

**SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF SCHOHARIE**

FEDERAL NATIONAL MORTGAGE ASSOCIATION  
("FANNIE MAE") A CORPORATION ORGANIZE  
AND EXISITING YNDER 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 APPEAL**

**PLEASE TAKE NOTICE** that the above-named Defendant(s), Fred Dufek, Jr. and Robin Dufek, hereby appeal to the Appellate Division of the Supreme Court of the State of New York, Second Judicial Department, from a ***Decision and Order*** of Hon. James H. Ferreira J.S.C., of the Supreme Court of Schoharie County, dated May 9, 2022 and entered on May 10, 2022, in the Office of the Clerk for the County of Schoharie.

Dated: June 6, 2022  
Melville, NY

/s/

Charles Wallshein, Esq.

**The Law Offices of Charles Wallshein, PLLC**

*Attorney for Defendants Fred Dufek Jr. and Robin Dufek*

35 Pinelawn Road, Suite 106E

Melville, New York 11747

631-824-6555

To:

Robert M. Link, Esq.

**David A. Gallo & Associates LLP**

*Attorneys for Plaintiff*

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# Supreme Court of the State of New York

## Appellate Division: Third Judicial Department

Informational Statement (Pursuant to 22 NYCRR 1250.3 [a]) - Civil

Case Title: Set forth the title of the case as it appears on the summons, notice of petition or order to show cause by which the matter was or is to be commenced, or as amended.

FEDERAL NATIONAL MORTGAGE ASSOCIATION ("FANNIE MAE") A CORPORATION ORGANIZE AND EXISITING YNDER THE LAWS OF THE UNITED STATES OF AMERICA,

- against -

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

For Court of Original Instance

Date Notice of Appeal Filed

For Appellate Division

### Case Type

- Civil Action  
 CPLR article 75 Arbitration  
 CPLR article 78 Proceeding  
 Special Proceeding Other  
 Habeas Corpus Proceeding

### Filing Type

- Appeal  
 Original Proceedings  
 CPLR Article 78  
 Eminent Domain  
 Labor Law 220 or 220-b  
 Public Officers Law § 36  
 Real Property Tax Law § 1278  
 Transferred Proceeding  
 CPLR Article 78  
 Executive Law § 298  
 CPLR 5704 Review

**Nature of Suit:** Check up to three of the following categories which best reflect the nature of the case.

<input type="checkbox"/> Administrative Review	<input type="checkbox"/> Business Relationships	<input type="checkbox"/> Commercial	<input type="checkbox"/> Contracts
<input type="checkbox"/> Declaratory Judgment	<input type="checkbox"/> Domestic Relations	<input type="checkbox"/> Election Law	<input type="checkbox"/> Estate Matters
<input type="checkbox"/> Family Court	<input checked="" type="checkbox"/> Mortgage Foreclosure	<input type="checkbox"/> Miscellaneous	<input type="checkbox"/> Prisoner Discipline & Parole
<input type="checkbox"/> Real Property (other than foreclosure)	<input type="checkbox"/> Statutory	<input type="checkbox"/> Taxation	<input type="checkbox"/> Torts

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## Appeal

Paper Appealed From (Check one only):

If an appeal has been taken from more than one order or judgment by the filing of this notice of appeal, please indicate the below information for each such order or judgment appealed from on a separate sheet of paper.

- |  |  |   |   |
|--|--|---|---|
| <input type="checkbox"/> Amended Decree    | <input type="checkbox"/> Determination                     | <input type="checkbox"/> Order              | <input type="checkbox"/> Resettled Order  |
| <input type="checkbox"/> Amended Judgement | <input type="checkbox"/> Finding                           | <input type="checkbox"/> Order & Judgment   | <input type="checkbox"/> Ruling           |
| <input type="checkbox"/> Amended Order     | <input type="checkbox"/> Interlocutory Decree              | <input type="checkbox"/> Partial Decree     | <input type="checkbox"/> Other (specify): |
| <input type="checkbox"/> Decision          | <input checked="" type="checkbox"/> Interlocutory Judgment | <input type="checkbox"/> Resettled Decree   |   |
| <input type="checkbox"/> Decree            | <input type="checkbox"/> Judgment                          | <input type="checkbox"/> Resettled Judgment |   |

Court: Supreme Court 

County: Schoharie

Dated: 05/09/2022

Entered: May 10, 2022

Judge (name in full): James H. Ferreira

Index No.: 2022-3

Stage:  Interlocutory  Final  Post-FinalTrial:  Yes  No If Yes:  Jury  Non-Jury

## Prior Unperfected Appeal and Related Case Information

Are any appeals arising in the same action or proceeding currently pending in the court?  Yes  No  
If Yes, please set forth the Appellate Division Case Number assigned to each such appeal.

