

Hon. Arnold L. Natali Jr.'s Motion List for April 13, 2017

CAPTION	DK	DK #	YR	MOTION TYPE	OUTCOME	NOTES
365 HOME WARRANTY VS TIM SOLUTIONS	C	192	14	PT. SUMMARY JUDGMENT	ADJOURNED	ADJ TO 4/28/2017
				PT. SUMMARY JUDGMENT	ADJOURNED	ADJ TO 4/28/2017
DEUTSCHE BANK VS FREDERICK	F	24543	16	V/A	GRANTED	
DIAJEWELS VS THE GREAT JEWEL	L	5788	16	MOTION TO DISMISS	ADJOURNED	ADJ TO 4/28/2017
GALAMB JOSEPH VS HUTSON JOHN	C	38	16	MOTION TO COMPEL	ADJOURNED	ADJ TO 4/28/2017
GMAT LGEAL TITLE TRUST VS GREENE	F	47171	14	VACATE JUDGMENT	GRANTED	
HARTH MARY VS DEJOHN JOANN	C	142	15	DECREASE PAYMENT	ADJOURNED	ADJ TO 4/28/2017
HAY PROPERTIES VS ROCCI JACQUELINE	C	20	14	MOTION FOR CLARIFICATION	ADJOURNED	ADJ TO 4/28/2017
JP MORGAN VS JP MORGAN	C	182	16	ENTER DEFAULT JUDGMENT	ADJOURNED	ADJ TO 4/28/2017
RARITAN TENANTS CORP VS ANDREWS KARAI	C	186	16	MOTION FOR COSTS	ADJOURNED	ADJ TO 4/28/2017
				VACATE DEFAULT	ADJOURNED	ADJ TO 4/28/2017
US BANK VS HOLTZ RANDY	F	30047	16	FINAL JUDGMENT	GRANTED	
US BANK VS SCHRAGER	F	10067	15	VACATE DEFAULT	ADJOURNED	SEE ORDER FOR BRIEFING SCHED.
US BANK VS SMITH	F	32593	15	REMEDIAL NOI	GRANTED	
US BANK VS SOUTH RIVER HOLDING	F	30702	16	SUMMARY JUDGMENT	ADJOURNED	ADJ TO 5/12/17
WELLS FARGO VS LYCZKOWSKI	C	22	17	SUMMARY MANNER	GRANTED	

FILED

APR 13 2017

ARNOLD L. NATALI, JR., J.S.C.

16-129103 - SaP
RAS CITRON, LLC
Jeffrey Parrella, Esq. ID No. 101522015
130 Clinton Road, Suite 202
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973-575-0707
Attorney for Plaintiff

<p>DEUTSCHE BANK NATIONAL TRUST COMPANY, AS TRUSTEE FOR THE REGISTERED HOLDERS OF MORGAN STANLEY ABS CAPITAL I INC. TRUST 2007-HE7 MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2007-HE7, PLAINTIFF,</p> <p>Vs.</p> <p>STANLEY FREDERICK, et al., DEFENDANT(S).</p>	<p>SUPERIOR COURT OF NEW JERSEY CHANCERY DIVISION MIDDLESEX COUNTY</p> <p>DOCKET NO: F-024543-16</p> <p>CIVIL ACTION</p> <p>ORDER TO PROCEED SUMMARILY VACANT & ABANDONED RESIDENTIAL MORTGAGE FORECLOSURE</p>
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THIS MATTER being brought before the court by the law firm of RAS Citron, LLC, attorneys for plaintiff, seeking relief by way of an order to proceed summarily pursuant to Rule 4:67-2(b), and it appearing from the affidavits/certifications filed in support of the motion that the property is vacant and abandoned; and it appearing that the matter may be completely disposed of on the record or on minimal testimony in open court, the Court having determined that this matter may proceed in a summary manner; and for good cause shown;

IT IS on this 13th day of April, 2017,
ORDERED that this matter shall proceed with a short trial date of the 13th day of June, 2017 before the Superior Court, Chancery Division, General Equity Part at the Middlesex County Courthouse at 56 Paterson Street. Chambers 306 PO Box 964, New Brunswick, NJ 08903-0964 at 9:00 am, or as soon thereafter as counsel can be heard.

