

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ONTARIO

NOTICE OF ENTRY

Wells Fargo Bank, N.A.,

Plaintiff,

Index No. 124153-2019

-against-


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; Wade Birnbaum,

Defendants.

SIRS:

PLEASE TAKE NOTICE that the within is a true copy of an Order of Reference, duly entered in the office of the clerk of the within named court on September 19, 2019.

DATED: 9/27/19


Patrick Gregorits, Esq.
Associate Attorney
SHAPIRO, DICARO & BARAK, LLC
Attorneys for Plaintiff
175 Mile Crossing Boulevard
Rochester, New York 14624
(585) 247-9000
Fax: (585) 247-7380

TO:
Edward C. Kenyon, Esq.
Kenyon & Kenyon
Attorney for Defendant Carol Clark
11 North Street
Canandaigua, NY 14424

Wade Birnbaum
4994 North Road
Canandaigua, NY 14424

Donna M. Cathy, Esq
P.O. Box 551
Waterloo, NY 13165

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ONTARIO

**AFFIDAVIT OF SERVICE BY
MAIL**

Wells Fargo Bank, N.A.,

Plaintiff,

Index No. 124153-2019

-against-

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; Wade Birnbaum,

Defendants.

STATE OF NEW YORK)
COUNTY OF MONROE) SS

I, Jenna Hastings, being sworn, say: I am not a party to this action; I am over 18 years of
age, I reside in Rochester, New York.

On October 1, 2019, I served the Notice of Entry and Order of Reference on the
following:

Edward C. Kenyon, Esq.
Kenyon & Kenyon
Attorney for Defendant Carol Clark
11 North Street
Canandaigua, NY 14424

Wade Birnbaum
4994 North Road
Canandaigua, NY 14424

Donna M. Cathy, Esq
P.O. Box 551
Waterloo, NY 13165

the address designated for that purpose by depositing a true copy of same enclosed in a postpaid, properly addressed wrapper, in an official depository under, the exclusive care and custody of the United States Postal Service within the State of New York.

Date: 10.1.19

Jenna Hastings

Jenna Hastings
Foreclosure Assistant
SHAPIRO, DICARO & BARAK, LLC
Attorneys for Plaintiff
175 Mile Crossing Boulevard
Rochester, New York 14624
Telephone: (585) 247-9000
Fax: (585) 247-7380

Sworn to before me this
1 day of Oct, 2019

Kathryn Swain
Notary Public

KATHRYN SWAIN
Notary Public, State of New York
No. 01SW6147418
Qualified in Livingston County
Commission expires June 5, 2022

At Part _____ of the Supreme Court held
in the County of Ontario, at the
_____ Courthouse thereof, on
the 17th day of September, 2019.

Acting PRESENT: Hon Brian D Dennis
JUSTICE OF THE SUPREME COURT

Wells Fargo Bank, N.A.,

INDEX NO.: 124153-2019

Plaintiff(s),

**ORDER OF REFERENCE AND
DEFAULT JUDGMENT**

v.

MORTGAGED PROPERTY:

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,

4994 North Road
Canandaigua, NY 14424

COUNTY: Ontario

Defendant(s).

SBL #: Section 71.09 Block 2 Lot
6.00

UPON the Summons, Complaint, and Notice of Pendency filed in this action on the 3rd
day of May, 2019, the Additional Notice of Pendency filed on the 9th day of July, 2019, the Notice
of Motion dated 7/31/19, the affirmation of Patrick Gregorits, Esq., and the
exhibits annexed thereto, the affidavit of merit and amount due by Astra Love-Easter who is Vice
President Loan Documentation of Wells Fargo Bank, N.A., duly sworn to on July 22, 2019,
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

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