

COUNTY OF NASSAU

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WELLS FARGO BANK, N.A.

plaintiff,

Index No. 0612080/2018

-against

Residential Foreclosure Conference
Part Order

FITZPATRICK, BRIAN P

defendant.

**ALL DOCUMENTS WILL BE SUBMITTED
DIRECTLY TO PLAINTIFF'S COUNSEL**

A Residential Foreclosure action was scheduled for a settlement conference on 12/4/2018 and the follow parties appeared before the undersigned:

Plaintiff: by _____ } co-counsel for _____
 Plaintiff: by Lauren Russo } counsel for WOODS OVIATT GILMAN, LLP
 Defendant [] UNREPRESENTED or [] REPRESENTED by: NAO

- [] of counsel [] retained [] pro bono for the day
- [] Case does *not* meet the criteria of the Foreclosure Part under Uniform Rule 202.12(a) (FSCNER)(FSCNEU)
 [] Case is a reverse mortgage, REFER TO FP3 (FSCCTDR)(FSCCTDU)
 [] Case Settled by loan modification (FSCLMR) (FSCLMU)
 [] Case Dismissed by the court (FSCDISMR) (FSCDISMU) [] [] [] []
 [] Case Settled other than loan modification (FSCOTR) (FSCOTU) reinstatement - satisfaction- forbearance-short sa
 [] Case Discontinued except by settlement (FSCDISCR) (FSCDISCU)
 [] Bank *shall* file a Discontinuance with the Nassau County Clerk and serve a *Certified Copy*, of such Discontinuance, upon the Homeowner(s) within (45) days of the date of this order.
 [] Case is *not* settled and plaintiff may proceed with the action (FSCCNSR) (FSCCNSU) 30--45--60--90--day stay.
 [] Stayed pending other outcome (FSCSTAYR) (FSCSTAYU)
 [] Defendant *failed* to appear at the conference, Plaintiff to proceed with the action. (FSCDFTR) (FSCDFTU)

- [] PLAINTIFF is directed to provide Loan Modification Packet and a HAMP packet to the defendant by _____
 [] DEFENDANT is directed to submit completed application or additional documentation by _____
 [] DEFENDANT is directed to bring copies and fax receipts of all documents submitted to the lender at the next court conference.
 [] PLAINTIFF is directed to provide DEFENDANT with a direct telephone and fax number to the lender's loss mitigation representative and bank attorney.
 [] PLAINTIFF is directed to review defendant homeowner's application and advise if additional information is needed by MD/LOE will be provided by 1/31/19
 [] PLAINTIFF is directed to advise defendant if modification is granted or denied by 7/15/19
 [] PLAINTIFF is directed to provide a written report stating, with specificity, all programs available and all good faith efforts undertaken to resolve this matter by the next court conference.

- [] The court directs the plaintiff to have the lender's representative, authorized to settle, as follows:
 [] Present in Court on the next court date. [] Available to the court by DIRECT telephone line.

- [] Other DOA: July 2017 ; R/L: 55K+ ; PO: Under Review
 [] The court directs an adjournment to _____ at _____ for further conference (FSCCTDR)(FSCCTDU)
 [] The court directs an adjournment to 17 Jan 2019 at 9:30 for Trial Loan Modification (FSCCTDR)(FSCCTDU)
 [] The court has received the appropriate INTAKE/STATUS form as required under the Uniform Rules.

Dated: 12/4/2018

ENTEREDAnthony J. Provenzano JHO/Court Attorney/Referee

Jan 31 2019

ANTHONY J. PROVENZANO

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FORECLOSURE SETTLEMENT CONFERENCE INTAKE FORMSupreme Court of the State of New York County of Nassau

Wells Fargo

Plaintiff(s), v. Index No.: 612080/18

Fitzpatrick

Defendant(s).

A Residential Foreclosure Conference was held on 12/4/18Appearances For Plaintiff(s) ("P") ☒ Retained Counsel ☐ Per Diem

Lauren Russo

lrusso@woodsoviatt.com

Name:

Email/Phone:

Woods Oviatt Gilman

Wells Fargo

Law Firm:

Loan Servicer:

For Defendant(s) ("D") ☐ Unrepresented ☐ Retained Counsel ☐ Limited Representation ☐ Other

Name:

Email/Phone:

Law Firm:

Servicer Provider:

Other: _____

ELIGIBILITYThis foreclosure action is eligible for an FSC: ☐ Yes ☐ No _____Has the defendant filed an answer: ☐ Yes ☒ No☐ This case does not meet the criteria of Uniform Rule 202.12(a). (FSCNER) (FSCNEU) _____☐ D failed to appear at the scheduled conference, P to proceed with the action. (FSCDFTR) (FSCDFTU)**LOAN AND INCOME INFORMATION**Mortgage Date: 12/12/11Default Date: 6/2017Plaintiff alleges that it is the Owner of the Mortgage and Note ☐ Yes ☐ No _____Prior Modification 1 2/2015

Prior Modification 2 _____

HAMP ☐ Yes ☐ No

Other: _____

FOLLOWING A SETTLEMENT CONFERENCE, IT IS HEREBY DIRECTED THAT:

- ☐ By _____ [date], P shall provide to D a loan modification/short sale application.
- ☐ By _____ [date], D shall submit to P a completed loan modification/short sale application.
- ☐ By _____ [date], P shall send Missing Document Letter, if necessary.
- ☐ By _____ [date], D shall respond to the Missing Document Letter.
- ☐ Other: _____

See attached Order.

- ☐ Case settled by ☐ loan modification (FSCLMR) (FSCLMU) ☐ other _____
- ☐ Case Discontinued except by settlement. P shall file a Notice of Discontinuance and serve a Certified Copy of such Discontinuance upon D within (45) days of the date hereof. (FSCDISCR) (FSCDISCU)
- ☐ Case is not settled and P may proceed with the action. (FSCCNSR) (FSCCNSU) Unless otherwise directed by the Court, failure to proceed will result in dismissal of the action.
- ☐ Stayed pending other outcome. (FSCSTAYR) (FSCSTAYU)

The court directs an adjournment to 1/7/2019 at 930☐ For a further conference. ☐ Trial modification. (FSCCTDR) (FSCCTDU)

Directed by: _____

P acknowledges receipt by signing below: _____

D acknowledges receipt by signing below: _____

Date: _____

Date: _____