SUPREME COURT OF THE STATE OF NEW YORK

COUNTY OF NASSAU

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_X

*AFFIRMATION*

Index No. \_\_\_\_\_\_\_\_\_\_\_\_\_\_

Mortgaged Premises:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Plaintiff,

 -against-

Defendants.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_X

\* [\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_], Esq., pursuant to CPLR §2106 and under the penalties of perjury, affirms as follows:

1. I am an attorney at law duly licensed to practice in the state of New York and am affiliated with the Law Firm of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, the attorneys of record for Plaintiff in the above-captioned mortgage foreclosure action. As such, I am fully aware of the underlying action, as well as the proceedings had herein.

2. On \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ [date], I reviewed the pending motions seeking \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ filed by [notice of motion/order to show cause/ex parte motion] filed as NYSCEF Doc. \_\_\_\_\_\_\_ for accuracy, currency with respect to any applicable changes in the law or legal precedent during the pendency of the motion, as well as compliance with all requirements imposed as a result of the ongoing impact of the Covid-19 pandemic.

3. On \_\_\_\_\_\_\_\_\_\_\_\_\_\_ [date], I communicated with the following representative or representatives of Plaintiff, who informed me that he/she/they (a) personally reviewed plaintiff’s documents and records relating to this case for factual accuracy; (b) confirmed the factual accuracy of the allegations set forth in the Complaint and any supporting affidavits or affirmations filed with the Court, as well as the accuracy of the notarizations contained in the supporting documents filed therewith; and (c) confirmed that the loan relating to this case is not subject to any stays or holds.

 Name Title

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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4. Based upon a review of the motion papers, my communication with the person[s] identified in paragraph 3, and after the exercise of due diligence, I affirm that the motion papers previously submitted, and the legal significance thereof, have not changed with the passage of time due to the operation of L. 2021 c 417 and Administrative Order 262/21 so as to warrant any amendment of, supplementation of or withdrawal of the motion to be determined by the Court. The motion can be submitted without amendment or supplementation.

5. I am aware of my obligations under New York Rules of Professional Conduct (22 NYCRR Part 1200) including Rule 3.1 and Rule 3.3(a)(2) regarding disclosure of controlling legal authority, and 22 NYCRR Part 130.

 \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

DATED: [Plaintiff’s Counsel]