

IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT IN AND
FOR MIAMI-DADE COUNTY, FLORIDA

GENERAL JURISDICTION DIVISION

U.S. Bank National Association, as Trustee for JP
Morgan Acquisition Trust Corp. 2006-CH1,

CASE NO. 08-64548 CA 08

Plaintiff,

v.

Keys Gate Community Association, Inc., a Florida
Non Profit Corporation,

Florida Bar Number: 70761

Defendant / Cross Claimant,

v.

Mary Rengifo and Luis Rengifo, and any Unknown
Heirs, Devisees, Grantees, Creditors and Other
Unknown Persons or Unknown Spouses Claiming
By, Through and Under Mary Rengifo and Luis
Rengifo,

THE ORIGINAL
FILED ON:
DEC 2 - 2010
IN THE OFFICE OF
CIRCUIT COURT DADE CO., FL

Defendant(s)/Cross Claim Defendant /

DEFENDANT/CROSS CLAIMANT'S MOTION FOR DEFICIENCY JUDGMENT

COMES NOW, the Defendant/Cross Claimant, Keys Gate Community Association, Inc. (the "**Association**"), by and through its undersigned counsel and moves this Honorable Court for entry of a Deficiency Judgment against Cross Claim Defendant(s), Luis Rengifo and Mary Rengifo, and in support thereof would state the following:

1. Pursuant to Florida Statute §720 and the Amended and Restated Declaration of Master Covenants for Keys Gate, as recorded in Official Records Book 21630, at Page 3698, of the Public Records of Miami-Dade County, as amended (the "**Declaration**"), the Association filed a claim of lien against the below described real property on September 10, 2008, and recorded same in Official Records Book 26561, at Page 4809, of the Public Records of Miami-Dade County. Said property (the "**Property**") was the subject matter of the above styled cause and is legally described as:

LOT 1, BLOCK 6, OF TOWNGATE NORTH, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 163, PAGE 66, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

Property Address: 2363 SE 19 Street, Homestead, FL 33035.

2. On October 23, 2008, U.S. Bank National Association, as Trustee for JP Morgan Acquisition Trust Corp. 2006-CH1 (the "**Lender**"), the holder of the first mortgage of record, filed its complaint to foreclose its mortgage and note secured by the Property.
3. On February 26, 2009, the Association filed a Cross Claim Complaint to foreclose the aforementioned statutory claim of lien on the Property.
4. On August 12, 2009, the Association's Summary Final Judgment in Foreclosure, as recorded in Official Records Book 26976, at Page 4215, of the Public Records of Miami-Dade County (the "**Summary Final Judgment**"), was entered against Cross Claim Defendant(s), Luis Rengifo and Mary Rengifo, and a foreclosure sale was scheduled for September 11, 2009.
5. On August 26, 2009, the Lender's Final Judgment of Foreclosure was entered against the Association and Cross Claim Defendant(s), Luis Rengifo and Mary Rengifo, and a foreclosure sale was scheduled for September 25, 2009.
6. On March 4, 2010, a Certificate of Title was issued for the Property to the Lender.
7. As of March 4, 2010, the total amount owed to the Association by Cross Claim Defendants for unpaid assessments that accrued while they were the owners of the property was \$6,160.00.
8. Lender subsequently requested from the Association an estoppel letter reflecting the limitations of liability afforded to it as a first mortgagee under Florida Statutes §720.3085.
9. Pursuant to Florida Statute §720.3085, the Lender was only responsible for and only paid \$1,769.92 which represented the lesser of unpaid assessments that accrued during the 12 months immediately preceding the Lender's acquisition of title or one percent of the original mortgage debt. The Association's ledger and the Lender's estoppel letter are attached hereto collectively as Exhibit "A".

10. As a result of the statutory provisions limiting a qualifying first mortgagee's liability for unpaid assessments, the Association was unable to collect \$4,390.08 which was the difference between the \$1,769.92 statutory cap paid by Lender and the total amount of unpaid assessments of \$6,160.00 owed to the Association by the Cross Claim Defendant(s), Luis Rengifo and Mary Rengifo.

11. Notwithstanding statutory limitations as to the amounts collectable from a qualifying first mortgagee, Florida Statutes §720.3085(2)(a) states that, "a parcel owner, regardless of how his or her title to the property has been acquired, including by purchase at a foreclosure sale or by deed in lieu of foreclosure, is liable for all assessments that come due while he or she is the parcel owner." Florida Statute §720.3085(2)(a).

12. Moreover, Section 13.2, of the Declaration states that "each such assessment, together with late charges, interest and cost of collection thereof as hereinafter provided, shall also be the personal obligation of all Owner(s) of such property from time to time." Florida courts have interpreted this language to allow an association the right to seek a personal judgment for "the full amount of unpaid assessments, along with attorney's fees and costs." Maya Marca Condominium Apartments, Inc. v. O'Rourke, 669 So. 2d 1089 (Fla. 4th DCA 1996).

13. Additionally, Paragraph 13, of the Association's Summary Final Judgment states that "the Court retains jurisdiction of this cause and the parties to enter such further orders as are proper, including without limitation, deficiency judgments".

