FILED: SARATOGA COUNTY CLERK 11/08/2021 11:10 AM

NYSCEE DOC NO 63

RECEIVED NYSCEF: 12/15/2021

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,

INDEX NO. 2015 7 ...

NOTICE OF MOTION FOR A DEFAULT JUDGMENT AND ORDER OF REFERENCE

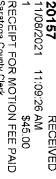
MORTGAGED PROPERTY: 712 Swaggertown Road Scotia, NY 12302



Defendant(s).

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

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;





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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;

- Declaring that all non-appearing and non-answering defendants are in default pursuant to CPLR 3215; and
- 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

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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



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Jeffrey Hess 1136 Barber Drive Schenectady, NY 12303

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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



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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
- {X} 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

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