

Honorable Arthur Bergman, JSC ORDERS 8/4/17

Law Clerk: Emily Pirro: (732) 519-3611

Chancery/Law Division

CAPTION	DK #	MOTION TYPE	OUTCOME
Centone Realty v. S and HF, LLC, d/b/a Garden State Farmer's Market	C-71-17	Reinstate	Adj. to 8/18
Jorge Fuertes Urgell v. MFS Consulting Engineers, LLC	C-113-17	Motion to Proceed Summarily	Adj. to August 11
EFI Realty v. Hicks	C-165-15	Enforce litigants rights	Adj. to August 18
Astoria Bank Vs Comey Thomas	F 031611-16	Motion For Summary Judgment	Adj. to 8/18
Bank Of America Na Vs Duperrier Jeffrey	F 030757-15	Motion To Dismiss	With Judge, check eCourts
Bank Of America Na Vs Gracia Cruz	F 035498-14	Motion To Reform Mortgage	Granted
Bank Of America Na Vs Jayme Lowenberg Dece Ased He	F 048505-14	Motion To Vacate	Granted
Bank Of America Na Vs Ventura Roseann	F 012639-15	Motion To Reform Mortgage	Granted
Bank Of America Vs Griswell Bernard	F 009544-17	Miscellaneous Motion	Granted
Capital One Vs. Gessner, Robert	F 010833-16	Surplus funds	With Judge, check eCourts
Christiana Trust Vs Betancourt Orlando	F 028187-15	Miscellaneous Motion	Granted
Deutsche Bank Trust Vs Griesheimer Glenn	F 004174-12	Motion For Additional Sums	sent back to OOF for review, R. 1:34-6(10)
Ditech Financial Llc Vs Cesareo Anthony	F 001191-16	Vacate Sheriff's Sale	Granted
Hearthwood At North Vs Lodhie Ameena	F 016736-16	Miscellaneous Motion	Granted
Jpmorgan Chase Bank Vs 32 Brunswick Avenue Llc	F 033199-16	Motion For Summary Judgment	Granted
Lakeview Loan Serviv Vs Mumber Pegeen	F 005659-14	Motion To Pay Surplus Funds Out Of Court	Sent back to OOF for review, filed before Trenton
Lasher Vs Donaldson Anne F	F 007359-17	Motion Appointing Guardian Ad Litem	Granted
Mtag Cust Vs 3920 Park Avenue Ass Ociates L P	F 011106-17	Motion To Strike Answer	Granted
Mtqlq Investors Lp Vs Gearhty Donna	F 052684-10	Motion To Reform Mortgage	Granted
Nationstar Mortgage Vs Addeo Lori	F 001402-14	Motion To Vacate	Withdrawn
Nrz Pass Through Trust Vs Louis Gregory	F 016210-14	Motion To Vacate FJ	Adj. to 8/18
Quicken Loans Inc. Vs Degennaro Anthony	F 034125-16	Motion To Vacate Order	Denied
Specialized Loan Servicing Llc Vs Saavedra Micaela	F 049077-09	Motion To Reinstate Case	Granted
Td Bank Na Vs Kings Point Realty L Lc	F 026804-16	Motion For Summary Judgment	Granted
Td Bank Na Vs Rodriguez Juan	F 029828-15	Motion To Set Aside Sheriffs Sale	Withdrawn
Td Bank Vs Sassman Michael	F 031203-16	Motion For Summary Judgment	Adj. to 8/18
The Provident Bank Vs F&R Lic	F 001962-17	Motion To Reform Mortgage	Granted
Ventures Trust Vs Hug Ekramul	F 038185-15	Miscellaneous Motion	Granted
Wilmington Savings Fund Society Vs Son Kyong	F 042401-13	Motion For Additional Sums	Sent back to OOF for review, filed before Trenton
Wilmington Trust Vs Tucker Murraylen	F 010327-17	Miscellaneous Motion	Granted

664389

PHELAN HALLINAN DIAMOND & JONES, P.C.

400 Fellowship Road, Suite 100

Mt. Laurel, NJ 08054

(856) 813-5500

Attorneys for Plaintiff

By: William Adam Aitken, Esquire

Attorney ID: 037591985

FILED

AUGUST 4 2017

Hon. Arthur Bergman, J.S.C.

BANK OF AMERICA N.A.
PLAINTIFF

V.

CRUZ GRACIA, ET AL.
DEFENDANTS

SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION
MIDDLESEX COUNTY

DOCKET NO. F-035498-14

CIVIL ACTION

**ORDER REFORMING THE MORTGAGE,
PLEADINGS, WRIT OF EXECUTION, AND
SHERIFF'S DEED TO CORRECT THE
LEGAL DESCRIPTION NUNC PRO TUNC**

THIS MATTER having been brought before the Court upon application of Bank Of America N.A. ("Plaintiff") by and through its attorney Phelan Hallinan Diamond & Jones, P.C., William Adam Aitken, Esquire, for an Order reforming the mortgage, pleadings, writ of execution, and sheriff's deed to correct the legal description nunc pro tunc; and there appearing to be no good cause to the contrary;

IT IS on this 4th day of August 2017, ORDERED:

1. **THAT** the legal description of property commonly known as 493 Harding Road, Old Bridge, New Jersey 08879 is hereby attached to this Court's Order as "**Exhibit A**", and shall become a part of this Order; and,

2. **THAT** any prior legal descriptions of this property that are not in conformance with the legal description set forth in this Order are deemed null and void; and,