On the date fixed to proceed summarily the court may determine:

- A. That the residential property that is the subject of this foreclosure action is vacant and abandoned as defined by N.J.S.A. 2A:50-73;
- B. Fix the amount due the Plaintiff on the Note and Mortgage;
- C. Direct that the Plaintiff be paid the amount due on the note and mortgage, together with interest, advances, and costs;
- D. Bar and foreclose the defendants, and each of them, of all equity of redemption in and to the property being foreclosed upon;
- E. Adjudge that the property be sold according to law to satisfy the amount due the Plaintiff;



- F. Possession of the property in favor of the plaintiff or plaintiff's assignee or any purchaser at sheriff's sale;
- G. Damages for mesne profits;
- H. For costs of this action;
- I. Granting such other relief as the court deems just and equitable.

And it is further *ORDERED* that:

1. Service of this Order shall be deemed effectuated and completed by regular and registered or certified mail, return receipt requested, to the Defendant(s) service address and the Mortgagor(s) and/or Borrower(s) property address, which is the subject of this foreclosure; and, if no service address is available for the aforesaid Defendant(s), despite diligent effort, then service of this Order shall be deemed effectuated and completed by filing of said Order with the clerk in accordance with R. 1:5-2.
2. Plaintiff has demonstrated 2 unsuccessful attempts of service on the mortgagor(s) and or occupants(s) of the real property, 72 hours apart and at different times of the day in compliance with N.J.S.A. 2A:50-73d(1).
3. The plaintiff serve a copy of this ORDER and the Notice required by N.J.S.A. 2A:50-73 on the defendant(s) within 7 days of the receipt of this order.
4. The notice, required by N.J.S.A. 2A:50-73, shall be in a minimum of 14-Point font and shall state:

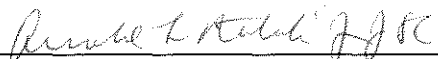
"To:

TENANT
 84 CRAMPTON AVENUE
 WOODBRIDGE NJ, 07095"

The lender is seeking on the return date set in this order, or on any adjourned date fixed by the court, to proceed summarily for entry of a residential foreclosure judgment because the property is vacant and abandoned. If you fail to respond the application will be decided on the papers on the return date and relief may be granted by default."

5. The plaintiff must file with the court through the Clerk of the Superior Court at the Hughes Justice Complex, P.O. Box 971, 25 Market Street, Trenton, New Jersey 08625 his/her/its proof of service of this order and the Notice required by N.J.S.A. 2A:50-73 and his/her/its judgment proofs no later than fifteen (15) days before the return date set in this order.

6. The Court will entertain argument, but not testimony, on the return date set in this order, unless the court and parties are advised to the contrary no later than 7 days before the return date.


~~Hon. Frank Ciuffani, P.J.Ch., P.J.C.H.~~

ARNOLD L. NATALI, JR., J.S.C. P.J.-Ch

FILED

APR 17 2017

ARNOLD L. NATALI, JR., J.S.C.

File No. 14942-13-12005/0233

Law Offices

PARKER McCAY P.A.

Gene R. Mariano, Esquire

ID No: 021091996

9000 Midlantic Drive, Suite 300

P.O. Box 5054

Mount Laurel, NJ 08054-1539

(856) 810-5815

Attorneys for Plaintiff

SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION
MIDDLESEX COUNTY
DOCKET NO. F-047171-14

CIVIL ACTION

**ORDER TO VACATE FINAL
JUDGMENT ENTERED ON JUNE 28,
2016**

GMAT LEGAL TITLE TRUST 2013-1,
U.S. BANK, NATIONAL
ASSOCIATION, AS LEGAL TITLE
TRUSTEE,

Plaintiff,

v.

STEVEN GREENE; ET AL.

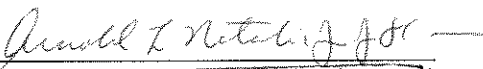
Defendants.

This matter having been brought before the Court by Parker McCay P.A., attorneys for the Plaintiff, Gene R. Mariano, Esquire appearing, upon the filing of a motion to vacate the June 28, 2016 Final Judgment; and it appearing that on March 18, 2016, Defendant, Steven Greene, filed a Chapter 13 Bankruptcy in the U.S. Bankruptcy Court, District of New Jersey, under Docket No. 16-15021-KCF, which pre-dated the June 28, 2016 Order for Final

Judgment; and the Court having reviewed all the relevant pleadings filed herein and for other good cause shown;

IT IS on this 17th day of April, 2017, ORDERED as follows:

1. The June 28, 2016 Final Judgment be and is hereby vacated and set aside; and
2. A copy of the within Order be served upon the all other parties within 5 days of Plaintiff's receipt hereof.


