

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF SARATOGA

Nationstar Mortgage LLC d/b/a Champion Mortgage  
Company

Plaintiff(s),

v.

Montgomery County Treasurer, as the Limited Administrator  
of the Estate of Emily Califano a/k/a Emily Jane Califano;  
The United States of America acting through The Secretary  
of Housing and Urban Development; Richard Hess; Jeffrey  
Hess; Mark Hess; Lawrence Hess; Elaine Yaksta; Scott Hess;  
John Dence; James Dence; Dorothy Scherenberger; Deborah  
Pietrantozzi; Sharon James; Kathleen James; John Hess;  
Stephen Hess; Alfred Williams a/k/a Alfred Robert  
Williams; New York State Department of Taxation and  
Finance,

Defendant(s).

INDEX NO. 20157

**NOTICE OF MOTION FOR  
A DEFAULT JUDGMENT  
AND ORDER OF  
REFERENCE**

MORTGAGED PROPERTY:  
712 Swaggertown Road  
Scotia, NY 12302

COUNTY: Saratoga  
SBL #: Section 256. Block 1  
Lot 66

2021 NOV - 8 AM 11:10  
SARATOGA COUNTY CLERK  
BALLSTON SPA

FILED



20157 RECEIVED  
11/08/2021 11:09:26 AM  
1 \$45.00  
RECEIPT FOR MOTION FEE PAID  
Saratoga County Clerk

PLEASE TAKE NOTICE that, upon the affirmation of Brent Surgeoner, Esq., dated  
November 3, 2021, the affidavit of Erin Naylor, sworn to May 20, 2021, the exhibits  
attached thereto, and all prior proceedings in this case, Plaintiff Nationstar Mortgage LLC d/b/a  
Champion Mortgage Company will move this court at 9:30 am on December 7, 2021 before  
\_\_\_\_\_ part, at the Supreme Court, Saratoga County, Saratoga County Courthouse, 30 McMaster  
Street, Ballston Spa, NY 12020, or as soon thereafter as the parties may be heard, for an order:

1. Appointing a referee to compute the amount due to Plaintiff, examine whether the  
mortgaged property known as 712 Swaggertown Road, Scotia, NY 12302 may be  
sold in parcels, and make his/her computation and report with all convenient  
speed pursuant to RPAPL §1321;

2. Removing Sharon James as a party defendant in this action and amending the caption to reflect the removal of Sharon James as a party defendant;
3. Declaring that all non-appearing and non-answering defendants are in default pursuant to CPLR 3215; and
4. Such additional relief as to the Court may deem just and proper.

**PLEASE TAKE FURTHER NOTICE** that, pursuant to CPLR 2214 (b), answering papers and notice of cross-motion, with supporting papers, if any, must be served upon the undersigned at least seven (7) days prior to the return date of this motion.

Dated: November 3, 2021  
Monroe County, New York



Brent Surgeoner, Esq.  
Associate Attorney  
LOGS LEGAL GROUP LLP F/K/A  
SHAPIRO, DICARO & BARAK, LLC  
Attorneys for Plaintiff  
175 Mile Crossing Boulevard  
Rochester, New York 14624  
(585) 247-9000  
Fax: (585) 247-7380

To: Montgomery County Treasurer  
20 Park Street  
PO Box 1500  
Fonda, NY 12068

Richard Hess  
3757 Pecos McLeod, #103  
Las Vegas, NV 89121

Mark Hess  
1704 Van Vranken Avenue, Apartment 1  
Schenectady, NY 12308

Jeffrey Hess  
1136 Barber Drive  
Schenectady, NY 12303

Lawrence Hess  
1704 Van Vranken Avenue, Apartment 1F  
Schenectady, NY 12308

Elaine Yaksta  
1009 Bruce Lane  
Schenectady, NY 12303

Scott Hess  
7 Turner Park Road  
Schenectady, NY 12302

John Dence  
23 Rice Lane  
Eagle Bridge, NY 12057

James Dence  
1217 Great Pond Road  
Aurora, ME 04408

Dorothy Scherenberger  
121 Mechanic Street  
Northville, NY 12134

Deborah Pietrantozzi  
7669 Manor Drive  
Mentor On the Lake, OH 44060

Kathleen James  
68730 Calvin Center Road  
Cassopolis, MI 49031

John Hess  
8361 Road 230  
Cecil, OH 45821

Stephen Hess  
14108 Hazelmere Avenue  
Cleveland, OH 44111

Alfred Williams  
355 North Road  
Shelburne, NH 03581

New York State Department of Taxation and Finance  
WA Harriman State Office Campus  
Building 9  
Albany, NY 12207

William F. Larkin, Esq.  
*Attorney for defendant The United States of America*  
PO Box 7198  
100 S. Clinton Street  
Syracuse, NY 13261

**ATTORNEY'S CERTIFICATION**

I, Brent Surgeoner, am an attorney duly admitted to the practice of law in the State of New York. I am an associate of LOGS Legal Group LLP f/k/a Shapiro, DiCaro & Barak, LLC, the attorneys for the Plaintiff, Nationstar Mortgage LLC d/b/a Champion Mortgage Company, in the above captioned civil action.

I HEREBY CERTIFY, pursuant to Sec. 130-1.1-a of the Rules of the Chief Administrator (22 NYCRR), to the best of my knowledge, information and belief, formed after an inquiry reasonable under the circumstances, that the presentation of the papers in this action checked below, or the contentions therein, are not frivolous as defined in subsection (c) of Sec. 130-1.1 of the Rules of the Chief Administrator (22 NYCRR):

- Summons & Complaint
- Notice of Motion
- Attorney's Affirmation
- Other:

DATED: November 3, 2021



\_\_\_\_\_  
Brent Surgeoner, Esq.  
Associate Attorney  
LOGS LEGAL GROUP LLP F/K/A  
SHAPIRO, DICARO & BARAK, LLC  
Attorneys for Plaintiff  
175 Mile Crossing Boulevard  
Rochester, New York 14624  
(585) 247-9000  
Fax: (585) 247-7380

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