## SHORT FORM ORDER

## INDEX NO.24712-2008

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

PRESENT: HON. MELVYN TANENBAUM Justice

MOTION #002 R/D: S/D:

PLTF'S/PET'S ATTY:

51 East Bethpage Road

Plainview, NY 11803

ROSICKI, ROSICKI & ASSOC.

HSBC BANK, USA,

Plaintiff,

-against-

MOHAMMED SAHA-ADAT HOSSAIN ET AL.,

Defendants.

DEFT'S/RESP'S ATTY: MOHAMMED SAHA-ADAT HOSSAIN 75 Penataquit Avenue Bay Shore, NY 11706

Upon the following papers numbered 1 to read on this motion for an order pursuant to RPAPL Sec.1321

No	tice of Motion/Order to Show Ca	use and supporting papers	; Notice of Cross
Motion and supporting papers	Answering Affidavits and supporting papers		Replying
Affidavits and supporting papers	Other	; (and after hearing cot	insel in support and
opposed to the motion) it is,			

This Court has repeatedly directed plaintiff's counsel to submit proposed orders of reference and judgments of foreclosure in proper form and counsel has continuously failed to do so. The Court provided counsel's office directly with copies of orders and judgments which would satisfy the requirements and counsel has responded by submitting correspondence addressed to the Court from non-attorney employees with improper and inadequate submissions. The Court deems plaintiff's counsel's actions to be an intentional failure to comply with the directions of the Court and a dereliction of professional responsibility. Accordingly it is

ORDERED that plaintiff's application for a Judgment of Foreclosure and Sale is adjourned until December 9, 2010. On or before this date plaintiff's counsel is directed to submit: 1) an affidavit or affirmation from plaintiff "HSBC's" counsel certifying that all prior submissions were accurate and correct in the underlying mortgage foreclosure action; 2) an affidavit or affirmation from plaintiff's attorneys of record, ROSICKI, ROSICKI & ASSOC., certifying that the proposed judgment submitted by counsel conforms to the Court's requirements; and 3) a proposed judgment of foreclosure in 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.

MUTANENBAUM

Dated: October 14, 2010

JSC.