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APR 25 2013

IN RE APPLICATION OF ABACUS
FEDERAL SAVINGS BANK TO ISSUE
CORRECTIVE NOTICES OF INTENTION
TO FORECLOSE IN PENDING
UNCONTESTED FORECLOSURE
ACTIONS

SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION

[Signature]
SUE REGAN
DEPUTY CLERK OF SUPERIOR COURT

Civil Action

Docket No: F-29907-12

FINAL ORDER

THIS MATTER being brought before the court by Laura Scurko, Esq. of the law firm Stern, Lavinthal & Frankenberg, L.L.C., attorneys for petitioner, Abacus Federal Savings Bank, by way of summary action as set forth in Chief Justice Stuart Rabner's April 4, 2012 Order and based upon the facts set forth in the Verified Complaint filed December 14, 2012, Certification of Plaintiff, Certification of Laura Scurko, Esq., the arguments of counsel and all other documents submitted; and the Court having made the following findings of fact and conclusions of law:

A. This matter was appropriately commenced by Order to Show Cause as a summary proceeding pursuant to R. 4:67-2, as authorized by Chief Justice Rabner's April 4, 2012 Order, and the Honorable Paul Innes, P.J.Ch. having entered an Order to Show Cause on January 4, 2013 setting a return date of April 25, 2013; and

B. The Order to Show Cause directed all borrowers listed on Exhibit A, to the Verified Complaint to appear and show cause why the Court should not allow Abacus Federal Savings

Bank to send new Notices of Intention to Foreclose; and

C. The Order to Show Cause and supporting documents were served by Petitioner on each borrower by regular and certified mail, return receipt requested, at the property address, last known address in the Abacus Federal Savings Bank's records and the address where service of process of the underlying foreclosure was effectuated, if different; and

D. One of the documents served on each borrower was a new Notice of Intention to Foreclose that complies with the requirements of N.J.S.A. 2A:50-56;

E. Notice of this Order to Show Cause was published two times in the South Jersey Times (formerly known as the Gloucester County Times), Star Ledger, The Press of Atlantic City and the Bergen Record pursuant to the Order to Show Cause;

F. And no objections to the relief having been filed;

THEREFORE, IT IS on this *25th* day of April, 2013, **ORDERED** as

follows:

1. Abacus Federal Savings Bank's request to send new Notices of Intention to Foreclose on pre-final judgment foreclose matters listed in Exhibit A to the Verified Complaint is hereby GRANTED;

~~2. The Notices of Intention to Foreclose served in accordance with this Court's January 4, 2013 Order to Show Cause, complied with the requirements of the Fair Foreclosure Act, and~~

2 Since more than thirty days have elapsed since the service of the new Notices of Intention to foreclose, Abacus Federal Savings Bank may resume any foreclosure where the

borrower has not reinstated the loan; and

3 The Office of Foreclosure is authorized to process and recommend entry of final judgment, upon the submission of an appropriate application to enter judgment, on any foreclosure that was subject to this Order to Show Cause; and

4. A copy of this Final Order shall be posted on the Judiciary Web Page at <http://www.judiciary.state.nj.us>.

5. Within seven days, Petitioner shall serve a copy of this Order, by regular and Certified mail upon any foreclosure Defendant who was served with the Order to Show Cause Package;



Honorable Paul Innes, P. Ch.