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At IAS Part 4 of the Supreme Court of the State of New York, held in and for the County of KINGS, at the Courthouse located at 360 Adams Street, Brooklyn, NY on the 2nd day of June, 2010

PRESENT HON. David B. Vaughan

*DBU-4*

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF KINGS

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MORTGAGE ELECTRONIC REGISTRATION  
SYSTEMS, INC. AS NOMONEE FOR  
US BANK, N.A.,

INDEX NO: 41641/03

Plaintiff,

ORDER TO SHOW  
CAUSE

*VOJ* (D) vs.

LIBORIO MUNOZ and CECILA MUNOZ,

Defendant(s).

(C)

-----X  
Upon the annexed affidavit of Liborio Munoz dated June 2, 2010, the defendant named herein and party to the underlying mortgage, and the affirmation of Michael D. Leopold, Esq., dated June 2, 2010, and the attached exhibits:

LET the Plaintiff herein Plaintiff Mortgage Electronic Registration System as Nominee for US Bank, N.A., or its attorneys of record in this matter, Druckman & Sinel, LLP, before Hon. Presiding Justice at an IAS part 4, Room 738 to be held in and for the County of Kings at the Courthouse located at 360 Adams Street, Brooklyn, NY on the 16<sup>th</sup> day of June, 2010, at 9:30 A.M in the forenoon or as soon thereafter as counsel can be heard, WHY an order should not be made and entered herein staying closing of title for any third-party sale of the premises known as 81 Woodbine Street, Brooklyn, NY 11221, which auction sale of said premises took place on February 18, 2010; and staying the pending eviction proceedings of Liborio Munoz and his family; and WHY and order should not be made vacating the Judgment of Foreclosure and Sale due to improper service upon Defendant Liborio Munoz; and WHY an order should not be made

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dismissing the within action due to Plaintiff's lack of standing; together with such other and further relief as this Court may deem just and equitable;

STAY

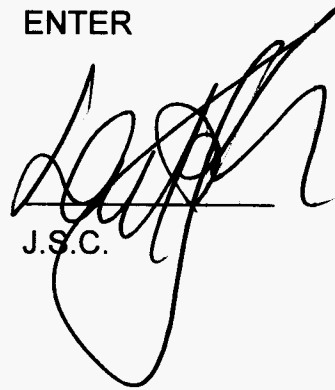
JSC

ORDERED, that pending the hearing and ~~determination~~ of this motion, the Plaintiff Mortgage Electronic Registration System as Nominee for US Bank, N.A., and any of its attorneys, agents, successors and assignees, be and are hereby restrained from implementing or any way pursuing the closing of title on any third party sale of the premises known as 81 Woodbine Street, Brooklyn, NY 11221; and Plaintiff Mortgage Electronic Registration System as Nominee for US Bank, N.A., and any of its attorneys, agents, successors and assignees be and are hereby restrained from evicting Liborio Munoz and his family and any other occupants from the premises known as 81 Woodbine Street, Brooklyn, NY 11221.

SUFFICIENT CAUSE APPEARING THEREFORE, let personal service of a copy of this order and a copy of the papers together with the documents upon which it is based, be made upon Druckman & Sinel, LLP, the attorneys for Plaintiff in this foreclosure action, and upon Gregory M. LaSpina, Esq., the Referee duly appointed in this action and on or before June 3<sup>rd</sup>, 2010 <sup>before the schedule hearing of 9:30 AM</sup> by be deemed good and sufficient service.



ENTER

  
J.S.C.

