

IN THE CIRCUIT COURT OF THE FIRST JUDICIAL CIRCUIT IN AND FOR ESCAMBIA
COUNTY, FLORIDA

THE BANK OF NEW YORK MELLON,
FKA THE BANK OF NEW YORK AS
SUCCESSOR IN INTEREST TO
JPMORGAN CHASE BANK NA AS
TRUSTEE FOR STRUCTURED ASSET
MORTGAGE INVESTMENTS II INC. BEAR
STEARNS ALT-A TRUST 2005-9,
MORTGAGE PASS-THROUGH
CERTIFICATES, SERIES 2005-9,

CASE NO.: 17-2010CA000954

FILED & RECORDED
2013 NOV 21 P 2:10
CLERK OF THE CIRCUIT COURT
ESCAMBIA COUNTY, FLORIDA

Plaintiff,

VS.

REBECCA GIROT; JONI CORBETT;
LAURA AUERDA AKA LAURA
AUWERDA; BANK OF AMERICA, N.A.;
JOHN DOE N/K/A ANDREAS BOEHM;
JANE DOE N/K/A BETTY PERRY-BOEHM;
UNKNOWN SPOUSE OF REBECCA
GIROT; UNKNOWN SPOUSE OF JONI
CORBETT NKA MARK CORBETT;
UNKNOWN SPOUSE OF LAURA AUERDA
A/K/A LAURA AUWERDA; ANY AND
ALL UNKNOWN PARTIES CLAIMING BY,
THROUGH, UNDER AND AGAINST THE
HEREIN NAMED INDIVIDUAL
DEFENDANT(S) WHO ARE NOT KNOWN
TO BE DEAD OR ALIVE, WHETHER SAID
UNKNOWN PARTIES MAY CLAIM AN
INTEREST AS SPOUSES, HEIRS,
DEVISEES, GRANTEES, OR OTHER
CLAIMANTS,

Defendant(s).

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FINAL JUDGMENT

THIS ACTION was heard before the Court on the Non-Jury Trial on November 19, 2013.

On the evidence presented,

IT IS ADJUDGED THAT:

1. Plaintiff, THE BANK OF NEW YORK MELLON, FKA THE BANK OF NEW YORK AS SUCCESSOR IN INTEREST TO JPMORGAN CHASE BANK NA AS TRUSTEE FOR STRUCTURED ASSET MORTGAGE INVESTMENTS II INC. BEAR STEARNS ALT-A TRUST 2005-9, MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2005-9 is due:

Principal	\$172,637.32
Interest from 11/1/2009 through 11/14/2013	\$26,380.55
Per Diem Interest at \$16.55 per day from 11/15/2013 to 11/19/2013	\$99.30
Pre Acceleration Late Charges	\$33.27
Taxes 2010-2012	\$8,851.57
Insurance 2010-2013	\$15,027.14
Attorney's flat rate fees*	\$1,300.00
Attorney's trial fees	\$1,200.00
Finding as to reasonable number of hours (8 hours)	
Finding as to reasonable hourly rate (\$150/hour)	
(*The requested attorney's fee is a flat rate fee that the firm's client has agreed to pay in this matter. Given the amount of the fee requested and the labor expended, the Court finds that a lodestar analysis is not necessary and that the flat fee is reasonable.)	
Court costs	
Filing Fee	\$955.00
Service of Process	\$655.80
Title Search	\$325.00
Other	
Property Inspections	\$600.00
BPO/Appraisals	\$255.00
Other Inspections	\$30.00
Subtotal:	\$228,349.95
LESS: Escrow Balance	\$
LESS: Other	\$
TOTAL	\$228,349.95
That shall bear interest at the rate of <u>4.75%</u> a year.	

2. Plaintiff holds a lien for the total sum superior to all claims or estates of Defendant(s),
REBECCA GIROT; JONI CORBETT; LAURA AUERDA AKA LAURA AUWERDA;

BANK OF AMERICA, N.A.; JOHN DOE N/K/A ANDREAS BOEHM; JANE DOE N/K/A BETTY PERRY-BOEHM; UNKNOWN SPOUSE OF REBECCA GIROT; UNKNOWN SPOUSE OF JONI CORBETT NKA MARK CORBETT; UNKNOWN SPOUSE OF LAURA AUERDA A/K/A LAURA AUWERDA; ANY AND ALL UNKNOWN PARTIES CLAIMING BY, THROUGH, UNDER AND AGAINST THE HEREIN NAMED INDIVIDUAL DEFENDANT(S) WHO ARE NOT KNOWN TO BE DEAD OR ALIVE, WHETHER SAID UNKNOWN PARTIES MAY CLAIM AN INTEREST AS SPOUSES, HEIRS, DEVISEES, GRANTEEES, OR OTHER CLAIMANTS, on the following described property in Escambia County, Florida and described as:

LOT 9, BLOCK B, OF TARKILN RIDGE ESTATES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 16, PAGE 17, OF THE PUBLIC RECORDS OF ESCAMBIA COUNTY, FLORIDA. .