3. **THAT** the mortgage executed on February 23, 2009 by Cruz Gracia to Bank Of America, N.A. and recorded on March 6, 2009 in Mortgage Book 13287, page 132 in the land records of Middlesex County is deemed to be reformed and amended to include the legal description attached to the written order; and,

4. **THAT** the Sheriff's Deed dated January 4, 2017 given by Sheriff of Middlesex County to Bank of America, N.A. and recorded on March 22, 2017 in Deed Book 6954, page 666 is deemed reformed and amended to include the legal description attached to the written order; and,

5. **THAT** the Lis Pendens filed on September 9, 2014 is deemed reformed and amended to include the legal description attached to the written order; and

6. **THAT** the Foreclosure Complaint filed on August 26, 2014 is deemed reformed and amended to include the legal description attached to the written order; and

7. **THAT** the Writ of Execution issued on August 2, 2016 is deemed reformed and amended to include the legal description attached to the written order; and

8. **THAT** the Middlesex County Clerk's Office is directed to record this Order in the county land records to reflect the correct legal description of the above named property.

Opposed

Unopposed

Arthur Bergman
~~Honorable Michael Ann McCormick, J.S.C.~~
Hon. Arthur Bergman, J.S.C.

EXHIBIT A LEGAL DESCRIPTION

ALL that certain lot, parcel or tract of land, situate and lying in the Township of Old Bridge, County of Middlesex, State of New Jersey, and being more particularly described as follows:

Beginning at a point in the southeasterly line of Harding Road, distant therein 342.38 feet northeasterly along the same from its intersection with the northeasterly line of New Jersey State Highway 35 and running thence;

1. Northeasterly along said southeasterly line of Harding Road on a curve to the right having a radius of 150 feet an arc distance of 48 feet to a point; thence
2. South 21 degrees 30 minutes 40 seconds East, 80.10 feet to a point; thence
3. Southwesterly on a curve to the left having a radius of 70 feet an arc distance of 20.50 feet to a point; thence
4. North 41 degrees 12 minutes 20 seconds West 80 feet to a point in said southeasterly line of Harding Road the point and place of beginning.

Being also known and designated as Lot 493 and a portion of 492 in Block 61, as shown on a certain map entitled "Map of Section 2, Laurence Harbor, situate in the Township of Madison, Middlesex County, New Jersey" filed in the Middlesex County Clerk's Office on June 1, 1923 as Map No. 1013, File No. 588.

FOR INFORMATIONAL PURPOSES ONLY: Also known as Lot 493.11 in Block 61 on the Township of Old Bridge Tax Map.

BEING THE SAME PREMISES CONVEYED TO JAMES JUST, BY DEED FROM MARY HOJNOWSKI, UNMARRIED, DATED 10/11/2007, RECORDED 11/08/2007 IN DEED BOOK 5889-651 OF MIDDLESEX COUNTY.

PREVIOUSLY CONVEYED TO MARY HOJNOWSKI, BY DEED FROM JOAN MURPHY, UNMARRIED AND GEORGE E. TAMPA, JR., UNMARRIED, DATED 08/07/2002, RECORDED 09/27/2002 IN DEED BOOK 5095 PAGE 723, AND RE-RECORDED ON 01/13/2003 IN DEED BOOK 5134 PAGE 377.

658532

PHELAN HALLINAN DIAMOND & JONES, PC

John M. Anello, Esq. ID No. 903972012

400 Fellowship Road Suite 100

Mt. Laurel, NJ 08054

856-813-5500

Attorney for Plaintiff

FILED

AUGUST 4 2017

Hon. Arthur Bergman, J.S.C.

BANK OF AMERICA, N.A.
PLAINTIFF,

VS.

JAYME LOWENBERG, DECEASED, HER
HEIRS, DEVISEES, AND PERSONAL
REPRESENTATIVES, AND HER, OR ANY
OF THEIR SUCCESSORS IN RIGHT,
TITLE AND INTEREST, ET AL.
DEFENDANT(S)

SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION
MIDDLESEX COUNTY

DOCKET NO: F-048505-14

CIVIL ACTION

ORDER VACATING SHERIFF'S SALE

This matter being opened to the Court by Phelan Hallinan Diamond & Jones, PC attorneys for the Plaintiff for an Order Vacating Sheriff's Sale, and the Court having considered all papers and arguments presented, and for good cause shown:

IT IS on this 4th day of August, 2017 ORDERED that

1. Sheriff's sale held on April 5, 2017 and sold to Amal Mikhail for \$68,000.00, is hereby set aside and vacated; and
2. The Sheriff shall schedule a new sale and resell the property at its earliest convenience, without the need for further advertising; and
3. The deposit monies in the amount of \$15,000.00 is hereby forfeited and shall be retained the Sheriff to be disbursed as follows;
 - a. The Sheriff is awarded its statutory commission of \$700.00 on the \$15,000.00 of the third party purchaser, Amal Mikhail, which commission shall be paid from

said deposit;

- b. The cost of scheduling the a new sale date shall be deducted from the deposit of Amal Mikhail; and
 - c. Any deficiency between the bid at the first sale and the bid at the second sale shall be deducted and paid from said deposit and given to the Plaintiff; and
 - d. Any remaining portion of the deposit shall be returned to successful third party bidder Amal Mikhail at the first sale.
4. A copy of this order shall be served on all parties within seven (7) days.

Arthur Bergman
~~Judge Ann McCannick, J.S.C.~~
Hon. Arthur Bergman, J.S.C.

