

FILE

# EXHIBIT Q

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF SARATOGA

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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; Kathleen James; John Hess; Stephen Hess;  
Alfred Williams a/k/a Alfred Robert Williams; New  
York State Department of Taxation and Finance,

Defendant(s).

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**AFFIRMATION OF SERVICES  
RENDERED**

INDEX NO. 20157

MORTGAGED PROPERTY: 712  
Swaggertown Road  
Scotia, NY 12302  
COUNTY: Saratoga  
SBL #: Section 256. Block 1 Lot 66

I, Nicole DiStasio, an attorney duly admitted to the practice of law in the State of New York, hereby affirm pursuant to CPLR § 2106 that:

1. I am an associate of LOGS Legal Group LLP f/k/a Shapiro, DiCaro & Barak, LLC, the attorneys of record for Nationstar Mortgage LLC d/b/a Champion Mortgage Company, the plaintiff in the above captioned action and, as such, am fully familiar with the facts of this case and the proceedings heretofore had herein. I make this affirmation in support of plaintiff's order confirming referee report and judgement of foreclosure and sale and to apprise the Court of the attorneys' fees incurred by the plaintiff herein.

2. Attorneys' fees are chargeable to the defendant pursuant to paragraph(s) 20 of the mortgage, upon which this foreclosure action is based.

3. With reference to the fixing of attorneys' fees, this matter has required considerable expertise, and considerable effort has been expended in evaluating and discussing with our client the best procedure and tracking to use in order to most effectively protect its rights in this difficult and technical process.

4. The amount due to LOGS Legal Group LLP f/k/a Shapiro, DiCaro & Barak, LLC for the instant foreclosure is based upon the amount of time and work performed in this matter.

5. The file was received by this Office on November 10, 2014. A breakdown of the services rendered by us in connection with this matter is attached hereto as Schedule A.

6. Our fee schedule is based upon each stage of the foreclosure and not hours actually spent. The fee schedule was devised in such a manner so as to accurately reflect the hours our firm would spend on the foreclosure. The total hours expended equals forty-one and one quarter (41.25) hours. At an hourly rate of \$250.00/hour for attorneys and \$100.00/hour for paralegals, a reasonable estimated fee for these services would be \$6,337.50. However, we request that our fee be set at \$2,000.00, which are the legal fees billed to and recoverable by our client in this action. **Further, no fees, other than these requested herein, have been paid in this matter.**

7. Your affirgant respectfully submits that counsel for plaintiff is entitled to such award of legal fees as requested herein and in the original complaint, said fee being fair and reasonable based upon the facts set forth in this affirmation.

**WHEREFORE**, it is prayed that the Plaintiff be awarded the aforementioned attorneys' fees herein.

Dated: March 14, 2022

*Nicole DiStasio*  
Nicole DiStasio, 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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## SCHEDULE A

SERVICES RENDERED	PARALEGAL TIME	ATTORNEY TIME
Received and reviewed client's referral package, verify validity of pre-foreclosure notices, run/review SCRA Searches	1.50	1.00
Open File, Obtain foreclosure Search & copies of necessary documents in chain of title, etc.	1.50	0.00
Draft and send pre complaint notices such as Fair Debt Notices and/or Pre-Foreclosure Solicitation letters	1.00	0.50
Review foreclosure search, bankruptcy search, prior title policy, mortgage, note & Assignments of same; clear title problems; determine necessary parties	1.00	2.00
Various telephone conversations with client, attorneys, interested parties, written correspondence, preparation of quotes, letters and loss mitigation requests, update client and case management systems etc.	2.00	2.00
Review statement of review, prepare Certificate of Merit; update system(s); run searches	0.50	0.50
Prepare Summons, Complaint, notice of pendency of action, letter to title company, and assignment, if necessary	2.00	0.00
Review summons, complaint & notice of pendency; verify facts and figures; sign pleadings	0.00	1.00
Prepare and Review Statement of Review for Certificate of Merit; send to client for signatures	0.50	0.00
Review Signed Statement of Review, Prepare/Review Certificate of Merit, Prepare for and file complaint, etc. with County Clerk	0.50	0.50
Prepare and forward Summons and Complaint to process server for service upon defendants; determine addresses for defendants, etc.	1.50	0.00
Prepare and execute RJL; send to process server for filing	0.50	0.25
Review affidavits of Service upon defendants, notices of appearance & answers; 120 rule; validity of lis pendens; requests for 1354 hearings, etc.	1.00	1.00
Prepare and obtain client affidavit	1.00	0.00
Prepare Order of Reference and Affirmation in Support	1.50	0.00
Review Order and Affirmation; sign Affirmation	0.00	1.00
Prepare proposed Referee's Oath & Report, documentary evidence, and exhibits for Referee and delivered same to Referee	2.0	0.00
Review Referee's Report; compute amount due with client; review history	0.00	0.50
Prepare Judgment of Foreclosure and Sale, affirmation, affidavits, costs & disbursements, etc.	1.00	0.00
Review Judgment, affirmation, costs, etc.; sign affirmation, serve and submit to court	0.50	1.00
Various telephone conversations with client, attorneys, interested parties, written correspondence, court follow up, update client and case management systems, etc.	3.00	1.50
<b>SUBTOTAL</b>	<b>22.50</b>	<b>12.75</b>
<b>SERVICES NECESSARY TO COMPLETE FORECLOSURE:</b> Enter Judgment; Run SCRA and Bankruptcy Searches, order tax search, Coordinate with publication & posting company to Contact Referee to set a Sale date; prepare notice of sale & send to newspaper for publication & posting; send notice to appearing attorneys and owners of property. Compute upset bid, prepare terms of sale, prepare surplus money form, Prepare Sale Certifications, memorandum of sale; various telephone calls from interested parties; attend sale and necessary tax forms; prepare Referee's Report of Sale and Referee's Deed; record Deed and file Referee's Report; send copies to appearing attorneys; obtain final title	4.00	2.00
<b>TOTAL HOURS</b>	<b>26.50</b>	<b>14.75</b>
<b>COMPUTATION OF FEES:</b>		
ATTORNEY TIME: \$250.00/hr.		\$3,687.50
PARALEGAL TIME: \$100.00/hr.	\$2,650.00	
<b>TOTAL FEES:</b>		<b>\$6,337.50</b>