

The Honorable Frank M. Ciuffani, P.J. Ch.

Motion Orders | March 31, 2017

Law Clerk: Emily Pirro

Phone: (732) 519-~~3611~~ 3611

CAPTION	DK	DK #	YR	MTN TYPE	DISPOSITION
Diagewels of NY v. The Great Jewel Factory	L	5788	16	Protective Order	Adj. to 4/28
				Dismiss Counterclaim	Adj. to 4/28
Direct Coast to Coast v. Malloy, et al	C	77	15	STRIKE AND SUPRESS AND TO COMPEL DEPOSITION	Granted in Part, Denied in Part
Ditech v. New Century Financial	C	70	16	Enter Default Out of Time	Granted
Gary Gialombardo v. Kyriak, et als	C	166	15	SJ	Adj. to 4/28
Joseph Galamb v. Hutson & Cordero	C	38	16	Extend Discovery	Adj. to 4/28
Raritan Tenants Corp v. Andrews	C	186	16	Vacate Default	Adj to 4/28
				Cross-motion	Adj to 4/28
US Bank v. Block 2	F	3263	17	Determine property abandoned	Granted
US Bank v. Campher	F	31477	16	Reform Loan Mod, etc	Granted
US Bank v. Kearney	F	30268	14	Vacate Sale	Consent Order
US BANK V. REICH	F	31260	16	Set amount, time, and place of redemption	Adj to 4/28
US Bank v. Santana	F	14806	9	SJ	Withdrawn
US Bank v. Serra	F	23613	16	SJ	Granted
US Bank v. Sicola	F	858	15	Vacate and reschedule sale	Withdrawn

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010251983  
**RONALD HOROWITZ**  
*Attorney at Law*  
PO Box 353707  
Palm Coast, FL 32137  
Tel. # (386) 2834886  
*Attorney for Plaintiff*  
Our File No. 2752

**FILED**

MAR 29 2017

Frank M. Ciuffani, JSC

DIRECT COAST TO COAST, LLC,  
Plaintiff(s),

vs.

RALPH A. MALLOY;  
FARREN INTERNATIONAL, LLC;  
and NORTHERN TRUCKING  
LOGISTICS, LLC

Defendant(s).

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

DOCKET NO. MID-C-77-15

Civil Action

**ORDER**

**THIS MATTER** having been opened to the Court by Ronald Horowitz, Esq., attorney for plaintiff, Direct Coast to Coast, LLC, upon a motion to strike the Answer and suppress the defenses of defendant, Northern Trucking Logistics, LLC ("Northern"), for failure to comply with discovery orders and to compel the deposition of defendants' Chief Executive Officer, James Pascale, on a date certain, the Court having considered the moving, opposing and reply papers, if any, and oral argument, and for other good cause shown,

**IT IS ON THIS** 29 day of March, 2017:

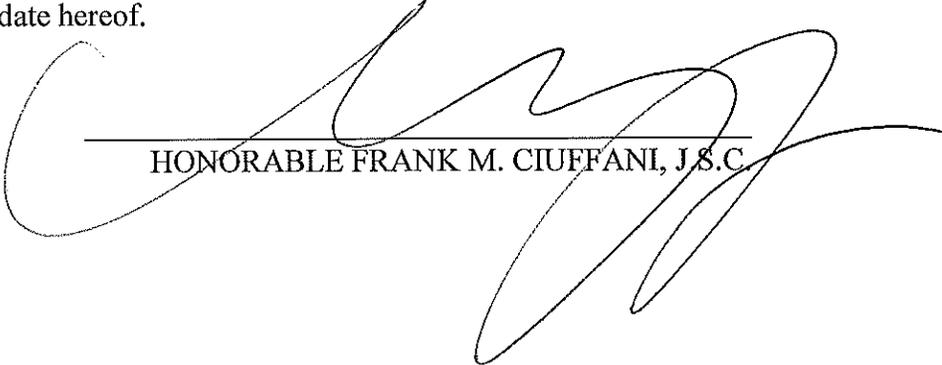
**ORDERED** that the Answer and defenses of defendant, Norther Trucking Logistics, LLC, be and hereby are stricken and suppressed;

