

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	Granted
EFI Realty v. Hicks	C-165-15	Enforce litigants rights	See Order
Nashtatik and Chepovetsky v. Platinum Credit Resources	C-73-17	Permit sub service	Granted
Sacripanti v. Bear Holdings	C-79-17	Remove lis pendens	Granted
Brunswick Bank Oreo 2, LLC v. TEKLTD, John C. Lee et al	C-185-16	Reinstate	Resolved via consent order, See Order
Amboy Bank Vs Delucia Madeline	Swc F 011635-17	Motion Appointing Guardian Ad Litem	Granted
Amboy Bank Vs Dzienciol Agnes	Swc F 028096-15	Miscellaneous Motion	Adj. to 9/1
Astoria Bank Vs Comey Thomas	F 031611-16	Motion For Summary Judgment	Plaintiff Motion granted; Defendant Cross-Motion denied
Bac Home Loans Servicing Vs Kennedy	Swc F 028933-07	Motion To Substitute Plaintiff	Granted
Bank Of America Na Vs Ehiri Pius	Swc F 024698-16	Motion To Strike Answer	ADJ. TO 9/15
Bank Of New York Mel Vs Makara Andrew	Swc F 025160-15	Motion To Set Aside Sheriffs Sale	Withdrawn
Bayview Loan ServiCi Vs Kitchen Lawanda	Swc F 011667-17	Motion For Summary Judgment	ADJ TO 9/1
Bayview Loan Servicing Llc Vs Clancy James	Swc F 020996-15	Motion To Vacate	Denied
Citibank Vs Marcotte Kenneth	Swc F 012279-17	Motion Correcting Defendant Name	Granted
Citimortgage Inc Vs West Tarik	Swc F 009753-14	Motion To Reconsider	Denied
Crosspointe Condomin Vs Tamam Amnon	Swc F 006557-17	Motion For Attorney Fees	Granted
Deutsche Bank Nation Vs Toliver Patricia	Swc F 012238-15	Motion To Set Aside Sheriffs Sale	Adj. to 9/1
Ditech Financial Llc Vs Adams Stephen	Swc F 033805-14	Motion To Vacate	Granted
Ditech Financial Llc Vs Pichardo Juan	Swc F 027973-14	Miscellaneous Motion	Granted
Everbank Vs Cobb Glenn Sharon	Swc F 009216-12	Motion To Pay Surplus Funds Out Of Court	Sent back to OOF
FNMA v. Bayrakli	F-4165-15	Obj. to Amt. Due	Objection Denied
Federal National Mor Vs Lee Eun J	Swc F 031055-16	Motion For Summary Judgment	Granted
Mtqlq Investors Vs Bai Kisup	Swc F 039012-14	Motion To Vacate	Denied
Nrz Pass Through Trust Vs Louis Gregory	Swc F 016210-14	Motion To Vacate FJ	Adj. to 9/1
Paglianite Vs Lingala Narsan	Swc F 007616-17	Motion To Consolidate Cases	Form of Order to be Sent to Judge, check eCourts
Pnmac Mortgage Oppor Vs Ocean 18 Llc	Swc F 011696-17	Motion Fixing Amount/Time/Place For Redemption	Granted
Td Bank Vs Sassman Michael	Swc F 031203-16	Motion For Summary Judgment	Adj. to 9/15
The Bank Of New York Vs Nunez Jose	Swc F 010746-16	Motion For Summary Judgment	Adj. to 9/1
Tltreo Llc Vs Panwar Manoj	Swc F 023463-16	Motion To Vacate	Resolved via consent order
Us Bank Vs Zitron Harvey	Swc F 024420-16	Motion To Proceed Summarily-Abandoned Property	Granted
Wilmington Savings F Vs Ramos Jr. C	Swc F 000979-17	Miscellaneous Motion	Granted

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SZAFERMAN, LAKIND,
BLUMSTEIN & BLADER, PC
101 Grovers Mill Road, Suite 200
Lawrenceville, New Jersey 08648
(609) 275-0400; Fax: (609) 275-4511
By: Robert G. Stevens, Jr., Esquire
NJ ID #036902001
Attorneys for Plaintiff

FILED

AUG 18 2017

ARTHUR BERGMAN, J.S.C.

Centone Realty, LLC,
Plaintiff,

v.

S and HF, LLC, d/b/a Garden
State Farmers' Market,
Defendant.

SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION: MIDDLESEX COUNTY
DOCKET NO: MID-C-71-17

Civil Action

**ORDER REINSTATING
PLAINTIFFS' COMPLAINT**

This matter having come before the Court on motion of Plaintiff and the Court having considered the papers submitted, and good cause having been shown for the entry of this Order:

IT IS on this 18th day of August, 2017,

ORDERED that Plaintiffs' Complaint be and hereby is reinstated; and *D's shall file responsive pleading within 7 days*

IT IS FURTHER ORDERED that a copy of this Order will be served upon all counsel in accordance with the rules of Court within seven (7) days of its receipt.

Arthur Bergman
J.S.C.

() Opposed
() Unopposed

John M. Sydlar, Esq. - 041792002
FEIN, SUCH, KAHN & SHEPARD, P.C.
7 Century Drive, Suite 201
Parsippany, New Jersey 07054
Phone: (973) 538.4700 - ext. 3280
Fax: (973) 397.2976
Attorneys for Plaintiff EFI Realty, LLC

No.: E214-3

EFI REALTY, LLC,

Plaintiff,

v.

**THE ESTATE OF JANICE HICKS;
CYNTHIA HICKS, INDIVIDUALLY AND
AS EXECUTRIX OF THE ESTATE OF JANICE
HICKS, ; STACY MURRAY; JACOB
MURRAY; AND, JOHN DOES 1-5
(UNKNOWN FICTITIOUS PARTIES),**

Defendants.

