

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

Presentment Date and Time:
January 19, 2017, Noon
Objection Deadline:
January 12, 2017

In Re:

GMAC Mortgage, LLC,

Debtor(s).

Chapter 11

Case No. 12-12032-mg

Jointly Administered
Case No. 12-12020-mg

Beverlie Roseberry, 3900 Oldfield Crossing Drive,
Apt. 215, Jacksonville, FL 32223,

Plaintiff,

v.

GMAC Mortgage, LLC; Ocwen Loan Servicing, LLC;
Aldridge Pite, LLP a/k/a Aldridge Connors, LLP; and
Deutsche Bank National Trust Company,

Defendants.

Adversary Proceeding
Case No. 16-01202-mg

**NOTICE OF PRESENTMENT OF ORDER ON DEFENDANTS'
MOTION TO DISMISS PLAINTIFF'S ADVERSARY COMPLAINT**

PLEASE TAKE NOTICE that upon the annexed motion of Defendants, the undersigned will present the attached proposed order to the Honorable Martin Glenn, United States Bankruptcy Judge, for signature on January 19, 2017 at 12:00 noon.

PLEASE TAKE FURTHER NOTICE that unless a written objection to the proposed order, with proof of service, is filed with the Clerk of the Court and a courtesy copy is delivered to the Bankruptcy Judge's chambers at least three (3) days before the presentment, there will not be a hearing and the order may be signed.

PLEASE TAKE FURTHER NOTICE that if a written objection is timely filed, the Court will notify the moving and objecting parties of the date and time of the hearing and of the moving party's obligation to notify all other parties entitled to receive notice. The moving and objecting parties are required to attend the hearing, and failure to attend in person or by counsel may result in relief being granted or denied upon default.



1212020161219000000000002

PLEASE TAKE FURTHER NOTICE that the ECF docket number to which the filing relates shall be included in the upper right hand corner of the caption of all objections.

Place: Philadelphia, PA
Dated: December 15, 2016

DUANE MORRIS LLP

By: /s/ Brett L. Messinger

Brett L. Messinger
DUANE MORRIS LLP
30 South 17th Street
Philadelphia, PA 19103-4196
Telephone: 215.979.1508
Facsimile: 215.979.1020
Email: BLMessinger@duanemorris.com

*Counsel for Ocwen Loan Servicing, LLC,
and GMAC Mortgage, LLC*

TO:
Plaintiff Beverlie Roseberry
3900 Oldfield Crossing Drive, Apt. 215
Jacksonville, FL 32223

Debtor GMAC Mortgage, LLC
c/o Lorenzo Marinuzzi, Esq.
Morrison & Foerster LLP
250 West 55th Street
New York, NY 10019-9601

Debtor GMAC Mortgage, LLC
c/o Norman Scott Rosenbaum, Esq.
Morrison & Foerster LLP
250 West 55th Street
New York, NY 10019

Aldridge Pite, LLP a/k/a Aldridge Connors, LLP
c/o Jordan S. Katz, Esq.
40 Marcus Drive, Suite 200
Melville, NY 11747

United States Trustee
U.S. Federal Office Building
201 Varick Street, Room 1006
New York, NY 10014

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In Re:

GMAC Mortgage, LLC,

Debtor(s).

Beverlie Roseberry, 3900 Oldfield Crossing Drive,
Apt. 215, Jacksonville, FL 32223,

Plaintiff,

v.

GMAC Mortgage, LLC; Ocwen Loan Servicing,
LLC; Aldridge Pite, LLP a/k/a Aldridge Connors,
LLP; and Deutsche Bank National Trust Company,

Defendants.

Chapter 11

Case No. 12-12032-mg

Jointly Administered
Case No. 12-12020-mg

Adversary Proceeding
Case No. 16-01202-mg

**ORDER ON DEFENDANTS' MOTION TO DISMISS
PLAINTIFFS' ADVERSARY COMPLAINT**

Upon consideration of the Defendants' Notice of Defendants' Motion to Dismiss
Plaintiffs' Adversary Complaint and Memorandum of Law ("Motion") and upon consideration
of any and all responses thereto; and finding that adequate notice of the Motion was provided to
all parties entitled thereto; and it appearing that this Court has jurisdiction over the matters raised
in the Stipulation; and upon finding that venue is proper in this Court; after due deliberation and
finding sufficient cause for the relief sought in the Motion; it is hereby

//

//

1. ORDERED that the Motion is GRANTED in its entirety; and it is further
2. ORDERED that this Court shall retain jurisdiction over any matters relating to or arising out of this Order.

IT IS SO ORDERED.

Dated: _____
New York, New York

MARTIN GLENN
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

Presentment Date and Time:
January 19, 2017, Noon
Objection Deadline:
January 12, 2017

In Re:

GMAC Mortgage, LLC,

Debtor(s).

Chapter 11

Case No. 12-12032-mg

Jointly Administered
Case No. 12-12020-mg

Beverlie Roseberry, 3900 Oldfield Crossing Drive,
Apt. 215, Jacksonville, FL 32223,

Plaintiff,

v.

GMAC Mortgage, LLC; Ocwen Loan Servicing, LLC;
Aldridge Pite, LLP a/k/a Aldridge Connors, LLP; and
Deutsche Bank National Trust Company,

Defendants.

Adversary Proceeding
Case No. 16-01202-mg

**CERTIFICATE OF SERVICE FOR NOTICE OF PRESENTMENT OF ORDER ON
MOTION TO DISMISS PLAINTIFF'S ADVERSARY COMPLAINT**

I, Brett L. Messinger, hereby declare that I served the above-referenced document on
December 15, 2016 as follows:

By Mail:

Plaintiff Beverlie Roseberry
3900 Oldfield Crossing Drive, Apt. 215
Jacksonville, FL 32223

Debtor GMAC Mortgage, LLC
c/o Lorenzo Marinuzzi, Esq.
Morrison & Foerster LLP
250 West 55th Street
New York, NY 10019-9601

Debtor GMAC Mortgage, LLC
c/o Norman Scott Rosenbaum, Esq.
Morrison & Foerster LLP
250 West 55th Street
New York, NY 10019

Aldridge Pite, LLP a/k/a Aldridge Connors, LLP
c/o Jordan S. Katz, Esq.
40 Marcus Drive, Suite 200
Melville, NY 11747

United States Trustee
U.S. Federal Office Building
201 Varick Street, Room 1006
New York, NY 10014

Place: Philadelphia, PA
Dated: December 15, 2016

DUANE MORRIS LLP

By: /s/ Brett L. Messinger

Brett L. Messinger
DUANE MORRIS LLP
30 South 17th Street
Philadelphia, PA 19103-4196
Telephone: 215.979.1508
Facsimile: 215.979.1020
Email: BLMessinger@duanemorris.com

*Counsel for Ocwen Loan Servicing, LLC,
and GMAC Mortgage, LLC*