

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

DEUTSCHE BANK NATL TR CO

VS.

RICHARD B DANIGGELIS

NO. 04CH-10851

I, DOROTHY A. BROWN, Clerk of the Circuit Court of Cook County, in and for said County, in the State of Illinois, do hereby certify that on the 10th day of August A.D. 2004, I sent by mail, postage prepaid, a Notice, a copy of which is attached hereto, to the following defendants, and addressed as follows:

One Copy to: RICHARD B DANIGGELIS; 1720 N SEDGWICK ST; CHICAGO, IL 60614-5722

FILED
AUG 10 2004
DOROTHY BROWN
CLERK OF CIRCUIT COURT

[Signature] Clerk

FISHER & FISHER (3309), (File No. 60960), Attorneys, 120 North LaSalle Street, Chicago, Illinois 60602. STATE OF ILLINOIS, COUNTY OF Cook, ss. In the Circuit Court of Cook County, County Department, Chancery Division, Deutsche Bank National Trust Company as Indenture Trustee under the Indenture Relating to IMH Assets Corp. Collateralized Asset-Backed Bonds, Plaintiff, vs. Richard B. Daniggelis, et al., Defendants. No. 04CH-10851.

The requisite affidavit for publication having been filed, notice is hereby given you, Richard B. Daniggelis, Unknown Owners and Non-Record Claimants, defendants in the above entitled suit, that the said suit has been commenced in the Circuit Court of Cook County, Chancery Division, by the said plaintiff against you and other defendants, praying for the foreclosure of a certain Mortgage conveying the premises described as follows, to-wit:

The East 66 feet of Lot 8 in C.J. Hulls Subdivision of Block 51 in Canonical Trustees Subdivision of Section 33, Township 40 North, Range 14, East of the Third Principal Meridian, in Cook County, IL. C/K/A: 1720 N. Sedgwick St., Chicago, IL 60614. Tax ID 14-33-324-044.

Mortgagor: Richard B. Daniggelis. Mortgage: IMPAC Funding Corp. d/b/a IMPAC Lending Group. Recorded in the office of the Recorder of Deeds of Cook County, IL, as Document No. 0020900624. Present owner of the property is the above mentioned mortgagor.

Notice is also hereby given you that the said Complaint prays for other relief that summons was duly issued out of said Court against you as provided by law, and that the said suit is now pending.

Now, therefore, unless you, the said above named defendants, file your answer to the Complaint in the said suit or otherwise make your appearance therein, in the office of the Clerk of Circuit Court of Cook County, Chancery Division, Room 802, Richard J. Daley Center, in the City of Chicago, Illinois, on or before September 8, 2004, default may be entered against you at any time after that day and a judgment entered in accordance with the prayer of said Complaint.

DOROTHY A. BROWN, Clerk. This is an attempt to collect a debt pursuant to the Fair Debt Collection Practices Act, and any information obtained will be used for that purpose. 180442 Aug-6-13-20

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

County _____ DEPARTMENT/Chancery DISTRICT _____

Deutsche

Plaintiff

v.

Daniggelis et al.

Defendant

No.: 04-CH-10851

Claimed: \$ _____

Return Date: _____

Room No.: 802

50 W Washington, Daley Ctr., Chicago IL

Address of Court District for Filing

0900
2870
3487

~~*APPEARANCE AND JURY DEMAND~~

The undersigned, as attorney/non attorney (strike one), enters the appearance of the defendant

Richard Daniggelis

~~*Defendant demands trial by jury.~~

Fee Waived

Richard Daniggelis

Atty. No.: 99500

Name: Richard Daniggelis

Atty. for: Pro Se

Address: 1720 North Sedgwick

City/State/Zip: Chicago, Illinois 60614

Telephone: (312)642-0044

IMPORTANT:

Under the rules of this Court, a copy of this appearance should be mailed immediately to the attorney for the plaintiff whose name and address appears on the papers that were served upon you.

*Strike demand for trial by jury if not applicable.

