

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

PRESENT:

Honorable Ralph F. Costello

DEUTSCHE BANK NATIONAL TRUST
COMPANY, AS INDENTURE TRUSTEE FOR
NEW CENTURY HOME EQUITY LOAN TRUST,
SERIES 2006-1,

Plaintiff,

-against-

CHARLES CABAROY; NEW CENTURY
MORTGAGE CORPORATION; "JOHN DOE #1-5"
and "JANE DOE #1-5" said names being fictitious it
being the intention of Plaintiff to designate any and all
occupants, tenants, persons or corporations, if any,
having or claiming an interest in or lien upon the
premises being foreclosed herein,

Defendants.

PLAINTIFF'S ATTORNEY
FEIN SUCH & CRANE, LLP
BY: NANCY E. CAMPANOZZI, ESQ
747 Chestnut Ridge Road - Ste 200
Chestnut Ridge, NY 10977

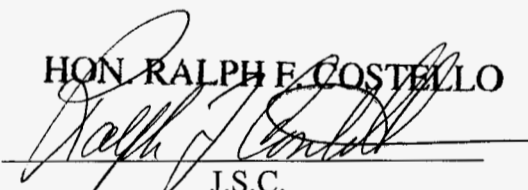
DEFENDANT'S ATTORNEY

Upon reading and filing the following papers relative to this matter: Plaintiff's ex parte application for an Order of Reference in Mortgage Foreclosure submitted to this Part on December 10, 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 resubmit due to plaintiff's failure to provide: (1) proof of plaintiff's standing to commence this action; and, (2) proof that the notice served pursuant to RPAPL§1303 was served on a colored paper that was a different color than the color of the summons and complaint; it is further

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

Dated: April 2, 2008

HON. RALPH F. COSTELLO


J.S.C.