

COPY

SHORT FORM ORDER

INDEX NO.30466-2007

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: \_\_\_\_\_

\_\_\_\_\_  
HSBC BANK USA,

Plaintiff,

-against-

ROBERT SHARIFI ET AL.,

Defendants.

PLTF'S/PET'S ATTY:  
SHAPIRO, DICARO & BARAK, LLC  
250 Mile Crossing Blvd., Suite One  
Rochester, NY 14624

DEFT'S/RESP'S ATTY:  
ROBERT SHARIFI  
82 West Tiana Road  
Hampton Bays, NY 11946

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,

This Court has repeatedly directed plaintiff's counsel to submit proposed orders of reference and judgments of foreclosure in proper form and counsel has 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 improper and inadequate submissions. Accordingly 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 "HSBC BANK'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, SHAPIRO, DICARO & BARAK 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 3, 2010

**MELVYN TANENBAUM**

\_\_\_\_\_  
J.S.C.