

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

IN RE:

Franco Harry Montoto
Cristina Montoto

CASE NO.: 3:12-bk-00082
Chapter 11

Debtors

Franco Harry Montoto
Cristina Montoto

Plaintiff(s)

Adv. No. 3:12-ap-00369-PMG

v.

Bank of America, N.A.
The Bank of New York Mellon

Defendants.

DEFAULT JUDGMENT

This Judgment is entered after entry of Default dated June 18, 2012 and Order Granting Motion for Judgment by Default against the Defendants, it is:

ORDERED AND ADJUDGED

1. Judgment is entered in favor of the Plaintiffs, Franco Harry Montoto and Cristina Montoto and against the Defendants, Bank of America, N.A. and The Bank of New York Mellon.
2. The replacement value of the interest or claim of the Defendants in the Plaintiffs' property is \$0.00.

3. Defendant's lien on the Plaintiffs' property located at 6590 SW 21 Street, Miami, Florida 33145, with the legal description of

"See Attached Exhibit A"

as recorded at OR Book 23778 Page 1671 of the Public Records of Miami-Dade County, Florida shall be deemed void and shall be extinguished automatically, without further court order, upon entry of the Debtors' discharge in the lead chapter 11 case; provided, however, that the Court reserves jurisdiction to consider, if appropriate, the avoidance of Bank of America, N.A.'s lien prior to the Debtors' discharge. Further, if this case is converted to a case under Chapter 7 or if this chapter 11 case is dismissed, the mortgage will no longer be considered void and shall be restored as a secured debt.

DATED this 29 day of June, 2012 in Jacksonville, Florida.

Paul M. Glenn

Paul M. Glenn
United States Bankruptcy Judge

Copies furnished to:
Jason A. Burgess
Bank of America, N.A.
The Bank of New York Mellon

RECORDED IN THE US BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF FLORIDA,
JACKSONVILLE DIVISION
J.B. VOL. 5A, NO. 1759A

Exhibit "A"

The West half of Lots 33 and 34 of the Sectional of Lots 107 and 108,
Tamiami Acres, Plan No. 2, according to the Plat thereof as recorded in Plat
Book 6, at Page 180 of the Public Records of Miami-Dade County, Florida.