~~The Honorable Frank M. Ciuffani, P.J.Ch.~~

ARNOLD L. NATALI, JR., J.S.C.

Opposition Received _____

Opposition Not Received X_____

Having reviewed the above motion, the Court finds it to be meritorious on its face and is unopposed. Pursuant to R. 1:6-2, it therefore will be granted essentially for the reasons set forth in the moving papers.

FILED

APR 17 2017

Nelson Diaz, Esquire ID No. 007221987
Milstead & Associates, LLC
1 E. Stow Road
Marlton, NJ 08053
(856) 482-1400
Attorneys for Plaintiff
206628-1

ARNOLD L. NATALI, JR., J.S.C.

**U.S. BANK TRUST, N.A., AS TRUSTEE
FOR LSF9 MASTER PARTICIPATION
TRUST,**

Plaintiff,

Vs.

**RANDY HOLZ; AND CINDY HOLZ A/K/A
CINDY A. HOLZ, et al.,**

Defendant(s)

**SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION
MIDDLESEX COUNTY**

DOCKET NO.: F-030047-16

CIVIL ACTION

**ORDER DIRECTING THE OFFICE OF
FORECLOSURE TO ENTER FINAL
JUDGMENT NOTWITHSTANDING THE
LOST NOTE**

THIS MATTER being opened to the Court by Milstead & Associates, LLC, Nelson Diaz, Esquire, appearing, attorneys for Plaintiff and the Court having reviewed the within matter and for good cause appearing;

It is on the 17th day of April 2017

ORDERED THAT the Office of Foreclosure is hereby directed to enter Plaintiff's Motion for Final Judgment notwithstanding the Lost Note with regard to that mortgage dated July 11, 2003 and recorded on September 19, 2003 in mortgage book 08912 at page 0771, et seq; and

IT IS FURTHER ORDERED THAT a copy of the within Order be served on all known Defendants within 7 days of receipt of this Order.

Having reviewed the above motion, the Court finds it to be meritorious on its face and is unopposed. Pursuant to R. 1:6-2, it therefore will be granted essentially for the reasons set forth in the moving papers.

Arnold L. Natali, Jr. J.S.C.
~~Honorable Frank M. Ciuffani, P.J.Ch.~~

ARNOLD L. NATALI, JR., J.S.C., P.J. Ch

The Honorable Arnold L. Natali Jr., P.J.Ch.
Superior Court of New Jersey
56 Paterson Street
Post Office Box 964
New Brunswick, New Jersey 08903

FILED

APR 18 2017

ARNOLD L. NATALI, JR., J.S.C.

_____	:	
U.S. BANK, N.A.,	:	SUPERIOR COURT OF NEW JERSEY
	:	CHANCERY DIVISION
Plaintiff,	:	MIDDLESEX COUNTY
	:	
v.	:	DOCKET NO. F-10067-15
	:	
STEVEN SCHRAGER, ET AL.,	:	CIVIL ACTION
	:	
Defendants.	:	ORDER
_____	:	

THIS MATTER having come before the Court by way of a cross-motion filed by Steven Schragar (“Defendant”), appearing pro se, on March 16, 2017, to vacate the entry of default and allowing the filing of an answer out-of-time, and a final judgment having been entered on March 17, 2017, and the Court having considered the papers submitted, and for good cause shown:

IT IS on this 18th day of April, 2017:

ORDERED that the Court shall consider Defendant’s motion to vacate the entry of default as a motion to vacate the entry of final judgment against Defendant; and

IT IS FURTHER ORDERED that the briefing schedule shall be as follows:

1. Defendant’s motion to vacate the entry of final judgment shall be returnable on May 12, 2017.
2. Any opposition to Defendant’s motion shall be filed by Plaintiff on or before May 4, 2017.
3. Any reply thereto shall be filed by Defendant on or before May 9, 2017.

