

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

-----X  
THE BANK OF NEW YORK MELLON TRUST  
COMPANY, NATIONAL ASSOCIATION, AS  
GRANTOR OF THE PROTIUM MASTER GRANTOR  
TRUST,

Plaintiff,

-against-

RICHARD SCHNEEBERG; NEW YORK CITY  
TRANSIT ADJUDICATION BUREAU; BOARD OF  
MANAGERS OF AOL TIME WARNER CENTER  
CONDOMINIUM; NEW YORK CITY  
ENVIRONMENTAL CONTROL BOARD; BIG APPLE  
VISUAL GROUP, LLC,

Defendant  
-----X

Index No. 850119/2013

**NOTICE OF  
SETTLEMENT AND  
PROPOSED ORDER**

**Mortgaged Premises:**  
25 Columbus Circle Unit 58F  
New York, New York 10019

**Block:** 01049

**Lot:** 01055

COUNSEL:

**PLEASE TAKE NOTICE**, that an Order, of which the within is a true copy will be presented for settlement to the Hon. Gerald Lebovits, J.S.C., one of the justices of the within named Court, at the Supreme Court of the State of New York held in the County of New York, 60 Centre Street, New York, New York on the 21<sup>st</sup> day of March, 2016 at 9:30 AM.

*This communication is from a debt collector in an attempt to collect. Any information obtained will be used for that purpose.*

Dated: March 10, 2016

  
\_\_\_\_\_  
Michael P. DeRosa, Esq.  
Pulvers, Pulvers, Thompson & Friedman, LLP  
Attorneys for Plaintiff  
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New York, New York 10022  
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To:

Michael C. DeLisa, Esq.  
*Attorney for Defendant Richard Schneeberg*  
475 Montauk Highway  
West Islip, New York 11795

New York City Transit Adjudication Bureau  
130 Livingston Street  
Brooklyn, New York 11201

Board of Managers of AOL Time Warner Center Condominium  
C/O The Secretary of State of the State of New York  
One Commerce Plaza  
99 Washington Avenue  
Albany, New York 12231

New York City Environmental Control Board  
100 Church Street  
New York, New York 10007

Big Apple Visual Group, LLC  
247 W. 35<sup>th</sup> Street  
New York, New York 100010

At IAS Part 59 of the Supreme Court held  
in and for the County of New York at the  
Courthouse, New York, New York on  
\_\_\_\_\_, 2015

PRESENT: Hon. Paul Wooten, J.S.C.

-----x  
THE BANK OF NEW YORK MELLON TRUST COMPANY,  
NATIONAL ASSOCIATION AS GRANTOR TRUSTEE OF  
THE PROTIUM MASTER GRANTOR TRUST,

Plaintiff,

-against-

RICHARD SCHNEEBERG; NEW YORK CITY TRANSIT  
ADJUDICATION BUREAU; BOARD OF MANAGERS OF  
AOL TIME WARNER CENTER CONDOMINIUM; NEW YORK  
CITY ENVIRONMENTAL CONTROL BOARD; BIG APPLE  
VISUAL GROUP, LLC,

Defendants.

Index No. 850119/2013

JUDGMENT OF

FORECLOSURE AND SALE

Foreclosure of:

25 Columbus Circle,

Unit #58F

New York, New York

-----x  
On the Summons and Complaint and Notice of Pendency of Action  
duly filed in this action on May 7, 2013, and all proceedings hereon,  
and on reading and filing the Notice of Motion and Affirmation in  
support of Judgment of Foreclosure and Sale of Mark R. Knuckles,  
Esq., affirmed August 26, 2015, and on reading the affirmation of  
regularity of Mark R. Knuckles, Esq., dated August 26, 2015, and  
showing that each and all of the defendants herein have been duly  
served within this State with the summons in this action, and on the  
affidavits of service heretofore filed in the Office of the Clerk of  
the County of New York from all of which it appears that more than  
twenty days have elapsed since each defendant was served; that none  
of the defendants answered, moved or appeared with respect thereto  
except for Richard Schneeberg who interposed an Answer dated June 28,  
2013 by his attorney, Michael C. DeLisa, Esq. which Answer was

subsequently stricken pursuant to the Order of the Court dated April 16, 2014, although their time to do so has expired and has not been extended by court order or otherwise; so that none of the defendants are entitled to notice hereof except the said defendants heretofore mentioned; none of the defendants are infants, incompetents or absentees and, since the filing of the notice of pendency of this action, the complaint herein has not been amended so as to make new parties defendants to this action or so as to embrace real property other than that described on the original complaint or so as to extend the plaintiff's claim against the premises; and that the complaint herein and due notice of the pendency of this action containing all the particulars required to be stated therein were duly filed in the Office of the Clerk of the County of New York on May 7, 2013, and an Order of Reference having been duly made to compute the amount due to the plaintiff upon the mortgage set forth in the complaint and to examine and report whether the premises can be sold in parcels, from all of which it appears that this is an action brought to foreclose a mortgage on real property situate in the County of New York together with interest thereon and other charges due to plaintiff, which are now due and payable, as more fully reported by the Referee heretofore appointed herein, and on reading and filing the report of said Referee, by which report, bearing date April 17, 2015, it appears that the sum of \$4,613,509.31

was due on April 1, 2015, exclusive of counsel fees; and that the premises should be sold in one parcel;

Upon the motion of the Law Offices of Knuckles, Komosinski & Elliott, LLP, as attorneys for Plaintiff, said motion having come to be heard before this court \_\_\_\_ day of \_\_\_\_\_, 2015, and there being no opposition thereto, and after due deliberation; it is

**ORDERED, ADJUDGED and DECREED** that the motion is granted; and it is further,

**ORDERED, ADJUDGED AND DECREED** that the report of Regina L. Darby, Esq., sworn to and dated April 17, 2015, be and same hereby ratified and confirmed and; it is further,

**ORDERED, ADJUDGED AND DECREED** that the premises described in the complaint in this action and as hereinafter described, and any and all personal property in which plaintiff has a security interest or such part thereof as may be sufficient to discharge the mortgage debt, the expenses of the sale and the costs of this action as provided by the Real Property Actions and Proceedings Law be sold, in one parcel, at public auction in one parcel on any Tuesday at 2:00 p.m. in Room 130 at the New York County Courthouse, 60 Centre Street, New York, New York by and under the direction of Leland L. Greene, Esq., who is hereby appointed Referee for that purpose; that the said Referee give public notice of the time and place of such sale; and shall report and submit a copy of this judgment to the Motion Support Office Room 119 at 1:00 p.m., so the sale may proceed promptly at

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