_____ Opposed

 x Unopposed

Sean D. Adams, Esq. - 004932013

HILL WALLACK LLP

21 Roszel Rd.

P.O. Box 5226

Princeton, New Jersey 08543-5226

(609) 924-0808

Attorneys for Plaintiff, Wilmington Savings Fund Society, FSB,

as Trustee for Stanwich Mortgage Loan Trust A

Our File No. 17511-125

FILED

AUGUST 4 2017

Hon. Arthur Bergman, J.S.C.

Wilmington Savings Fund Society, FSB, as
Trustee for Stanwich Mortgage Loan Trust A
Plaintiff,

vs.

Roseann Ventura, *et al.*,

Defendant(s).

SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION
MIDDLESEX COUNTY

Docket No. F-12639-15

Civil Action

**ORDER ON MOTION TO REFORM
MORTGAGE**

This matter being opened to the Court on August 4, 2017, by Hill Wallack LLP counsel for the Plaintiff, Wilmington Savings Fund Society, FSB, as Trustee for Stanwich Mortgage Loan Trust A ("Stanwich"), for an Order reforming that certain Mortgage given to Mortgage Electronic Registration Systems, Inc., as nominee for Bank of America, N.A., by defendant Roseann Ventura ("Defendant"), dated July 22, 2009, on certain real property commonly known as 338 Delmore Avenue, South Plainfield, New Jersey, also known as Lot 8 in Block 340 on the official tax map of the Borough of South Plainfield, County of Middlesex and State of New Jersey (the "Property"), which Mortgage was recorded in the Office of the Middlesex County Clerk on August 13, 2009 in Book 13529, Page 883, and subsequently assigned to Stanwich (the "Mortgage"); and the Court having reviewed and considered the supporting papers, opposition papers and reply papers, if any, and oral argument, if any; and the Court having determined that, based upon the same, Stanwich is entitled to the relief requested; and for good cause shown;

IT IS on this 4th day of August, 2017,

ORDERED as follows:

1. The Mortgage is hereby reformed to include the legal description of the Property as annexed hereto as Exhibit "A".

2. Stanwich is hereby authorized to attach the legal description of the Property as annexed hereto as Exhibit A, to any Writ of Execution entered in this action and in any deed issued by the Sheriff of Middlesex County for the Property.

3. The Court shall issue a Gold Seal upon the Order so that the Order may be recorded at Stanwich's discretion, with the Clerk of Middlesex County and the Clerk is hereby directed to record this Order.

4. A copy of the within Order shall be served on all those listed on the Notice of Motion within seven (7) days of receipt of a conformed copy of same by counsel for Stanwich.

Arthur Bergman
Hon. Arthur Bergman, J.S.C.

Opposed

Unopposed

EXHIBIT A

All that certain Lot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the South Plainfield Borough, Middlesex County:

BEING known and designated as Lots 39 and 40 in Block X as shown on a certain map entitled "~~Section Two Plainfield Terrace, situated at South Plainfield, Middlesex County, New Jersey, May, 1917~~", which map was filed in the Middlesex Clerk's Office on July 17, 1917 as Filed Map No. 857 File No. 340.

BEGINNING at a point in the Southwesterly sideline of Delmore Avenue, distant 250.00 feet on a course of North 13 degrees 57 minutes West along the same from its intersection with the Northwesterly sideline of Belmont Avenue, and from said point of Beginning running; thence,

1. Along the said Southwesterly side line of Delmore Avenue on a course of North 13 degrees 57 minutes West a distance of 50 feet to a point; thence
2. South 76 degrees 03 minutes West a distance of 100.00 feet to a point; thence
3. South 13 degrees 57 minutes East a distance of 50.00 feet to a point; thence
4. North 76 degrees 03 minutes East a distance of 100.00 feet to the point and place of BEGINNING.

NOTE: Being Lot(s) 8, Block 340, Tax Map of the Borough of South Plainfield, County of Middlesex, State of New Jersey.

KEAVENEY LEGAL GROUP, LLC
James Keaveney, Esq.
New Jersey State Bar ID No.: 027721998
1101 N. Kings Highway, Suite G-100
Cherry Hill, New Jersey 08034
Tel. (800) 219-0931
Attorneys for Defendants,
Bernard Griswell and Cecilia Griswell

FILED

AUGUST 4 2017
Hon. Arthur Bergman, J.S.C.

BANK OF AMERICA, N.A.

Plaintiff.

vs.

BERNARD GRISWELL and CECILIA
GRISWELL

Defendants.

SUPERIOR COURT OF NEW JERSEY
MIDDLESEX COUNTY
CHANCERY DIVISION

DOCKET NO.: F-009544-17

Civil Action

ORDER

THIS MATTER having been opened to the Court by Defendants, Bernard Griswell and Cecilia Griswell ("Defendants"), on an Order for Permission of the Court to Engage in Foreclosure Mediation Out of Time; and on notice to Plaintiff, Bank of America, N.A. ("Plaintiff"); and the Court having reviewed the moving and responding papers and/or the arguments of the parties; and for good cause shown,

IT IS on this 4th day of August, 2017:

ORDERED THAT Defendants' Motion for Permission of the Court to Engage in Foreclosure Mediation Out of Time shall be and hereby is **GRANTED** in its entirety; and it is

FURTHER ORDERED THAT the parties shall attend Foreclosure Mediation starting on the 13th day of November, 2017; and it is

FURTHER ORDERED THAT counsel for Defendants shall serve a true and correct copy of this Order upon all parties to this action within seven (7) days of its receipt hereof.

