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Filed Apr 14, 2014
Paul Innes, P.J.Ch

IN RE APPLICATION OF RAYMOND JAMES BANK TO ISSUE CORRECTIVE NOTICES OF INTENTION TO FORECLOSE IN PENDING UNCONTESTED FORECLOSURE ACTIONS	SUPERIOR COURT OF NEW JERSEY CHANCERY DIVISION Civil Action Docket No: F-47591-13 **AMENDED 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, Raymond James 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 19, 2013, 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 2, 2014 setting a return date of March 20, 2014, 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 Raymond James 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 Foreclosure Defendant by regular and certified mail, return receipt requested, at the property address, and the last known address in the Raymond James Bank's records if different; and

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

E. Notice of this Order to Show Cause was published two times in the *Courier Post, Star Ledger, The Press of Atlantic City* and the *Bergen Record* pursuant to the Order to Show Cause;

F. No objections to the relief having been filed;

G. The Final Hearing in this matter having been conducted on March 20, 2014,

THEREFORE, IT IS on this **14th** day of April, 2014 ORDERED as follows:

1. Raymond James Bank's request to send new Notices of Intention to Foreclose on pre-final judgment foreclosure matters listed in Exhibit A, to the Verified Complaint is hereby GRANTED;

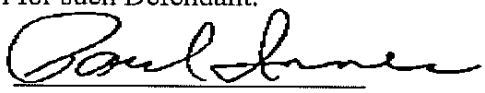
2. Since more than thirty-five (35) days have elapsed since the service of the new

Notices of Intention to Foreclose, Raymond James Bank may resume any foreclosure where the borrower has not reinstated the loan;

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; Any previously filed motions for the entry of Final Judgment that are pending review by the Office of Foreclosure are to be withdrawn and a spreadsheet is to be submitted to the Superior Court Clerk's Office listing the cases in which motions for the entry of Final Judgment are being withdrawn. Complete/updated motions for the entry of Final Judgment (including CODI's) are to be filed on notice to the Foreclosure Defendants once the withdrawals are complete; 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 without Exhibits, by regular mail upon any foreclosure Defendant who filed a timely written Objection in this matter or to counsel for such Defendant.



Honorable Paul Innes, P.J. Ch.

SL&F
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973-797-1100 – FAX 973-228-2679

April 1, 2014

Via Jefis and NJLS
Hon. Paul Innes, Judge, Chancery Division, General Equity Part
Mercer County Superior Court
Civil Courthouse
P.O. Box 8068
175 S. Broad Street
Trenton, NJ 08650-0068

RE: **IN RE APPLICATION OF RAYMOND JAMES BANK N.A. TO ISSUE CORRECTIVE NOTICES OF INTENTION TO FORECLOSE IN PENDING UNCONTESTED FORECLOSURE ACTIONS**

Docket Number: F-47591-13

Dear Judge Innes:

Enclosed please find a proposed Amended Final Order with regards to the above matter. Kindly file same.

Respectfully submitted,
STERN, LAVINTHAL, & FRANKENBERG, LLC

Laura Scurko, Esq.

LS/tar