

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 25, 2005.

Present - Hon. David Friedman, Justice Presiding,
George D. Marlow
Eugene Nardelli
John W. Sweeny, Jr.
James M. Catterson, Justices.

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U.S. Bank National Associates, formerly
known as First Bank National Association
TR U/A dated 3/1/99 (EQCC Home Equity
Loan Trust 1999-1),
Plaintiff-Respondent,

-against-

M-5836
Index No. 16251/00

Ines Diana Monti, also known as Inez
Diana Monti,
Defendant-Appellant.

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Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, Bronx County, entered on or about August 17, 2004, and for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, for a stay of the order pending hearing and determination of the aforesaid appeal, and for related relief,

Now, upon reading and filing the papers with respect to said motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record and upon a reproduced appellant's brief, on condition that appellant serve one copy of such brief upon the attorney for respondent and file ten copies of such brief, together with the original record, with this Court. Appellant is permitted to dispense with payment of the required fee for the subpoena and filing of the record. The motion, to the extent that it seeks a stay, is denied.

ENTER:

Catherine O'Hagan Wolfe
Clerk.

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