Arthur Bergman
Hon. Arthur Bergman, J.S.C.

[] Opposed
[x] Unopposed

14100145

UDREN LAW OFFICES, P.C.

Woodcrest Corporate Center
 111 Woodcrest Road, Suite 200
 Cherry Hill, NJ 08003
 (856) 669-5400

J. Eric Kishbaugh, Esquire, ID #009541981

Attorneys for Plaintiff

FILED

AUGUST 4 2017
 Hon. Arthur Bergman, J.S.C.

<p>Christiana Trust, a Division of Wilmington Savings Fund Society, FSB, not in its Individual Capacity but as Trustee of ARLP Trust 5 Plaintiff,</p> <p>Vs. Orlando Betancourt also known as Orlando C. Betacourt; et al. Defendants</p>	<p>SUPERIOR COURT OF NEW JERSEY CHANCERY DIVISION MIDDLESEX COUNTY</p> <p>DOCKET NO: F-028187-15 CIVIL ACTION</p> <p>ORDER</p>
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THIS MATTER being opened to the Court by Udren Law Offices, P.C., appearing on a Motion and the Court having reviewed the supporting Certification, and for good cause shown:

IT IS ON THIS 4th day of August, 2017 **ORDERED** that:

1. Plaintiff's Motion to correct the legal description in the Mortgage is hereby **GRANTED**.
2. The legal description in the Deed in hereby substituted for that recorded with the Mortgage to relate back to the date of the original recording of the Mortgage on June 25, 2003 at Book 08604 Page 0288. A copy of the correct legal description is attached to this Order hereto as **Exhibit "1"**
3. The address of the mortgaged property referred to in the Deed as 570 Weirup Street, Perth Amboy, New Jersey, 08861 is hereby **CORRECTED** to 568 Weirup Street, Perth Amboy, New Jersey, 08861; and

4. The Middlesex County Recorder of Deeds is directed to accept a Certified Copy of this Order Correcting the Mortgage Legal Description for recording;

5. A copy of this Order shall be served upon all answering parties within 7 days of its entry.

Arthur Bergman

Hon. Arthur Bergman, J.S.C X

Tiffany L. Byczkowski, Esq. - 000682012
McGovern Legal Services, LLC
850 Route 1 North
P.O. Box 1111
New Brunswick, NJ 08903
(732) 246-1221
Attorneys for Plaintiff

FILED

AUGUST 4 2017
Hon. Arthur Bergman, J.S.C.

HEARTHWOOD AT NORTH
BRUNSWICK CONDOMINIUM
ASSOCIATION, INC.,

Plaintiff,

v.

AMEENA LODHIE,

Defendant.

SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION
MIDDLESEX COUNTY

DOCKET NO.: F-016736-16

Civil Action

ORDER FOR POSSESSION

THIS MATTER having been decided by the Honorable Arthur Bergman,
Judge of the Superior Court, at Middlesex County, on August 4, 2017 in the
Plaintiff's favor; and

WHEREAS, the Defendant is presently occupying the said property; and

IT IS ORDERED this 4th day of August 2017, that:

Plaintiff is granted immediate and exclusive possession of the property located at 3908 Birchwood
Court, North Brunswick, New Jersey, (the "Property") which premises are more particularly set
forth and described as follows:

BEING in the Township of North Brunswick, County of Middlesex and State of New Jersey,
Block 143, Lot 18.3908 f/k/a Lot 18.11 Qualifier C3908, being more particularly described as
follows, to wit:

BEING 3908 Birchwood Court, North Brunswick, New Jersey in Hearthwood at North
Brunswick Condominium Association, Inc.:

1. Defendant shall remove all of her personal possessions from the Property.
2. If Defendant does not remove all of her personal possessions from the Property within thirty (30) days, the Plaintiff may remove such possessions from the Property.
3. A Writ of Possession for the Property is hereby issued in favor of the Plaintiff to be executed by the Sheriff of the County of Middlesex, of the State of New Jersey.

Honorable Arthur Bergman
Hon. Arthur Bergman, J.S.C.

Tiffany L. Byczkowski, Esq. - 000682012
McGovern Legal Services, LLC
850 Route 1 North
P.O. Box 1111
New Brunswick, NJ 08903
(732) 246-1221
Attorneys for Plaintiff

HEARTHWOOD AT NORTH
BRUNSWICK CONDOMINIUM
ASSOCIATION, INC.,

Plaintiff,

v.

AMEENA LODHIE,

Defendant.

SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION
MIDDLESEX COUNTY

DOCKET NO.: F-016736-16

Civil Action

WRIT OF POSSESSION

THE STATE OF NEW JERSEY

TO THE SHERIFF OF THE COUNTY OF MIDDLESEX

GREETINGS:

WHEREAS on the _____ day of _____, 2017, by a certain judgment made in our Superior Court of New Jersey, in a certain cause therein pending HEARTHWOOD AT NORTH BRUNSWICK CONDOMINIUM ASSOCIATION, INC. (the "ASSOCIATION") is Plaintiff, and AMEENA LODHIE is the Defendant, it was ordered and adjusted that the Plaintiff, who was the purchaser at the foreclosure sale, recover the possession of the lands and premises, described in the complaint, from the Defendant, AMEENA LODHIE and ALL UNKNOWN OCCUPANTS, which premises are more particularly set forth and described as follows:

BEING in the Township of North Brunswick, County of Middlesex and State of New Jersey, being more particularly described as follows, to wit:

BEING 3908 Birchwood Court, North Brunswick, New Jersey in Hearthwood at North

Brunswick Condominium Association, Inc.;

BEING located on the county tax map at Block 143, Lot 18.3908 F/K/A Lot 18.11 Qualifier C3908; the possession of which said lands and premises the said Defendant, AMEENA LODHIE, has unlawfully deprived the said Plaintiff, which was the purchaser at the foreclosure sale, as appears to us of record.

