

Notice of Motion to Confirm Referee Report of Sale and Disburse Surplus Monies (Form 9)

Notice of Motion

- [1. Index No. & Year]** Insert Index Number & the year it was purchased
- [2. Fill in name(s)]** Fill in the Plaintiff name
- [3. Fill in name(s)]** Fill in the Defendant name
- [4. Insert Referee Name & attach Report of Sale]** Insert the name of your referee and attach the Referee's Report of Sale to the papers
- [5. Insert date Report of Sale filed]** Insert date the County Clerk received the Referee Report
- [6. Your name(s)]** Your name
- [7. Date the Affidavit notarized]** Insert the date that you signed the affidavit before a notary public
- [8. Insert date of report of Treasurer & attach Report of Treasurer]** Insert date of the report of the Treasurer and attach to the papers
- [9. Insert Number of Report of Treasurer]** Insert the number of the report
- [10. Insert the amount on deposit]** Insert the amount on deposit from the report
- [11. Circle plaintiff/ defendant]**
- [12 Your Name]** Insert your name
- [13. Insert return date]** Insert the date the motion will go on the court calendar and read
- [14. Insert Name of Justice]**
- [15. Insert the amount on deposit]** Insert the amount on deposit from the report
- [16 Your Name]** Insert your name
- [17. For this CPLR 2214b paragraph to apply, motion papers *must* be served by personal delivery no later than 12 days before the return date or served by mail no later than 17 days before the return date.]** To receive answering papers back before the return date, the above service requirements must be complied with.
- [18. Date and County papers are signed in]**
- [19. YOUR SIGNATURE]** Signature
- [20. PRINT YOUR NAME]** Your name
- [21. YOUR ADDRESS]** Your address
- [22. CITY, STATE ZIP CODE]** City State and Zip Code
- [23. YOUR PHONE NUMBER]** Your telephone Number
- [24. Circle one]** Papers are being sent to the attorney for the plaintiff/defendant
- [25. Attorney Name]** Attorneys name
- [26. Attorney address]** Attorney address
- [27. Attorney City State and Zip Code]** City State and Zip Code
- [28. Attorney phone number]** attorney phone Number

Affidavit in Support

- [29. Index No. & Year]** Insert Index Number & the year it was purchased
- [30. Fill in name(s)]** Fill in the Plaintiff name
- [31. Fill in name(s)]** Fill in the Defendant name

- [32. Your name(s)]** Your name
- [33. Circle One]** Circle your party status, plaintiff or defendant
- [34. Describe what you are asking the Court to do]** Describe your request.
- [35. Explain your reasons. Attach additional pages if necessary]** Describe all facts, events, actions and decisions.
- [36. Check that a prior application has been made only if you are seeking the same relief again]** This item requires that you check a box, either that you are asking for new relief or that you have previously asked for the same relief.
- [37. What Court, when, who made the application, the result of the application, attach a copies of the application and explain why you are making another application.]** If you are asking for the same relief, state why.
- [38. Sign your name before a notary public]** Signature
- [39. Print Your Name]** Print your Name
- [40. Affidavit must be notarized.]** Sign affidavit before a notary public

Order Confirming the Referee's Report of Sale and Directing the Distribution of Surplus Monies

- [42. Index No. & Year]** Insert Index Number & the year it was purchased
- [43. Fill in name(s)]** Fill in the Plaintiff name
- [44. Fill in name(s)]** Fill in the Defendant name
- [45. Insert Referee Name]**
- [46. Insert date Report of Sale filed]** Insert date the County Clerk received the Referee Report
- [47. Your name(s)]** Your name
- [48. Date the Affidavit notarized]** Insert the date that you signed the affidavit before a notary public
- [49. Insert date of report of Treasurer]**
- [50. Insert Number of Report of Treasurer]** Insert the number of the report
- [51. Insert the amount on deposit]** Insert the amount on deposit from the report
- [52 Your Name]** Insert your name
- [53 Your Name]** Insert your name
- [54. Insert the amount on deposit]** Insert the amount on deposit from the report

Litigation Back (Last page of entire packet)

- [55. Index No. & Year]** Insert Index Number & the year it was purchased
- [56. Fill in name(s)]** Fill in the Plaintiff name
- [57. Fill in name(s)]** Fill in the Defendant name
- [58. Insert name(s) of papers submitted]** Put the Names of all of the papers
- [59. YOUR SIGNATURE]** Signature
- [60. PRINT YOUR NAME]** Your name
- [61. YOUR ADDRESS]** Your address
- [62. CITY, STATE ZIP CODE]** City State and Zip Code
- [63. YOUR PHONE NUMBER]** Your telephone Number