

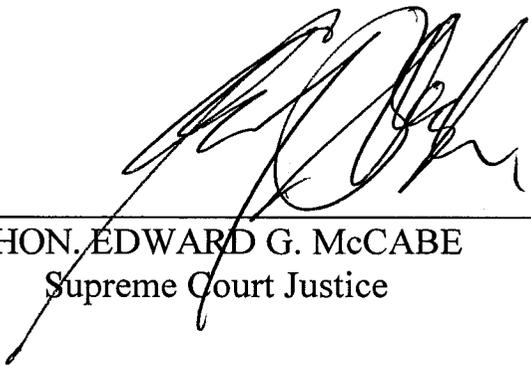
DEUTSCHE BANK NAT'L vs. LEIGH, et al. (INDEX NO. 013682/08) 2.

Deutsche Bank dated July 31, 2008. There is nothing before the Court, however, to indicate that MERS, a nominee "for purposes of recording this mortgage", had authority to execute an assignment. More importantly, the papers before the Court are devoid of proof that the mortgage note was transferred, assigned or negotiated to plaintiff prior to the institution of the action.

This order concludes the within proceeding.

ENTER:

Dated: 3/31/09
Mineola, NY



HON. EDWARD G. McCABE
Supreme Court Justice

EGM/jt/hh