THEREFORE, you are hereby commanded that, without delay, you cause the said ASSOCIATION to have possession of the said lands and premises, with the appurtenances thereunto belonging and appertaining; and make known to the said Superior Court of New Jersey aforesaid, at Middlesex County, within six (6) months next, the manner in which you shall have executed this writ, and have you then and there this writ.

WITNESS, Honorable _____, Judge of the Superior Court at Middlesex County aforesaid, this _____ day of _____, 2017.

McGovern Legal Services, LLC

By: _____
Tiffany L. Byczkowski, Esq.

MASELLI WARREN, P.C.
By: David Fornal, Esquire
Attorney ID 017002005
600 Alexander Road, Suite 3-4A
Princeton, New Jersey 08450
(609) 452-8411
Attorneys for Plaintiff, JPMorgan Chase Bank, N.A.

FILED

AUGUST 4 2017
Hon. Arthur Bergman, J.S.C.

JPMORGAN CHASE BANK, N.A.,

Plaintiff,

v.

32 BRUNSWICK AVENUE, LLC, a
New Jersey limited liability company,
MAYER LATI and the STATE OF
NEW JERSEY,

Defendants.

SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION
MIDDLESEX COUNTY

DOCKET NO. F-33199-16

Civil Action

**ORDER GRANTING SUMMARY JUDGMENT
STRIKING DEFENDANT'S ANSWER AND
AFFIRMATIVE DEFENSES**

THIS MATTER being opened to the Court by Maselli Warren, P.C., attorneys for Plaintiff JPMorgan Chase Bank, N.A., David Fornal, Esquire appearing, on a motion for summary judgment striking the Answer and Affirmative Defenses of Defendants, 32 Brunswick Avenue, LLC and Mayer Lati, due notice having been given to opposing counsel for Defendants, and the Court having reviewed the moving papers, and those filed in opposition thereto, and having heard oral argument, if any, and for good cause appearing,

IT IS ORDERED on this 4th day of August, 2017 that:

1. The Answer, including Affirmative Defenses, of Defendants, 32 Brunswick Avenue, LLC and Mayer Lati, is hereby stricken;
2. The Clerk of Office of Foreclosure shall enter the default of Defendants, 32 Brunswick Avenue, LLC and Mayer Lati, as if no Answer has been filed;

3. This matter shall be returned to the Office of Foreclosure of the Superior Court of New Jersey to proceed as an uncontested action pursuant to Rule 4:64-1(c); and

4. A copy of this Order for Summary Judgment shall be served upon counsel for Defendants by regular mail within seven days of Plaintiff's counsel's receipt.



Hon. Arthur Bergman, J.S.C.

GARY C. ZEITZ, L.L.C.
AMBER J. MONROE, ESQUIRE - ID#099882014
1101 Laurel Oak Road, Suite 170
Voorhees, New Jersey 08043
(856) 857-1222
Attorneys for Plaintiff

FILED

AUGUST 4 2017
Hon. Arthur Bergman, J.S.C.

STUART LASHER	:	SUPERIOR COURT OF NEW JERSEY
	:	CHANCERY DIVISION
Plaintiff,	:	MIDDLESEX COUNTY
	:	
vs.	:	Civil Action
	:	
JEROME B. DONALDSON AND	:	Docket No. F-7359-17
ANNE F.	:	
DONALDSON,	:	ORDER
HIS WIFE, et al.	:	
	:	
	:	
	:	

Defendant(s).

THIS MATTER being opened to the Court upon the motion of STUART LASHER, seeking the appointment of a Guardian Ad Litem for Anne Donaldson, and for good cause shown;

IT IS on this 4th day of August, 2017,

ORDERED that John J. Palitto, Jr., Esquire, is appointed Guardian Ad Litem for Anne Donaldson with respect to this foreclosure proceeding.

Arthur Bergman

Hon. Arthur Bergman, J.S.C.

() Opposed
(X) Unopposed

That the Answer filed by Defendant, 3920 Park Avenue Associates, L.P., be and is hereby stricken, and it is further **ORDERED** that the within matter shall be returned to the Superior Court of New Jersey, Office of Foreclosure, for further proceedings as an uncontested matter.

Arthur Bergman
Honorable Arthur Bergman, J.S.C.

Contested

Uncontested

FILED

599146

PHELAN HALLINAN DIAMOND & JONES, PC

William Adam Aitken, Esq. ID No. 037591985

400 Fellowship Road Suite 100

Mt. Laurel, NJ 08054

856-813-5500

Attorney for Plaintiff

AUGUST 4 2017
Hon. Arthur Bergman, J.S.C.