SUPERIOR COURT OF NEW JERSEY
MIDDLESEX COUNTY
CHANCERY DIVISION- GENERAL EQUITY

DOCKET No.: MID-C-165-15
& -L-1207-15

Civil Action

ORDER

FILED

AUG 18 2017

ARTHUR BERGMAN, J.S.C

THIS MATTER having come before the Court by way of application, pursuant to R. 1:10-3 and R. 4:57-1, *et seq.* by John M. Sydlar, Esq. of Fein, Such, Kahn & Shepard, P.C., attorneys for Plaintiff EFI Realty, LLC, and the Court having considered the matter, and for good cause shown:

IT IS on this 18th day of August, **ORDERED** that:

- a) on August 18, 2017, the Court heard Plaintiff's Motion seeking, among other things, an Order permitting Plaintiff to withdraw funds from the Superior Court Trust Fund Unit;

- b) on August 18, 2017, the Court confirmed with the Superior Court Trust Fund Unit that Defendant Estate of Janice Hicks (the "Estate") deposited the amount of **\$86,096.04** with the Superior Court Trust Fund Unit on August 15, 2017;
- c) Plaintiff obtained a Judgment against defendant Estate dated December 31, 2015, in the amount of \$251,645.82, plus lawful interest and costs, bearing docket number J017502-16 (the "Judgment");
- d) defendant the Estate is entitled to a credit towards the judgment of \$108,482.95, reducing the balance owed on the Judgment to \$143,162.87, plus lawful interest and costs;
- e) the Plaintiff and the Estate agree that Plaintiff is entitled to the **\$86,096.04**;
- f) the Superior Court Trust Fund Unit is hereby **Ordered** to pay out the amount of **\$86,096.04** to Plaintiff, through its attorneys, Fein, Such, Kahn & Shepard, P.C., **7 Century Drive, Parsippany, NJ 07054**. The check shall be made payable to "**Fein, Such, Kahn, & Shepard Attorney Trust Account**";
- g) all intressted parties have received notice of the application to have the money paid out;
- h) Plaintiff is hereby granted the authorirty to file the appropriate application to seek the discharge of the GMAC/Ocwen mortgage affecting 370 Sixth St. South Amboy, NJ;

i) defendant the Estate is hereby Ordered to cooperate with Plaintiff in seeking discharge of the mortgage;

j) Oceanview Title Agency is currently holding \$75,000.00 in escrow with respect to the mortgage affecting 370 Sixth St.; and

k) upon obtaining discharge of the GMAC/Ocwen mortgage, within ten (10) days of the discharge, ~~defendant the Estate is hereby Ordered to direct~~ Oceanview Title ~~to release the funds to counsel~~ shall release the funds to counsel for the defendant's trust account. Defense counsel shall, within ten days of the funds being available, ~~pay to Plaintiff's counsel trust account~~ ~~the sum of \$64,250.00~~ pay to Plaintiff's counsel trust account ~~the sum of \$64,250.00~~ ~~representing the balance owed on the Judgment, including lawful interest and costs up to August 18, 2017. For purposes of efficiency Plaintiff is waiving any right to interest accrued after August 18, 2017.~~

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

As to the form of the Order
 x opposed
 unopposed

Richard S. Meisner, Esq. (ID # 038091993)
JARDIM, MEISNER & SUSSER, P.C.
30B Vreeland Road, Suite 201
Florham Park, New Jersey 07932
(973) 845-7642

Attorneys for Plaintiffs, Svetlana Nashtatik and Vadim Chepovetsky

FILED
AUG 18 2017
ARTHUR BENJAMIN, J.S.C

SVETLANA NASHTATIK AND VADIM CHEPOVETSKY,	:	SUPERIOR COURT OF NEW JERSEY CHANCERY DIVISION – MIDDLESEX COUNTY
	:	
	:	Docket No.: C-73-17
:	:	
Plaintiffs,	:	Civil Action
	:	
:	:	
<u>Civil Action</u>	:	ORDER PERMITTING SUBSTITUTED AND/OR CONSTRUCTIVE SERVICE
v.	:	
	:	
:	:	
PLATINUM CREDIT RESOURCES, LLC,	:	
	:	
Defendant.	:	

THIS MATTER having come before the Court on Motion of Jardim, Meisner & Susser, P.C, attorneys for Plaintiffs Svetlana Nashtatik and Vadim Chepovetsky, appearing through their counsel, for an Order permitting substituted and/or constructive service of process of the Summons and Complaint against Defendant Platinum Credit Resources by mailing a copy of the Summons and Complaint by registered or certified mail, return receipt requested, to Platinum Credit Resources, LLC, 535 West End Avenue, Unit 15, New York, New York 10024, with the envelope setting forth on its

face: **“PERSONAL AND CONFIDENTIAL: TO BE OPENED BY THE ADDRESSEE ONLY”** and notice of pendency of this application having been given to Defendant as set forth in the Certification of Service filed contemporaneously herewith, and the Court having considered the papers submitted in support of, and in opposition to, this application, if any, and for good cause having been shown;

IT IS on this 18th day of August 2017 **ORDERED** that:

1. Plaintiff be and is hereby permitted to effectuate substituted and/or constructive service of process and for the provision of notices in connection with this litigation upon Defendant Platinum Credit Resources, LLC by mailing a copy of the Summons and Complaint by registered or certified mail, return receipt requested, and simultaneously, by ordinary mail to Defendant Platinum Credit Resources, LLC’s address at 535 West End Avenue, Unit 15, New York, New York 10024, with the envelope setting forth on its face: **“PERSONAL AND CONFIDENTIAL: TO BE OPENED BY THE ADDRESSEE ONLY”** which shall constitute valid and sufficient service for all purposes; and

2. A copy of this Order be served on all parties within seven (7) days of receipt hereof by Plaintiffs’ counsel.



J.S.C

ARTHUR BERGMAN, J.S.C.

Opposed

Unopposed

FILED
AUG 18 2017
ARTHUR BERGMAN, J.S.C

HAINES & YOST
214 Washington St.
P.O. Box 1117
Toms River, New Jersey
(732) 240-4900
**ATTORNEYS FOR DEFENDANTS/
COUNTERCLAIMANTS BEAR
HOLDINGS, LLC AND CHARLES TOTARO**

MARK SACRIPANTI,

Plaintiff,

v.

BEAR HOLDINGS, LLC AND
CHARLES TOTARO,

Defendants and Counterclaimants.

SUPERIOR COURT
OF NEW JERSEY
CHANCERY DIVISION
GENERAL EQUITY PART
MIDDLESEX COUNTY

DOCKET NO. C-79-17

CIVIL ACTION

ORDER

This matter having come before the court by way of motion before the court brought by Defendants/ Counterclaimants Bear Holdings, LLC and Charles Totaro through their attorney, Richard S. Haines, Esq. of the law firm Haines & Yost, appearing and the court having considered the moving papers, opposition, if any and argument of counsel, and the court satisfied that relief is appropriate under the circumstances and for good cause shown:

IT IS, on this ^{12th} ~~fourth~~ day of August, 2017,

ORDERED that this matter proceed summarily pursuant to Rule 4:67-1(b), and it is

FURTHER ORDERED that the Lis Pendens placed on the subject property by Plaintiff Mark Sacripanti is null and void, and shall be removed forthwith pursuant to Rule 4:63A, and it is

FURTHER ORDERED that the proposed form of contract relied upon by Plaintiff Mark Sacripanti in this matter is null and void, and of no effect, and it is

FURTHER ORDERED that neither Plaintiff Mark Sacripanti nor Defendants/ Counterclaimants Bear Holdings, LLC and Charles Totaro have any further obligation each to the other, and it is

FURTHER ORDERED that a copy of this order be provided to opposing counsel within 7 days of the date of this order.



