

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF QUEENS

Index No

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KHADIZA KHANAM,

Plaintiff,

- - against - -

BANK OF AMERICA, NATIONAL ASSOCIATION
SUCCESSOR BY MERGER TO LASALLE BANK,
NATIONAL ASSOCIATION, AS TRUSTEE FOR THE
MLMI TRUST SERIES 2006-FM1; JOHANNY
RODRIGUEZ; NANCY PENARANDA CORTEZ; and
"JOHN DOE #1" through "JOHN DOE #10," the last ten
names being fictitious and unknown to the plaintiff intended
as persons occupying the premises described in the
Complaint, and/or persons or entities having some claim or
interest in the premises described in the Complaint,

Defendant(s).
-----X

SUMMONS

Plaintiff designates Queens
County as the place of trial.

The basis of *venue* is:
Location of the Premises
described herein

To the Above-Named Defendant(s):

YOU ARE HEREBY SUMMONED to answer the complaint in this action and to serve a
copy of your answer on the Plaintiff's attorneys within twenty (20) days after the service of
this summons, exclusive of the day of service of this summons, or within thirty (30) days
after service of this summons is complete if this summons is not personally delivered to you
within the State of New York.

In case of your failure to answer this summons, a judgment by default will be taken against
you for the relief demanded in the complaint, together with the costs of this action.

Dated: Jericho, New York
March 15, 2023

FADULLON DIZON KRUL, LLP


By: Juan Paolo F. Dizon, Esq.

380 North Broadway, Suite 408
Jericho, New York 11753
(347) 757-4131
jp@fdk-law.com
Attorneys for plaintiff Khadiza Khanam

To:

Bank of America, National Association,
as successor by merger to LaSalle Bank,
National Association, as Trustee for the
MLMI Trust Series 2006-FM1
100 North Tryon Street
Charlotte, North Carolina 28255
Defendant

Nancy Penaranda Cortez
108-18 34th Avenue, 1st Floor
Corona, New York 11368
Defendant

Johanny Rodriguez
108-18 34th Avenue, 2nd Floor
Corona, New York 11368
Defendant

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names being fictitious and unknown to the plaintiff intended
as persons occupying the premises described in the
Complaint, and/or persons or entities having some claim or
interest in the premises described in the Complaint,

VERIFIED COMPLAINT

Defendant(s).

-----X

Khadiza Khanam (Plaintiff), by her attorneys, Fadullon Dizon Krul, LLP, and as for her
complaint respectfully alleges as follows, upon knowledge as to herself and her conduct, and
upon personal knowledge as to the acts and omissions of the Defendant(s) in all other matters:

PRELIMINARY STATEMENT

1. Plaintiff brings this action, pursuant to RPAPL 1501 (4), to compel a determination of
claims to the real property located at and more commonly known 108-18 34th Avenue, Corona,
New York 11368, Block No. 01750, Lot No. 0011 (Premises), more particularly described in
the deed incorporated herein and annexed hereto as **Exhibit A**.
2. More specifically, Plaintiff, pursuant to RPAPL 1501 (4), seeks the cancellation and
discharge of the mortgage, referred to below, which encumbers the Premises.

THE PARTIES AND JURISDICTION

3. Plaintiff is an adult resident of the City of Dhaka, Country of Bangladesh. Plaintiff is the owner of title to the subject Premises in fee simple.

4. Upon information and belief, defendant Bank of America, National Association, as successor by merger to LaSalle Bank, National Association, as Trustee for the MLMI Trust Series 2006-FM1 is a banking corporation or similar financial institution organized and existing under the laws of the United States of America; is engaged in the regular, systematic, and ongoing transaction of business throughout the State of New York, and maintains many offices in the State of New York for the purposes of engaging in its operations within the State of New York; and, claims an interest, in the form of an encumbrance, in the subject Premises, which interest arose from a business transaction that occurred in the State of New York and which interest is adverse to that of Plaintiff's interest in the subject Premises.

5. Upon information and belief, defendant Nancy Penaranda Cortez is the tenant occupying the 1st floor unit of the Premises.

6. Upon information and belief, defendant Johanny Rodriguez is the tenant occupying the 2nd floor unit of the Premises.

7. Upon information and belief, defendants "JOHN DOE #1" through "JOHN DOE #10" are additional tenants of the Premises who are unknown to the Plaintiff, and/or persons or entities who are unknown to Plaintiff and who have some claim or interest in the Premises that may be affected by the judgment in this action.

8. The subject Premises, specifically described in the deed incorporated herein and annexed hereto as **Exhibit A**, is situated within the State of New York, County of Queens.

FIRST CAUSE OF ACTION
(RPAPL 1501 [4])

9. Plaintiff incorporates by reference each of the preceding paragraphs as though they were fully set forth herein.

10. On or around February 14, 2006, Mr. Mohammad Nuruddin (Mr. Nuruddin) and Ms. Farzana Islam, Plaintiff's predecessors-in-interest with respect to title to the subject Premises, executed and delivered a mortgage encumbering the above-described subject Premises to Mortgage Electronic Registration Systems, Inc., solely as nominee for Fremont Investment & Loan (Fremont) and its successors-in-interest, to secure the sum of \$605,600.00, which mortgage was recorded in the office of the Clerk for the County of Queens of the State of New York as it appears on the recorded instrument incorporated herein and annexed hereto as

Exhibit B.

11. Such mortgage was assigned to LaSalle Bank, National Association, as Trustee for the MLMI Trust Series 2006-FM1 (LaSalle) as demonstrated by the instrument, a copy of which is incorporated herein and annexed hereto as **Exhibit C.** and the endorsement of the loan document memorializing the debt secured by the said mortgage, a copy of which is incorporated herein and annexed hereto as **Exhibit D.**

12. Thereafter, LaSalle merged into Defendant as demonstrated by certain documents, copies of which are incorporated herein and annexed hereto as **Exhibit E.**

13. That pursuant to the terms of the loan document, dated February 14, 2016, between Mr. Nuruddin and Fremont, the indebtedness, secured by the aforesaid mortgage, was payable in installments, with interest.



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