

At an IAS Term of the Westchester Court of the State of New York held in the County of Suffolk at the Courthouse thereof in the _____ on _____, 20__.

PRESENT: _____

HONORABLE

STATE OF NEW YORK
SUPREME COURT COUNTY OF WESTCHESTER

U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE,
FOR RESIDENTIAL ASSET SECURITIES
CORPORATION, HOME EQUITY MORTGAGE
ASSET-BACKED PASS-THROUGH CERTIFICATES,
SERIES 2005-EMX3,

Plaintiff,

v.

FREDERICK E. WEAVER A/K/A FREDERICK
EDWARD WEAVER, ANN MARIE WEAVER A/K/A
ANN M. WEAVER A/K/A ANN MARIE SILLIMAN,
and JOHN DOE,

Defendants.

ORDER

Index No.: 58446/2015

Property address:
1 Floral Lane
Yonkers, NY 10703

UPON consideration of a Motion to Vacate and Reargue the Order Confirming Referee's Report pursuant to CPLR 2221(a) and (d) made by Woods Oviatt Gilman LLP, Yimell M. Suarez Abreu, Esq., attorneys for Plaintiff, heard on _____ at the in the Supreme Court, County of Westchester with an address of 111 Martin Luther King Boulevard, White Plains, NY 10601; and

UPON the Notice of Motion to Vacate and Reargue the Order Confirming Referee's Report dated December 18, 2018, and due proof of service of said Notice of Motion; and

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UPON the Affirmation in Support of said motion by Yimell M. Suarez Abreu, Esq., dated December 21, 2018, it is hereby

ORDERED, that the Order Confirming Referee's Report signed by the Honorable Kathie E. Davidson dated December 18, 2018 and filed in the Office of the Clerk of the County of Westchester on December 19, 2018, is hereby vacated, and it is further

ORDERED, that upon vacating and rearguing, judgment should be entered in favor of Plaintiff on the cause of action for foreclosure.

Dated:

Entered:

Justice of the Supreme Court