

STATE OF NEW YORK
SUPREME COURT

COUNTY OF SCHOHARIE

Wells Fargo Bank, N.A.

Plaintiff,

~~STIPULATION & ORDER~~

-against-

Index No.: 2023-365

Jarrett Chichester, et al.

Defendant.

A Residential Foreclosure action was scheduled for a settlement conference on 12/14/23, and the following parties appeared before the undersigned:

Plaintiff: by Brent Surgeoner, Esq.; counsel for LOGS Legal Group
Defendant UNREPRESENTED or REPRESENTED by: _____

of counsel retained pro bono

- This case does *not* meet the criteria of the Foreclosure Part under Uniform Rule 202.12 (a) (FSCNER)(FSCNEU)
- Case Settled by loan modification (FSCLMR) (FSCLMU)
- Case Dismissed by the court (FSCDISMR) (FSCDISMU)
- Case Settled other than loan modification (FSCOTR)(FSCOTU) reinstatement – satisfaction – short sale
- Case Discontinued except by settlement (FSCDISCR) (FSCDISCU)
- Bank *shall* file a Discontinuance with the _____ County Clerk and serve a Discontinuance, upon the Homeowner(s) within (90) days of the date of this order.
- Case is *not* settled and plaintiff may proceed with the action (FSCCNSR)(FSCCNSU) 30-45-60-90-day stay.
- Stayed pending other outcome (FSCSTAYR) (FSCSTATU)
- Defendant *failed* to appear at the conference, Plaintiff to proceed with the action. (FSCDFTR)(FSCDFTUN)
- Defendant failed to timely submit a poor person affidavit. The motion is therefore denied.

- PLAINTIFF is directed to provide Loan Modification Packet to the defendant by _____.
- DEFENDANT is directed to submit completed application or additional documentation by _____.
- PLAINTIFF is directed to provide, if necessary, a missing documents letter by _____.
- DEFENDANT is directed to provide, if necessary, missing documents identified in Plaintiff's missing documents letter by _____.
- DEFENDANT is directed to bring copies and fax receipts of all documents submitted to the lender at the next court conference.
- PLAINTIFF is directed to provide DEFENDANT with a direct telephone and fax number to the lender's loss mitigation representative and bank attorney.
- PLAINTIFF is directed to review defendant homeowner's application and advise if additional information is needed by _____.
- PLAINTIFF is directed to advise defendant if modification is granted or denied by _____.
- PLAINTIFF is directed to provide a written report stating, with specificity, all programs available and all good- faith efforts undertaken to resolve this matter by the next court conference.
- The court directs PLAINTIFF to have the lender's representative, authorized to settle, as follows:
 - Present in Court on the next court date.
 - Available to the court by DIRECT telephone line.
- Other No appearance from HO. Plaintiff reports no contact - offered repayment plan but HO did not respond. Second conf. notice sent.
- The court directs an adjournment to January 18, 2024 at 11AM for further conference (FSCCTDR)(FSCCTDU)
- The court directs an adjournment to _____ at _____ for Trial Loan Modification (FSCCTDR)(FSCCTDU)

FOR PLAINTIFF:

FOR DEFENDANT:

SO ORDERED:

Mackenzie M. Plaske
Mackenzie M. Plaske
Court Attorney

Foreclosure Part e-mail: 3jdforeclosurepart@nycourts.gov