**IT IS FURTHER ORDERED** that said defendant shall forthwith produce to the plaintiff all invoices and bills of lading for all shipments for accounts listed in defendants' Interrogatory answers and such production shall be for all shipments made and handled through March 31,

2017 and supplemented with other shipments occurring between then and the time of trial without request or Court Order;

**IT IS FURTHER ORDERED** that the Chief Executive Officer of defendant, Northern Trucking Logistics, LLC, James Pascale, shall appear for his deposition on April 6, 2017 at 10:30 a.m., at Direct Coast to Coast, LLC, 19 Crows Mill Road, Keasbey, New Jersey;

**AND IT IS FURTHER ORDERED** that a copy of this Order be served upon counsel of record within seven (7) days of the date hereof.



\_\_\_\_\_  
HONORABLE FRANK M. CIUFFANI, J.S.C.

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**McCABE, WEISBERG & CONWAY, P.C.**  
Carol R. Cobb, Esquire - 028761994  
216 HADDON AVENUE, SUITE 201  
WESTMONT, NEW JERSEY 08108  
(856) 858-7080  
ATTORNEYS FOR PLAINTIFF  
Matter No 427-0504 - 19975

**FILED**

MAR 29 2017

Frank Ciuffani

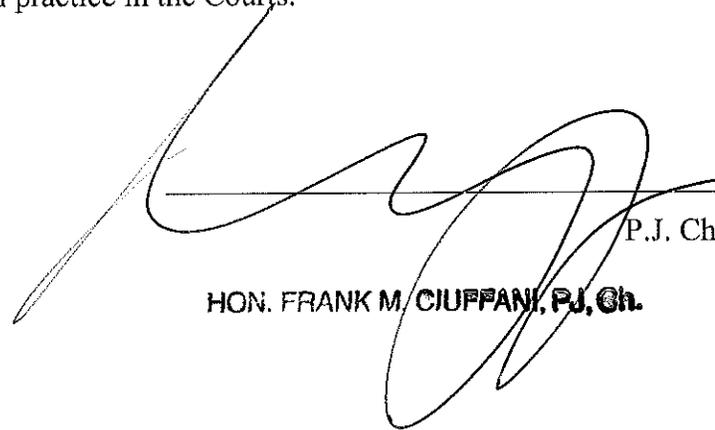
**FILED**

MAR 29 2017

<p>Ditech Financial LLC,  Plaintiff,  vs.  New Century Financial Services,  Defendant.</p>	<p><b>Frank M. Ciuffani, JSC</b> SUPERIOR COURT OF NEW JERSEY CHANCERY DIVISION MIDDLESEX COUNTY  Docket No. C-70-16  Civil Action  <b>ORDER ENTERING DEFAULT</b></p>
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It appearing to the Court that Plaintiff failed to enter default against the Defendant hereinafter named within the time limited by Rule 4:43-1 and due notice of application has been given to the Defendant, and good cause having been shown;

It is on this 29 day of March, 2017, ORDERED that Default be entered against New Century Financial Services for failing to answer or otherwise defend in accordance with the rules governing civil practice in the Courts.



P.J. Ch.  
**HON. FRANK M. CIUFFANI, P.J. Ch.**

**GARY C. ZEITZ, L.L.C.**  
GARY C. ZEITZ, ESQUIRE - ID#036311994  
ROBIN LONDON-ZEITZ, ESQUIRE - ID#023011996  
1101 Laurel Oak Road, Suite 170  
Voorhees, New Jersey 08043  
(856) 857-1222  
*Attorneys for Plaintiff*