Hon. Arthur Bergman, J.S.C.

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FILED

AUG 18 2017

ARTHUR BERGMAN, J.S.C.

Filing Attorney: Jay Holub, Esq.

Attorney ID No.: 041092003

BORRUS, GOLDIN, FOLEY, VIGNUOLO, HYMAN & STAHL

A Professional Corporation

2875 U.S. Highway #1

North Brunswick, New Jersey. 08902

(732) 422-1000

Attorney for Plaintiff, Brunswick Bank OREO 2, LLC

_____)	SUPERIOR COURT OF
BRUNSWICK BANK OREO 2, LLC,)	NEW JERSEY
)	CHANCERY DIVISION
Plaintiff(s),)	MIDDLESEX COUNTY
)	
vs.)	Docket No.: MID-C-185-16
)	
TEKLTD, JOHN C. LEE, SUSAN H. LEE,)	Civil Action
WI-TRON, INC., and TOCHI BAINS,)	
)	FINAL JUDGMENT
Defendant(S).)	
)	
_____)	

THIS MATTER being opened to the court by Borrus, Goldin, Foley, Vignuolo, Hyman & Stahl, P.C., attorneys for Plaintiff, Brunswick Bank OREO 2, LLC ("Plaintiff"), upon notice to all defendants; and the court having read and considered the moving papers along with opposition, if any, and oral arguments heard by the Court; and it appearing that the only parties who have objected to this application for declaratory judgment and monetary damages are defendants, John C. Lee and Susan H. Lee, represented by Robert Nisenson, Esq. and Tochi Bains appearing *pro se*; and the parties having consented and agreed to as follows; and the Court having considered the matter and good cause having been shown;

IT IS on this 18th day of August 18, 2017, ORDERED THAT:

BORRUS, GOLDIN,
FOLEY, VIGNUOLO,
HYMAN & STAHL
A PROFESSIONAL CORPORATION
COUNSELLORS AT LAW

2875 US HIGHWAY #1
NORTH BRUNSWICK, NJ. 08902

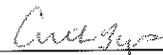
(a) Final judgment by default against the defendants, TEKLTD, John C. Lee, Susan H. Lee, Wi-Tron, Inc., and Tochi Bains be and is hereby entered as follows:

- (1) That all items currently stored at 59 Lagrange Street, Raritan, New Jersey ("Property") be and is hereby declared to be abandoned.
- (2) That all items currently stored at the Property be and is hereby subject to immediate removal and disposal by Plaintiff.

(b) The application for monetary damages by Plaintiff against the defendants, TEKLTD, John C. Lee, Susan H. Lee, Wi-Tron, Inc., and Tochi Bains be and is hereby withdrawn by Plaintiff.

(d) The subject matter is now concluded.

IT IS FURTHER ORDERED, that a copy of this Order is to be served on all parties within 7 days from the date of the movants' receipt of this Order.



J.S.C.

ARTHUR BERGMAN, J.S.C.

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BORRUS, GOLDIN,
FOLEY, VIGNUOLO,
HYMAN & STAHL
A PROFESSIONAL CORPORATION
COUNSELLORS AT LAW

2875 US HIGHWAY #1
NORTH BRUNSWICK, N.J. 08902

88
FILED

AUG 18 2017

ARTHUR BERGMAN, J.S.C.

Filing Attorney: Jay Holub, Esq.

Attorney ID No.: 041092003

BORRUS, GOLDIN, FOLEY, VIGNUOLO, HYMAN & STAHL

A Professional Corporation

2875 U.S. Highway #1

North Brunswick, New Jersey 08902

(732) 422-1000

Attorney for Plaintiff, Brunswick Bank OREO 2, LLC

_____)	SUPERIOR COURT OF
BRUNSWICK BANK OREO 2, LLC,)	NEW JERSEY
)	CHANCERY DIVISION
Plaintiff(s),)	MIDDLESEX COUNTY
)	
vs.)	Docket No.: MID-C-185-16
)	
TEKLTD, JOHN C. LEE, SUSAN H. LEE,)	Civil Action
WI-TRON, INC., and TOCHI BAINS,)	
)	ORDER
Defendant(S).)	
)	
_____)	

THIS MATTER having been opened to the Court by Borrus, Goldin, Foley, Vignuolo, Hyman & Stahl, P.C., attorneys for the plaintiff, Brunswick Bank OREO 2, LLC, and the Court having read and considered the moving papers along with opposition, if any, and for other good cause shown;

IT IS on this 18 day of August 18, 2017, ORDERED THAT:

- (a) This matter be and is hereby reinstated to the Court's active list;
- (b) That final judgment by ^{default} default against the defaulting defendants, TEKLTLD,

John C. Lee, Susan H. Lee, Wi-Tron, Inc., and Tochi Bains be and is hereby entered as follows:

Arthur Bergman
S. W. Tochi Bains

BORRUS, GOLDIN,
FOLEY, VIGNUOLO,
HYMAN & STAHL
A PROFESSIONAL CORPORATION
COUNSELLORS AT LAW

2875 US HIGHWAY #1
NORTH BRUNSWICK, N.J. 08902

Arthur Bergman
ARTHUR BERGMAN, J.S.C. J.S.C.

Michael Kahme, Esq./022031985
Sean D. Adams, Esq. 004932013
HILL WALLACK LLP
21 Roszel Road
P.O. Box 5226
Princeton, New Jersey 08543-5226
(609) 924-0808
Attorneys for Plaintiff,
Amboy Bank f/k/a Amboy National Bank
Our File No. 9589-5359/

FILED

AUGUST 18 2017
Hon. Arthur Bergman, J.S.C.

Amboy Bank f/k/a Amboy National Bank,

Plaintiff,

vs.

Madeline Delucia,

Defendant(s).

SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION
MIDDLESEX COUNTY

Docket No. F-011635-17

Civil Action

ORDER APPOINTING GUARDIAN *AD*
***LITEM* FOR INCOMPETENT**
DEFENDANT, MADELINE DELUCIA
PURSUANT TO RULE 4:26-2(b)(3)

THIS MATTER, having been opened to the Court on August 18, 2017, by Hill Wallack, LLP, attorneys for the Plaintiff, Amboy Bank f/k/a Amboy National Bank (“Amboy”) (Sean D. Adams Esq. appearing), for an Order appointing Daniel M. Kurtzman, Esq. as Guardian *Ad Litem* for alleged incompetent defendant Madeline Delucia, (“Defendant”), pursuant to R. 4:26-2(b)(3) for the limited purpose of defending this foreclosure action on her behalf; 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, Amboy is entitled to the relief requested; and for good cause shown;

IT IS on this 18th day of August, 2017

ORDERED as follows:

1. Daniel M. Kurtzman, Esq. having his place of business located at 115 St James Avenue, Merchantville, NJ 08109, be and is hereby appointed *Guardian Ad Litem* (the "Guardian") to represent and defend this action on behalf of Defendant, an incompetent person;
2. Amboy shall serve a copy of this Order upon the Guardian within seven (7) days receipt of this Order via ordinary mail;
3. The Guardian shall enter his appearance and shall investigate the facts and circumstances of this matter in order to determine whether Defendant has any rights and/or defenses that should be raised on his/her behalf
1. 4. The Guardian shall file his report within thirty (30) days of his receipt of this Order, in which he shall provide the Court advising of his factual determinations, identifying such rights and/or defenses (if any) that he believes Defendant has, together with his recommendations and accompanied by a proposed form of Order consistent with his recommendations. Service shall be made upon Amboy and non-defaulted parties who have entered their appearances in these proceedings, if any;
5. All individuals, institutions, educational facilities, medical care providers, and others having confidential information (including HIPAA-protected individually identifiable health information) about Defendant shall release same to the Guardian upon presentation of a copy of this Order without specific authorization by Defendant, her representative and/or guardians;

6. That any person or entity who/which has care, custody and/or control over the Defendant shall allow the Guardian to have personal, written and/or telephonic access to the Defendant;

7. The Guardian shall be required to, either separately or in his report, furnish a Certification of Services and Costs to the Court after completion of his services; and

8. Amboy is permitted to compensate the Guardian and add this cost to Amboy's taxed costs in its foreclosure judgment.

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

Opposed _____

Unopposed x

FILED

McCABE, WEISBERG & CONWAY, P.C.
James A. French, Esq. (NJ ID: 134352014)
216 Haddon Avenue, Suite 201
Westmont, New Jersey 08108
(856) 858-7080
Attorneys for Plaintiff, Astoria Bank

AUGUST 18 2017
Hon. Arthur Bergman, J.S.C.

ASTORIA BANK,

Plaintiff,

v.

THOMAS COMEY, et al.,

Defendants.

SUPERIOR COURT OF NEW JERSEY
MIDDLESEX COUNTY
CHANCERY DIVISION

DOCKET NO.: F-31611-16

Civil Action

ORDER

THIS MATTER having been opened to the Court by Plaintiff, Astoria Bank (“Plaintiff”), on a Motion for Summary Judgment against Defendants, Thomas Comey and Phyllis Comey (collectively, “Defendants”); and on notice to Defendants; and Defendants having filed a Cross-Motion for Summary Judgment; and the Court having reviewed the moving and responding papers and the arguments of the parties; and for good cause shown;

IT IS on this 18th day of August, 2017:

ORDERED that Plaintiff’s Motion for Summary Judgment shall be and hereby is **GRANTED** in its entirety; and it is

FURTHER ORDERED that Defendants’ Cross-Motion for Summary Judgment shall be and hereby is **DENIED** in their entirety with prejudice; and it is

FURTHER ORDERED that Defendants’ Contesting Answer and Affirmative Defenses shall be and hereby are **STRICKEN WITH PREJUDICE** in their entirety; and it is

FURTHER ORDERED that the Clerk of this Court is hereby instructed to **ENTER DEFAULT** against Defendants as though no responsive pleading has been filed; and it is

FURTHER ORDERED that this matter shall be and hereby is marked **UNCONTESTED** and Plaintiff may now proceed to request the entry of Final Judgment through the Office of Foreclosure; and it is

FURTHER ORDERED that this Court's file shall be **RETURNED** to the Office of Foreclosure to proceed as an uncontested foreclosure action; and it is

FURTHER ORDERED that Defendants **MAY FILE** with Plaintiff or its servicer an application for a loan modification; in such case, Plaintiff shall review and make a decision on the application within forty-five days of receipt; any negative decision will contain a full explanation of the reasons for rejection, and Plaintiff will provide Defendants the right to appeal the decision; the Court will retain jurisdiction over this matter; and it is

FURTHER ORDERED that counsel for Plaintiff 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, V.J.Ch.

FILED

AUGUST 18 2017
Hon. Arthur Bergman, J.S.C.

Shapiro & DeNardo, LLC
14000 Commerce Parkway, Suite
B Mount Laurel, NJ 08054
(856)793-3080
Chandra M. Arkema - 029552006
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 CIH
16-014676

BAC HOME LOAN SERVICING, LP
F/K/A COUNTRYWIDE HOME LOANS
SERVICING, LP

PLAINTIFF,

vs.

JOSEPH KENNEDY

DEFENDANTS

SUPERIOR COURT OF NEW
JERSEY CHANCERY DIVISION
MIDDLESEX COUNTY

DOCKET NO: F-028933-07

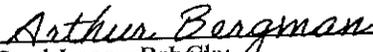
CIVIL ACTION

ORDER SUBSTITUTING PLAINTIFF

THIS MATTER being opened to the court by Courtney A. Martin of the firm of Shapiro & DeNardo, LLC, attorneys for Plaintiff, and the Court having considered the papers submitted herein and it appearing that the original Plaintiff in the within foreclosure action, BAC Home Loan Servicing, LP F/K/A Countrywide Home Loans Servicing, LP, has assigned all its rights, title and interest in and to the Note and Mortgage referred to in the Complaint and which is the subject of the within foreclosure action, and that an Assignment of Mortgage has been recorded in the Middlesex County Clerk's Office in favor of the assignee, U.S. Bank Trust, N.A., as Trustee for LSF9 Master Participation Trust, and said assignee being desirous of being substituted as Plaintiff in the within foreclosure action and for good cause appearing:

IT IS ON THIS 18th day of August 2017:

ORDERED that **U.S. Bank Trust, N.A., as trustee for LSF9 Master Participation Trust** shall be and is hereby substituted as Plaintiff in the within foreclosure action and that the Complaint and all pleading in this action shall be changed and corrected to substitute **U.S. Bank Trust, N.A., as Trustee for LSF9 Master Participation Trust** in the place of and instead of the original Plaintiff, BAC Home Loan Servicing, LP F/K/A Countrywide Home Loans Servicing, LP.


~~Honorable Paul Jones, P.J.C.~~
Hon. Arthur Bergman, J.S.C.

