

COPY

SUPREME COURT - STATE OF NEW YORK
I.A.S. TERM, PART XXIV - SUFFOLK COUNTY

PRESENT:

Hon. PETER FOX COHALAN

-----x
HOMECOMINGS FINANCIAL NETWORK,
INC.

Plaintiff(s),

-against-

ROBERT L. MAGIONCALDA, VIRGINIA
MAGIONCALDA, EMC MORTGAGE
CORPORATION, MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC., AS
NOMINEE FOR FREMONT INVESTMENT &
LOAN, ROSE MAR REALTY CO., DEMETRA
KANE, PAUL KANE,

Defendant(s).

-----x

CALENDAR DATE: August 26, 2010
MNEMONIC: MD

PLTF'S/PET'S ATTORNEY:


Steven J. Baum P.C,
220 Northpointe Parkway, Suite G
Amherst, NY 14228

DEFT'S/RESP ATTORNEY:

Upon the following papers numbered 1 to ____ read on this motion _____;
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 of and opposed to the motion) it is,

ORDERED that this motion by the plaintiff to vacate a judgment of foreclosure and sale
and to discontinue this action is hereby denied and declared moot as the motion was abandoned
for failure to provide a new order or judgment as directed and titled with this Court's misspelled
name corrected in a new order within sixty (60) days as called for pursuant to Uniform Rules Sec.
202.48(b). See, 22 NYCRR Sec. 202.48.

Dated: January 10, 2011



J.S.C.

JH