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IN RE NOTICES OF INTENTION TO FORECLOSE SERVED BY MIDFIRST BANK	SUPERIOR COURT OF NEW JERSEY PASSAIC COUNTY CHANCERY DIVISION Civil Action Docket No: F-12399-12 **FINAL ORDER**

THIS MATTER being brought before the court by Brian C. Nicholas, Esq. of the law firm of Zucker, Goldberg & Ackerman, L.L.C., attorneys for petitioner, MidFirst 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 Amended Verified Complaint filed July 3, 2012, Amended Certification of Thad Burr, Amended Certification of Brian C. Nicholas, Esq., the arguments of counsel and all other documents submitted; and the Court having made the following findings of fact and conclusions of law:

1. 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 Margaret M. McVeigh, P.J.Ch. having entered an Order to Show Cause on July 18, 2012 setting a return date of October 4, 2012; and

2. The Order to Show Cause directed all borrowers listed on Exhibits A, B, C and D to the Amended Verified Complaint to appear and show cause why the Court should not allow MidFirst to send new Notices of Intention to Foreclose; and

3. 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 MidFirst's records and the address where service of process of the underlying foreclosure was effectuated, if different; and

4. 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;

5. Notice of this Order to Show Cause was published two times in the Gloucester County Times, Star Ledger, The Press of Atlantic City and the Bergen Record pursuant to the Order to Show Cause;

6. Borrowers that were in an active Bankruptcy in which the provisions of the Automatic Stay were still in effect, were NOT served with a copy of the Order to Show Cause and supporting certifications; and

7. The only individuals who have submitted papers in response to this matter by the deadline to object are:

Yuriy Moshes, Esq. on behalf of Jean Rogers
Roger A. McDonald, Esq. on behalf of Alice Whitehurst
Regina Burnett

THEREFORE, IT IS on this _____ day of October, 2012,

ORDERED that all objections to the Order to Show Cause are hereby overruled for the reasons set forth on the record on October 4, 2012; and

IT IS FURTHER ORDERED that MidFirst's request to send new Notices of Intention to Foreclose on pre-final judgment foreclosure matters listed in Exhibits A, B, C & D to the Amended Verified Complaint is hereby GRANTED; and

IT IS FURTHER ORDERED that the Notices of Intention to Foreclose served in accordance with this Court's July 18, 2012 Order to Show Cause complied with the requirements of the Fair Foreclosure Act; and

IT IS FURTHER ORDERED that since more than thirty days have elapsed since the service of the new Notices of Intention to Foreclose, MidFirst may resume any foreclosure where the borrower has not reinstated the loan; and

IT IS FURTHER ORDERED that 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

IT IS FURTHER ORDERD that a copy of this Final Order shall be posted on the Judiciary Web Page at http://www.judiciary.state.nj.us.

IT IS FURTHER ORDERED that within seven days, Petitioner shall serve a copy of this Order, by regular mail, upon any party that has filed a written objection in this matter.

_____

Hon. Margaret Mary McVeigh, P.J.Ch.