I certify that a copy of the within instrument was served on all parties who have appeared and have not heretofore been found by the Court to be in default for failure to plead.

Richard Daniggelis
Attorney for

671

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

DEUTSCHE

v.

DANIGGELIS

[Handwritten signature]

No. 04-CH-10851

NOTICE OF MOTION

3303
3302
FILED-1
2004 AUG 25 PM 4:30
CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
COMMUNICATIONS DIV.

To: FISHER AND FISHER
170 N. LASALLE STE 2520
CHICAGO, IL 60602

On SEPTEMBER 3RD, at 9:00

a.m. or as soon thereafter as counsel
p.m.

may be heard, I shall appear before the Honorable SIEBEL or any Judge sitting in that
Judge's stead, in the courtroom usually occupied by him/her, located at 2305
, Illinois, and present

Name RICHARD DANIGGELIS
Address 1720 N. SEDGWICK ST
City/State/Zip CHICAGO, IL 60614

Atty. No. Pro Se 99500
Attorney for
Telephone

PROOF OF SERVICE BY DELIVERY

I, _____, the attorney/non attorney* certify that on the _____ day of _____
(*strike one)
, I served this notice by delivering a copy personally to each person to whom it is directed.

Date _____

Signature/Certification

PROOF OF SERVICE BY MAIL

I, RICHARD DANIGGELIS, the attorney/non attorney* certify that I served this notice by mailing
(*strike one)
copy to FISHER AND FISHER at 170 N. LASALLE STE 2520 CHGO, IL
(address on envelope) 60602

Using the same in the U. S. Mail at SHEPHERD AND FULLERTON
(place of mailing)

~~a.m.~~
p. m. on the 25TH day of AUGUST, 2004, with proper postage prepaid.

Date AUG 25, 2004


Richard Daniggelis
Signature/Certification

erved by delivery or mail, additional proof of service may be made by attaching an additional sheet

CERTIFICATION

I, Richard Daniggelis, a non-attorney certify that I served a copy of the foregoing Motion upon:

Fisher & Fisher, 120 North LaSalle Street, Suite 2520, Chicago, Illinois 60602, by depositing a copy of the same in an envelope addressed as shown in the U.S. Mail at U.S.P.S.



Richard Daniggelis

Richard B. Daniggelis
Attorney Number: 99500
Pro Se
1720 North Sedgwick Street
Chicago, Illinois 60614
(312)642-0044

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

Deutsche Bank,)
Plaintiffs,)
v.) No.: 04-CH-10851
Richard Daniggelis, *pro se*,)
Defendant.)

Richard Daniggelis

AFFIDAVIT OF

STATE OF ILLINOIS)
COUNTY OF COOK)

Comes now Richard Daniggelis, *pro se*, and, being sworn on oath, states as follows:

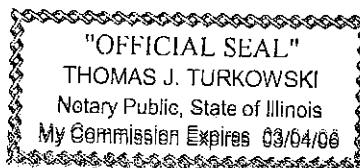
1. I reside at 1720 North Sedgwick, Chicago, Illinois;
2. I live at 1720 North Sedgwick, Chicago, by myself and with no one else;
3. I have lived alone at 1720 North Sedgwick, Chicago, since at least 1989;
4. I was never served with a summons or any other papers in this case.
5. I only know about this case from finding papers that were left under my door.
6. All matters set forth in this affidavit are from my personal knowledge;
7. If called upon to testify, I would offer testimony consistent with the contents of this affidavit.

Richard Daniggelis
Richard Daniggelis

Signed and sworn before me this 25th day of August, 2004.

Thomas J. Turkowski
Notary Public

County of Cook, Illinois
My commission expires:



IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

2004 1456

Deutsche Bank National Trust Company

v.

No. 04 CH 10851

Ronald B. Daniggelis, et al.

