

Saccameno sustained actual damages, *i.e.*, actual pecuniary loss, proximately caused by an unfair or material deceptive act or practice.

Fourth, there is no legally sufficient evidentiary basis for a reasonable jury to award punitive damages on the ICFA claim (Count IV) because Saccameno has failed to prove: (1) any pecuniary loss proximately caused by an unfair or deceptive practice, (2) conduct was committed with fraud, actual malice, deliberate violence or oppression, or Ocwen acted willfully, or with such gross negligence as to indicate a wanton disregard of the rights, or (3) sufficient corporate management authorization or approval of the unfair or material deceptive act or practice.

Fifth, there is no legally sufficient evidentiary basis for a reasonable jury to find for Saccameno on the RESPA Claim (Count IV) because the evidence shows that Ocwen investigated and provided written responses to Saccameno's two written requests.

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By: /s/ Lynne E. Evans

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