

At an Ex-Parte Term, of the Supreme Court of the County of Westchester held in the Westchester Supreme Court in the city of White Plains, New York on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

PRESENT: HON.  
SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF WESTCHESTER

-----X  
NATIONSTAR MORTGAGE LLC D/B/A  
CHAMPION MORTGAGE COMPANY

**ORDER OF REFERENCE AND  
DEFAULT JUDGMENT**

Plaintiff,

vs

BILLIE MAGNOTTI INDIVIDUALLY AND  
AS SURVIVING SPOUSE OF JOSEPH  
MAGNOTTI, UNITED STATES OF  
AMERICA ACTING THROUGH THE  
SECRETARY OF HOUSING AND URBAN  
DEVELOPMENT

INDEX #: 54637/2018

MORTGAGED PREMISES:  
548 YORK HILL ROAD, AKA 548  
YORKHILL ROAD  
YORKTOWN HEIGHTS, NY 10598

SBL #: 37.5 - 2 - 27

JOHN DOE (Those unknown tenants, occupants,  
persons or corporations or their heirs,  
distributees, executors, administrators, trustees,  
guardians, assignees, creditors or successors  
claiming an interest in the mortgaged premises.)

Defendant(s).

-----X  
Upon reading the Summons, Complaint, and Notice of Pendency filed in this action on the 29th Day of March, 2018, the affirmation of Jessica Kielb Grubea, Esq., and the exhibits annexed thereto, the affidavit of merit and amount due by Blaze Randazzo, who is of Nationstar Mortgage LLC d/b/a Champion Mortgage Company, duly sworn to Brad Battle on June 20, 2018, together with exhibits annexed hereto, 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

UPON a Notice of Appearance by United States of America acting through the Secretary of Housing and Urban Development;

And upon proof of compliance with all statutory conditions precedent to a foreclosure action;

And that a settlement conference was held by the Court and the case was released from the conference part on May 25, 2018;

AND it appearing that Billie Magnotti, United States of America acting through the Secretary of Housing and Urban Development, and Caroline Mensah time to answer the complaint has expired;

And it appearing to the satisfaction of this Court that this action was brought to foreclose a mortgage on real property located at 548 YORK HILL ROAD, AKA 548 YORKHILL ROAD, YORKTOWN HEIGHTS, NY 10598, in the County of Westchester, State of New York, Section 37.5, Block 2, Lot 27;

NOW, on application of Gross Polowy, LLC, attorney for the Plaintiff, it is hereby

ORDERED, that defendant(s) Billie Magnotti, Billie Magnotti, and Caroline Mensah have not appeared or answered in this matter and are deemed in default; and it is further

ORDERED, this action be, and the same is hereby referred to \_\_\_\_\_ of \_\_\_\_\_ as Referee to ascertain and compute the amount due to the Plaintiff for principal, interest and other disbursements advanced as provided for in the note and mortgage upon which this action is 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 Referee make his/her computation and report with all convenient

speed; and it is further

ORDERED, that, if required, the Referee 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 provisions 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) (in the discretion of the Court, a fee of \$\_\_\_\_\_), shall be paid to the Referee for the computation of the amount due and upon the filing of his/her report, 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 (b); 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 the name of Caroline Mensah be substituted in the caption of this action in place of "John Doe" and that the caption be amended to reflect this substitution; and it is further

ORDERED, that the caption shall read as follows:

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF WESTCHESTER

-----X  
NATIONSTAR MORTGAGE LLC D/B/A

CHAMPION MORTGAGE COMPANY

INDEX NO: 54637/2018

Plaintiff,

vs.

MORTGAGED PREMISES:  
548 YORK HILL ROAD, AKA 548  
YORKHILL ROAD  
YORKTOWN HEIGHTS, NY 10598

BILLIE MAGNOTTI INDIVIDUALLY AND  
AS SURVIVING SPOUSE OF JOSEPH  
MAGNOTTI, UNITED STATES OF AMERICA  
ACTING THROUGH THE SECRETARY OF  
HOUSING AND URBAN DEVELOPMENT,  
CAROLINE MENSAH,

SBL#: 37.5 - 2 - 27

Defendant(s).

-----X

and it is further

ORDERED, that Plaintiff shall serve a copy of this 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.

ENTER:

\_\_\_\_\_