14. The Association seeks the entry of a deficiency judgment against Cross Claim Defendant(s), Luis Rengifo and Mary Rengifo, under Fla. Stat. §720.3085(2)(b) for \$4,390.08 which was the amount the Association was barred from collecting from the Lender and which accrued during the time that Cross Claim Defendant(s), Luis Rengifo and Mary Rengifo, were the parcel owner(s), together with legal interest thereon from March 4, 2010 until paid.

15. If the deficiency judgment is not entered against the Cross Claim Defendant(s), Luis Rengifo and Mary Rengifo, such sums must be paid by the other members of the Association as a common expense through increased regular assessments on their respective homes.

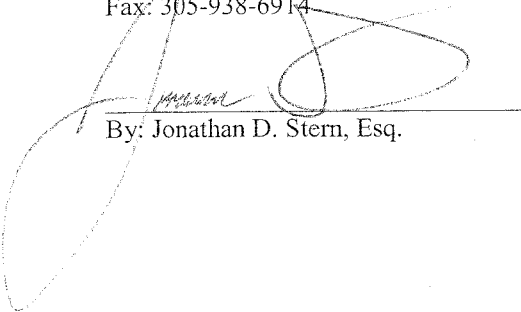
16. The Association has retained the undersigned counsel to represent it in this matter and is entitled to recover its reasonable attorney's fees and costs pursuant to Fla. Stat §720.3085.

WHEREFORE, the Association requests the Court to enter a Deficiency Judgment against Cross Claim Defendant(s), Luis Rengifo and Mary Rengifo, in the amount of \$4,390.08 plus legal interest thereon since March 4, 2010 until paid together with reasonable attorney's fees and costs, and such other relief as this court deems just and proper.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was mailed to Cross Claim Defendant(s), Luis Rengifo and Mary Rengifo, 2383 SE 19 Street, Homestead, FL 33035 on December 1, 2010.

Association Law Group, P.L.
Attorney for Defendant/Cross Claimant,
Keys Gate Community Association, Inc.
P.O. Box 415848
Miami Beach, FL 33141
Telephone: 305-938-6922
Fax: 305-938-6914



By: Jonathan D. Stern, Esq.

IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT IN AND
FOR MIAMI-DADE COUNTY, FLORIDA

GENERAL JURISDICTION DIVISION

U.S. Bank National Association, as Trustee for JP
Morgan Acquisition Trust Corp. 2006-CH1,

CASE NO. 08-64548 CA 08

Plaintiff,

v.

Keys Gate Community Association, Inc., a Florida
Non Profit Corporation,

Defendant / Cross Claimant,

v.

Mary Rengifo and Luis Rengifo, and any Unknown
Heirs, Devisees, Grantees, Creditors and Other
Unknown Persons or Unknown Spouses Claiming
By, Through and Under Mary Rengifo and Luis
Rengifo,

Defendant(s)/Cross Claim Defendant/

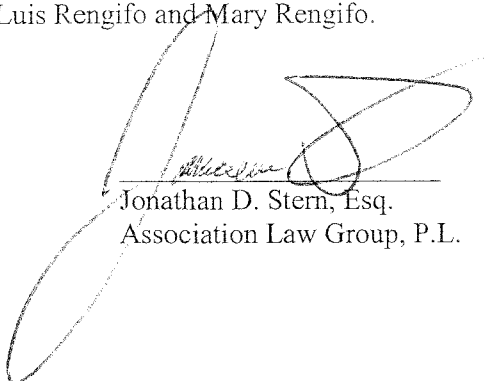
**DEFENDANT/CROSS CLAIMANT'S AFFIDAVIT IN SUPPORT OF MOTION FOR
DEFICIENCY JUDGMENT**

COMES NOW, the undersigned attorney, and in support of Defendant/Cross Claimant's Motion for Deficiency Judgment, would state the following:

1. That affiant is the attorney for Keys Gate Community Association, Inc., hereinafter referred to as the "Association". In said capacity, he has personal knowledge of the facts set forth herein and is authorized to make this Affidavit on behalf of the Association.
2. The total amount owed to the Association by Cross Claim Defendants, Mary Rengifo and Luis Rengifo, for unpaid assessments that accrued while they were the owners of the property was \$6,160.00.
3. The Cross Claim Defendants failed to pay any of these amounts.
4. Pursuant to Fla. Stat. §720.3085 which limits a first mortgagee's liability as to unpaid assessments, the first mortgagee, U.S. Bank National Association, as Trustee for JP Morgan Acquisition Trust Corp. 2006-CH1 (the "Lender"), paid \$1,769.92 towards unpaid assessments. See Lender's check, attached hereto as Exhibit "A".

5. The Association was unable to collect \$4,390.08 which was the difference between the \$1,769.92 statutory cap paid by Lender and the total amount of unpaid assessments of \$6,160.00 owed to the Association by the Cross Claim Defendant(s), Luis Rengifo and Mary Rengifo.

FURTHER AFFLIANT SAYETH NAUGHT.


Jonathan D. Stern, Esq.
Association Law Group, P.L.