JUDGE RICHARD A. SIEBEL

DEC 9 2004

Circuit Court - 1778

ORDER

This matter coming to be heard on Plaintiff's Motion for Judgment of Foreclosure, Attorney Martin Spencer appearing in court for Defendant Richard B. Daniggelis, the Court being fully advised;

It is hereby ordered that:

1. Attorney Martin Spencer is granted 28 days to file a ^{substitute} appearance and answer to the Complaint for Foreclosure on or before January 7~~th~~th, 2005; or otherwise plead; and
2. Plaintiff's Motion for Judgment is entered and continued to January 19, 2005 at 9:30 am without further notice.

Atty. No.: 3309

Name: Herbas - Fisher and Fisher

Atty. for: Plaintiff

Address: 120 N. LaSalle, Suite 2520

City/State/Zip: Chicago, IL 60602

Telephone: (312) 372-4784

ENTERED:

Judge

Judge's No.

3390

Fisher And Fisher
File No. 60960

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

03309

Deutsche Bank National Trust Company)
as Indenture Trustee Under the Indenture)
Relating to IMH Assets Corp.)
Collateralized Asset-Backedbonds)
Plaintiff)

Case No. 04 CH 10851
Calendar No. 10

vs.)
Richard B. Daniggelis, Mortgage)
Electronic Registration Systems, Inc.,)
acting solely as nominee for DMC Capital)
Markets Group, Unknown Owners and)
Non-Record Claimants)
Defendants)

FILED

FEB 3 2005

DOROTHY BROWN
CLERK OF CIRCUIT COURT

MOTION FOR DEFAULT ORDER

Now comes plaintiff by its attorneys, FISHER AND FISHER, ATTORNEYS AT LAW, P.C. and requests that this Court enter an order finding Richard B. Daniggelis, Mortgage Electronic Registration Systems, Inc., acting solely as nominee for DMC Capital Markets Group, Unknown Owners and Non-Record Claimants, defendants, in default.

Deutsche Bank National Trust Company as Indenture Trustee Under the Indenture
Relating to IMH Assets Corp. Collateralized Asset-Backedbonds
Plaintiff

By: _____
One of Plaintiffs Attorneys

ELIZABETH KAPLAN MEYERS
RENEE MELTZER KALMAN
MICHAEL S. FISHER
MARC D. ENGEL
CYNTHIA A. SUTHERIN
JAMES R. RIEGEL
RANDAL S. BERG
JOSEPH M. HERBAS
FISHER AND FISHER
ATTORNEY AT LAW, P.C. #3309
120 NORTH LASALLE, SUITE 2520
CHICAGO, IL 60602
TELEPHONE: (312) 372-4784

2870

Fisher And Fisher
File No. 60960

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

03309

Deutsche Bank National Trust Company)
as Indenture Trustee Under the Indenture)
Relating to IMH Assets Corp.)
Collateralized Asset-Backed Bonds)
Plaintiff)
vs.)
Richard B. Daniggelis, Mortgage)
Electronic Registration Systems, Inc.,)
acting solely as nominee for DMC Capital)
Markets Group, Unknown Owners and)
Non-Record Claimants)
Defendants)

Case No. 04 CH 10851
Calendar No. 10

FILED

FEB 3 2005

DOROTHY BROWN
CLERK OF CIRCUIT COURT

CERTIFICATE

The undersigned, Attorney for Plaintiff in this cause does hereby certify that I had the court file and register checked for this case on 1-13, 2005.

I further certify the proof of service of summons shown that the following parties have been served on the dates indicated as follows:


PARTY	DATE OF SERVICE
Daniggelis, Richard B.	September 15, 2004 Personal
Mortgage Electronic Registration Systems, Inc., acting solely as nominee for DMC Capital Markets Group	July 27, 2004 Corporation
Unknown Owners and Non-Record Claimants	August 6, 2004 Publication

I further certify that the only appearance filed of record, were for the following persons and on the dates shown herein:

PARTY	DATE OF APPEARANCE AND ANSWER
Daniggelis, Richard B.	Appearance - August 25, 2004

and that all other parties to this cause have failed to file their appearances.

