

At an IAS Term, Part 48 of the Supreme Court of the State of New York, County of NASSAU held in the County Courthouse in the City of Mineola, NY 11501 on the 20<sup>th</sup> day of August, 2008.

PRESIDING:  
HON. Daniel R. Palmieri  
Justice of the Supreme Court

STATE OF NEW YORK  
SUPREME COURT: COUNTY OF NASSAU

-----X  
ACCREDITED HOME LENDERS, INC. SUCCESSOR  
BY MERGER TO AAMES FUNDING CORPORATION  
(D/B/A AAMES HOME LOAN)  
10790 Rancho Bernardo Road  
San Diego, CA 92127

Plaintiff,

vs.

FELIX J. GICZ, MEREDITH GICZ,  
ACCREDITED HOME LENDERS, INC. SUCCESSOR  
BY MERGER TO AAMES FUNDING CORPORATION  
(D/B/A AAMES HOME LOAN),

JOHN DOE (Said name being fictitious,  
it being the intention of Plaintiff to  
designate any and all occupants of  
premises being foreclosed herein, and  
any parties, corporations or entities,  
if any, having or claiming an interest  
or lien upon the mortgaged premises.)

Defendant(s).

-----X

**ORDER**

INDEX NO.: 24/08

Mortgaged Premises:  
6 MAJOR COURT  
ROCKVILLE CENTER, NY 11570

SBL #:  
38-387-274

amend  
caption

Upon reading Plaintiff's Affidavit of Carrie Stone, the Vice President of Chase Home Finance LLC, servicer of ACCREDITED HOME LENDERS, INC. SUCCESSOR BY MERGER TO AAMES FUNDING CORPORATION (D/B/A AAMES HOME LOAN), dated the 29<sup>th</sup> day of May, 2008, and upon reading the Summons, Complaint, and Answer submitted by Defendants, FELIX J. GICZ and MEREDITH GICZ, by their attorney, Kevin R. Toole, Esq., and upon proof that all other defendants have been duly served and their time to answer has expired or they have filed a Notice of Appearance,

and after hearing Steven J. Baum, P.C., Plaintiff's attorney in this action in support of said motion, ~~and~~  
and the motion heard on August 15, 2008 and there being no opposition  
after hearing \_\_\_\_\_ in opposition thereto, it is hereby

**ORDERED**, that the Answer of the Defendants, FELIX J. GICZ and MEREDITH GICZ, be and  
is hereby dismissed and that summary judgment be and is hereby granted in favor of Plaintiff,  
ACCREDITED HOME LENDERS, INC. SUCCESSOR BY MERGER TO AAMES FUNDING  
CORPORATION (D/B/A AAMES HOME LOAN); and it is further

**ORDERED**, that the Answer of the Defendants, FELIX J. GICZ and MEREDITH GICZ, be  
treated as a limited Notice of Appearance, entitling said Defendants' attorney, Kevin R. Toole, Esq., to  
receive, without prior notice, a copy of the Notice of Sale, Notice of Discontinuance and Notice of  
Surplus Monies; and it is further

**ORDERED**, that James J. Reffe <sup># 299055</sup>, Esq. with an address of  
1399 Franklin Ave, Ste 201, Garden City is hereby appointed Referee to  
N.Y. 11530 - 516-294-2666  
ascertain and compute the amount due except for attorney's fees upon the bond/note and mortgage being  
foreclosed in this action, and to determine whether the Mortgaged Premises can be sold in parcels and  
the Referee to report to the court with all convenient speed; and it is further

**ORDERED**, that, if required, said Referee take testimony pursuant to RPAPL §1321, and it is  
further

**ORDERED**, that by accepting this appointment the Referee certifies that he/she is in compliance  
with Part 36 of the Rules of the Chief Judge (22 NYCRR Part 36), including, but not limited to section  
36.2 (c) ("Disqualifications from appointment"), and section 36.2 (d) ("Limitations on appointments  
based upon compensation"); and it is further

**ORDERED**, that pursuant to CPLR 8003(a) ~~(the statutory fee of \$50.00)~~ <sup>and in the discretion of the Court</sup> ~~(in the discretion of the~~  
~~court~~, a fee of \$ 250., shall be paid to the Referee for the computation stage and upon the filing of  
his/her report; and it is further

**ORDERED**, that the Referee is prohibited from accepting or retaining any funds for him/herself or paying funds to him/herself without compliance with Part 36 of the Rules of the Chief Administrative Judge; and it is further

**ORDERED**, that Defendants ACCREDITED HOME LENDERS, INC. SUCCESSOR BY MERGER TO AAMES FUNDING CORPORATION (D/B/A AAMES HOME LOAN), JOSEPH GICZ have not appeared or answered in this matter and are deemed in default and said defaults are hereby fixed and determined; and it is further

**ORDERED**, that the address of the Plaintiff be deleted from the caption and that the caption be amended to reflect the deletion; and it is further

**ORDERED**, that, the caption shall be amended by substituting JOSEPH GICZ, as a party Defendant in place of "John Doe"; all without prejudice to the proceedings heretofore had herein; and it is further

**ORDERED**, that the caption shall read as follows:

STATE OF NEW YORK  
SUPREME COURT: COUNTY OF NASSAU

-----X  
ACCREDITED HOME LENDERS, INC. SUCCESSOR  
BY MERGER TO AAMES FUNDING CORPORATION  
(D/B/A AAMES HOME LOAN)

Plaintiff,

vs.

FELIX J. GICZ, MEREDITH GICZ,  
ACCREDITED HOME LENDERS, INC. SUCCESSOR  
BY MERGER TO AAMES FUNDING CORPORATION  
(D/B/A AAMES HOME LOAN), JOSEPH GICZ,

Defendant(s).

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-----X; and it is further

**ORDERED**, that a copy of this Order with Notice of Entry shall be served upon the owner of the equity of redemption, any tenants named in this action, and any other party entitled to notice.

ENTER:

  
Justice of the Supreme Court

**HON. DANIEL PALMIERI**

**ENTERED**  
AUG 27 2008  
NASSAU COUNTY  
COUNTY CLERK'S OFFICE