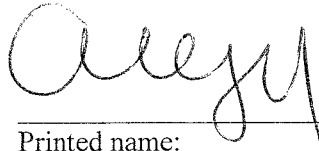
STATE OF FLORIDA

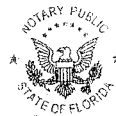
COUNTY OF MIAMI-DADE COUNTY

BEFORE ME, the undersigned authority, personally appeared Jonathan D. Stern, Esq., who, after being duly sworn says that he is the attorney for the Association in the above-styled cause and has personal knowledge of the facts and matters set forth and that these facts are true and correct.

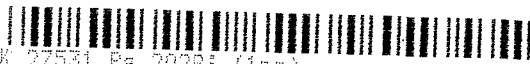
SWORN TO AND SUBSCRIBED before me by Jonathan D. Stern, Esq., who is personally known to me on December 7, 2010.

My Commission Expires:


Printed name:
Notary Public, State of Florida



AMMY IZQUIERDO
MY COMMISSION # DD 956598
EXPIRES: April 2, 2014
Bonded Thru Budget Notary Services



IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT IN AND
FOR MIAMI-DADE COUNTY, FLORIDA

GENERAL JURISDICTION DIVISION

U.S. Bank National Association, as Trustee for JP
Morgan Acquisition Trust Corp. 2006-CH1,

CASE NO. 08-64548 CA 08

Plaintiff,

v.

Keys Gate Community Association, Inc., a Florida
Non Profit Corporation,

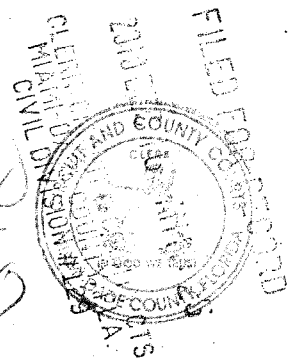
Defendant / Cross Claimant,

STATE OF FLORIDA, COUNTY OF DADE
I HEREBY CERTIFY that this is a true copy of the
original filed in this office on 12/16 day of
_____, A.D. 20

v.

Mary Rengifo and Luis Rengifo, and any Unknown
Heirs, Devisees, Grantees, Creditors and Other
Unknown Persons or Unknown Spouses Claiming
By, Through and Under Mary Rengifo and Luis
Rengifo,

WITNESS my hand and Official Seal.
HARVEY RUVIN, CLERK, of Circuit and County Courts



Defendant(s)/Cross Claim Defendant /

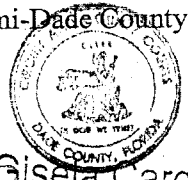
ORDER ON DEFENDANT/CROSS CLAIMANT'S MOTION FOR DEFICIENCY JUDGMENT

THIS CAUSE, having come before the Court on December 16, 2010 pursuant to Keys Gate Community Association, Inc.'s (the "Association") *Motion for Deficiency Judgment and Order for Deficiency Judgment*, and the Court, after reviewing the Motion, hearing arguments, and after due consideration and being otherwise fully advised of the premises, it is ORDERED AND ADJUDGED THAT:

1. Association's Motion for Deficiency Judgment is: **GRANTED / DENIED.**
2. Association is awarded a deficiency judgment in the amount of 4390.08 plus post judgment interest at a rate of eight percent (8%) per annum until paid in full.
3. Association **IS** / ~~IS NOT~~ entitled to reasonable Attorney's fees, cost and interest for which this Court shall retain jurisdiction for a determination as to amounts.
4. This Court retains jurisdiction to enforce this and any other Order it so deems just and equitable.

STATE OF FLORIDA Entered in Chambers in Miami-Dade County, Florida this 16th day of December, 2010.

I HEREBY CERTIFY that the foregoing is a true and correct copy of the original on file in this office.
HARVEY RUVIN, Clerk of Circuit and County Courts



Deputy Clerk

[Signature]

Gisela Cardonne Ely

[Signature]
Judge Gisela Cardonne Ely

Copies Furnished to:
Jonathan Stern, Esq.
Mary Rengifo
Luis Rengifo

DEC 16 2010

Circuit Court Judge

IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT IN AND FOR MIAMI-DADE COUNTY, FLORIDA

GENERAL JURISDICTION DIVISION

U.S. Bank National Association, as Trustee for JP Morgan Acquisition Trust Corp. 2006-CH1,

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Plaintiff,

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Defendant / Cross Claimant,

v.

Mary Rengifo and Luis Rengifo, and any Unknown Heirs, Devisees, Grantees, Creditors and Other Unknown Persons or Unknown Spouses Claiming By, Through and Under Mary Rengifo and Luis Rengifo,

Defendant(s)/Cross Claim Defendant /

FILED FOR RECORD
2011 JAN 26 AM 9:34
CLERK, CIRCUIT COURT
MIAMI-DADE COUNTY, FL
CIVIL 2011

ORDER ON DEFENDANT/CROSS CLAIMANT'S MOTION FOR JUDGMENT ON ATTORNEY'S FEES AND COSTS

THIS CAUSE, having come before the Court on January 26, 2011 pursuant to Keys Gate Community Association, Inc.'s (the "Association") *Motion for Judgment on Attorney's Fees and Costs and Order for Judgment on Attorney's Fees and Costs*, and the Court, after reviewing the Motion, hearing arguments, and after due consideration and being otherwise fully advised of the premises, it is ORDERED AND ADJUDGED THAT:

1. Association's Motion for Judgment on Attorney's Fees and Costs is: **GRANTED/ DENIED.**
2. Association is awarded attorney's fees and costs in the amount of \$ 1,375 ^{costs} plus ^{post} judgment interest at a rate of six percent (6%) per annum until paid in full. in amount \$550.
3. This Court retains jurisdiction to enforce this and any other Order it so deems just and equitable. \$ 205.