BAHGAT + BAHGAT llc
Joseph A. Bahgat (#006502008)
2 Hiram Square
New Brunswick NJ 08901-1269
732 733 2385
joe@privacyfirm.law
Counsel for Defendants

FILED

AUGUST 18 2017
Hon. Arthur Bergman, J.S.C.

Bayview Loan Servicing
llc,

Plaintiff(s);

vs.

James Ian Clancy, *et al.*,

Defendants.

SUPERIOR COURT *of* NEW JERSEY
CHANCERY DIVISION
GENERAL EQUITY PART
MIDDLESEX COUNTY

docket no. f-020996-15

civil action

ORDER

This matter was opened to the Court on the application of Bahgat + Bahgat LLC, as counsel for defendants Mr. and Mrs. James Ian Clancy (Joseph A. Bahgat appearing) for an order vacating the entry of summary judgment on Apr. 15, 2017. And the Court having considered counsel's application and papers filed, and any opposition, and for good cause appearing,

IT IS on this 18th day of August

2017, ORDERED that the judgment entered on Apr. 15,

2016 is ~~VACATED~~ AFFIRMED.

AND IT IS FURTHER ORDERED _____

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

PAPERS FILED WITH THE COURT:

- Moving papers
- Opposition
- Reply

THIS APPLICATION WAS:

- Opposed
- Unopposed

FRENKEL LAMBERT WEISS WEISMAN & GORDON, LLP
80 Main Street, Suite 460
West Orange, NJ 07052
(973) 325-8800
Attorneys for Plaintiff
Attorney Court ID:900932012
Attorney:Todd Marks,Esq.
Our File No. 03-014783-F00

FILED

AUGUST 18 2017
Hon. Arthur Bergman, J.S.C.

Citibank, N.A., as Trustee, in trust for
registered Holders of WaMu Asset-
Backed Certificates WaMu Series 2007-
HE3 Trust,

Plaintiff,

vs.

Kenneth Marcotte; et al.,

Defendants.

Superior Court of New Jersey
Chancery Division
Middlesex County

Civil Action

Docket No.: F-012279-17

**ORDER CHANGING NAME OF
DEFENDANT**

THIS MATTER, being opened to the Court by FRENKEL LAMBERT WEISS
WEISMAN & GORDON, attorneys for the plaintiff, and the Court having reviewed the
documents on file in support of this Order; and

It appearing that the defendant, Mrs. Kenneth Marcotte, his wife , is properly known as
JOAN ZUO , and believing there is good cause for the entry of the Order;

IT IS, on this 18th day of August , 2017

ORDERED and ADJUDGED that this action shall be amended by this Order to designate
JOAN ZUO as the defendant, and that all pleadings in this action be amended to substitute
JOAN ZUO in the place and stead of the original defendant.

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

FILED

AUGUST 18 2017
Hon. Arthur Bergman, J.S.C.

CITIMORTGAGE, INC.,

Plaintiff,

v.

Tarik West, et al.,

Defendant.

SUPERIOR COURT OF NEW JERSEY
MIDDLESEX COUNTY
CHANCERY DIVISION

DOCKET NO.: F-009753-14

Civil Action

ORDER

AND NOW, this 18th day of August, 2017, upon consideration of the Defendant's Motion To Reconsider and Renewed Request to Stay Eviction Pending Appeal and after notice having been given to Plaintiff, it is hereby ORDERED that:

1. Defendant's Petition to Stay Eviction pending appeal is ~~XXXXXX~~ DENIED for the reasons set forth on the record;
2. ~~The Eviction of 47 Lackland Avenue Piscataway, NJ 08854 is stayed until further order of the court.~~ ~~XXXXXX~~; the Defendant's motion to reconsider is hereby DENIED for the reasons set forth on the record.

BY THE COURT:

Arthur Bergman

Hon. Arthur Bergman, J.S.C. ✱

FILED

HILL WALLACK LLP

Jessica Baker, Esq.

NJ Attorney ID No.: 015062012

21 Roszel Road, P.O. Box 5226

Princeton, NJ 08543-5226

(609) 924-0808

Attorneys for Plaintiff, Crosspointe Condominium
Association, Inc.

AUGUST 18 2017
Hon. Arthur Bergman, J.S.C.

**CROSSPOINTE CONDOMINIUM
ASSOCIATION, INC.,**

Plaintiff

vs.

AMNON TAMAM,

Defendant

SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION
MIDDLESEX COUNTY

DOCKET NO.: F-006557-17

Civil Action

**ORDER FOR ATTORNEYS' AND
COSTS**

THIS MATTER, having been opened to the Court by Hill Wallack LLP, attorneys for Plaintiff, Crosspointe Condominium Association, Inc., ("Plaintiff") for the entry of an Order against Defendant, Amnon Tamam ("Defendant"), granting Plaintiff attorneys' fees and costs; and the Court having reviewed and considered the supporting papers, opposition papers and reply papers, if any, and argument of counsel, if any; and the Court having determined that, based upon the papers submitted by Plaintiff, it is entitled to the relief it seeks; and for good cause shown;

IT IS on this 18th day of August, 2017; **ORDERED** as follows:

1. It is hereby determined that Plaintiff is entitled to **\$3,885.75** in attorneys' fees and costs, representing the amount of money incurred by the Association in prosecuting the instant foreclosure action, which sum is to be included in the final judgment against Defendant; and

2. A copy of the within Order shall be served via ordinary mail on all those listed on the Notice of Motion within seven (7) days of receipt by counsel for Plaintiff.

Arthur Bergman

Hon. Arthur Bergman, J.S.C.

Opposed _____

Unopposed x

RAS Citron, LLC
130 Clinton Road, Suite 202
FAIRFIELD, NJ 07004
973-575-0707
ATTORNEYS FOR PLAINTIFF
Oliver Ayon, Esq.
STATE BAR NUMBER: 047532011

FILED

AUGUST 18 2017
Hon. Arthur Bergman, J.S.C.

**DITECH FINANCIAL LLC F/K/A
GREEN TREE SERVICING LLC,
Plaintiff/Mortgagee**

vs.

