



At Part FSMP of the Supreme Court held in and for the County of Kings, at the Kings County Courthouse thereof, on the 8 day of September, 2023.

PRESENT: Larry D Martin
JUSTICE OF THE SUPREME COURT

-----X
REVERSE MORTGAGE FUNDING LLC,

Plaintiff,

-against-

TADEUSZ KURDZIEL; CZESLAWA PODGAJNA; UNITED STATES OF AMERICA ACTING ON BEHALF OF THE SECRETARY OF HOUSING AND URBAN DEVELOPMENT; NEW YORK CITY DEPARTMENT OF FINANCE; NEW YORK CITY ENVIRONMENTAL CONTROL BOARD; EMIGRANT MORTGAGE COMPANY, INC.; "JOHN DOE #1" through "JOHN DOE #10," said names being fictitious and unknown to plaintiff, intended to be possible tenants or occupants of the premises, or corporations, persons, or other entities having or claiming a lien upon the mortgaged premises,

Defendants.

-----X
Index No. 502585/2022
MS 1

**ORDER OF REFERENCE,
AMEND THE CATION, AND
DEFAULT JUDGMENT**

Mortgaged Property:
137 Kingsland Avenue
Brooklyn, NY 11222

COUNTY: KINGS

SBL#: 10.2829.23

Mortgage Servicer: Celinek
(Compu-Link Corporation
DBA Celinek as attorney in fact
and servicer)

Mortgage Servicer Phone No:
866-278-2008

-----X
UPON the Summons, Complaint, and Notice of Pendency filed in this action on 26th day of January, 2022, the Notice of Motion dated July 27, 2023, the affirmation by Angelo A. Regina, Esq., and the exhibits annexed thereto, the Affidavit of Merit and Amounts Due by Samantha Blom duly sworn to on March 17, 2023, together with the exhibits attached thereto, and all prior papers filed in this action and prior proceedings had herein; and

UPON proof that each of the defendants herein has been duly served with the Summons and Complaint in this action and required notices; and

UPON a Notice of Appearance by UNITED STATES OF AMERICA ON BEHALF OF THE SECRETARY OF HOUSING & URBAN DEVELOPMENT;

AND it appearing that TADEUSZ KURDZIEL; CZESLAWA PODGAJNA; UNITED STATES OF AMERICA ACTING ON BEHALF OF THE SECRETARY OF HOUSING AND URBAN DEVELOPMENT; NEW YORK CITY DEPARTMENT OF FINANCE; NEW YORK CITY ENVIRONMENTAL CONTROL BOARD; EMIGRANT MORTGAGE COMPANY, INC.; "JOHN DOE #1" through "JOHN DOE #10," said names being fictitious and unknown to plaintiff, intended to be possible tenants or occupants of the premises, or corporations, persons, or other entities having or claiming a lien upon the mortgaged premises time to answer the complaint has expired; and

AND it appearing to the satisfaction of this court that this action was brought to foreclose a mortgage on real property located at 137 Kingsland Avenue, Brooklyn, NY 11222, in the County of KINGS, State of New York SECTION: 10 BLOCK: 2829 LOT: 23,

NOW, on motion by GREENSPOON MARDER LLP, attorneys for Plaintiff, it is hereby

ORDERED that defendants TADEUSZ KURDZIEL; CZESLAWA PODGAJNA; UNITED STATES OF AMERICA ACTING ON BEHALF OF THE SECRETARY OF HOUSING AND URBAN DEVELOPMENT; NEW YORK CITY DEPARTMENT OF FINANCE; NEW YORK CITY ENVIRONMENTAL CONTROL BOARD; EMIGRANT MORTGAGE COMPANY, INC.; "JOHN DOE #1" through "JOHN DOE #10," said names being fictitious and unknown to plaintiff, intended to be possible tenants or occupants of the

48623.0903

premises, or corporations, persons, or other entities having or claiming a lien upon the mortgaged premises are deemed to be in default; and it is further

ORDERED that this action by, and the same is hereby referred to
Jageshwar Sharma _____ of 661 E2nd St Brooklyn, NY 11218
718-322-1717 _____ as

Referee, in accordance with RPAPL §1321, to compute the amount due to the Plaintiff and to examine and report whether or not the mortgaged premises can be sold in parcels; and it is further

ORDERED that the Referee make his/her computation and report with all convenient speed; and it is further

ORDERED that, if necessary, the Referee may take testimony pursuant to RPAPL §1321; and it is further