Where appropriate, indicate whether there is any related action or proceeding now in any court of this or any other jurisdiction, and if so, the status of the case:

## Original Proceeding

Commenced by:  Order to Show Cause  Notice of Petition  Writ of Habeas Corpus Date Filed:

Statute authorizing commencement of proceeding in the Appellate Division:

## Proceeding Transferred Pursuant to CPLR 7804(g)

Court: Choose Court

County: Choose County

Judge (name in full):

Order of Transfer Date:

## CPLR 5704 Review of Ex Parte Order:

Court: Choose Court

County: Choose County

Judge (name in full):

Dated:

## Description of Appeal, Proceeding or Application and Statement of Issues

Description: If an appeal, briefly describe the paper appealed from. If the appeal is from an order, specify the relief requested and whether the motion was granted or denied. If an original proceeding commenced in this court or transferred pursuant to CPLR 7804(g), briefly describe the object of proceeding. If an application under CPLR 5704, briefly describe the nature of the ex parte order to be reviewed.

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Issues: Specify the issues proposed to be raised on the appeal, proceeding, or application for CPLR 5704 review, the grounds for reversal, or modification to be advanced and the specific relief sought on appeal.

**Party Information**

Instructions: Fill in the name of each party to the action or proceeding, one name per line. If this form is to be filed for an appeal, indicate the status of the party in the court of original instance and his, her, or its status in this court, if any. If this form is to be filed for a proceeding commenced in this court, fill in only the party's name and his, her, or its status in this court.

No.	Party Name	Original Status	Appellate Division Status
1	FEDERAL NATIONAL MORTGAGE ASSOCIATION	Plaintiff <input type="checkbox"/>	Respondent <input type="checkbox"/>
2	Fred Dufek	Defendant <input checked="" type="checkbox"/>	Appellant <input checked="" type="checkbox"/>
3	Robin Dufek	Defendant	Appellant
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## Attorney Information

Instructions: Fill in the names of the attorneys or firms for the respective parties. If this form is to be filed with the notice of petition or order to show cause by which a special proceeding is to be commenced in the Appellate Division, only the name of the attorney for the petitioner need be provided. In the event that a litigant represents herself or himself, the box marked "Pro Se" must be checked and the appropriate information for that litigant must be supplied in the spaces provided.

Attorney/Firm Name: David A. Gallo & Associates LLP

Address: 47 Hillside Avenue, Second Fl

City: Manhasset

State: NY

Zip: 11030

Telephone No: (516)718-269-7607

E-mail Address: blink@dagallp.com

Attorney Type:  Retained  Assigned  Government  Pro Se  Pro Hac Vice

Party or Parties Represented (set forth party number(s) from table above):1

Attorney/Firm Name: The Law Offices of Charles Wallshein

Address: 35 Pinelawn Road

City: Melville

State: NY

Zip: 11747

Telephone No: 6318246555

E-mail Address: cwallshein@wallsheinlegal.com

Attorney Type:  Retained  Assigned  Government  Pro Se  Pro Hac Vice

Party or Parties Represented (set forth party number(s) from table above):2, 3

Attorney/Firm Name:

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City:

State:

Zip:

Telephone No:

E-mail Address:

Attorney Type:  Retained  Assigned  Government  Pro Se  Pro Hac Vice

Party or Parties Represented (set forth party number(s) from table above):

Attorney/Firm Name:

Address:

City:

State:

Zip:

Telephone No:

E-mail Address:

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Attorney Type:  Retained  Assigned  Government  Pro Se  Pro Hac Vice

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