**STEPHEN G. ADAMS; et al.
Defendant(s)/Mortgagor(s)**

**SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION**

MIDDLESEX COUNTY

DOCKET NO. F-033805-14

CIVIL ACTION

**ORDER VACATING PARTIAL
DISMISSAL, JOINING PREVIOUSLY
DISMISSED DEFENDANT, AND
CORRECTING NAME OF DEFENDANT**

This matter being opened to the Court by Oliver Ayon, Esquire, attorney for the Plaintiff on Notice of Motion to Vacate Partial Dismissal, to Join Previously Dismissed Defendant and to Correct Name of Defendant, and for good cause shown:

IT IS on this 18th day of August, 2017 ORDERED that

1. The Partial Dismissal of Defendant filed January 09, 2017 is hereby VACATED; and
2. The Defendant, MRS. THOMAS ADAMS, HIS WIFE, is hereby rejoined in the action;
and
3. The caption, the body of the Complaint in Mortgage Foreclosure, and all subsequent pleadings filed thereafter are hereby amended to show as Defendant STEPHEN G. ADAMS A/K/A STEPHEN GRANT ADAMS rather than STEPHEN G. ADAMS; and



16-193003 - AsP



4. Plaintiff's counsel shall serve this Order on all parties 7 days after the receipt of this Order.

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

Respectfully Recommended

 Opposed

 X Unopposed


16-193003 - AsP



RAS Citron, LLC
130 Clinton Road, Suite 202
FAIRFIELD, NJ 07004
973-575-0707
ATTORNEYS FOR PLAINTIFF
Naser Selmanovic, Esq.
STATE BAR NUMBER: 041712009

FILED

AUGUST 18 2017
Hon. Arthur Bergman, J.S.C.

DITECH FINANCIAL LLC,
Plaintiff/Mortgagee

vs.

JUAN A. PICHARDO, et al.
Defendant(s)/Mortgagor(s)

SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION

MIDDLESEX COUNTY

DOCKET NO. F-027973-14

ORDER COMPELLING SHERIFF TO
ISSUE NEW DEED TO REPLACE LOST
DEED

This matter being opened to the Court by RAS Citron, LLC, Naser Selmanovic, Esq., attorneys for the plaintiff; requesting an Order Compelling the Sheriff to Issue a New Deed to Replace the Lost Deed and good cause appearing;

IT IS ORDERED on this 18th day of August, 2017:

1. THAT the Sheriff of Middlesex County is hereby compelled to issue a new Deed to replace the lost Deed; and
2. THAT this Order shall be served upon all noticed parties within 7 days of receipt of this Order

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

Respectfully Recommended

 Opposed
 x Unopposed



16-192811 - AsP




16-192811 - AsP



FILED

The Honorable Arthur Bergman, J.S.C.
Middlesex County Courthouse
56 Paterson Street
P.O. Box 964
New Brunswick, New Jersey 08903

AUGUST 18 2017
Hon. Arthur Bergman, J.S.C.

FEDERAL NATIONAL MORTGAGE
ASSOCIATION

SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION
MIDDLESEX COUNTY
Plaintiff, DOCKET NO. F-4165-15

v.

GOKHAN
BAYRAKLI

ORDER

Defendants.

THIS MATTER having come before the Court by Gokhan Bayrakli on an
Objection to the Amount Due, and the Court having considered the matter, and for good
cause shown:

IT IS on this 18th Day of August, 2017:

ORDERED that the Objection is hereby **DENIED**; and it is further
ORDERED that the Office of Foreclosure is directed to Enter Final Judgment in Favor of the Plaintiff; and it is further
ORDERED that a copy of this order be served on all parties within seven (7)

days.



The Honorable Arthur Bergman, J.S.C.

FILED

17-041225-EdL
RAS CITRON, LLC
By: John D. Habermann, Esquire / NJ BAR ID 00522199
130 CLINTON ROAD, SUITE 202
FAIRFIELD, NJ 07004
973-575-0707
Attorneys for Plaintiff

AUGUST 18 2017
Hon. Arthur Bergman, J.S.C.

FEDERAL NATIONAL MORTGAGE ASSOCIATION ("FANNIE MAE"), A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE UNITED STATES OF AMERICA,

Plaintiff/Mortgagee

vs.

EUN JUNG LEE et al,
Defendant(s)/Mortgagor(s)

SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION
MIDDLESEX COUNTY

DOCKET NO. F-031055-16

CIVIL ACTION

ORDER FOR SUMMARY JUDGMENT AND ENTRY OF DEFAULT, ALLOWING PLAINTIFF TO PROCEED WITH LOST/MISSING ASSIGNMENT AND TO PERMIT SERVICE OF A NEW NOTICE OF INTENTION TO FORECLOSE

THIS MATTER having been brought before the Court on motion of RAS Citron, LLC, appearing on behalf of the Plaintiff, FEDERAL NATIONAL MORTGAGE ASSOCIATION for an Order permitting entry of Summary Judgment and the Court having considered the matter and for good cause appearing;

IT IS on this 18th day of August 2017 ORDERED:

1. That Summary Judgment be entered against the Defendants, EUN JUNG LEE and JAE HYUNG CHOI and default be entered against them and their answer, affirmative defenses and counterclaims, if any be stricken.
2. That Plaintiff is allowed to proceed with the Foreclosure Action notwithstanding the missing Assignment of Mortgage from INDYMAC BANK, F.S.B. to FEDERAL NATIONAL MORTGAGE ASSOCIATION ("FANNIE MAE"), A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE UNITED STATES OF AMERICA;
3. That Plaintiff is hereby ordered and allowed to send a new Notice of Intent to Foreclose, in full compliance with the Fair Foreclosure Act to the Defendant(s);

4. The Defendant(s) shall be allowed to cure the arrears, without foreclosure fees/costs pursuant to the Fair Foreclosure Act and within the time permitted by same, and if Defendant(s) fail to do so, Plaintiff may continue its prosecution of the within matter; and

IT IS FURTHER ORDERED that the within matter shall be returned to the Office of Foreclosure for further proceedings as an uncontested matter.

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

Opposed

Unopposed

FILED

Law Offices of Park & Kim, LLC
BY: Kyungjoo Park, Esq. (ID: 004502006)
440 Sylvan Avenue, Suite 250
Englewood Cliffs, New Jersey 07632-2700
Phone 201-408-8185 Fax 201-408-8186
Attorney for Defendant: Kisup BAI

AUGUST 18 2017
Hon. Arthur Bergman, J.S.C.

MTGLQ Investors, L.P.,

Plaintiff

v.

Kisup Bai; Mrs. Kisup Bai, His Wife; PNC
Bank,

Defendants.

SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION, General Equity Part
MIDDLESEX COUNTY

Docket No. F-039012-14

CIVIL ACTION

ORDER

THIS MATTER, having been opened to the Court by Law Offices of Park & Kim, LLC , attorney for Defendant KISUP BAI, on a motion to vacating default as to Defendant KISUP BAI and Vacate Final Judgment, the Court having considered the moving papers and any response thereto, and for good cause shown:

IT IS on this 18th day of August, 2017, ORDERED THAT:

1. Entry of default as to Defendant Kisup Bai and Final Judgment are hereby ~~vacated~~ AFFIRMED
2. Defendant Kisup Bai may file the Answer, Affirmative Defenses and/or Counterclaims, if any, within ~~xxxxxxxxxx~~ 7 days of the date hereof, DENIED
3. A copy of this Order be served on all counsel of record within 7 days of the date hereof.

