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**TO:** All Freddie Mac Sellers and Servicers

August 21, 2009

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**SUBJECT:** Important Freddie Mac Off-cycle Update to the Exclusionary List

Effective immediately, the Freddie Mac Exclusionary List has been updated and may be accessed **today** via the Freddie Mac Selling System (Selling System), MIDANET®, and MultiSuite. The updated Freddie Mac Exclusionary List will be available on Loan Prospector® on **August 22, 2009**.

As a reminder, Sections 6.11 and 51.3 of the *Single-Family Seller/Servicer Guide* (“Guide”) require Seller/Servicers to represent and warrant that they have not employed and will not employ any person listed on the Freddie Mac Exclusionary List as a Principal in connection with any Mortgage sold to Freddie Mac or in connection with any function related to such a sale.

The Glossary of the Guide provides the following definition of Principal:

A Principal, for purposes of Freddie Mac’s policy concerning the exclusion of certain persons from participating in transactions or doing business, directly or indirectly, with Freddie Mac, may be:

- A Seller/Servicer, or
- A person with management or supervisory responsibilities within a Seller/Servicer. This category includes, but is not limited to, officers, directors, owners, partners, key employees or other persons within a Seller/Servicer who have management or supervisory responsibilities. Suspended or excluded persons within this category are presumed to have influence on or control over the origination or Servicing of a Mortgage, or
- A person or entity with critical influence on or substantive control over the origination or Servicing of a Mortgage or any function related to the origination or Servicing of a Mortgage. This category includes, but is not limited to, an employee of a Seller/Servicer, a third-party provider of services to a Seller/Servicer, or an employee of such third party. Loan officers, underwriters, appraisers, inspectors, developers, real estate agents, brokers, sellers, and buyers are a few examples included within this category.

The Seller also represents and warrants that it maintains the Exclusionary List and information contained on the Exclusionary List in a confidential manner.

For a more detailed understanding of general warranties and responsibilities, Seller/Servicers should consult Chapter 6 and 51 of the Guide.

## **CONCLUSION**

Seller/Servicers are required to understand and comply with all of the requirements in the Guide. If you have any questions, please contact your Freddie Mac representative or call (800) FREDDIE.

Sincerely,



Patricia J. McClung  
Vice President  
Offerings Management