Property Address: PENSACOLA

3. If the total sum with interest at the rate described in Paragraph 1 and all costs accrued subsequent to the Judgment are not paid, the Clerk of this Court shall sell the property at public sale on the 22 day of January, 2014, to the highest bidder for cash, except as prescribed in Paragraph 4, at the courthouse located at 190 Governmental Center, Pensacola, FL 32502 in Escambia County, Florida, in accordance with section 45.031, Florida Statutes, using the following method:
 - By electronic sale beginning at 11:00 a.m. on the prescribed date at www.escambia.realforeclose.com.
4. Plaintiff shall advance all subsequent costs of this action and shall be reimbursed for them by the Clerk if Plaintiff is not the purchaser of the property for sale, provided however, that the purchaser of the property for sale shall be responsible for the

documentary stamps payable on the Certificate of Title. If Plaintiff is the purchaser, the Clerk shall credit plaintiff's bid with the total sum with interest and costs accruing subsequent to this judgment, or such part of it, as is necessary to pay the bid in full.

5. On filing the Certificate of Title, the Clerk shall distribute the proceeds of the sale, so far as they are sufficient, by paying: first, all of the Plaintiff's costs; second, documentary stamps affixed to the Certificate; third, Plaintiff's attorney's fees; fourth, the total sum due to plaintiff, less the item paid, plus interest at the rate prescribed in Paragraph 1 from this date to the date of the sale; and by retaining any remaining amount pending the further order of this Court.
6. On filing of the Certificate of Sale, Defendant(s) and all persons claiming under or against Defendant(s) since the filing of the notice of Lis Pendens shall be foreclosed of all estate or claim in property, except as to claims or rights under chapter 718 or chapter 720, Florida Statutes, if any. Upon the filing of the Certificate of Title, the person named on the Certificate of Title shall be let into possession of the property.
7. Jurisdiction of this action is retained to enter further orders that are proper including, without limitation, a deficiency judgment, and orders relating to supplemental proceedings to address any omitted parties who may possess an interest in the property.
8. *Plaintiff herein agrees to indemnify and hold harmless Defendant (Borrower) from all loss, liability, costs, damages, reasonable attorney's fees and expenses arising out of the representations made in the Affidavit of Lost Note/Mortgage.*

IF THIS PROPERTY IS SOLD AT PUBLIC AUCTION, THERE MAY BE ADDITIONAL MONEY FROM THE SALE AFTER PAYMENT OF PERSONS WHO ARE ENTITLED TO BE PAID FROM THE SALE PROCEEDS PURSUANT TO THIS FINAL JUDGMENT.

IF YOU ARE SUBORDINATE LIENHOLDER CLAIMING A RIGHT TO FUNDS REMAINING AFTER THE SALE, YOU MUST FILE A CLAIM WITH THE CLERK NO LATER THAN 60 DAYS AFTER THE SALE. IF YOU FAIL TO FILE A CLAIM, YOU WILL NOT BE ENTITLED TO ANY REMAINING FUNDS.

IF YOU ARE THE PROPERTY OWNER, YOU MAY CLAIM THESE FUNDS YOURSELF. YOU ARE NOT REQUIRED TO HAVE A LAWYER OR ANY OTHER REPRESENTATION AND YOU DO NOT HAVE TO ASSIGN YOUR RIGHTS TO ANYONE ELSE IN ORDER FOR YOU TO CLAIM ANY MONEY TO WHICH YOU ARE ENTITLED. PLEASE CHECK WITH THE CLERK OF THE COURT FOR YOUR COUNTY WITHIN TEN (10) DAYS AFTER THE SALE TO SEE IF THERE IS ADDITIONAL MONEY FROM THE FORECLOSURE SALE THAT THE CLERK HAS IN THE REGISTRY OF THE COURT.