IT IS FURTHER ORDERED that Defendant shall serve a copy of this Order upon all counsel and parties of record within seven (7) days of its online posting.


HON. ARNOLD L. NATALI JR. P.J.Ch.

FILED

APR 17 2017

ARNOLD L. NATALI, JR., J.S.C.

15-083255 - DaM
RAS CITRON, LLC
Jeffrey Grabowski, Esq.
State Bar No. 031881989
130 CLINTON ROAD, SUITE 202
FAIRFIELD, NJ 07004
973-575-0707
Attorneys for Plaintiff

U.S. BANK NATIONAL ASSOCIATION,
PLAINTIFF,

vs.

GLENN M. SMITH; et. al.
DEFENDANT(S)

SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION

MIDDLESEX COUNTY

DOCKET NO. F-032593-15

CIVIL ACTION

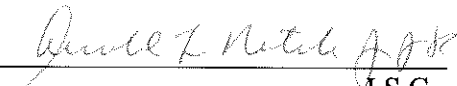
ORDER TO PERMIT SERVICE OF A NEW
REMEDIAL NOTICE OF INTENT TO
FORECLOSE

This matter being opened to the Court by RAS Citron, LLC, attorneys for the Plaintiff on Notice of Motion to Permit Service of a Remedial Notice of Intent to Foreclose, and the Court having considered the papers submitted, oral argument, if any, and for good cause shown:

IT IS on this 17th day of April, 2017 ORDERED that

1. Plaintiff's motion is hereby GRANTED;
2. Plaintiff is hereby ordered and allowed to send a new Notice of Intent to Foreclose, in full compliance with the Fair Foreclosure Act to the Defendant(s);
3. The Defendant(s) shall be allowed to cure the arrears, without foreclosure fees/costs pursuant to the Fair Foreclosure Act and within the time permitted by same, and if Defendant(s) fail to do so, Plaintiff may continue its prosecution of the within matter;
4. A copy of the within Order shall be served upon all appearing parties in this matter within 5 days of the date hereof.

Having reviewed the above motion, the Court finds it to be meritorious on its face and is unopposed. Pursuant to R. 1:6-2, it therefore will be granted essentially for the reasons set forth in the moving papers.


J.S.C.
ARNOLD L. NATALI, JR., J.S.C., P.T. ch



4-13
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MESSINA LAW FIRM, P.C.
Gil D. Messina – 029661978
961 Holmdel Road
Holmdel, NJ 07733
T: 732-332-9300
F: 732-332-9301
Attorneys for Plaintiff

FILED

APR 13 2017

ARNOLD L. NATALI, JR., J.S.C.

WELLS FARGO BANK, NA,

Plaintiff,

vs.

PATRICK LYCZKOWSKI,
HEATHER LYCZKOWSKI, and UNITED
STATES DEPARTMENT OF HOUSING
AND URBAN DEVELOPMENT,

Defendant(s).

SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION – MIDDLESEX COUNTY
GENERAL EQUITY

DOCKET NO. *C-22-17*

Civil Action

**ORDER GRANTING MOTION
TO HAVE ACTION PROCEED
IN SUMMARY MANNER
(RULES 4:67-1(b) AND 4:67-2(b))**

THIS MATTER, having been opened to the Court upon Plaintiff's Notice of Motion for Verified Complaint and Order to Show Cause to Proceed as a Summary Proceeding pursuant to Rules 4:67-1(b) and 4:67-2(b), Gil D. Messina, MESSINA LAW FIRM, P.C., appearing for plaintiff and no counsel or party appearing for defendants, and the Court having considered the papers submitted in support of the motion and those, if any, submitted in opposition, and the arguments, if any, for and against the motion, and good cause appearing, it is on this 13th day of April, 2017, ORDERED that plaintiff's motion is hereby GRANTED and this matter may proceed in a summary manner pursuant to Rules 4:67-1(b) and 4:67-2(b).

IT IS FURTHER ORDERED that a copy of this Order be served upon all parties within 7 days of its online posting.

Arnold L. Natali, Jr.
ARNOLD L. NATALI, JR., J.S.C.
P.J.Ch.

Opposed _____

Unopposed X _____

Having reviewed the above motion, the Court finds it to be meritorious on its face and is unopposed. Pursuant to R. 1:6-2, it therefore will be granted essentially for the reasons set forth in the moving papers.