ORDERED that by accepting this appointment the Referee certifies that he/she is in compliance with Part 36 of the Rules of the Chief Judge (22 NYCRR Part 36), including, but not limited to §36.2(c) (“Disqualifications from appointment”), and §36.2 (d) (“Limitations on appointments based upon compensation”), and, if the Referee is disqualified from receiving an appointment pursuant to the provisions of that Rule, the Referee shall immediately notify the Appointing Judge; and it is further

ORDERED that, pursuant to CPLR 8003(a), the statutory fee of \$350.00, _____, shall be paid to the Referee for the computation of the amount due and upon the filing of his/her report, and the Referee shall not request or accept additional compensation unless it has been fixed by the court in accordance with CPLR 8003(a); and it is further

ORDERED that the Referee is prohibited from accepting or retaining any funds for him/herself or paying funds to him/herself without compliance with Part 36 of the Rules of the Chief Administrative Judge; and it is further

ORDERED that the caption of this action be amended by substituting "JOHN DOE" (REFUSED NAME) AS JOHN DOE #1, "JOHN DOE" (REFUSED NAME) AS JOHN DOE #2, and "JOHN DOE" (REFUSED NAME) AS JOHN DOE #3 in place of "JOHN DOE #1" through "JOHN DOE #10," said names being fictitious and unknown to plaintiff, intended to be possible tenants or occupants of the premises, or corporations, persons, or other entities having or claiming a lien upon the mortgaged premises, all without prejudice to the proceedings heretofore had herein; and it is further

ORDERED that CARRINGTON MORTGAGE SERVICES, LLC be substituted into the caption in the place and stead of Plaintiff, and, following such substitution, that the Clerk of the Court amend the docket and electronic docket accordingly; and it is further

ORDERED that the caption shall read as follows:

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS

-----X

CARRINGTON MORTGAGE SERVICES, LLC,

Plaintiff,

-against-

Index No.:
502585/2022

TADEUSZ KURDZIEL; CZESLAWA PODGAJNA; UNITED STATES OF AMERICA ACTING ON BEHALF OF THE SECRETARY OF HOUSING AND URBAN DEVELOPMENT; NEW YORK CITY DEPARTMENT OF FINANCE; NEW YORK CITY ENVIRONMENTAL CONTROL BOARD; EMIGRANT MORTGAGE COMPANY, INC.; "JOHN DOE" (REFUSED

48623.0903

NAME) AS JOHN DOE #1; "JOHN DOE" (REFUSED NAME) AS JOHN DOE #2; "JOHN DOE" (REFUSED NAME) AS JOHN DOE #3,

Defendants.

-----X

And it is further

ORDERED, Deeming the mortgage executed on March 31, 2008 and recorded April 21, 2008 at CRFN 2008000159294 be cancelled and expunged of record; and its further

ORDERED, that Plaintiff shall serve a copy of this Order with Notice of Entry on all parties and persons entitled to notice including the Referee appointed herein.

This constitutes the decision an order of the court.

DATED: 9/8/23

ENTER:



HON. LARRY MARTIN
JUSTICE OF THE SUPREME COURT

J.S.C.

2023 OCT -6 AM 10:24
KINGS COUNTY CLERK
FILED

Index No. 502585/2022
SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS

REVERSE MORTGAGE FUNDING LLC, Plaintiff,

-against-

TADEUSZ KURDZIEL; CZESLAWA PODGAJNA; UNITED STATES OF AMERICA ACTING ON BEHALF OF THE SECRETARY OF HOUSING AND URBAN DEVELOPMENT; NEW YORK CITY DEPARTMENT OF FINANCE; NEW YORK CITY ENVIRONMENTAL CONTROL BOARD; EMIGRANT MORTGAGE COMPANY, INC.; "JOHN DOE #1" through "JOHN DOE #10," said names being fictitious and unknown to plaintiff, intended to be possible tenants or occupants of the premises, or corporations, persons, or other entities having or claiming a lien upon the mortgaged premises,

Defendants

PROPOSED ORDER

GREENSPOON MARDER LLP

Attorneys for Plaintiff
590 Madison Avenue
Suite 1800
New York, NY 10022
P: (212) 524-5000

Pursuant to 22 N.Y.C.R.R. § 130-1.1a:

/s/Angelo A. Regina
Angelo A. Regina, Esq.

Due and timely service is hereby admitted.

New York, N.Y., 2023.

..... Esq.

Attorney for.....