

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF SCHOHARIEFEDERAL NATIONAL MORTGAGE ASSOCIATION  
("FANNIE MAE") A CORPORATION ORGANIZED  
AND EXISTING UNER THE LAWS OF THE UNITED  
STATES OF AMERICA,

Plaintiff,

-against-

FRED DUFEK, JR.; ROBIN DUFEK; LAURIE DUFEK;  
TROY DUFEK,

Defendant(s).

Index No. 2022-3

NOTICE OF MOTION

PLEASE TAKE NOTICE THAT, upon the affirmation of Robert M. Link, Esq. and the Affidavits of Sgt. J. McCoy of Schoharie County Sheriff's Department and Daniel J. Card, associate broker at A-1 REO Services, LLC, the property manager for FANNIE MAE AKA FEDERAL NATIONAL MORTGAGE ASSOCIATION; and the prior pleadings and proceedings in this action; plaintiff will make a motion on February 23, 2022 at an IAS Part in the Supreme Court of the State of New York, County of Schoharie, 290 Main Street, Schoharie, New York, 12157; the Plaintiff brings the instant motion for an Order: (1) granting summary judgment against the Defendants, FRED DUFEK, JR.; ROBIN DUFEK; LAURIE DUFEK; TROY DUFEK, (2) for a permanent injunction restraining and enjoining the Defendants from interfering with Plaintiff's Property by preventing access through constructed fences, signage threatening violence, cameras, and locks to prevent the use of Plaintiff's Property; (3) During the pendency of this action, a preliminary injunction to enjoin and restrain Defendants from the acts set forth above; (4) A declaratory judgment finally determining the rights and obligations of the respective parties with respect to the Subject Premises and Lot 12; (5) A permanent easement by necessity allowing ingress and egress from the Subject Premises to Bassler Road through Lot 12; (6) A permanent

easement by implication allowing ingress and egress from the Subject Premises to Bassler Road through Lot 12; (7) Alternatively, a temporary easement for the limited purpose of facilitating the eviction proceedings and to explore the construction of an alternative ingress and egress to the landlocked Lot 3. (8) Compensatory damages in a sum to be determined at trial; (9) Exemplary damages in a sum to be determined at trial; (10) Costs of suit including but not limited to reasonable attorney fees; (11) That plaintiff has such other and further relief as may be just and proper.

Pursuant to CPLR §2214(b), answering affidavits and any notice of cross-motion, with supporting papers, if any, shall be served seven days in advance of the return date.

Dated: February 2, 2022

**David A. Gallo & Associates LLP**

Manhasset, NY

/s/ Robert M. Link

By: Robert M. Link, Esq.

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