

At Part 1 of the Supreme Court held in the County of Oneida at the 4<sup>th</sup> Courthouse thereof, on the 11 day of April, 2018.

PRESENT: Hon. Bernadette T. Clark  
 JUSTICE OF THE SUPREME COURT

<p>-----X</p> <p>CARRINGTON MORTGAGE SERVICES, LLC,</p> <p style="text-align: right;">Plaintiff,</p> <p style="text-align: center;">-against-</p> <p>ROSANNE FLEETWOOD;              "JOHN DOES" and "JANE DOES", said names being fictitious, parties intended being possible tenants or occupants of premises, and corporations, other entities or persons who claim, or may claim, a lien against the premises,</p> <p style="text-align: right;">Defendant(s).</p> <p>-----X</p>	<p>INDEX NO.: 2017-001071  <u>32-17-0863</u>  <b>ORDER OF REFERENCE              AND DEFAULT              JUDGMENT</b></p> <p>Property Address:              12 Oakdale Avenue S.              New Hartford, NY 13413              COUNTY: Oneida              S: 328.12, B: 1, L: 17.</p>
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UPON the Summons, Complaint, and Notice of Pendency filed in this action on the 6<sup>th</sup> day of June 2017, the Notice of Motion dated February 15, 2018, the affirmation of Sandy J. Stolar, Esq., and the exhibits annexed thereto, the affidavit of merit and amount due by Tom Croft who is Senior Vice President of Carrington Mortgage Services, LLC, duly sworn to on January 31, 2018 together with the exhibits attached thereto, and all prior papers filed in this action and prior proceedings had herein; and

UPON proof that each of the defendants herein has been duly served with the Summons and Complaint in this action and required notices; and

AND the Court having held a mandatory settlement conference pursuant to CPLR 3408 whereby Plaintiff attended a settlement conference on December 13, 2017 but the defendant mortgagor failed to appear and the case was released from the settlement conference part;

AND it appearing that ROSEANNE FLEETWOOD's time to answer the complaint has expired; and

AND it appearing to the satisfaction of this Court that this action was brought to foreclose a mortgage on real property located at 12 Oakdale Avenue S., New Hartford, NY 13413 in the County of Oneida State of New York Section 328.12, Block 1, Lot 17.

NOW, on motion by The Margolin & Weinreb Law Group, LLP, attorney for the Plaintiff, it is hereby

ORDERED that defendant(s) ROSEANNE FLEETWOOD is determined to be in default; and it is further

ORDERED that Justin Mackley, Esq. with an address of 2676 Grant Hill Rd (315) 420-3461, is hereby appointed Referee, in accordance with RPAPL §1321, to compute the amount due to Plaintiff and to examine whether the mortgaged property may be sold in parcels; and it is further

ORDERED that the Referee make his/her computation and report with all convenient speed; and it is further

ORDERED that, if necessary, the Referee may take testimony pursuant to RPAPL §1321; and it is further

ORDERED that by accepting this appointment the Referee certifies that he/she is in compliance with Part 36 of the Rules of the Chief Judge (22 NYCRR Part 36), including, but not limited to §36.2(c) ("Disqualifications from appointment"), and §36.2(d) ("Limitations on

appointments based upon compensation”), and, if the Referee is disqualified from receiving an appointment ;pursuant to the provision of that Rule, the Referee shall immediately notify the Appointing Judge; and it is further

ORDERED that, pursuant to CPLR 8003(a), the statutory fee of \$50.00, and in the discretion of the court, a fee of \$ 175.00, shall be paid to the Referee for the computation of the amount due and upon the filing of his/her report and the Referee shall not request or accept additional compensation for the computation unless it has been fixed by the court in accordance with CPLR 8003(a); and it is further

ORDERED that the Referee is prohibited from accepting or retaining any funds for him/herself or paying funds to him/herself without compliance with Part 36 of the Rules of the Chief Administrative Judge; and it is further

ORDERED that “John Doe” and “Jane Doe” be removed as a party defendant in this action as no occupants reside at the property and the caption of this action be amended to reflect the removal of “John Doe” and “Jane Doe” as a party defendant; and it is further

ORDERED that the caption shall read as follows:

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF ONEIDA

<p>-----X</p> <p>CARRINGTON MORTGAGE SERVICES, LLC,</p> <p style="text-align: right;">Plaintiff,</p> <p style="text-align: center;">-against-</p> <p>ROSANNE FLEETWOOD;</p> <p style="text-align: right;">Defendant(s).</p> <p>-----X</p>	<p>INDEX NO.: 2017-001071</p> <p>Property Address: 12 Oakdale Avenue S. New Hartford, NY 13413 COUNTY: Oneida S: 328.12, B: 1, L: 17.</p>
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And it is further

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF ONEIDA

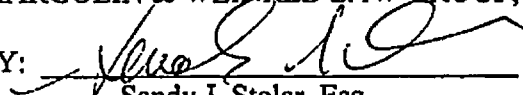
<p>-----X</p> <p>CARRINGTON MORTGAGE SERVICES, LLC,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">-against-</p> <p>ROSANNE FLEETWOOD; "JOHN DOES" and "JANE DOES", said names being fictitious, parties intended being possible tenants or occupants of premises, and corporations, other entities or persons who claim, or may claim, a lien against the premises,</p> <p style="text-align: center;">Defendant(s).</p> <p>-----X</p>	<p>INDEX NO.: 2017-001071</p>
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**ORDER OF REFERENCE AND DEFAULT JUDGMENT**

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THE MARGOLIN & WEINREB LAW GROUP, LLP

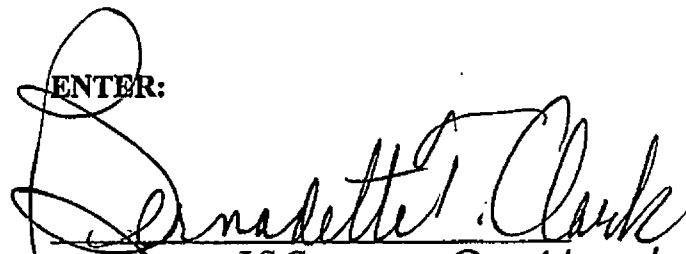
BY: 

Sandy J. Stolar, Esq.  
Attorneys for Plaintiff  
165 Eileen Way, Suite 101  
Syosset, New York 11791  
516-921-3838

ORDERED that Plaintiff shall serve a copy of the Order with Notice of Entry on all parties and persons entitled to notice, including the Referee appointed herein.

This constitutes the Decision and Order of the Court.

DATED: April 11, 2018

ENTER:  
  
J.S.C.  
Hon. Bernadette T. Clark