MTGLQ INVESTORS, L.P. PLAINTIFF	SUPERIOR COURT OF NEW JERSEY CHANCERY DIVISION MIDDLESEX COUNTY
VS.	DOCKET NO: F-052684-10
DONNA GEARGHTY, ET AL. DEFENDANT (S)	CIVIL ACTION
	ORDER REFORMING THE MORTGAGE TO INCLUDE THE LEGAL DESCRIPTION

THIS MATTER having been brought before the Court on motion of Phelan Hallinan Diamond & Jones, PC, William Adam Aitken, Esquire, appearing on behalf of Plaintiff, MTGLQ Investors, L.P., for an Order Reforming the Mortgage to Correct the Legal Description; and there appearing to be no good cause to the contrary:

IT IS on this 4th day of August 2017, **ORDERED:**

1. **THAT** legal description of property commonly known as 42 Townsend Circle, Matawan, NJ 07747 is hereby attached to this Court's Order as "**Exhibit A**", and shall become a part of this Order; and,

2. **THAT** any prior legal descriptions of this property that are not in conformance with the legal description set forth in this Order are deemed null and void; and,

3. **THAT** the mortgage made by Mortgage Electronic Registration Systems, Inc. as a nominee for Equity Advantage, LLC to Donna Gearthty and Stephen Gearthty to secure a loan of \$187,000.00, which was recorded in the Middlesex County Clerk's Office in **Mortgage Book 11768, Page 582** is deemed to be reformed to include the attached legal description; and,

4. **THAT** the Middlesex County Clerk's Office is directed to, forthwith; record this Order in the Middlesex County land records to reflect the correct legal description of the above named property; and,

5. **THAT** this matter shall be returned to the Foreclosure Unit to proceed as an uncontested matter, and any judgment entered thereto shall be done in accordance with the terms of this Order.

Arthur Bergman
Honorable Arthur Bergman, J.S.C

 Opposed

 x Unopposed

LEGAL DESCRIPTION – EXHIBIT A

ALL that certain plot, piece or parcel of land, situate, lying and being in the Township of Old Bridge, County of Middlesex and State of New Jersey, bounded and described as follows:

BEING known and designated as Lot 1-V in Block 11246 as shown on a certain map entitled 'Final Map Prepared for Townsend Estates, situated in Old Bridge Township, Middlesex County, New Jersey', filed in the Middlesex County Clerk's Office on December 14, 1979 as Map No. 4260, File 966.

BEGINNING at a point on the easterly line of Townsend Drive said point being the northwesterly corner of Lot 1-W in Block 11246 on filed map above and running; thence

1. North 03 degrees 51 minutes 00 seconds West, along the easterly line of Townsend Drive and along the westerly line of Filed Lot 1-V, a distance of 21.00 feet to a point on the southerly line of Filed Lot 1-U; thence

2. North 86 degrees 09 minutes 00 seconds East, along the southerly line of Filed Lot 1-U, a distance of 100.00 feet to a point; thence

3. South 03 degrees 51 minutes 00 seconds East, along the easterly line of Filed Lot 1-V and parallel to the first course herein, a distance of 21.00 feet to a point on the northerly line of Filed Lot 1-W; thence

4. South 86 degrees 09 minutes 00 seconds West, along the northerly line of Filed Lot 1-W and parallel to the second course herein, a distance of 100.00 feet to the easterly line of Townsend Drive and the point or place of BEGINNING.

This description is made in accordance with a survey made by William J. Fiore, P.L.S., dated May 25, 1995.

LEGAL DESCRIPTION – EXHIBIT A

FURTHER known and designated as Block 11246, Lot 1.34 on the current tax assessment map of the Township of Old Bridge.

FOR INFORMATION ONLY - COMMONLY known as:

42 Townsend Drive, Old Bridge Township, New Jersey.

FILED

AUG 04 2017

ARTHUR BERGMAN, J.S.C.

Tomas Espinosa, Esq.
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Attorney for Defendant Anthony DeGennaro

Quicken Loans, Inc.	:	SUPERIOR COURT OF NEW JERSEY
	:	
Plaintiff	:	CHANCERY DIVISION- MIDDLESEX COUNTY
	:	
Vs.	:	CIVIL ACTION
	:	
Anthony DeGennaro, his/her heirs, devisees,	:	Docket No. F-034125-16
and personal representatives, and his, her,	:	
their or any of their successors in right, title	:	
and interest and Mr. or Mrs. DeGennaro,	:	
spouse or civil partner of	:	
Anthony DeGennaro	:	ORDER
	:	
Defendants	:	

This matter having been brought to the attention of the court by Tomas Espinosa, Esq. attorney for defendant Anthony DeGennaro by way of motion to vacate final judgment, vacate default and to allow defendant to file an answer, affirmative defenses & counterclaim and the court having examined all documents presented and for good cause;

IT IS ORDERED THIS 4th **DAY OF** August, 2017 that the

final judgment entered on June 6, 2017 is hereby ~~vacated~~ affirmed. The record demonstrates proper service and no meritorious defenses.

IT IS ALSO ORDERED, that the defendant shall file his answer to the complaint ~~and affirmative defenses and counterclaim within 20 days from the entering of this order~~

IT IS FURTHERMORE ORDERED, that a copy of this order be served to all parties within 10 days of its entering.

Arthur Bergman
Hon. Arthur Bergman, J.S.C.

SPZ15-006874
Shapiro & DeNardo, LLC
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Krystin M. Alex - 171402015 Renée
Pearl Cohen - 019362009 Katherine
Knowlton Lopez - 013502011
Kathleen M. Magoon - 040682010
Donna L. Skilton - 013072007
Charles G. Wohlrab - 016592012
Rebecca Cirrinicione - 031212012
Courtney A. Martin - 098782016
Attorneys for Plaintiff

Specialized Loan Servicing LLC

PLAINTIFF,

vs.