BARRY M. FISHER
FISHER AND FISHER,
Attorneys At Law, P.C. #3309
120 N. LaSalle St., Suite 2520
Chicago, IL 60602
(312) 372-4784



3390

Fisher And Fisher
File No. 60960

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

03309

Deutsche Bank National Trust Company)
as Indenture Trustee Under the Indenture)
Relating to IMH Assets Corp.)
Collateralized Asset-Backedbonds)
Plaintiff)
vs.)
Richard B. Daniggelis, Mortgage)
Electronic Registration Systems, Inc.,)
acting solely as nominee for DMC Capital)
Markets Group, Unknown Owners and)
Non-Record Claimants)
Defendants)

Case No. 04 CH 10851
Calendar No. 10

FILED

FEB 3 2005

DOROTHY BROWN
CLERK OF CIRCUIT COURT

MOTION TO APPOINT SELLING OFFICER

NOW COMES THE PLAINTIFF by and through its attorneys, Fisher and Fisher, and moves this Honorable Court, for the entry of an order appointing Kallen Financial & Capital Services, Inc. as Selling Officer pursuant to Ill. Rev. Stat. ch. 110, Section 15-1506 (f).



FISHER AND FISHER
Attorney for Plaintiff

Fisher and Fisher
Attorneys for Plaintiff
120 North LaSalle Street
Suite 2520
Chicago, IL 60602
(312) 372-4784
Attorney Number 3309

3390

Fisher And Fisher
File No. 60960

03309

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

Deutsche Bank National Trust Company)
as Indenture Trustee Under the Indenture)
Relating to IMH Assets Corp.)
Collateralized Asset-Backedbonds)
Plaintiff)

Case No. 04 CH 10851
Calendar No. 10

vs.)
Richard B. Daniggelis, Mortgage)
Electronic Registration Systems, Inc.,)
acting solely as nominee for DMC Capital)
Markets Group, Unknown Owners and)
Non-Record Claimants)
Defendants)

FILED

FEB 3 2005

DOROTHY BROWN
CLERK OF CIRCUIT COURT

MOTION FOR JUDGMENT

Now comes Plaintiff through its attorneys, FISHER AND FISHER, ATTORNEYS AT LAW, P.C. and pursuant to 735 ILCS 5/15 - 1506, moves for a judgment of foreclosure and sale.

Deutsche Bank National Trust Company as Indenture Trustee Under the Indenture
Relating to IMH Assets Corp. Collateralized Asset-Backedbonds
Plaintiff

By _____
One of Plaintiff's Attorneys

ELIZABETH KAPLAN MEYERS
RENEE MELTZER KALMAN
MICHAEL S. FISHER
MARC D. ENGEL
CYNTHIA A. SUTHERIN
JAMES R. RIEGEL
RANDAL S. BERG
JOSEPH M. HERBAS
FISHER AND FISHER
ATTORNEYS AT LAW, P.C. #3309
120 NORTH LASALLE, SUITE 2520
CHICAGO, IL 60602
TELEPHONE: (312) 372-4784

4. That on May 22, 2006, this Honorable Court entered a second order requiring the Plaintiff to supply payoff and reinstatement figures by June 30, 2006. A copy of said order is attached hereto as Exhibit B.

5. That on June 21, 2006, Plaintiff's attorneys forwarded a written request requesting the aforesaid figures in order to complete the sale by June 30, 2006. A copy of said correspondence is attached hereto as Exhibit A.

6. That on June 22, 2006, Plaintiff's attorney spoke with one of Defendant's attorneys, Monica Berry, who indicated that six requests were made for the aforesaid figures from Plaintiff, but that no one had yet responded to said requests.

7. That Defendant is sixty-seven of age and would suffer great hardship if the sale were allowed to proceed without affording an opportunity to either reinstate or payoff said loan.