Escambia County Clerk of the Court	Okaloosa County Clerk of the Court	Santa Rosa County Clerk of the Court	Walton County Clerk of the Court
190 Governmental Center, Pensacola, FL 32501 (850) 595-4130 www.escambiaclerk.com	101 E James Lee Blvd Crestview, FL 32536 (850) 689-5000 www.clerkofcourts.cc	6865 Caroline Street Milton, FL 32572 (850) 983-4624 santarosaclerk.com	571 Highway 90 E., Defuniak Springs, FL 32433 (850) 892-8116 clerkofcourts.co.walton.fl.us

IF YOU DECIDE TO SELL YOUR HOME OR HIRE SOMEONE TO HELP YOU CLAIM THE ADDITIONAL MONEY, YOU SHOULD READ VERY CAREFULLY ALL PAPERS YOU ARE REQUIRED TO SIGN, ASK SOMEONE ELSE, PREFERABLY AN ATTORNEY WHO IS NOT RELATED TO THE PERSON OFFERING TO HELP YOU, TO MAKE SURE THAT YOU UNDERSTAND WHAT YOU ARE SIGNING AND THAT YOU ARE NOT TRANSFERRING YOUR PROPERTY OR THE EQUITY IN YOUR PROPERTY WITHOUT THE PROPER INFORMATION. IF YOU CANNOT AFFORD TO PAY AN ATTORNEY, YOU MAY CONTACT THE LOCAL LEGAL SERVICES LISTED BELOW TO SEE IF YOU QUALIFY FINANCIALLY FOR THEIR SERVICES. IF THEY CANNOT ASSIST YOU, THEY MAY BE ABLE TO REFER YOU TO A LOCAL BAR REFERRAL AGENCY OR SUGGEST OTHER OPTIONS. IF YOU CHOOSE TO CONTACT ONE OF THE SERVICES LISTED BELOW, YOU SHOULD DO SO AS SOON AS POSSIBLE AFTER RECEIPT OF THIS NOTICE.

Escambia County	Okaloosa County	Santa Rosa County	Walton County
Florida Institutional Legal Services, Inc. Gainesville, FL (352) 375-2494 fls@bellsouth.net	Florida Institutional Legal Services, Inc. Gainesville, FL (352) 375-2494 fls@bellsouth.net	Florida Institutional Legal Services, Inc. Gainesville, FL (352) 375-2494 fls@bellsouth.net	Florida Institutional Legal Services, Inc. Gainesville, FL (352) 375-2494 fls@bellsouth.net

Florida Justice Institute Miami, FL (305) 358-2081 Legal Services of North Florida, Inc. Pensacola, FL (850) 432-8222 www.lsnf.org Northwest Florida Legal Services, Inc. Pensacola, FL (850) 432-2336 www.nwfls.com	Florida Justice Institute Miami, FL (305) 358-2081 Legal Services of North Florida, Inc. Ft. Walton Beach, FL (850) 862-3279 www.lsnf.org	Florida Justice Institute Miami, FL (305) 358-2081 Legal Services of North Florida, Inc. Pensacola, FL (850) 432-8222 www.lsnf.org Northwest Florida Legal Services, Inc. Milton, FL (850) 432-2336 www.nwfls.com	Florida Justice Institute Miami, FL (305) 358-2081 Legal Services of North Florida, Inc. Ft. Walton Beach, FL (850) 862-3279 www.lsnf.org
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11/25/2013
All
DONE AND ORDERED at Escambia County, Florida, this 19 day of November, 2013.

[Signature]
Circuit Court Judge

Copies Furnished to all parties:

ALDRIDGE | CONNORS, LLP
Attorney for Plaintiff
1615 South Congress Avenue, Suite 200
Delray Beach, FL 33445
Primary E-Mail: ServiceMail@aclawllp.com
[FAX: Aldridge Connors @1-561-392-6965]

By U.S. Mail:

Rebecca Girot
2 Turnbridge Turn
Bourbonnais, IL 60914

Joni Corbett
1815 Monterey Rd
South Pasadena, CA 91030

Laura Auerda AKA Laura Auwerda
1449 West Summerdale Avenue #2
Chicago, IL 60640

Bank of America, N.A.
c/o CT Corporation System - Registered Agent
1200 South Pine Island Road
Plantation, FL 33324

Service List cont'd:

John Doe n/k/a Andreas Boehm
1641 Beachside Drive
Pensacola, FL 32506

Jane Doe n/k/a Betty Perry-Boehm
1641 Beachside Drive
Pensacola, FL 32506

Unknown Spouse of Joni Corbett NKA Mark Corbett
1815 Monterey Rd
South Pasadena, CA 91030

PAM CHILDERS

Clerk of Court

By: Bernie P. Childers

Deputy Clerk

