

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

PRESENT:

Honorable Ralph F. Costello

HSBC MORTGAGE SERVICES, INC.,

Plaintiff,

-against-

ATHNIA JACK; "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.
_____x

PLAINTIFF'S ATTORNEY

FEIN SUCH & CRANE, LLP

BY: NANCY E. CAMPANOZZI ESQ

747 Chestnut Ridge Road - Ste 200

Chestnut Ridge, NY 10977-6216

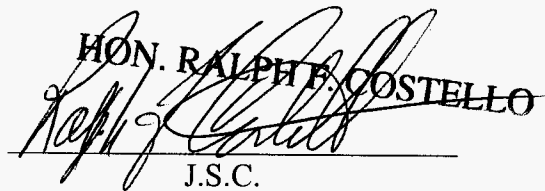
DEFENDANT'S ATTORNEY

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 October 31, 2007 and the exhibits attached thereto; and now it is

ORDERED that the plaintiff's ex parte application is denied without prejudice to resubmit due to plaintiff's failure to provide: (1) proof that the notice served pursuant to RPAPL §1303 was on a colored paper that was other than the color of the summons and complaint; and, (2) proof of plaintiff's standing to bring this action; it is further

ORDERED that the plaintiff is directed to serve all parties who have appeared in this action.

Dated: April 2, 2008


HON. RALPH F. COSTELLO

J.S.C.