Micaela Saavedra; Silvia Barrueto

DEFENDANTS

FILED

AUGUST 4 2017
Hon. Arthur Bergman, J.S.C.

SUPERIOR COURT OF NEW
JERSEY CHANCERY DIVISION
MIDDLESEX COUNTY

Docket No: F-049077-09
CIVIL ACTION

ORDER VACATING ORDER OF
DISMISSAL ENTERED ON September
13, 2013 AND REINSTATING MATTER
TO ACTIVE STATUS

THIS MATTER, being opened to the Court by Shapiro & DeNardo, LLC, counsel for Plaintiff, appearing, on Plaintiff's Motion to Reinstate the instant matter to active status, and the Court having reviewed the record, the supporting Certification with Proofs, and Plaintiff's brief in support, and for good cause shown:

IT IS ON THIS 4th day of August, 2017, ORDERED THAT:

1. Plaintiff's motion is GRANTED; and
2. The dismissal of the instant foreclosure action, effective September 13, 2013, is VACATED; and

3. To the extent the Superior Court Clerk's Office considers the instant matter dismissed, the instant matter is immediately reinstated and restored to active status; and

4. Plaintiff must file and serve its application for the entry of final judgment in mortgage foreclosure within one hundred and eighty (180) business days from Plaintiff's receipt of this executed Order; and

5. A copy of this Order shall be served upon all defendants within seven (7) days of the date of Plaintiff's counsel's receipt of this Order.

Arthur Bergman

~~Honorable Paul Jones, P.J.C.~~

Hon. Arthur Bergman, J.S.C.

Papers Considered: x

Motion Opposed

Motion Unopposed x

FILED

DUANE MORRIS LLP
A Delaware Limited Liability Partnership
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AUGUST 4 2017
Hon. Arthur Bergman, J.S.C.

*Attorneys for Plaintiff TD Bank, N.A.,
successor by merger to Commerce Bank, N.A.*

**TD BANK, N.A., successor by merger to
COMMERCE BANK, N.A.,**

Plaintiff,

vs.

KINGS POINT REALTY, LLC, et al.

Defendants.

**SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION
MIDDLESEX COUNTY**

DOCKET NO.: F-026804-16

CIVIL ACTION

**ORDER GRANTING PLAINTIFF'S
MOTION TO STRIKE THE ANSWER
AND SUPPRESS THE AFFIRMATIVE
DEFENSES OF DEFENDANTS KINGS
POINT REALTY, LLC, JEFFREY M.
LEHMAN, LEHMAN & DUBERMAN,
LLP, AND THE LEHMAN LAW FIRM,
PC**

THIS MATTER having been opened to the Court by Duane Morris LLP, counsel for TD Bank, N.A. ("TD Bank"), upon notice to the above-captioned Defendants, for entry of an Order Striking the Answer and Suppressing the Affirmative Defenses of Defendants, Kings Point Realty, LLC, Jeffrey M. Lehman, Lehman & Duberman, LLP, and The Lehman Law Firm, PC (the "Motion"), and for other such relief as the Court deems equitable and just;

AND the Court having read and considered the pleadings herein, and the papers filed in connection with the aforesaid application, and having heard the arguments of all parties;

AND for the reasons set forth on the record before the Court, and for good cause otherwise having been shown;

IT IS on this 4th day of August, 2017

ORDERED that the Motion is **GRANTED** and Defendant Kings Point Realty, LLC, Jeffrey M. Lehman, Lehman & Duberman, LLP, and The Lehman Law Firm, PC's Answer is hereby **STRICKEN WITH PREJUDICE** and the Affirmative Defenses are hereby **SUPPRESSED**; and it is further

ORDERED that this matter is transferred to the Office of Foreclosure to proceed as an uncontested action; and it is further

ORDERED that a copy of this Order shall be served on all parties within seven (7) days of its receipt by counsel.

Arthur Bergman
~~HON. ARTHUR BERGMAN, J.S.C.~~
Hon. Arthur Bergman, J.S.C.

 Opposed

 X Unopposed

MEYNER AND LANDIS LLP
David B. Grantz, Esq.
Filing Attorney No.: 042981996
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dgrantz@meyner.com
Attorneys for Plaintiff
The Provident Bank

FILED

AUGUST 4 2017
Hon. Arthur Bergman, J.S.C.

SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION: GENERAL
EQUITY PART: MIDDLESEX COUNTY
DOCKET NO.: F-001962-17

THE PROVIDENT BANK,

Plaintiff,

v.

F&R, LLC, FRED O. BELLSCHIEDT,
REGINA BELLSCHIEDT, individually and
as EXECUTRIX OF THE ESTATE OF
MANFRED BELLSCHIEDT,
BELLSCHIEDT AND PETERS, LLC now
known as 196 12th STREET, LLC, HARALD
PETERS, ERIKA PETERS,

Defendants.