Entered in Chambers in Miami-Dade County, Florida this 26 day of January, 2011.

STATE OF FLORIDA
HEREBY CERTIFY that the original on file in this office
ARVEY RUVIN Clerk, of Circuit Court

Gisela Cardonne Ely
Judge Gisela Cardonne Ely

Copies Furnished to:
Jonathan Stern, Esq.
Mary Rengifo
Luis Rengifo

IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT IN AND FOR MIAMI-DADE COUNTY, FLORIDA

GENERAL JURISDICTION DIVISION

U.S. Bank National Association, as Trustee for JP Morgan Acquisition Trust Corp. 2006-CH1,

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Plaintiff,

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Defendant(s)/Cross Claim Defendant /

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Gisela Cardonne Ely
Judge Gisela Cardonne Ely

Copies Furnished to:
Jonathan Stern, Esq.
Mary Rengifo
Luis Rengifo

IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT IN AND
FOR MIAMI-DADE COUNTY, FLORIDA

GENERAL JURISDICTION DIVISION

Keys Gate Community Association, Inc., a Florida
Non Profit Corporation,

CASE NO. 08-64548 CA 08

Defendant / Cross Claimant,

vs.

WRIT OF GARNISHMENT

Mary Rengifo and Luis Rengifo, et al.,

Defendant(s)/Cross Claim Defendant(s),

and

^{1st} National Bank of South Florida,

Garnishee /

THE STATE OF FLORIDA:

To Each Sheriff of the State:

YOU ARE COMMANDED to summons Garnishee, **1st National Bank of South Florida at 1550 North Krome Avenue, Homestead, FL 33030**, by serving:

- (a) The president or vice president, or other head of the corporation;
- (b) In the absence of any person described in paragraph (a), on the cashier, treasurer, secretary, or general manager;
- (c) In the absence of any person described in paragraph (a) or paragraph (b), on any director; or
- (d) In the absence of any person described in paragraph (a), paragraph (b), or paragraph (c), on any officer or business agent residing in the state.

Garnishee is required to serve an answer to this Writ on Defendant/Cross Claimant c/o Defendant/Cross Claimant attorney, whose name and address is ASSOCIATION LAW GROUP, P.L., P.O. Box 415848, Miami Beach, Florida 33141 (305) 938-6922 within twenty (20) days after service of the Writ on Garnishee, exclusive of the day of service, and to file the original with the Clerk of this Court either before service on the attorney or immediately thereafter, stating whether the Garnishee is indebted to the Defendant(s)/Cross Claim Defendant(s), Mary Rengifo and Luis Rengifo, who Defendant/Cross Claimant believes has a Social Security Number of 055-44-xxxx and 592-29-xxxx respectively, at the time of the answer or was indebted at the time of service of the writ, plus sufficient time not to exceed 1 business day for the Garnishee to act expeditiously on the writ, or at any time between such times, and in what sum and what tangible and intangible personal property of the Defendant(s)/Cross Claim Defendant(s) the Garnishee has in its possession or control at the time of the Answer or had at the time of service of this Writ, or at any time between such times, and whether the Garnishee knows of any other person indebted to the Defendant(s)/Cross Claim Defendant(s) or who may be in possession or control of any of the property of the Defendant(s)/Cross Claim Defendant(s). The final judgment entered on December 16, 2010 in the amount of \$4,390.08 remains unpaid in the amount \$4,390.08 on a debt that was incurred after October 1, 1993.

JAN 18 2011

Dated on _____, 2010.

Harvey Rubin
As Clerk of the Court

BY: CALEBRA SUTTON
As Deputy Clerk

In order that you may obtain legal advice, if desired, Plaintiff has deposited \$100.00 to apply on your attorney's fee under the provisions of chapter 77.28 of the Florida Statutes.

Chapter 77.06 Florida Statute: "Service of the Writ shall make Garnishee liable for all debts due by him to Defendant (s), and for any tangible or intangible personal property of Defendant (s) in his possession or control at the time of the services of the writ or at any time between the service and the time of his answer."

NOTICE TO THE DEFENDANT: Pursuant to Chapter 77.07 of the Florida Statutes you may by motion, obtain the dissolution of a Writ of Garnishment, unless the Petitioner proves the grounds upon which the Writ was issued and unless, in the case of a Prejudgment Writ, there is a reasonable probability that the Final Judgment in the underlying action will be rendered in his favor.

AMERICANS WITH DISABILITIES ACT OF 1990

Administrative Order No. 97-3

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact Court Administration.

IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT IN AND
FOR MIAMI-DADE COUNTY, FLORIDA

GENERAL JURISDICTION DIVISION

Keys Gate Community Association, Inc., a Florida
Non Profit Corporation,

CASE NO. 08-64548 CA 08

Defendant / Cross Claimant,

v.