Arthur Bergman
HON. Arthur Bergman, J.S.C.

opposed
 unopposed

FILED

793377
PHELAN HALLINAN DIAMOND & JONES, PC
Jenine Davey, Esq. ID No. 053982015
400 Fellowship Road, Suite 100
Mt. Laurel, NJ 08054
(856) 813-5500
Attorney for Plaintiff

AUGUST 18 2017
Hon. Arthur Bergman, J.S.C.

<p>PNMAC MORTGAGE OPPORTUNITY FUND INVESTORS, LLC PLAINTIFF, VS. OCEAN 18, LLC, ET AL. DEFENDANT(S)</p>	<p>SUPERIOR COURT OF NEW JERSEY CHANCERY DIVISION MIDDLESEX COUNTY DOCKET NO: F-011696-17 CIVIL ACTION ORDER FIXING TIME AND PLACE OF REDEMPTION</p>
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1. This matter being opened to the Court by PHELAN HALLINAN DIAMOND & JONES, PC, attorneys for the Plaintiff, and it appearing that the summons and complaint have been served on the defendant and its default having been entered and plaintiff having produced the note, mortgage and assignments of mortgage described in the complaint, which have been marked into evidence, and there being due to the plaintiff the sum of \$343,301.15 on the note and mortgage, after deducting the net rents collected by the plaintiff since it has been in possession from the amount due on the note and mortgage, and for good cause appearing
2. IT IS on this 18th day of August, 2017, ORDERED AND ADJUDGED:
3. That the amount required to redeem the mortgaged premises from the plaintiff's mortgage is the sum of \$343,301.15, together with lawful interest from July 11, 2017, and the taxed costs of this action in the amount of \$300.00; and it is
4. FURTHER ORDERED that the defendant pay to the plaintiff the said sum for

EXHIBIT A

THE PROPERTY CONSISTS OF THE LAND AND ALL THE BUILDINGS AND STRUCTURES ON THE LAND IN THE TOWNSHIP OF NORTH BRUNSWICK, COUNTY OF MIDDLESEX AND STATE OF NEW JERSEY. THE LEGAL DESCRIPTION IS:

BEING KNOWN AND DESIGNATED AS LOT 2, IN BLOCK 547-A, AS SHOWN ON A CERTAIN MAP ENTITLED "MAP OF COLONIAL TERRACE SOUTH SECTION THREE, SITUATE IN NORTH BRUNSWICK TOWNSHIP, MIDDLESEX COUNTY, N.J. SCALE: 1"=60', NOVEMBER 1964", MADE BY BERG, O'BRIAN AND BAUERNSCHMITT, CIVIL ENGINEERS & SURVEYORS AND WHICH MAP WAS FILED IN THE MIDDLESEX COUNTY CLERK'S OFFICE ON SEPTEMBER 15, 1965, AS MAP NO. 2900 IN FILE NO. 953.

BEING THE SAME PROPERTY CONVEYED TO PHILLIP A. D'AMORE AND ROBIN J. D'AMORE, HIS WIFE BY DEED FROM DAVID E. MC CRACKEN AND DIANNE D. MC CRACKEN, HIS WIFE, RECORDED 01/12/1987 IN DEED BOOK 3588, PAGE 137.

FOR INFORMATIONAL PURPOSES ONLY KNOWN AS: LOT 7 BLOCK 217

The mortgaged property is delineated by municipal tax map block and lot reference in the aforementioned mortgage and not by a metes and bounds description.

PELLEGRINO & FELDSTEIN, L.L.C.
MICHAEL PELLEGRINO 030831991
290 Route 46 West
Denville, NJ 07834
973-586-2300
File No. 22071-16
Attorneys for Plaintiff

FILED
AUG 18 2017
ARTHUR BERGMAN, J.S.C

TTLREO LLC
Plaintiff

vs.

MANOJ S. PANWAR; ROZY PANWAR,
HIS WIFE; US BANK CUST/SASS MUNI
V DTR;
Defendants

SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION
MIDDLESEX COUNTY

DOCKET NO. F-023463-16

**CONSENT ORDER
ALLOWING REDEMPTION OF TAX
LIEN AFTER FINAL JUDGMENT**

This matter having been brought before the Court jointly by the attorneys for plaintiff and defendants, Manoj & Manav Panwar, and the parties having reached an amicable resolution allowing the defendant to redeem the subject tax lien, and vacating the Final Judgment; and with the consent of both parties, and for good cause shown;

IT IS ON THIS 22nd DAY OF August, 2017

ORDERED, as follows:

1. defendants, Manoj & Manav Panwar may, within Twenty One (21) days of this date, pay off the subject tax lien (#13-00561) despite the Final Judgment which was entered in this matter. The Edison tax collector is directed to calculate the amount due and accept redemption payment as though Final Judgment had not been entered. Since this lien is being redeemed, the Edison Tax Collector shall refund to the plaintiff any "premium funds" which were paid by the plaintiff at the tax sale auction pursuant to N.J.S.A. 54:5-33.

- 2. A second consent order will be submitted, vacating Judgment after redemption payment is made.
- 3. Defendant has made a settlement payment to the plaintiff in addition to the redemption of the subject tax lien to induce the plaintiff to agree to vacate Judgment, and the settlement payment is not in violation of N.J.S.A. 54:5-63.1
- 4. a copy of this Order shall be forwarded within seven (7) days of the date of this Order's receipt by the plaintiff to the defendants.

Arthur Bergman

 HON. ~~PL. CLERK,~~

ARTHUR BERGMAN, J.S.C.

WITH CONSENT AS TO FORM AND SUBSTANCE:

Michael Pellegrino

 MICHAEL PELLEGRINO, ESQ.
 Attorney for Plaintiff

A.S. Seibert

 A.S. SEIBERT, ESQ.
 Attorney for defendants, Manoj & Mahav Panwar.

FILED

AUGUST 18 2017
Hon. Arthur Bergman, J.S.C.

RAS CITRON, LLC
Donald V. Valenzano Jr, Esq. ID No. 011282010
130 Clinton Road, Suite 202
Fairfield, NJ 07004
973-575-0707
Attorney for Plaintiff

U.S. BANK, NATIONAL ASSOCIATION, AS
TRUSTEE UNDER THE POOLING AND
SERVICING AGREEMENT DATED AS OF JUNE
1, 2006, GSAMP TRUST 2006-HE4, MORTGAGE
PASS-THROUGH CERTIFICATES, SERIES
2006-HE4

PLAINTIFF,

Vs.

