COPY

SHORT FORM ORDER

INDEX NO.7536-2009

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

PRESENT:
HON. MELVYN TANENBAUM
Justice

MOTION #002 ADJ 1-18-11
R/D:_____
S/D:_____

EMIGRANT MORTGAGE COMPANY, INC.,

Plaintiff,

-against-

DIANA DANIELS ET AL.,

Defendants.

PLTF'S/PET'S ATTY:
KNUCKLES, KOMOSINSKI & ELLIOT
565 Taxter Road
Elmsford, New York 10523

DEFT'S/RESP'S ATTY:
DIANA DANIELS
128 Queens Lane
East Hampton, NY 11937

Upon the following papers numbered 1 to ___read on this motion for an order pursuant to RPAPL Sec.1321 _____Notice of Motion/Order to Show Cause and supporting papers____; Notice of Cross Motion and supporting papers _____Answering Affidavits and supporting papers _____Replying Affidavits and supporting papers _____ Other _____; ~~(and after hearing counsel in support and opposed to the motion)~~ it is,

ORDERED that plaintiff's application for a Judgment of Foreclosure and Sale is adjourned until January 18, 2011. On or before this date plaintiff's counsel is directed to submit: 1) an affirmation in compliance with the Order of the Chief Judge dated October 20, 2010; 2)an affidavit or affirmation from plaintiff "EMIGRANT MORTGAGE COMPANY's" counsel certifying that all prior submissions were accurate and correct in the underlying mortgage foreclosure action; 3) an affidavit or affirmation from plaintiff's attorneys of record, KNUCKLES, KOMOSINSKI & ELLIOT certifying that the proposed judgment submitted by counsel conforms to the Court's requirements; and 4) a proposed judgment of foreclosure and sale in proper form, and it is further

ORDERED that upon failure of counsel to comply with this Order this action shall be marked off the active calendar by the Clerk of the Court.

Dated: November 1, 2010

MELVYN TANENBAUM
J.S.C.