

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ONTARIO

Wells Fargo Bank, N.A.

INDEX NO. 124153-2019

Plaintiff(s),

**NOTICE OF MOTION FOR
A DEFAULT JUDGMENT
AND ORDER OF
REFERENCE**

v.

Carole Clark, as Administratrix CTA to the Estate of Elizabeth J. Davenport a/k/a Elizabeth Davenport; State of New York; New York State Department of Taxation and Finance and "JOHN DOE", said name being fictitious, it being the intention of Plaintiff to designate any and all occupants of premises being foreclosed herein, and any parties, corporations or entities, if any, having or claiming an interest or lien upon the mortgaged premises

MORTGAGED PROPERTY:
4994 North Road
Canandaigua, NY 14424

Defendant(s).

COUNTY: Ontario
SBL #: Section 71.09 Block 2
Lot 6.00


PLEASE TAKE NOTICE that, upon the affirmation of Patrick Gregorits dated 7/31/19, the affidavit of Astra Love-Easter, sworn to July 22, 2019, the exhibits attached thereto, and all prior proceedings in this case, Plaintiff Wells Fargo Bank, N.A. will move this court at 9:30 A.M. on September 10, 2019, at the Supreme Court, Ontario County, Ontario County Courthouse, 27 North Main Street, Canandaigua, NY 14424, or as soon thereafter as the parties may be heard, for an order:

1. Appointing a referee to compute the amount due to Plaintiff, examine whether the mortgaged property known as 4994 North Road, Canandaigua, NY 14424 may be sold in parcels, and make his/her computation and report with all convenient speed pursuant to RPAPL §1321;

2. Adding names of tenant(s) residing at mortgaged property as named defendants pursuant to RPAPL §1311, amending the caption to add WADE BIRNBAUM, and removing "JOHN DOE" as a party defendant in this action;
3. Declaring that all non-appearing and non-answering defendants are in default pursuant to CPLR 3215; and
4. Such additional relief as to the Court may deem just and proper.

PLEASE TAKE FURTHER NOTICE that, pursuant to CPLR 2214 (b), answering papers and notice of cross-motion, with supporting papers, if any, must be served upon the undersigned at least seven (7) days prior to the return date of this motion.

Dated: 7/31/19
Monroe County, New York


Patrick Gregoris, Esq.
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New York State Department of Taxation and Finance
W.A. Harriman State Office Campus
Building 9
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Wade Birnbaum
4994 North Road
Canandaigua, NY 14424