

At IAS ____ of the Supreme Court
of the State of New York, held in
and for the County of ROCKLAND
at the Courthouse thereof, 1 South
Main Street New City, NY 10956
on the 21 day of
June, 2018.

PRESENT:
Honorable Sherril Eisenpress
A.J.S.C.

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FEDERAL NATIONAL MORTGAGE ASSOCIATION
("FANNIE MAE"), A CORPORATION ORGANIZED
AND EXISTING UNDER THE LAWS OF THE UNITED
STATES OF AMERICA,

Plaintiff,

vs.

FRANCINE HOLSTEIN; THOMAS HOLSTEIN;
KEYBANK, NATIONAL ASSOCIATION F/K/A UNION
STATE BANK; GRACE PALISTINO; NEW YORK
STATE DEPARTMENT OF TAXATION AND FINANCE;
UNITED STATES OF AMERICA - INTERNAL
REVENUE SERVICE; CAPITAL ONE BANK (USA),
N.A.; MIDLAND FUNDING, LLC,

"JOHN DOE #1" through "JOHN DOE #12," the last twelve
names being fictitious and unknown to plaintiff, the persons
or parties intended being the tenants, occupants, persons or
corporations, if any, having or claiming an interest in or lien
upon the premises, described in the complaint,

Defendants.

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Index No.: 031017/2016

**ORDER GRANTING
SUMMARY JUDGMENT,
DEFAULT JUDGMENT
AND APPOINTING
REFEREE TO COMPUTE**

Premises:
2 KLINGHER COURT,
POMONA, NY 10970

Upon reading and filing of the Attorney Affirmation of Tracy Starasoler, Esq. dated
January 29, 2018, the Affidavit of ANEETRA HARRIS, sworn on January 05, 2018, the exhibits
annexed thereto, and upon the pleadings previously had herein, and it appearing that the
Defendants having been duly served with the Summons and Complaint, and that all the
Defendants herein have defaulted in pleading, or served a notice of appearance, and no Answer

14-78159 - IaG

or Motion having been directed to the sufficiency of the Complaint has been interposed by any of the Defendants and their time to do so has expired, with the exception of the Answers filed by Defendants Borrower and current owner, FRANCINE HOLSTEIN; and Non- Borrower GRACE PALISTINO,

Further, it appearing that the Complaint has not been amended in any manner whatsoever; and

Further, it appearing that none of the Defendants herein is an infant, incompetent or absentee;

Further, upon motion by RAS Boriskin, LLC, its attorneys for Plaintiff it is

Ordered, that Plaintiff is awarded summary judgment granting the relief sought in the complaint; and it is further

Ordered, that the Answer interposed by Defendants, Borrower and current owner FRANCINE HOLSTEIN and Non- Borrower GRACE PALISTINO and ~~is~~ ^{are} hereby stricken from the record ~~and shall be treated as a limited notice of appearance~~; and it is further

Affirmative defenses contained in the

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ABC

Ordered, that pursuant to CPLR §3215 that the Plaintiff be granted a Default Judgment for the relief demanded in the Complaint against the remaining defendants; and it is further

Ordered, that this action be and the same is hereby referred to

Steven Abel, Esq., of _____, _____,
101 S Broadway Nyack NY 10960 telephone number 845 638-4666

as Referee to ascertain and compute the amount due to the Plaintiff herein for principal, interest, and other disbursements advanced as provided for in the Note and Mortgage, excluding attorneys' fees, upon which this action as brought, to examine and report whether or not the

Mortgaged premises can be sold in parcels, and that the Referee make his/her report to the Court with all convenient speed; and it is further

Ordered, that the caption be amended by striking "JOHN DOE #1" through "JOHN DOE #12," all without prejudice to the proceedings heretofore had herein; and it is further,

Ordered, that the caption as amended shall read as follows:

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ROCKLAND

<p>-----X FEDERAL NATIONAL MORTGAGE ASSOCIATION ("FANNIE MAE"), A CORPORATION ORGANIZED AND EXISTING UNDER THE LAWS OF THE UNITED STATES OF AMERICA,</p> <p style="text-align: right;">Plaintiff,</p> <p style="text-align: center;">vs.</p> <p>FRANCINE HOLSTEIN; THOMAS HOLSTEIN; KEYBANK, NATIONAL ASSOCIATION F/K/A UNION STATE BANK; GRACE PALISTINO; NEW YORK STATE DEPARTMENT OF TAXATION AND FINANCE; UNITED STATES OF AMERICA - INTERNAL REVENUE SERVICE; CAPITAL ONE BANK (USA), N.A.; MIDLAND FUNDING, LLC,</p> <p style="text-align: right;">Defendants. -----X</p>	<p>INDEX NO. 031017/2016</p> <p>Premises: 2 KLINGER COURT, POMONA, NY 10970</p>
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and it is further

Ordered, that the referee's computation may be had in any county of the State of New York; and it is further

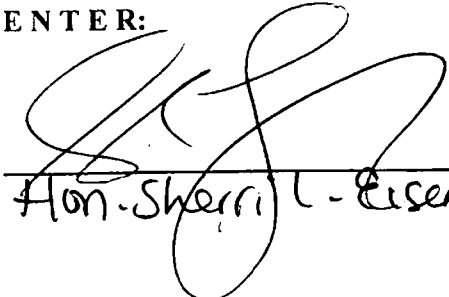
~~**Ordered** that, pursuant to CPLR § 8003(a) shall be paid to the Referee for the computations stage and upon filing of his/her report; and it is further~~

Ordered that the Referee is prohibited from accepting or returning 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 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, section 36.2(c) ("Disqualifications from appointment"), and section 36.2(d) ("Limitations on appointments based on compensation"); and it is further

Ordered, that this motion be and the same is hereby granted, and that Plaintiff is awarded Summary Judgment for the relief demanded in the Complaint.

ENTER:


Hon. Sherri L. Eisenpress, AJSC