

RETURN DATE: DECEMBER 12, 2023	:	SUPERIOR COURT
	:	JUDICIAL DISTRICT
	:	OF NEW HAVEN
	:	AT NEW HAVEN
	:	
U.S. BANK NATIONAL ASSOCIATION,	:	
AS SUCCESSOR IN INTEREST TO	:	
BANK OF AMERICA NATIONAL	:	
ASSOCIATION, SUCCESSOR BY	:	
MERGER TO LASALLE BANK	:	
NATIONAL ASSOCIATION, AS	:	
TRUSTEE FOR GSAMP TRUST 2007-	:	
HE1, MORTGAGE PASS-THROUGH	:	
CERTIFICATES, SERIES 2007-HE1	:	
	:	
VS.	:	
	:	
KEVIN A. MIKULSKI, ET AL	:	November <u>15</u> , 2023

COMPLAINT

1. Upon information and belief Defendants, Kevin A. Mikulski; Billie Lynn Mikulski a/k/a Billie Lynn Barbieri (the “Defendant(s)”), is/are the owner of property located at 31 Partridge Run, Wallingford, CT 06492, more particularly described on Exhibit “A” attached hereto (the “Property”) by virtue of a Deed dated April 2, 2004 and recorded April 12, 2004 in Volume 1150 Page 916 of the Wallingford Land Records.
2. On November 17, 2006, Kevin A. Mikulski; Billie Lynn Mikulski a/k/a Billie Lynn Barbieri promised to pay to the order of Senderra Funding LLC, the principal sum of \$247,500.00 payable with interest thereon as provided in a certain promissory note (the “Note”).
3. To secure the Note, Kevin A. Mikulski and Billie Lynn Barbieri a/k/a Billie Lynn Mikulski, mortgaged the Property, of which he/she/they was/were then the recorded owner to Mortgage Electronic Registration Systems, Inc. as mortgagee, as nominee for

Senderra Funding LLC, by mortgage deed of that date, which deed is conditioned for the payment of the Note according to its tenor, and the performance of certain covenants and conditions contained in the mortgage deed; which deed was recorded November 20, 2006 in Volume 1276 at Page 321 of the Wallingford Land records (the “Mortgage”).

4. U.S. Bank National Association, as successor in interest to Bank of America National Association, successor by merger to LaSalle Bank National Association, as Trustee for GSAMP Trust 2007-HE1, Mortgage Pass-Through Certificates, Series 2007-HE1 (hereinafter “the Plaintiff”) is the current holder of the Note and Mortgage.
5. Said Note and Mortgage were affected by a Modification of the Promissory Note/Mortgage dated December 14, 2010 with the new the loan amount of \$263,086.20 and recorded January 3, 2011 in Volume 1404 at Page 322 of the Wallingford land records.
6. The Mortgage was assigned to the Plaintiff by assignment from Mortgage Electronic Registration Systems, Inc. as mortgagee, as nominee for Senderra Funding, LLC dated January 18, 2019, recorded with the Wallingford Land Records in Book 1598 at Page 343.
7. The installment of principal interest due on April 1, 2022, and each and every month thereafter, has not been paid and Plaintiff, as holder of said Mortgage and Note, has exercised its option to declare the entire balance due on the note due and payable.
8. The Plaintiff has caused a Notice of Availability of Emergency Mortgage Assistance (“EMAP”) be sent as required by C.G.S. §§ 8-265cc *et seq.*
9. Defendants are presently the owner of the Property and, upon information and belief are in possession thereof.

10. The Defendant, Consumer Portfolio Services, Inc. a/k/a CPS, Inc., claims, or may claim, an interest in the property by virtue of a judgment lien in the amount of \$17,646.36 plus costs, dated February 4, 2020, and recorded in Volume 1619 at Page 1139 of the Wallingford Land Records.
11. The Defendant, Connecticut Orthopaedic Specialist, P.C. a/k/a Connecticut Orthopaedic Specialist, claims, or may claim, an interest in the property by virtue of a judgment lien in the amount of \$1,473.94 plus costs, dated November 25, 2020, and recorded in Volume 1642 at Page 1160 of the Wallingford Land Records.
12. The Defendant, Luther Sales, claims, or may claim, an interest in the property by virtue of a judgment lien in the amount of \$1,052.33 plus costs, dated December 28, 2021, and recorded in Volume 1679 at Page 462 of the Wallingford Land Records.
13. The following parties claim an interest in the Property prior in right to the interest of Plaintiff.
 - a. Town of Wallingford for taxes for any previous year now due and all subsequent years not yet due;
 - b. Town of Wallingford for sewer use charges for the calendar years not yet due; and any previous year now due; and by virtue of a continuing sewer lien dated and recorded March 20, 2014 in Volume 59 at Page 931 with the Wallingford Land Records; and by virtue of a continuing sewer lien dated and recorded March 9, 2015 in Volume 60 at Page 642 with the Wallingford Land Records.
 - c. Wallingford Tax District for tax district fees, if applicable.

14. Notice is hereby given to the Defendant(s) that the Plaintiff intends to seek satisfaction of any deficiency judgment rendered in its favor in this action from any debt accruing to the Defendant(s) by reason of their respective personal services.

THIS COMMUNICATION IS FROM A DEBT COLLECTOR. THIS IS AN ATTEMPT TO COLLECT A DEBT, AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE. IF YOU: ARE A DEBTOR IN AN ACTIVE BANKRUPTCY CASE; ARE UNDER THE PROTECTION OF A BANKRUPTCY STAY; OR, HAVE RECEIVED A DISCHARGE IN BANKRUPTCY AND YOU HAVE NOT REAFFIRMED THE DEBT, THIS NOTICE IS FOR INFORMATIONAL PURPOSES ONLY AND SHOULD NOT BE CONSTRUED AS AN ATTEMPT TO COLLECT A DEBT FROM YOU PERSONALLY.

WHEREFORE, Plaintiff prays for the following relief:

1. A foreclosure of the mortgage;
2. Immediate possession of the mortgaged premises;
3. A deficiency judgment, if applicable by law, against the Defendant(s), Billie Lynn Barbieri a/k/a Billie Lynn Mikulski and Kevin A. Mikulski;
4. The appointment of a receiver to collect the rents and profits accruing from the premises;
5. Monetary damages;
6. Costs of this action;
7. Interest on mortgage debt from date of default;
8. Attorney's fees; and
9. Such other and further relief as the court may deem just and equitable.

Plaintiff,
U.S. Bank National Association, as successor in
interest to Bank of America National Association,
successor by merger to LaSalle Bank National
Association, as Trustee for GSAMP Trust 2007-
HE1, Mortgage Pass-Through Certificates, Series
2007-HE1
By its Attorney,

429148

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