

ORIGINAL

Short Form Order

NEW YORK SUPREME COURT - QUEENS COUNTY

Present: HONORABLE DENIS J. BUTLER
Justice

IAS Part 12

-----x
U.S. BANK TRUST, N.A., AS TRUSTEE FOR
LSF9 MASTER PARTICIPATION TRUST,

Index
Number: 713441/2016

Plaintiff,

-against-

Motion Date:
November 19, 2019

FELIX A. GOMEZ; NEW YORK CITY PARKING
VIOLATIONS BUREAU; NEW YORK CITY TRANSIT
ADJUDICATION BUREAU, FLEET NATIONAL
BANK; NEW YORK CITY ENVIRONMENTAL
CONTROL BOARD; NEW YORK STATE DEPARTMENT
OF TAXATION AND FINANCE; ARIEL GOMEZ

Motion Seq. No.: 004

Defendant(s).

FILED
DEC 31 2019
COUNTY CLERK
QUEENS COUNTY

The following papers were read on this application by defendant Feliz A. Gomez for an order, pursuant to CPLR 5240 and 1015 (a) and RPAPL 1341, prohibiting the foreclosure sale from being conducted, enjoining and restraining plaintiff from taking any action to sell, transfer, or encumber any interest in the premises or otherwise interfere with defendant's possession and quiet enjoyment of the premises; and directing plaintiff to accept payment of all sums due under its mortgage and thereafter directing plaintiff to file a stipulation discontinuing the action.

Papers
Numbered

Order to Show Cause, Affirmation, Affidavit,
Exhibits.....E77-86
Affirmation In Opposition, Affidavit, Exhibit.....E150-163

Upon the foregoing papers, it is ordered that this motion is denied as moot, as the foreclosure sale was conducted on October

11, 2019. At the sale, nonparty Joseph Wartelsky was the successful bidder in the amount of \$810,000.00.

This constitutes the decision and order of the court.

Dated: December 16, 2019



Denis J. Butler, J.S.C.

FILED
DEC 31 2019
COUNTY CLERK
QUEENS COUNTY