Mary Rengifo and Luis Rengifo, and any Unknown
Heirs, Devisees, Grantees, Creditors and Other
Unknown Persons or Unknown Spouses Claiming
By, Through and Under Mary Rengifo and Luis
Rengifo,

Florida Bar Number: 70761

Defendant(s)/Cross Claim Defendant(s),

and

^{1st} National Bank of South Florida,

Garnishee /

THE ORIGINAL FILED
ON JAN 18 2011
IN THE OFFICE OF
THE CLERK OF THE
CIRCUIT COURT MIAMI-DADE CO. FL
GENERAL DIVISION

MOTION FOR ISSUANCE OF WRIT OF GARNISHMENT

COMES NOW, the Defendant/Cross Claimant, by and through its undersigned attorneys, pursuant to F.S. §77.03, and moves this Court for the issuance of a Writ of Garnishment after Judgment as to Garnishee, National Bank of South Florida, and as grounds therefore would show unto this Court that:

1. Defendant/Cross Claimant obtained a Judgment against the Defendant(s)/Cross Claim Defendant(s), Mary Rengifo and Luis Rengifo who Defendant/Cross Claimant believes has a Social Security Number of 055-44-xxxx and 592-29-xxxx respectively, on December 16, 2010 in the amount of \$4,390.08, plus interest at the rate of 6% per annum, as more fully set forth in the copy attached as Exhibit "A" hereto. The Judgment remains unpaid in the amount of \$4,390.08.

2. Defendant/Cross Claimant does not believe that Defendant(s)/Cross Claim Defendant(s) have in their possession visible property upon which levy can be made sufficient to satisfy the Judgment.

3. Defendant/Cross Claimant respectfully moves this Court for the issuance of Writ of Garnishment against the above named Garnishee who the undersigned has reason to believe has in its hands. possession or control. goods. monies. chattels. or effects belonging to Defendant(s)/Cross Claim Defendant(s).

DATED: January 11, 2010.

Association Law Group, P.L.
Attorney for Defendant/Cross Claimant.
P.O. Box 415848
Miami Beach, FL 33141
Telephone: 305-938-6922
Fax: 305-938-6914

Jonathan D. Stern
By: Jonathan D. Stern, Esq.

IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT IN AND
FOR MIAMI-DADE COUNTY, FLORIDA

GENERAL JURISDICTION DIVISION

U.S. Bank National Association, as Trustee for JP
Morgan Acquisition Trust Corp. 2006-CH1,

CASE NO. 08-64548 CA 08

Plaintiff,

v.

Keys Gate Community Association, Inc., a Florida
Non Profit Corporation,

Defendant / Cross Claimant,

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Mary Rengifo and Luis Rengifo, and any Unknown
Heirs, Devisees, Grantees, Creditors and Other
Unknown Persons or Unknown Spouses Claiming
By, Through and Under Mary Rengifo and Luis
Rengifo,

Defendant(s)/Cross Claim Defendant /

ORDER ON DEFENDANT/CROSS CLAIMANT'S MOTION FOR DEFICIENCY JUDGMENT

THIS CAUSE, having come before the Court on December 16, 2010 pursuant to Keys Gate Community Association, Inc.'s (the "Association") *Motion for Deficiency Judgment and Order for Deficiency Judgment*, and the Court, after reviewing the Motion, hearing arguments, and after due consideration and being otherwise fully advised of the premises, it is ORDERED AND ADJUDGED THAT:

1. Association's Motion for Deficiency Judgment is: GRANTED / DENIED.
2. Association is awarded a deficiency judgment in the amount of 4390.00 plus post judgment interest at a rate of eight percent (8%) per annum until paid in full.
3. Association ~~IS~~ IS NOT entitled to reasonable Attorney's fees, cost and interest for which this Court shall retain jurisdiction for a determination as to amounts.
4. This Court retains jurisdiction to enforce this and any other Order it so deems just and equitable.

Entered in Chambers in Miami-Dade County, Florida this 16th day of December, 2010.

Gisela Cardonne Ely

Gisela Cardonne Ely
Judge Gisela Cardonne Ely

Copies Furnished to:
Jonathan Stern, Esq.
Mary Rengifo
Luis Rengifo

DEC 16 2010

Circuit Court Judge

F. V. L. H. J. "A"

IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT IN AND
FOR MIAMI-DADE COUNTY, FLORIDA

GENERAL JURISDICTION DIVISION

Keys Gate Community Association, Inc., a
Florida Non Profit Corporation,

CASE NO. 08-64548 CA 08

Defendant / Cross Claimant,

v.

Florida Bar Number: 70761

Mary Rengifo and Luis Rengifo, and any
Unknown Heirs, Devisees, Grantees, Creditors
and Other Unknown Persons or Unknown
Spouses Claiming By, Through and Under Mary
Rengifo and Luis Rengifo,

Defendant(s)/Cross Claim Defendant(s),

and

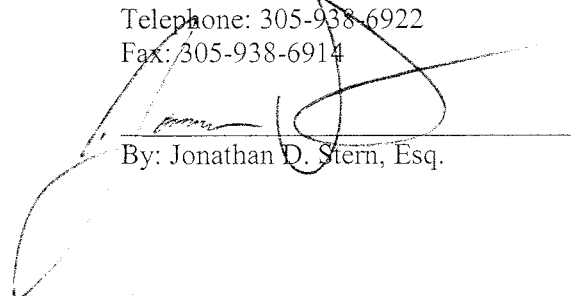
1st National Bank of South Florida,

_____ Garnishee _____ /

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the Writ of Garnishment, Motion for Issuance of Writ of Garnishment and Notice to Defendant of Rights Against Garnishment of Wages, Money and Other Property with the Claim of Exemption and Request a Hearing form was furnished by mail to Cross Claim Defendant(s), Luis Rengifo, 2383 SE 19 Street, Homestead, FL 33035 on January 24, 2011.