**FILED**

**MAR 29 2017**

Frank M. Ciuffani, JSC

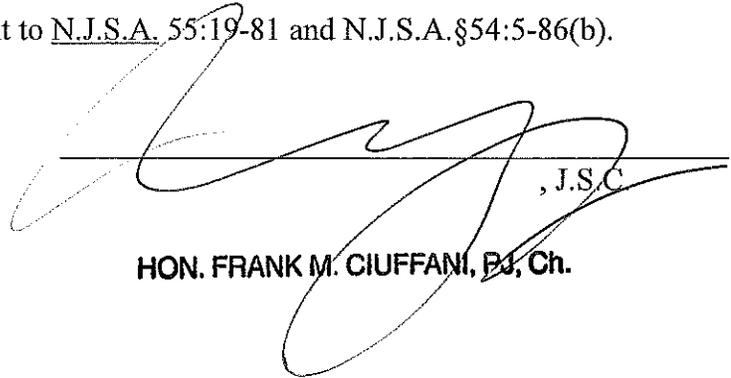
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US BANK CUST/PC5 STERLING NATL	:	SUPERIOR COURT OF NEW JERSEY
	:	CHANCERY DIVISION
Plaintiff,	:	MIDDLESEX COUNTY
	:	
vs.	:	Civil Action
	:	
Block 2, Lot 11.11	:	Docket No: F-3263-17
12 N Disbrow Hill Rd, Township of	:	
Monroe, State of New Jersey	:	<b>ORDER DETERMINING THAT</b>
Assessed to: Kum Ku Lee and Mi Sung Lee,	:	<b>PROPERTY IS ABANDONED</b>
husband and wife	:	
	:	
Defendant(s).	:	

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**THIS MATTER** having come before the Court upon the Motion of Robin London-Zeitz, Esquire, Gary C. Zeitz, L.L.C., attorneys for Plaintiff, US BANK CUST/PC5 STERLING NATL ("Plaintiff") to determine that property is abandoned, and for good cause being shown;

**IT IS** on this 29 day of March, 2017, **HEREBY ORDERED** that the property located at 12 N Disbrow Hill Rd, Monroe, New Jersey, Block 2, Lot 11.11 is declared an abandoned property pursuant to N.J.S.A. 55:19-81 and N.J.S.A. §54:5-86(b).

  
\_\_\_\_\_  
, J.S.C.

**HON. FRANK M. CIUFFANI, Esq., Ch.**

( ) Opposed  
(  ) Unopposed

777277

**PHELAN HALLINAN DIAMOND & JONES, PC**

Jonathan Lobb, Esq. ID No. 038702011

400 Fellowship Road Suite 100

Mt. Laurel, NJ 08054

856-813-5500

Attorney for Plaintiff

**FILED**

**MAR 29 2017**

Frank M. Cluffant, JSC

U. S. BANK TRUST, N.A., AS TRUSTEE  
FOR LSF9 MASTER PARTICIPATION  
TRUST

PLAINTIFF

VS.

SHAWN CAMPHER, ET AL.

DEFENDANT (S)

SUPERIOR COURT OF NEW JERSEY  
CHANCERY DIVISION  
MIDDLESEX COUNTY

DOCKET NO: F-031477-16

CIVIL ACTION

**ORDER REFORMING THE LOAN  
MODIFICATION AGREEMENT AND  
SUBORDINATING AND DIVESTING  
CLIFFORD BRAY OF ANY TITLE AND  
INTEREST HE MAY HAVE IN THE  
REAL ESTATE WITH RESPECT TO  
COMPLETING AN IN REM  
FORECLOSURE**

**THIS MATTER** having been brought before the Court on motion of Phelan Hallinan Diamond & Jones, PC, Jonathan Lobb, Esquire, appearing on behalf of Plaintiff, U. S. BANK TRUST, N.A., AS TRUSTEE FOR LSF9 MASTER PARTICIPATION TRUST, for an Order Reforming the Loan Modification and Divesting CLIFFORD BRAY of Any Title and Interest he May Have in the Real Estate; and there appearing to be no good cause to the contrary:

**IT IS** on this 29 day of March 2017, **ORDERED:**

1. **THAT** the Loan Modification Agreement with a first payment date of March 1, 2010 between Shawn Campher and GMAC Mortgage, LLC (hereinafter "Loan Modification Agreement") is attached as "**Exhibit A**" and shall become a part of this Order; and,
2. **THAT** the Loan Modification Agreement is deemed superior to the interest of Clifford Bray in the land records of Middlesex County; and,

3. **THAT** Clifford Bray is not personally liable under the terms of the Loan Modification Agreement, but rather, he is subordinated to its terms with respect to completing an in rem foreclosure; and,

