

## More On Brooklyn Supreme Court Justice Arthur Schack

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In a recent opinion involving the refusal to allow a foreclosing mortgage lender to continue with a foreclosure until certain requirements are met, Brooklyn Supreme Court Justice Arthur Schack finds himself wrestling with the employment status of one Margery Rotundo, a mortgage company executive whose name appears to regularly show up on documents filed with the court in foreclosure cases involving different plaintiffs. In several recent foreclosure cases he has presided over, Justice Schack has found that Ms. Rotundo has sworn in court documents that she is Senior Vice President for:

- Residential Loss Mitigation of Ocwen Loan Servicing, LLC,
  - Residential Loss Mitigation of HSBC Bank USA, N.A.,
  - Loss Mitigation for Nomura Credit & Capital, Inc., and
    - an unnamed servicing agent for HSBC.

Justice Schack makes this observation on Ms. Rotundo's apparent knack to freely move from mortgage company employer to mortgage company employer, as the need appears to demand:

- The late gossip columnist Hedda Hopper and the late United States Representative Bella Abzug were famous for wearing many colorful hats. ***With all the corporate hats Ms. Rotundo has recently worn, she might become the contemporary millinery rival to both Ms. Hopper and Ms. Abzug.*** The Court needs to know the employment history of the peripatetic Ms. Rotundo. Did she truly switch employers or did plaintiff have her sign the "affidavit of merit and amount due" as its Senior Vice President solely to satisfy the Court?

For the rest of Justice Schack's opinion in this case, see ***HSBC Bank USA, N.A. v Charlevagne***, 2008 NY Slip Op 51652(U) [20 Misc 3d 1128(A)]; Decided on August 4, 2008.

For another recent case in which Justice Schack finds himself wrestling with the employment status of another ostensibly omnipresent bank executive, a certain Scott Anderson, see ***HSBC Bank USA v Antrobus***, 2008 NY Slip Op 51639(U) [20 Misc 3d 1127(A)]; Decided on July 31, 2008.

Go here for list of ***links to over thirty of Justice Schack's decisions*** denying foreclosure to mortgage companies for failure to establish legal standing to bring the legal action.

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