

**SUPREME COURT - STATE OF NEW YORK  
TRIAL/IAS TERM, PART 51 NASSAU COUNTY**

**PRESENT:**

**Honorable James P. McCormack**  
**Acting Justice of the Supreme Court**

\_\_\_\_\_x

**WELLS FARGO BANK, NATIONAL ASSOCIATION  
AS TRUSTEE FOR SECURITIZED, ASSET BACKED  
RECEIVABLE LLC 1005-FR3 MORTGAGE PASS-  
THROUGH CERTIFICATES, SERIES 2005-FR3,**

**Plaintiffs,**

**Index No. 009664/04**

**-against-**

**VERONE MCLEAN, MAXINE GORDON, ASSET  
ACCEPTANCE, LLC a/a/o PROVIDIAN BANK, AND  
"JOHN DOE #10", THE LAST TEN NAMES BEING  
FICTITIOUS AND UNKNOWN TO THE PLAINTIFF,  
THE PERSON OR PARTIES, IF ANY, HAVING OR  
CLAIMING AN INTEREST IN OR LIEN UPON THE  
MORTGAGE PREMISES DESCRIBED IN THE  
COMPLAINT,**

**Motion Seq. No.: 004, 005 & 006**

**Motion Submitted: 3/29/07**

**Defendants.**

\_\_\_\_\_x

**VERONE MCLEAN,**

**Third-Party Plaintiff,**

**-against-**

**MAXINE GORDON, MICHAEL G. FEURTADO,  
ESQ., MILTON GRUNWALD, ESQ., GRUNWALD &  
SEMAN, P.C., BANK OF AMERICA, N.A., MOORE  
INTERNATIONAL CLAIMS ADJUSTORS, INC.,  
MIKE MOORE, NADAYON DEAL, AND ALLSTATE  
INSURANCE COMPANY, INC., CIPCO BOARDING  
CO., INC., "JOHN DOE" AND "JANE DOE" d/b/a  
"SERVPRO OF GARDALE/N. BAY SHORE."**

**Third-Party Defendants.**

\_\_\_\_\_x

The following papers read on this motion:

Notice of Motion and Cross Motion.....X  
Answering Papers.....X  
Reply.....X

This Court's decision and order dated May 9, 2007, is hereby amended to clarify that when the third-party action herein is severed and continued, and the caption of the third-party action is amended to delete all third-party defendants except defendants Gordon and Feurtado, and the third-party complaint is amended to delete all of the third-party plaintiff's causes of action in the third-party complaint except those against defendants Gordon and Feurtado, the four cross-claims set forth in the answer of third-party defendant All State Insurance Co. shall be severed and continued as a fourth-party action.

The caption shall be amended to indicate that All State Insurance Co. is now a fourth-party plaintiff on the cross-claims, the cross-claims shall be deemed the fourth-party complaint, fourth-party defendant Maxine Gordon's answer and cross-claim against Verone McLean dated December 20, 2006, shall be deemed the fourth-party answer and cross-claim, and Verone McLean, whose reply to said cross-claim is dated December 23, 2006, shall be denominated as the fourth-party defendant on the cross-claim only.

Settle judgment as set forth in the Order dated May 9, 2007.

The foregoing constitutes the Decision and Order of this Court.

Dated: June 21, 2007  
Mineola, N.Y.

**ENTERED**

JUN 26 2007

**NASSAU COUNTY**  
COUNTY CLERK'S OFFICE

Hon. James P. McCormack, A. J. S. C.