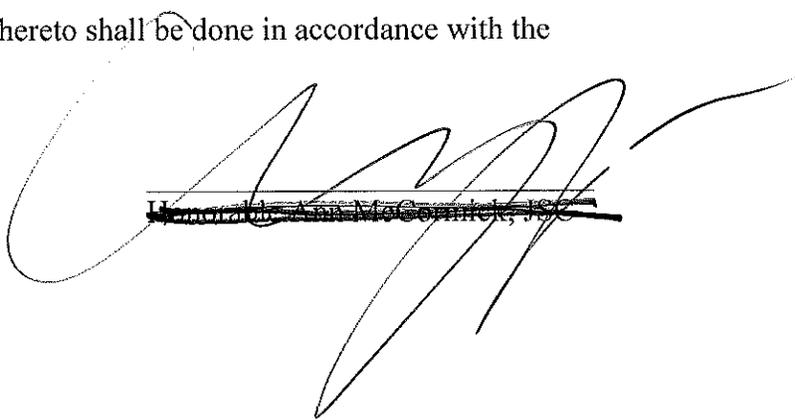
4. **THAT** the interest of Clifford Bray is deemed subordinate to that of Plaintiff for purposes of barring and foreclosing his ownership interest and equity of redemption under the terms of the Loan Modification Agreement and mortgage recorded on April 21, 2004 in *Mortgage Book 9548, Page 595* ; and,

5. **THAT** the Middlesex County Clerk's Office is hereby directed to record a certified copy of this Order; and,

6. **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.

\_\_\_\_\_ Opposed

\_\_\_\_\_ Unopposed



~~General Assistant Clerk, JSC~~

**FEIN, SUCH, KAHN & SHEPARD, P.C.**

Joshua B. Sears ID #14171998  
7 Century Drive, Suite 201  
Parsippany, New Jersey 07054  
(973) 538-9300  
542MNR

Attorneys for Plaintiff

**FILED**

**MAR 29 2017**

Frank M. Ciuffani, JSC

U.S. BANK TRUST, N.A., AS TRUSTEE  
FOR LSF9 MASTER PARTICIPATION  
TRUST

Plaintiff,

vs.

LUIS H SERRA, et al.

Defendant(s)

SUPERIOR COURT OF NEW JERSEY  
CHANCERY DIVISION  
MIDDLESEX COUNTY

DOCKET NO.: F-23613-16

CIVIL ACTION

**ORDER GRANTING SUMMARY  
JUDGMENT**

This matter being opened to the Court by Fein, Such, Kahn & Shepard, P.C., attorneys for Plaintiff, Joshua B. Sears, appearing on a Motion for Summary Judgment and the Court having reviewed the supporting Certifications and Exhibits and for good cause shown;

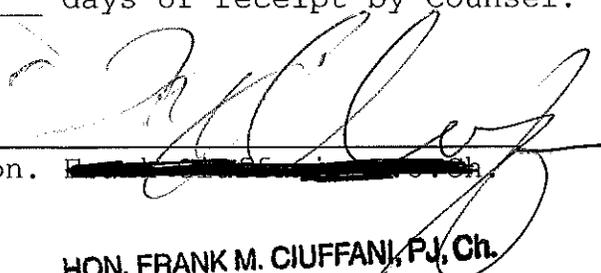
IT IS on this 29 day of March, 2017;

1. **ORDERED**, that Plaintiff's Motion for Summary Judgment against Defendants, LUIS H. SERRA & LUCRETIA SERRA, be granted; and it is further

2. **ORDERED**, that the Answer of Defendants, LUIS H. SERRA & LUCRETIA SERRA, is hereby stricken and default against said Defendants be entered; and it is further

3. **ORDERED**, that the Plaintiff be permitted to proceed to Judgment under R. 4:64 through the Clerk of the Superior Court, Office of Foreclosure, in an uncontested manner; and it is further

4. **ORDERED**, that a copy of this Order be served upon all answering Defendants within 7 days of receipt by Counsel.

  
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Hon. ~~Frank M. Ciuffani, P.J., Ch.~~

**HON. FRANK M. CIUFFANI, P.J., Ch.**

Motion was:  
Opposed [ ]  
Unopposed [ ]