counsel of record for the Resolution Trust Corporation. . .
between the dates of March, 1990 through May 1, 1992."**

Total: \$343,695.01

NOTE: ComFed failed in December, 1990

50. DOCKET SHEETS

April 14, 1989 Docket Sheet 89-2424, Rhetta B. Sweeney, et al. v. ComFed Savings Bank, et al. Middlesex Superior Court, Cambridge, MA

**C.A. 10098-H, Rhetta B. Sweeney, et al. v. ComFed/RTC, et al. U. S. District Court
for the District of Massachusetts**