

KINGS COUNTY CLERK
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Low Baynes

At an IAS Part ⁶⁸~~72~~ of the Supreme Court of the State of New York, held in and for the County of Kings at the Supreme Court House, 360 Adams St., Brooklyn, NY 11201, on the 1ST day of Oct+Nov 2012.

PRESENT:

UOL
⑤

Hon.
Johnny Lee Baynes
Justice.

Bank of New York as Trustee for the Certificate Holders CWABS, Inc. Asset-Backed Certificates Series 2005-11
400 Countrywide Way
Simi Valley, CA 93065,

JLB-68

Plaintiff,

- against -

Index #
~~7758/08~~
7758
Assigned to
Justice Baynes

Jade McQueen, New York City Environmental Control Board, New York City Transit Adjudication Bureau, "Jane Doe", Gwendolyn Turner,

Defendants.

Order to
Show Cause

Upon reading and filing the annexed Defendant's Affidavit of Jade McQueen, sworn to July 23, 2012, the Attorney's Affirmation of Mirna L. White, Esq., dated July 23, 2012, the Title Officer's Affidavit of Merits of Chuck Noell, sworn to July 23, 2012, and all Exhibits attached thereto; and due deliberation having been had thereon; and just cause

appearing therefor

Now, upon motion of Defendant's Attorney, **Mirna L. White, Esq.**,

Let, the Plaintiff, by its Attorneys, INSERT, appear before an IAS/~~Foreclosure Part~~

680 of this Court, to be held in and for Kings County at the Supreme Court House, 360

JUL
JCL ROOM 362 Adams St., Brooklyn, NY 11201, at 9:30 a.m. in the forenoon on the 6th day of December, 2012

or as soon thereafter as counsel may be heard, to show cause why an Order should not be granted:

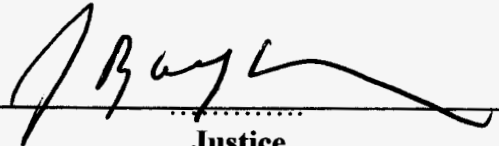
1. Vacating the default Order of Reference granted by this Court.
2. Upon vacatur, permitting the Defendant, Jade McQueen, to file and serve a "late" Answer to the Plaintiff's Complaint; and,
3. Deeming same filed and served with attachment of the Answer to this Order; and, upon so permitting and so deeming,
4. Dismissing the Plaintiff's Complaint, as a matter of law, for lack of subject matter jurisdiction; or, in the alternative,
5. Dismissing the Plaintiff's Complaint, as a matter of law, on the grounds that the Mortgage sued upon is a legal nullity; or, in the second alternative,
6. Dismissing the Plaintiff's Complaint, as a matter of law, for lack of standing to sue on the part of the Plaintiff; or, in the third alternative,

7. Setting this matter down for a discovery conference; and,

8. Granting the Defendant such other and further relief as this Court finds just and proper; and it is,

let
~~Ordered~~, that service by Federal Express, United Parcel Service, United States Postal Service Express Mail, or by a comparable *overnight* delivery service, of a copy of this Order, together with the supporting papers attached thereto, upon the Plaintiff's Attorneys on or by the *SOHL* day of October, shall be deemed sufficient notice herein.

ENTER :



Justice

JOHNNY L. BAYNES
JUSTICE SUPREME COURT