8. That due to Plaintiff's original and subsequent failures to provide reinstatement and/or reinstatement figures, along with its failure to comply with this Honorable Court's orders of May 5, 2006 and May 22, 2006, Plaintiff has sought or will seek interest from May 5, 2006, plus attorney's fees for the Motions presented on May 5, 2006 and May 22, 2006.

9. That it would be inequitable to reward Plaintiff's failures by allowing Plaintiff to collect said interest and attorneys' fees or to even allow this matter to continue.

WHEREFORE, Defendant, respectfully moves this Honorable Court to stay Plaintiff's scheduled sale until July 18, 2006 and to disallow Plaintiff from recovering interest and attorneys' fees

since May 5, 2006 or in the alternative vacate the foreclosure order and dismiss this matter in its entirety.

Respectfully submitted,

By: 
Habib S. Younes

Atty No 22598
LAW OFFICES OF HABIB S. YOUNES
Attorneys for the Defendant
120 W. Madison Street - Suite 1404
Chicago, Illinois 60602
(312) 346-1414

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

EXHIBIT A

Deutsche Bank

v.

No. 04 CH 10851
Calendar #10

Richard Danigelis, et al.

ORDER

This Matter coming before the Court on Defendant's Emergency Motion to Stay Sale, the Court being duly advised in the premises

It is hereby ordered:

- ① Defendant's Motion is granted; Plaintiff's Sale shall be stayed through May 19th, 2006.
- ② Plaintiff will provide payoff figures good through May 19th, and reinstatement figures good through May 10th, by Monday, May 8th, v.i.a. fax 630-833-1948 or/and 312-372-1408

Atty. No.: 42168
 Name: Fisher and Shapiro, LLC
 Atty. for: A
 Address: 4201 Lake Cook Road
 City/State/Zip: Northbrook, IL 60062
 Telephone: (847) 291-1717

ENTERED
 JUDGE STUART PALMER-1621
 Dated: MAY 05 2006
 DOROTHY BROWN
 CLERK OF THE CIRCUIT COURT
 OF COOK COUNTY, IL
 DEPUTY CLERK

Judge _____ Judge's No. _____

DOROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS

Deutsche Bank National

v.

No. 04 CH 10851

Richard Danigelis

ORDER

This cause coming on to be heard on
Defendants Motion to Stay Sale:

IT IS HEREBY ORDERED:

- 1) SALE IS STAYED UNTIL AFTER JUNE 30th, 2006.
- 2) PLAINTIFF SHALL FORWARD PAY-OFF FIGURES
GOOD THROUGH JUNE 30th '06 AND REINSTATEMENT FIGURES
GOOD THROUGH JUNE 20th '06 TO THE FOLLOWING FAX NUMBERS
(312) 372-1408 and (630) 837-1948 on or before
FRIDAY MAY 26th, 2006.

Atty. No.: 22598
 Name: HADIB S. YOUNES
 Atty. for: ~~120 W. MADISON~~ PLAINFIELD
 Address: 120 W. MADISON
 City/State/Zip: CHICAGO IL 60602
 Telephone: 312 396-1414

ENTERED:

Dated:

Judge

ENTERED
 JUDGE STUART PALMER-1621
 MAY 22 2006
 DOROTHY BROWN
 CLERK OF THE CIRCUIT COURT
 OF COOK COUNTY, IL
 DEPUTY CLERK

Judge's No.

DOROTHY BROWN, CLERK OF THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS



OF COUNSEL

JOSEPH YOUNES
DAVID BOYD

LAW OFFICES OF HABIB S. YOUNES
120 WEST MADISON ST., SUITE 1404
CHICAGO, ILLINOIS 60602

372-1122
(312) 346-1114
FAX (312) 372-1408

EXHIBIT C

VIA TELEFACSIMILE (847)291-1740
(847)291-3434

June 21, 2006

Monica Berry
Fisher & Shapiro, LLC
4201 W. Lake Cook Rd.
Northbrook, Illinois 60062

RE: FS No.: FF-60960
1720 N. Sedwick, Chicago, Illinois
Case No.: 04 CH 10851

Dear Ms. Berry:

This letter will confirm the telephone message left on your voice mail relative to the above referenced case. Attached please find a copy of the order entered on May 22, 2006 in the above referenced case, a copy of which you possess. To date, we still have not received the payoff and reinstatement figures as ordered by the Court. THE DEBTOR IS PREPARED TO SELL THE PROPERTY AND WE AWAIT THE PAYOFF AND REINSTATEMENT FIGURES SO THAT HE CAN CLOSE.