HARVEY ZITRON, et al.,
DEFENDANT(S).

SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION
MIDDLESEX COUNTY

DOCKET NO: F-024420-16

CIVIL ACTION

ORDER TO PROCEED SUMMARILY VACANT &
ABANDONED RESIDENTIAL MORTGAGE
FORECLOSURE

THIS MATTER being brought before the court by the law firm of RAS Citron, LLC, attorneys for plaintiff, seeking relief by way of an order to proceed summarily pursuant to Rule 4:67-2(b), and it appearing from the affidavits/certifications filed in support of the motion that the property is vacant and abandoned; and it appearing that the matter may be completely disposed of on the record or on minimal testimony in open court, the Court having determined that this matter may proceed in a summary manner; and for good cause shown;

IT IS on this 18th day of August, 2017,

ORDERED that this matter shall proceed with a short trial date of the 17th day of October, 2017 before the Superior Court, Chancery Division, General Equity Part at the Middlesex County Courthouse at , at 9:00 am, or as soon thereafter as counsel can be heard.

On the date fixed to proceed summarily the court may determine:

- A. That the residential property that is the subject of this foreclosure action is vacant and abandoned as defined by N.J.S.A. 2A:50-73;
- B. Fix the amount due the Plaintiff on the Note and Mortgage;
- C. Direct that the Plaintiff be paid the amount due on the note and mortgage, together with interest, advances, and costs;
- D. Bar and foreclose the defendants, and each of them, of all equity of redemption in and to the property being foreclosed upon;
- E. Adjudge that the property be sold according to law to satisfy the amount due the Plaintiff;
- F. Possession of the property in favor of the plaintiff or plaintiff's assignee or any purchaser at sheriff's sale;



16-014430 - SaP



- G. Damages for mesne profits;
- H. For costs of this action;
- I. Granting such other relief as the court deems just and equitable.

And it is further *ORDERED* that:

1. Service of this Order shall be deemed effectuated and completed by regular and registered or certified mail, return receipt requested, to the Defendant(s) service address and the Mortgagor(s) and/or Borrower(s) property address, which is the subject of this foreclosure; and, if no service address is available for the aforesaid Defendant(s), despite diligent effort, then service of this Order shall be deemed effectuated and completed by filing of said Order with the clerk in accordance with R. 1:5-2.

2. Plaintiff has demonstrated 2 unsuccessful attempts of service on the mortgagor(s) and or occupants(s) of the real property, 72 hours apart and at different times of the day in compliance with N.J.S.A. 2A:50-73d(1).

3. The plaintiff serve a copy of this ORDER and the Notice required by N.J.S.A. 2A:50-73 on the defendant(s) within 7 days of the receipt of this order.

4. The notice, required by N.J.S.A. 2A:50-73, shall be in a minimum of 14-Point font and shall state:

"To:

TENANT/OCCUPANT
41D WINTHROP ROAD
MONROE, NJ 08831

HARVEY ZITRON
41D WINTHROP ROAD
MONROE, NJ 08831

The lender is seeking on the return date set in this order, or on any adjourned date fixed by the court, to proceed summarily for entry of a residential foreclosure judgment because the property is vacant and abandoned. If you fail to respond the application will be decided on the papers on the return date and relief may be granted by default."

5. The plaintiff must file with the court through the Clerk of the Superior Court at the Hughes Justice Complex, P.O. Box 971, 25 Market Street, Trenton, New Jersey 08625 his/her/its proof of service of this order and the Notice required by N.J.S.A. 2A:50-73 and his/her/its judgment proofs no later than fifteen (15) days before the return date set in this order.

6. Defendant(s) shall file and serve a written answer, an answering affidavit or a motion returnable on the return date to this order to show cause and the relief requested and proof of service of the same by September 22, 2017. The answer, answering affidavit or a motion, as the

case may be, must be filed with the Clerk of the Superior Court and a copy of the papers must be sent directly to the chambers of Judge Arthur Bergman.

7. The plaintiff must file and serve any written reply to the defendant's order to show cause opposition by October 10, 2017. The reply papers must be filed with the Clerk of the Superior Court and a copy of the reply papers must be sent directly to the chambers of Judge

8. The Court will entertain argument, but not testimony, on the return date set in this order, unless the court and parties are advised to the contrary no later than 7 days before the return date.

Arthur Bergman
~~Honorable Frank M. Gifford, J.S.C. Clerk~~
Hon. Arthur Bergman, J.S.C.



16-014430 - SaP



KNUCKLES, KOMOSINSKI & MANFRO, LLP
Michel Lee, Esquire (Attorney ID 024422010)
Attorneys for Plaintiff
50 Tice Boulevard, Suite 183
Woodcliff Lake, NJ 07677
Telephone 201-391-0370
Facsimile 201-781-6744
ml@kkmlp.com

FILED

AUGUST 18 2017
Hon. Arthur Bergman, J.S.C.

WILMINGTON SAVINGS FUND SOCIETY,
FSB, DOING BUSINESS AS CHRISTIANA
TRUST, NOT IN ITS INDIVIDUAL
CAPACITY, BUT SOLELY AS TRUSTEE
FOR BCAT 2015-14ATT,

Plaintiff,

vs.

CARLOS RAMOS JR., HIS UNKNOWN HEIRS,
DEWISEES AND PERSONAL
REPRESENTATIVES AND HIS, HER, THEIR,
OR ANY OF THEIR SUCCESSORS IN RIGHT,
TITLE AND INTEREST, et al.

Defendants.

SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION
MIDDLESEX COUNTY

DOCKET NO. F-979-17

CIVIL ACTION

**ORDER ESTABLISHING A LOST
INSTRUMENT AND DEEMING
PLAINTIFF'S PROOF SUFFICIENT**

THIS MATTER having been opened to the Court by Knuckles, Komosinski, & Manfro, LLP, attorneys for Plaintiff, by way of motion for entry of an Order Establishing a Lost Instrument, and it appearing that, after diligent search by Plaintiff the original Note cannot be located and the Court having reviewed a copy of the Mortgage, as recorded with the County Clerk, which references the Note; and with good cause being shown,

IT IS on the 18th day of August, 2017, **ORDERED THAT**

1. The terms and existence of the Note are established as set forth in the First Count of the complaint, filed on January 13, 2017, with Plaintiff presenting sufficient evidence of indebtedness to meet the requirements of R. 4:64-2; and
2. The Superior Court, Office of Foreclosure is directed to proceed with entry of Final Judgment by default without the original Note as required by Rule 4:64-2.

Arthur Bergman

Hon. Arthur Bergman, J.S.C.

_____ Opposed

_____ Unopposed

_____ Reasons placed on the record

