

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COUNTY DEPARTMENT, CHANCERY DIVISION

GMAC Mortgage LLC,)
U.S. Bank National Association, a national banking)
association as successor trustee to Bank of America, N.A.,)
as Trustee for Morgan Stanley Loan Trust 2006-16AX,)
Plaintiff/Counter-Defendant,)
v.)
Richard Daniggelis,)
Defendant/Counter-claimant and cross-claimant,)
_____)
Joseph Younes, Mortgage Electronic Registration)
Systems, Inc., as nominee for HLB Mortgage,)
Paul Shelton, Erika Rhone and Stewart Title of Illinois and)
Unknown Owners,)
Defendants/Cross-Defendants.)

Case No. 07 CH 29738

Judge Michael F. Otto

Cal. 61

1720 North Sedgwick Ave.,
Chicago, Illinois

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ORDER

This cause coming on to be heard upon Plaintiff U.S. Bank National Association's Motion for Partial Motion for Summary Judgment on Count I of its Third Amended Complaint, Plaintiff's Motion for Partial Summary Judgment on Counts II and III of its Third Amended Complaint and Summary Judgment on Counts I, II, III, V of Defendant Richard Daniggelis' Third Amended Counterclaim.

Defendant Richard Daniggelis' Motion for Summary Judgment against Plaintiff on Counts I, II and III of the Third Amended Complaint, Defendant Joseph Younes' Motion for Summary Judgment against Defendant Richard Daniggelis and Plaintiff's Motion for Default as to Defendant HLB Mortgage. Defendant Richard Daniggelis' motions to strike the affidavits of Rashad Blanchard in support of Plaintiff's Motion for Summary Judgment on Counts II and III of the Third Amended Complaint, and Motions to Strike the 109 Certification of Howard Handville on each motion for partial summary judgment. This Honorable Court being advised in the premises:

The Court did not consider John Knopke's affidavit in support of Plaintiff's motion on Count I.
IT IS HEREBY ORDERED:
1. Plaintiff's motion for partial summary judgment on foreclosure, Count I of its Third Amended Complaint is granted. Plaintiff is granted leave to file a judgment of foreclosure and sale after circulating to the parties on February 20, 2013.
2. Plaintiff's motion for default of Mers as nominee for HLB mortgage, unknown Owners and Non-Record Claimants is granted and judgment is entered as to each.
3. Defendant Richard Daniggelis' motion for summary judgment vs Plaintiff is denied.
4. Plaintiff's motion for summary judgment is entered as to Defendants ~~Richard Daniggelis~~ and Joseph Younes based upon the record and in open court.
5. Plaintiff's motion for partial summary judgment on Counts II+III of its complaint and Counts I, II+III of Richard Daniggelis' Third Amended Counterclaim is taken under advisement.
6. Richard Daniggelis' motions to strike Howard Handvilles and Rashad Blanchard's affidavits 109 are ~~is~~

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6- ~~Continued~~
Shall stand as his response to Plaintiff's
Motion for Partial Summary Judgment
in Counts II + III of the Third Amended
Complaint and summary judgment on
Counts I, II, III + IV of Richard Daniggelis Third
Amended Counterclaim, which is taken under
7- advisement,
Richard Daniggelis is granted Leave to
file a reply to each motion to strike by
February 20, 2013.

RICHARD INDYKE
Attorney for Plaintiff
221 N. LaSalle Street, Suite 1200
Chicago, Illinois 60601
(312) 332-2828
Attorney No. 20584

ENTERED: _____
Judge Michael F. Otto
FEB 15 2013
Circuit Court - 2065

JUDGE JUDGE'S NO

5 1975 12/15

I have been thinking about you a lot lately
 and wondering how you are getting on.
 I hope you are well and happy.
 I have been busy with work lately
 but I will try to write to you more often.
 I love you and miss you very much.
 Give my love to your family.
 I will be home soon.
 Love,
 [Name]