In the event that these figures are not received within the next few days, we will be forced to once again file a Motion to Stay due to your client's willful failure to comply with the court's prior two orders requiring these figures. On this next occasion, we will either move to dismiss the action or request a credit for all interest and fees accumulating since the entry of the first order.

Sincerely,

Habib S. Younes

HY:pm
enc.

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

Deutsche Bank National Trust Company as)
 Indenture Trustee Under the Indenture)
 Relating to IMH Assets Corp. Collateralized)
 Asset-Backed bonds)
 Plaintiff)
 VS.)
 Richard B. Daniggelis, Mortgage Electronic)
 Registration Systems, Inc., acting solely as)
 nominee for DMC Capital Markets Group,)
 Unknown Owners and Non-Record)
 Claimants)
 Defendants)

NO. 04 CH 10851

Handwritten notes:
 4/27/06
 9/20/06
 11/29/06
 2/14/07

AGREED ORDER

This cause coming to be heard on Defendant Richard Daniggelis' Third Emergency Motion to Stay Sale and for Sanctions, counsel for Plaintiff and Defendant Richard Daniggelis present in court, Plaintiff's Counsel Joseph Herbas of Fisher and Shapiro, LLC indicating that he will cooperate with the defendant to provide additional payoff and reinstatement quotes to the defendant if needed, that Attorney Joseph Herbas can be contacted direct at (847) 770-4240, or by facsimile to (312) 372-4662, and the Court being duly advised in the premises;

IT IS HEREBY ORDERED that:

1. Plaintiff is stayed from proceeding with its foreclosure sale until the close of business on July 31, 2006;

2. Plaintiff can proceed with its foreclosure sale on or after August 1, 2006 if the defendant is unable to payoff or reinstate the loan by July 31, 2006; *once said figures have been provided by Plaintiff pursuant to this order; JH*

3. Defendant Richard Daniggelis withdraws the portion of his motion asking for sanctions without prejudice;

4. Defendant Richard Daniggelis is granted leave to re-file its Motion ^{to JH} for Stay Sale and Motion for Sanctions if Plaintiff's counsel fails to provide a reinstatement or payoff quote

timely; within 1-5 business days of receiving confirmation of a closing date via telefacsimile from Defendant's attorney to Fisher & Shapiro at 312/372-4662. JH

~~5. This matter is continued to _____ for status.~~

5. Plaintiff will provide a payoff quote by July 3rd good thru
July 5, July 6, + July 7. (JA)

ENTERED
JUDGE STUART PALMER-16215
JUN 30 2006
DOROTHY BROWN
CLERK OF THE CIRCUIT COURT
OF COOK COUNTY, IL
DEPUTY CLERK

Joseph Young

Attorney for Plaintiff

Joseph M. DeH

Attorney for Defendant Richard Daniggelis

Dated: _____

By: *[Signature]*

Judge

FISHER and SHAPIRO, LLC #42168
Attorneys for Plaintiff
4201 Lake Cook Road
Northbrook, Illinois 60062
(847) 498-9990

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

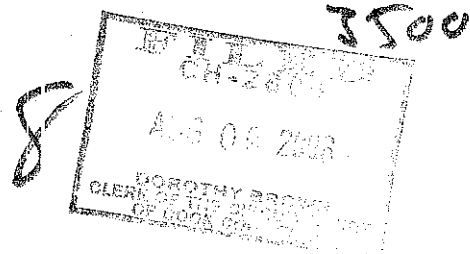
DEUTSCHE BANK NATIONAL TRUST
COMPANY AS INDENTURE TRUSTEE
UNDER THE INDENURE RELATING
TO IMH ASSETS CORP.
COLLATERALIZED ASSET-
BACKEDBONDS
PLAINTIFF,