Civil Action

**ORDER GRANTING PROVIDENT
BANK AN EQUITABLE MORTGAGE
AND REFORMATION OF DEED**

This matter having come before the Court on motion by Meyner and Landis, LLP (David B. Grantz, Esq. appearing), attorneys for plaintiff The Provident Bank ("**Provident**"), upon notice to defendants F&R, LLC, Fred O. Bellscheidt, Regina Bellscheidt, individually and as Executrix of the Estate of Manfred Bellscheidt, Bellscheidt and Peters, LLC now known as 196 12th Street, LLC, Harald Peters, and Erika Peters ("**Defendants**") and the Court having considered the papers of the parties, and the arguments of counsel; and for other good cause shown;

IT IS on this 4th day of August, 2017,

1. **ORDERED AND ADJUDGED** that Provident be granted an equitable mortgage against Bellscheidt and Peters LLC, n/k/a 196 12th Street LLC's interest in Property located at 196 12th Street, Piscataway, New Jersey 08854 (Lot 7.01, Block 96 on the Tax Map of the Township of Piscataway, County of Middlesex, State of New Jersey); and it is further

2. **ORDERED AND ADJUDGED** that Provident is entitled to have the July 8, 2004 Deed between The Estate of Manfred Bellscheidt and his wife Regina Bellscheidt and Harald Peters and his wife Erika Peters reformed to substitute the correct Lot Number description referenced in Paragraph 2, entitled Tax Map Reference from "Lot No. 6A" to Lot "No. 7A, n/k/a Lot 7.01"; and it is further

3. **ORDERED AND ADJUDGED** that a true copy of this Order be filed with the Middlesex County Clerk; and it is further

4. **ORDERED AND ADJUDGED** that a true copy of this Order be served by certified and regular mail, return receipt requested, upon the Defendants within seven (7) days of this Order.

Arthur Bergman

Hon. Arthur Bergman, J.S.C.

Adam J. Friedman, Esq.

Attorney Id Number: 022432009

FRIEDMAN VARTOLO LLP

A Limited Liability Partnership formed in the State of New York

85 Broad Street, Suite 501

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T: (212) 471-5100

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Attorneys for Plaintiff

Firm File Number: 170003

FILED

AUGUST 4 2017

Hon. Arthur Bergman, J.S.C.

-----X
VENTURES TRUST 2013-I-H-R BY MCM SUPERIOR COURT OF NEW JERSEY
CAPITAL PARTNERS, LLC, ITS CHANCERY DIVISION
TRUSTEE, MIDDLESEX COUNTY
DOCKET NO.: F-038185-15

Plaintiff

vs.

CIVIL ACTION

EKRAMUL HUQ; et al.,

**ORDER CORRECTING DEFENDANT'S NAME
AND ENTERING DEFAULT**

Defendant(s)

-----X
THIS MATTER having been opened to the Court by Friedman Vartolo LLP, attorneys for Plaintiff in the above-entitled foreclosure action, and the defendants having failed to answer the Complaint or otherwise move, and that the time for the above named defendants to answer or otherwise move has lapsed and has not been extended; and for good cause shown,

IT IS on this 4th day of August, 2017, ORDERED as follows:

1. That defendant **CHARTER ONE, A DIVISION OF RBS CITIZENS, N.A.**'s name is corrected and changed to **CHARTER ONE, A DIVISION OF RBS CITIZENS, N.A. N/K/A CITIZENS BANK, N.A.**; and all papers and proceedings heretofore filed herein shall be deemed amended accordingly.

2. Default is hereby entered against Defendants **EKRAMUL HUQ, MOSAMMAT D. PIYA, CHARTER ONE, A DIVISION OF RBS CITIZENS, N.A. N/K/A CITIZENS BANK, N.A., VIVINT SOLAR DEVELOPER, LLC, AND STATE OF NEW JERSEY.**

3. The Office of Foreclosure is hereby directed to amend the eCourts meta data accordingly.

4. A copy of this Order shall be served by regular mail within seven (7) days after receipt by Plaintiff's counsel upon all defendants who have appeared in this action and upon all defendants whose names are corrected by this Order.

Arthur Bergman

Hon. Arthur Bergman, J.S.C

FEIN, SUCH, KAHN & SHEPARD, P.C.
Adam Fleischer - 007872010
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Parsippany, New Jersey 07054
(973) 538-9300
895RCN
Attorney for Plaintiff

FILED

AUGUST 4 2017
Hon. Arthur Bergman, J.S.C.

WILMINGTON TRUST, NATIONAL
ASSOCIATION, NOT IN ITS INDIVIDUAL
CAPACITY, BUT SOLELY AS TRUSTEE FOR
MFRA TRUST 2015-2

Plaintiff

vs.

MURRAYLENE TUCKER, et al.

Defendant(s)

SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION
MIDDLESEX COUNTY

DOCKET NO.: F-10327-17

CIVIL ACTION

ORDER IMPOSING AN EQUITABLE
MORTGAGE UPON JOYCE TUCKER

This matter being opened to the Court by Fein, Such, Kahn & Shepard, P.C., attorneys for Plaintiff, **WILMINGTON TRUST, NATIONAL ASSOCIATION, NOT IN ITS INDIVIDUAL CAPACITY, BUT SOLELY AS TRUSTEE FOR MFRA TRUST 2015-2** ("Plaintiff"), upon Notice of Motion for an Order Imposing an Equitable Mortgage on JOYCE TUCKER, in the within action, and it appearing that due to a clerical error caused by inadvertence and mistake, JOYCE TUCKER failed to sign the mortgage, and that Plaintiff is desirous of proceeding to the entry of a Final Judgment in Foreclosure and obtaining a Writ of Execution in order to schedule a Sheriff's sale, and for good cause shown;

IT IS on this 4th day of August 2017;

ORDERED, that an equitable mortgage is imposed upon JOYCE TUCKER; and it is further

ORDERED, that the plaintiff is permitted to proceed to the entry of a Final Judgment in Foreclosure and obtain a Writ of Execution so as to schedule this matter for Sheriff's Sale; and it is further

