

**SUPREME COURT - STATE OF NEW YORK  
I.A.S. PART XXVII SUFFOLK COUNTY**

PRESENT:

Honorable Ralph F. Costello

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BANK OF NEW YORK AS TRUSTEE FOR THE  
CERTIFICATEHOLDERS OF CWABS 2005-06 c/o  
Countrywide Home Loans, Inc., 400 Countrywide  
Way, Simi Valley, CA 93065,

Plaintiff,

PLAINTIFF'S ATTORNEY  
STEVEN J. BAUM, P.C.  
P.O. Box 1291  
Buffalo, NY 14240-1291

-against-

FRANCIS TORRES, RAMON MARTINEZ,  
AMERICA'S WHOLESALE LENDER, CAPITAL  
ONE BANK, EUROPEAN AMERICAN BANK,  
GOOD SAMARITAN HOSPITAL, HOUSEHOLD  
BANK REGION I, LONG ISLAND SAVINGS  
BANK FSB CREDIT POWER, NEW YORK  
STATE DEPARTMENT OF TAXATION AND  
FINANCE ET AL,

Defendants.

DEFENDANT'S ATTORNEY

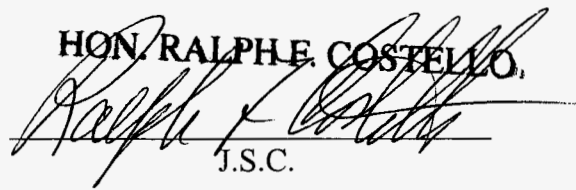
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Upon reading and filing the following papers relative to this matter: Plaintiff's ex parte application for an Order of Reference in Mortgage Foreclosure and the exhibits attached thereto submitted to this Part on December 14, 2007; and now it is

**ORDERED** that the plaintiff's ex parte application for an Order of Reference in Mortgage Foreclosure is denied without prejudice to renew due to plaintiff's failure to demonstrate its ownership of the note and mortgage sufficient to convey standing upon this plaintiff to commence this lawsuit on November 13, 2006; it is further

**ORDERED** that the plaintiff is directed to serve a copy of this Order on all parties who have appeared in this matter.

Dated: March 11, 2008

**HON. RALPHE COSTELLO,**  
  
J.S.C.