Association Law Group, P.L.
Attorney for Defendant/Cross Claimant,
Keys Gate Community Association, Inc.
P.O. Box 415848
Miami Beach, FL 33141
Telephone: 305-938-6922
Fax: 305-938-6914



By: Jonathan D. Stern, Esq.

RETURN OF SERVICE

State of Florida

County of Miami-Dade

Circuit Court

Case Number: 08-64548-CA-08

Plaintiff:

KEYS GATE COMMUNITY ASSOCIATION, INC.,

vs.

Defendant:

MARY RENGIFO & LUIS RENGIFO,

For:

Kim Pham

ASSOCIATION LAW GROUP, P.L.

Post Office Box 415848

Miami Beach, FL 33141

Received by Caplan, Caplan and Caplan on the 19th day of January, 2011 at 2:24 pm to be served on **1ST NATIONAL BANK OF SOUTH FLORIDA, 1550 NORTH KROME AVENUE, HOMESTEAD, FL 33030**

I, Donna Baden, do hereby affirm that on the **20th day of January, 2011 at 11:20 am, I:**

served a **CORPORATION** by delivering a true copy of the **Writ of Garnishment** with the date and hour of service endorsed thereon by me, to: **SARI TEHRANI** as **VICE-PRESIDENT** for **1ST NATIONAL BANK OF SOUTH FLORIDA**, at the address of: **1550 NORTH KROME AVENUE, HOMESTEAD, FL 33030** and informed said person of the contents therein, in compliance with F.S. 48.081.

Under penalty of perjury, I declare that I have read the foregoing and that the facts stated in it are true, that I am a Certified Process Server in the county in which this defendant/witness was served and have no interest in the above action. Pursuant to FS 92.525(2), no notary is required.



Donna Baden
233

Caplan, Caplan and Caplan
172 West Flagler St., #320
Miami, FL 33130
(305) 374-3426

Our Job Serial Number: CPN-2011004220

Service Fee: _____



January 21, 2010

Association Law Group, P.L.
P.O. Box 415848
Miami Beach, FL 33141

RE: Writ of Garnishment
Keys Gate Community Association Inc vs. Mary Rengifo and Luis Rengifo
Case no. 08-64548 CA 08

Dear Sirs or Madams:

1st National Bank of South Florida, hereby answers the Writ of Garnishment served by Keys Gate Community Association Inc, received on January 20, 2011. The Defendants, Mary Rengifo and Luis Rengifo, maintain one joint personal checking account (account no. XXX-028-1), one joint personal savings account (account no. XXX-318-1), and one joint safe deposit box (account no. SD XXX-0018) at 1st National Bank of South Florida.

The safe deposit box sign-in sheet, required to access the safe deposit box, is being held by the Legal Department to ensure no access is available by the Defendants during the Garnishment period; however, please be advised that the Bank does not know the contents of the safe deposit box.

The balance of the account at the time of service of the Writ of Garnishment and the affect of the Writ of Garnishment on the accounts is as follows:

Checking account no. xxx-028-1

Beginning Balance	\$ 2,256.62
Garnishment Fee	(\$ 100.00)
<u>Writ of Garnishment</u>	<u>(\$ 2,156.62)</u>
Ending Balance	\$ 0.00

Saving account no. xxx-318-1

Beginning Balance	\$ 3.43
<u>Writ of Garnishment</u>	<u>(\$ 3.43)</u>
Ending Balance	\$ 0.00

Total Garnished Funds \$2,160.05

Keys Gate Community Association, Inc. vs. Mary Rengifo and Luis Rengifo, et al
Writ of Garnishment
Page 2

The Bank withheld a \$100.00 garnishment processing fee as disclosed in the fee schedule provided to our customers. A hold has been placed on the remaining funds in the account totaling \$2,160.05.

Garnishee has no other property of the Defendant's in its custody, nor knows of any other person having interest in the Defendant's property.

If you require additional information, please contact me at (305) 242-8604.

Truly yours,

A handwritten signature in black ink, appearing to read "Beatriz Comesanas". The signature is written in a cursive style with a large, prominent loop at the top.

Beatriz Comesanas
BSA/ Legal Compliance Clerk

IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT IN AND
FOR MIAMI-DADE COUNTY, FLORIDA

GENERAL JURISDICTION DIVISION

Keys Gate Community Association, Inc., a Florida
Non Profit Corporation,

CASE NO. 08-64548 CA 08

Defendant / Cross Claimant,

v.

