

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF ARIZONA**

Minute Entry

Hearing Information:

Debtor: ANDREW C BAILEY
Case Number: 2:09-bk-06979-RTBP **Chapter:** 11
Date / Time / Room: TUESDAY, NOVEMBER 09, 2010 10:00 AM 7TH FLOOR #701
Bankruptcy Judge: SARAH SHARER CURLEY
Courtroom Clerk: WANDA GARBERICK
Reporter / ECR: ANDAMO PURVIS

Matter:

ADV: 2-09-01728
ANDREW C. BAILEY vs THE BANK OF NEW YORK MELLON, FKA THE BAN
HEARING RE Motion to Dismiss Complaint Defendants' Motion To Dismiss, With Prejudice, Plaintiff's Fourth Amended Complaint To Determine The Validity, Priority or Extent Of a Lien or Other Interest in Real Property and Petition For Injunctive Relief filed by KYLE S. HIRSCH of BRYAN CAVE LLP on behalf of BAC HOME LOANS SERVICING
R / M #: 50 / 0

Appearances:

ANDREW C BAILEY
KYLE S. HIRSCH, ATTORNEY FOR THE BANK OF NEW YORK MELLON, FKA THE BAN

Proceedings:

Mr. Hirsch goes over the background of the complaints that have been filed, and notes that this is the fourth amended complaint with no basis. Mr. Bailey gives his statements to the court on the note.

COURT: THE COURT FINDS THAT AT THIS TIME MR. BAILEY HAS NO SUPPORT FOR HIS CLAIMS. MR. HIRSCH IS DIRECTED TO GET THE ORIGINAL CUSTODIAL FILE FROM NEW YORK FOR THE COURT TO REVIEW. HE SHOULD ALSO GET AN AFFIDAVIT FROM THE INDIVIDUAL GETTING THE FILE, THAT THERE HAS NOT BEEN ANY CHANGES SINCE 2006. IT IS ORDERED CONTINUING THIS HEARING TO JANUARY 13, 2011 AT 10:00 A.M.