-vs-

RICHARD B. DINIGGELIS;
MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.,
ACTING SOLEY AS MONINEE FOR
DMC CAPITAL MARKETS GROUP
DEFENDANTS

NO. 04 CH 10851

CALENDAR NO. 52



MOTION TO DISMISS

Now comes the plaintiff, DEUTSCHE BANK NATIONAL TRUST COMPANY AS INDENTURE TRUSTEE UNDER THE INDENURE RELATING TO IMH ASSETS CORP. COLLATERALIZED ASSET-BACKEDBONDS, by and through its Attorneys, FISHER AND SHAPIRO, LLC, and in support of its Motion to Dismiss, states the following:

1. On July 8, 2004, Plaintiff's attorneys filed this mortgage foreclosure action.
2. Defendant has since paid off the subject loan on July 31, 2006.
3. Plaintiff hereby vacates Judgment entered on February 3, 2005.

WHEREFORE, Plaintiff respectfully requests that this Honorable Court dismiss this matter.

ATTORNEY CERTIFICATION

Under penalties as provided by law pursuant to Section 1-109 of the Illinois Code of Civil Procedure, the undersigned, an attorney, certifies that upon information and belief there have not been any answers or appearances filed by any defendants in the above-cited matter.

Respectfully Submitted,

DEUTSCHE BANK NATIONAL TRUST
COMPANY AS INDENTURE TRUSTEE
UNDER THE INDENURE RELATING
TO IMH ASSETS CORP.
COLLATERALIZED ASSET-
BACKED BONDS

By: _____
One of it's attorneys

FISHER AND SHAPIRO, LLC,
Attorney for Plaintiff
4201 Lake Cook Road
Northbrook, Illinois 60062
(847) 498-9990
Attorney No: 42168

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Fisher and Shapiro, LLC
File No: FF-60960

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

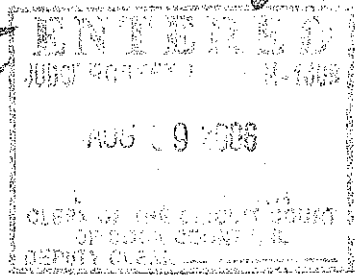
DEUTSCHE BANK NATIONAL TRUST
COMPANY AS INDENTURE TRUSTEE
UNDER THE INDENURE RELATING
TO IMH ASSETS CORP.
COLLATERALIZED ASSET-
BACKED BONDS
PLAINTIFF,

-vs-

RICHARD B. DINIGGELIS;
MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.,
ACTING SOLELY AS MONINEE FOR
DMC CAPITAL MARKETS GROUP
DEFENDANTS

NO. 04 CH 10851

CALENDAR NO. 52

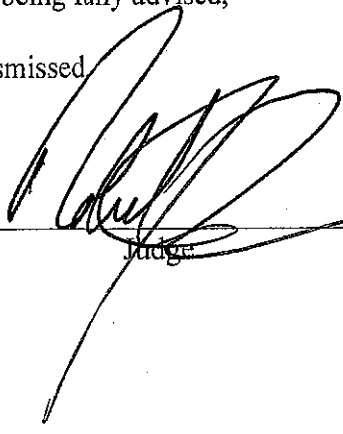


ORDER

This matter coming to be heard on Motion of the Plaintiff for an entry of an Order dismissing this action, all delinquencies, fees and costs having been paid and all issues of controversy having been settled, the Court being fully advised,

IT IS ORDERED THAT this matter is hereby dismissed

Dated: _____

Enter: 
Judge

FISHER AND SHAPIRO, LLC,
Attorney for Plaintiff
4201 Lake Cook Road
Northbrook, Illinois 60062
(847) 498-9990
Attorney No: 42168