Mary Rengifo and Luis Rengifo, et al.,

Florida Bar Number: 70761

Defendant(s)/Cross Claim Defendant(s),

and

1st National Bank of South Florida,

Garnishment /

**NOTICE TO DEFENDANT PURSUANT TO FLORIDA STATUTE SECTION 77.055 AND
CERTIFICATE OF SERVICE**

COMES NOW, the Cross Claimant, by and through its undersigned attorneys, and pursuant to Florida Statute Section 77.055 files this Notice to Cross Claim Defendant(s) and states as follows:

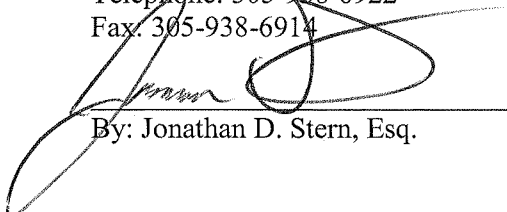
1. The recipient, Cross Claim Defendant(s), of this Notice are hereby advised that he or she must move to dissolve the Writ of Garnishment pursuant to Florida Statute Section 77.07(2) within twenty (20) days after the date in the Certificate of Service indicated below stating that any allegation in the Cross Claimant's Motion for Writ of Garnishment is untrue.

2. A copy of the Garnishee's Answer has been furnished to the Cross Claim Defendant with this Notice.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was mailed to Cross Claim Defendant, Luis Rengifo, 2383 SE 19 Street, Homestead, FL 33035 on January 26th, 2010.

Association Law Group, P.L.
Attorney for Defendant/Cross Claimant,
Keys Gate Community Association, Inc.
P.O. Box 415848
Miami Beach, FL 33141
Telephone: 305-938-6922
Fax: 305-938-6914


By: Jonathan D. Stern, Esq.

IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT IN AND
FOR MIAMI-DADE COUNTY, FLORIDA

GENERAL JURISDICTION DIVISION

US Bank National Association, as Trustee for
JP Morgan Acquisition Trust Corp. 2006-
CH1,

CASE NO. 08-64548 CA 08

Plaintiff,

v.

Keys Gate Community Association, Inc., a
Florida Non Profit Corporation,

Defendant / Cross Claimant,

v.

Mary Rengifo and Luis Rengifo, et al.

Defendant(s)/Cross Claim
Defendant(s),
and

First National Bank of South Florida,

Garnishee /

STIPULATION FOR ENTRY OF FINAL JUDGMENT OF GARNISHMENT

COMES NOW, Defendant/Cross Claimant, Keys Gate Community Association, Inc. (the "Association"), by and through its undersigned attorney, and Defendant/Cross Claim Defendants ("Defendants"), Mary Rengifo and Luis Rengifo, pro se, and stipulate and agree to the entry of Final Judgment of Garnishment against Garnishee, First National Bank of South Florida, as follows:

1. The sums of \$2,160.05, held by Garnishee, shall be forthwith released to the Association c/o Association Law Group, P.L., P.O. Box 415848, Miami Beach, FL 33141, and payable to Association Law Group – Trust Account.

2. Defendants further agree to pay the Association the sum of \$148.67, payable monthly and shall be due on the fifteenth of every month beginning March 15, 2011, and continuing for fifteen (15) consecutive months thereafter. All monthly payments contemplated herein are to be made payable to (Association Law Group – Trust Account, and delivered to P.O. Box 415848, Miami Beach, FL 33141.)

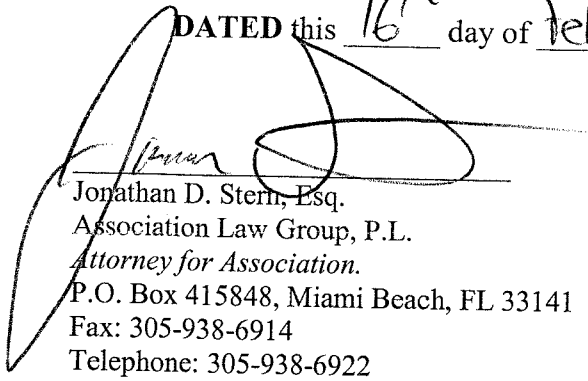
3. Any payment due herein, not received within five (5) days of its due date shall constitute a default of this Stipulation by Defendants.

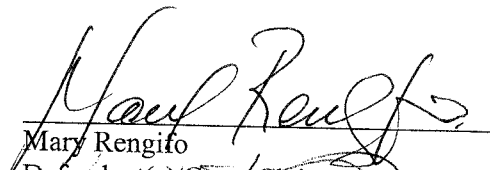
4. After timely payments of all amounts herein, the Association shall execute and record a satisfaction of judgment.

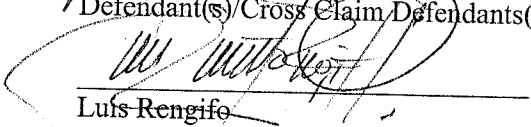
5. In the event of default by the Defendants, all amounts originally owed pursuant to Deficiency Judgment ordered December 16, 2010 and related Order on Attorney's Fees and Costs dated January 26, 2011 herein, shall be due in full less any payments made.

6. Defendants acknowledge that this Stipulation has legal implications and that they had an opportunity to have it reviewed by counsel and to seek legal advice before signing said Stipulation. By signing this Stipulation, the Defendants have voluntarily agreed to its terms and will be bound by it.

DATED this 16th day of February 2011.


