

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

U.S BANK NATIONAL
ASSOCIATION, AS TRUSTEE, AS
SUCCESSOR-IN-INTEREST TO
BANK OF AMERICA, N.A.,
SUCCESSOR BY MERGER TO
LASALLE BANK NATIONAL
ASSOCIATION, AS TRUSTEE FOR
THE REGISTERED HOLDERS OF
BEAR STEARNS COMMERCIAL
MORTGAGE SECURITIES INC.,
COMMERCIAL MORTGAGE PASS-
THROUGH CERTIFICATES, SERIES
2006-PWR14

No. 3:12-cv-3002-MAS-TJB

ORDER

Plaintiff,

v.

ARMSTRONG TUCKERTON, LLC,

Defendant.

AND NOW, this 24th day of September, 2015, upon

consideration of Plaintiff U.S. Bank National Association, as Trustee, as successor-in-interest to Bank of America, N.A., successor by merger to LaSalle Bank National Association, as Trustee for the Registered Holders of Bear Stearns Commercial Mortgage Securities Inc., Commercial Mortgage Pass-Through Certificates, Series 2006-PWR14's Motion for Default Judgment, and to Dismiss or Strike Defendant's Counterclaims, and all submissions and arguments in support thereof and in opposition thereto, and for good cause having been shown,

IT IS HEREBY ORDERED that said Motion is GRANTED. Accordingly, it is FURTHER ORDERED as follows:

(1) Default Judgment is hereby ENTERED in favor of Plaintiff and against Defendant Armstrong Tuckerton, LLC on Plaintiff's Complaint in Mortgage Foreclosure;

(2) Counts I through V, VII, and VIII of Defendant's Counterclaims are hereby STRICKEN and DISMISSED WITH PREJUDICE, the Court having previously dismissed Count VI of Defendant's Counterclaims;

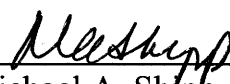
(3) All right, title, lien, and equity of redemption that Defendant and all those claiming by, through, or under it have or had in the Mortgaged Premises described in Exhibit A hereto, together with the personalty, fixtures, furniture and other items and things identified as collateral in the Mortgage and/or UCC-1 Financing Statements at issue in this action (together with the Mortgaged Premises, the "Mortgaged Property") is hereby FORECLOSED;

(4) The amount due and owing to Plaintiff under the Loan Documents is hereby fixed at \$6,150,942.08 as of June 1, 2015 together with continuing per diem regular interest thereon at the rate of \$740.5517 per day from and after June 2, 2015 until the Mortgaged Property is sold at foreclosure or other execution sale, and continuing per diem default interest thereon at the

rate of \$578.5560 per day from and after June 2, 2015 until the Mortgaged Property is sold at foreclosure or other execution sale; and also together with any and all other amounts advanced by Plaintiff after June 1, 2015, together with attorneys' fees and other costs and expenses permitted under the Loan Documents; and

(5) The receiver appointed in this action, Fameco Real Estate, L.P., is hereby authorized to conduct a public foreclosure sale of the Mortgaged Property pursuant to 28 U.S.C. § 2001 *et seq.*

BY THE COURT:



Michael A. Shipp, U.S.D.J.