



## U.S. Bank N.A. v Sverev

2020 NY Slip Op 01202 (2020) | Cited 0 times | Appellate Division of the Supreme Court of New York | February 19, 2020

Tsyngauz & Associates, P.C., New York, NY (Yevgeny Tsyngauz and Simon I. Malinowski of counsel), for appellant.

Sandelands Eyet LLP, New York, NY (Margaret S. Stefandl of counsel), for respondent.

In an action to foreclose a mortgage, the defendant Ludmila Sverev appeals from two orders of the Supreme Court, Nassau County (Thomas A. Adams, J.), both entered January 29, 2018. The first order granted those branches of the plaintiff's motion which were for summary judgment on the complaint insofar as asserted against the defendant Ludmila Sverev and to appoint a referee to compute the amount due to the plaintiff, and denied that defendant's cross motion for summary judgment dismissing the complaint insofar as asserted against her. The second order, insofar as appealed from, granted those branches of the plaintiff's motion which were for summary judgment on the complaint insofar as asserted against the defendant Ludmila Sverev, to strike that defendant's answer, and to appoint a referee to compute the amount due to the plaintiff, and denied that defendant's cross motion for summary judgment dismissing the complaint insofar as asserted against her.

Ordered that the first order is affirmed; and it is further,

Ordered that the second order is affirmed insofar as appealed from; and it is further,

Ordered that one bill of costs is awarded to the plaintiff.

For the reasons stated in JPMorgan Chase Bank, N.A. v Rosa (169 AD3d 887, 889 [2019]), we agree with the Supreme Court's determination granting those branches of the plaintiff's motion which were for summary judgment on the complaint insofar as asserted against the defendant Ludmila Sverev (hereinafter the defendant), to strike her answer, and to appoint a referee to compute the amount due to the plaintiff. For the same reasons, we agree with the court's determination denying the defendant's cross motion for summary judgment dismissing the complaint insofar as asserted against her. Dillon, J.P., Austin, Hinds-Radix, Christopher and Wooten, JJ., concur.