Jonathan D. Stern, Esq.
Association Law Group, P.L.
Attorney for Association.
P.O. Box 415848, Miami Beach, FL 33141
Fax: 305-938-6914
Telephone: 305-938-6922


Mary Rengifo
Defendant(s)/Cross Claim Defendants(s)


Luis Rengifo
Defendant(s)/Cross Claim Defendant(s)

IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT IN AND
FOR MIAMI-DADE COUNTY, FLORIDA

GENERAL JURISDICTION DIVISION

US Bank National Association, as Trustee for
JP Morgan Acquisition Trust Corp. 2006-
CH1,

CASE NO. 08-64548 CA 08

Plaintiff,

v.

Keys Gate Community Association, Inc., a
Florida Non Profit Corporation,

Defendant / Cross Claimant,

v.

Mary Rengifo and Luis Rengifo, et al.

Defendant(s)/Cross Claim

Defendant(s),

and

First National Bank of South Florida,

Garnishee /

FINAL JUDGMENT OF GARNISHMENT

THIS CAUSE, having come to be heard on February 16, 2011 and pursuant to the Stipulation for Entry of Final Judgment of Garnishment, and the Court after due consideration and being otherwise advised in the premises, it is hereby **ORDERED AND ADJUDGED** as follows:

1. The sums of \$2,160.05, held by Garnishee, First National Bank of South Florida, shall be immediately released to Defendant/Cross Claimant, Keys Gate Community Association, Inc. ("Association") c/o Association Law Group, P.L. – Trust Account, P.O. Box 415848, Miami Beach, FL 33141.

2. Defendants/Cross Claim Defendants ("Defendants"), Mary Rengifo and Luis Rengifo, further agree to pay the Association as follows: the sum of \$148.67, payable monthly and which amount shall be due on the fifteenth of every month beginning March 15, 2011, and continuing for fifteen (15) consecutive months thereafter.

3. All payments are to be made payable to Association Law Group – Trust Account, and delivered to P.O. Box 415848, Miami Beach, Fl 33141.

4. Any payment due herein, not received within five (5) days of its due date shall constitute a default of the Stipulation by Defendants.

5. After timely payments of all amounts herein, the Association shall execute and record a satisfaction of judgment.

6. In the event of default by the Defendants, all amounts originally owed shall be due in full less any payments made, if any.

7. The Clerk of the Courts is directed to disburse the \$100.00 deposit held in the Court Registry to the Association's attorney, Association Law Group, P.L., P.O. Box 415848, Miami Beach, Fl 33141.

DONE AND ORDERED on this _____ day of February, 2011.

Copies Furnished to:
Jonathan Stern, Esq.
Mary Rengifo
Luis Rengifo

Judge Gisela Cardonne Ely

Gisela Cardonne Ely
FEB 16 2011
Circuit Court Judge



February 23, 2011

Association Law Group, P.L.
P.O. Box 415848
Miami Beach, FL 33141

RE: Notice of Final Judgement in Garnishment
Keys Gate Community Association vs. Mary Rengifo and Luis Rengifo
Case No. 08-64548 CA 08

Dear Sir or Madam:

1st National Bank of South Florida hereby acknowledges the receipt of the Notice of Final Judgement in Garnishment for Case No. 08-64548 CA 08, in the matter of Keys Gate Community Association vs. Mary Rengifo and Luis Rengifo. In response to the Final Judgement, enclosed you will find Money Order #123502, payable to Association Law Group, P.L., in the amount of \$2,160.05, as directed in the Final Judgement in Garnishment received on February 23, 2011.

Should you have any questions please call me at (305) 242-8604.

Best regards,

A handwritten signature in cursive script, appearing to read 'Beatriz Comesanas'.

Beatriz Comesanas
BSA/Legal Clerk

Enclosure(s)

First National Bank

of South Florida
 1550 North Krome Avenue
 Homestead, Florida 33030

REMITTER: Final Judgement in Garnishment - Mary Rengio and Luis Rengio
 Case No. 08-64548 CA 08

DATE: 02/23/2011
 TO THE ORDER OF: Association Law Group, P.L. Trust Account
 PO Box 415848
 Miami Beach, FL 33141

MONEY ORDER NO. 123502
 63-514
 670

AMOUNT: \$2,160.05

NON-NEGOTIABLE

Money Order - Customer Copy

COPY COPY COPY COPY COPY COPY COPY COPY COPY COPY

First National Bank

of South Florida
 1550 North Krome Avenue
 Homestead, Florida 33030

REMITTER: Final Judgement in Garnishment - Mary Rengio and Luis Rengio
 Case No. 08-64548 CA 08

DATE: 02/23/2011
 PAY TO THE ORDER OF: Association Law Group, P.L. Trust Account
 PO Box 415848
 Miami Beach, FL 33141

AMOUNT \$2,160.05

AMOUNT \$2,160.05

Mary Rengio
 VOID OVER \$2,160.05

Money Order

⑈0123502⑈ ⑆087005145⑆ ⑆00590024⑈

SIGNATURE HAS A COLORED BACKGROUND • BORDER CONTAINS MICROPRINTING

THIS DOCUMENT CONTAINS A RED TO BLUE BACKGROUND ON THE FACE - SEE REVERSE SIDE FOR OTHER SECURITY FEATURES