

**U.S. Bankruptcy Court
District of Arizona (Phoenix)
Adversary Proceeding #: 2:09-ap-01728-SSC**

Assigned to: Judge Sarah Sharer Curley

Date Filed: 12/23/09

Lead BK Case: [09-06979](#)

Lead BK Title: ANDREW C BAILEY

Lead BK Chapter: 11

Demand:

Nature[s] of Suit: 21 Validity, priority or extent of lien or other interest in property
91 Declaratory judgment

Plaintiff

ANDREW C. BAILEY
2560 N PAGE SPRINGS RD
CORNVILLE, AZ 86325

represented by **ANDREW C. BAILEY**
PRO SE

V.

Defendant

**THE BANK OF NEW YORK
MELLON, FKA THE BANK OF
NEW YORK**

represented by **KYLE S. HIRSCH**
BRYAN CAVE LLP
2 N. CENTRAL AVE.
SUITE 2200
PHOENIX, AZ 85004-4406
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Email: kyle.hirsch@bryancave.com

**CWALT INC ALTERNATIVE
LOAN TRUST**

represented by **KYLE S. HIRSCH**
(See above for address)

**BAC HOME LOANS SERVICING
LP FKA COUNTRYWIDE HOME
LOANS**

represented by **KYLE S. HIRSCH**
(See above for address)

COUNTRYWIDE HOME LOANS

represented by **KYLE S. HIRSCH**
(See above for address)

**THE MORTGAGE ELECTRONIC
REGISTRATION SERVICE**

represented by **KYLE S. HIRSCH**
(See above for address)

BAC Home Loans Servicing LP

represented by

Kyle S. Hirsch
c/o Bryan Cave LLP
2 North Central
Suite 2200
Phoenix, AZ 85004
602-364-7000

KYLE S. HIRSCH
(See above for address)

Filing Date	#	Docket Text
08/20/2010	50	FOURTH Amended Complaint against BAC HOME LOANS SERVICING LP FKA COUNTRYWIDE HOME LOANS, BAC Home Loans Servicing LP, COUNTRYWIDE HOME LOANS, CWALT INC ALTERNATIVE LOAN TRUST, THE BANK OF NEW YORK MELLON, FKA THE BANK OF NEW YORK, THE MORTGAGE ELECTRONIC REGISTRATION SERVICE filed by ANDREW C. BAILEY. (Taylor, Erika) (Entered: 08/23/2010)
08/23/2010	51	Replacement/Alias Summons Issued . (Taylor, Erika) (Entered: 08/23/2010)
08/23/2010	52	Notice (related document(s) 51 Replacement/Alias Summons Issued) . (Taylor, Erika) (Entered: 08/23/2010)
08/23/2010	53	BNC Certificate of Notice - PDF Document (related document(s) 52 Notice) (Admin.) (Entered: 08/25/2010)
09/03/2010	54	Certificate of Service filed by ANDREW C. BAILEY (related document(s) 50 Amended Complaint). (Taylor, Erika) (Entered: 09/07/2010)
09/13/2010	55	Motion to Dismiss Complaint <i>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</i> filed by KYLE S. HIRSCH of BRYAN CAVE LLP on behalf of BAC HOME LOANS SERVICING LP FKA COUNTRYWIDE HOME LOANS, BAC Home Loans Servicing LP, CWALT INC ALTERNATIVE LOAN TRUST, THE BANK OF NEW YORK MELLON, FKA THE BANK OF NEW YORK, THE MORTGAGE ELECTRONIC REGISTRATION SERVICE (related document(s) 50 Amended Complaint). (HIRSCH, KYLE) (Entered: 09/13/2010)
		Notice of Hearing on Motion <i>NOTICE OF HEARING ON 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</i> filed by KYLE S. HIRSCH of BRYAN CAVE LLP on behalf of BAC HOME LOANS SERVICING LP FKA COUNTRYWIDE HOME LOANS, BAC Home Loans Servicing LP, COUNTRYWIDE HOME LOANS, CWALT INC ALTERNATIVE LOAN TRUST,

09/15/2010	56	THE BANK OF NEW YORK MELLON, FKA THE BANK OF NEW YORK, THE MORTGAGE ELECTRONIC REGISTRATION SERVICE (related document(s) 55 Motion to Dismiss Complaint) Hearing on Motion set for 11/9/2010 at 10:00 AM at 230 N. First Ave., 7th Floor, Courtroom 701, Phoenix, AZ (SSC) Objections/Responses due by 10/4/2010., (HIRSCH, KYLE) (Entered: 09/15/2010)
09/27/2010	57	Response <i>Plaintiff's Opposition and Response to Defendant's Motion to Dismiss Plaintiff's Fourth Amended Complaint</i> filed by ANDREW C. BAILEY. (Murillo, Sybil) (Entered: 09/28/2010)
10/08/2010	58	Reply to Motion/Application <i>DEFENDANTS REPLY IN SUPPORT OF ITS 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</i> (related to motions(s) 55) filed by KYLE S. HIRSCH of BRYAN CAVE LLP on behalf of BAC HOME LOANS SERVICING LP FKA COUNTRYWIDE HOME LOANS, BAC Home Loans Servicing LP, COUNTRYWIDE HOME LOANS, CWALT INC ALTERNATIVE LOAN TRUST, THE BANK OF NEW YORK MELLON, FKA THE BANK OF NEW YORK, THE MORTGAGE ELECTRONIC REGISTRATION SERVICE. (HIRSCH, KYLE) (Entered: 10/08/2010)
11/08/2010	59	Declaration <i>in Support of Fourth Amended Complaint for Declaratory and Injunctive Relief</i> filed by ANDREW C. BAILEY. (related document(s) 50 Amended Complaint) (Taylor, Erika) (Entered: 11/09/2010)
11/09/2010	60	Motion to Strike <i>DEFENDANTS' MOTION TO STRIKE PLAINTIFF'S DECLARATION IN SUPPORT OF FOURTH AMENDED COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF</i> filed by KYLE S. HIRSCH of BRYAN CAVE LLP on behalf of BAC HOME LOANS SERVICING LP FKA COUNTRYWIDE HOME LOANS, BAC Home Loans Servicing LP, COUNTRYWIDE HOME LOANS, CWALT INC ALTERNATIVE LOAN TRUST, THE BANK OF NEW YORK MELLON, FKA THE BANK OF NEW YORK, THE MORTGAGE ELECTRONIC REGISTRATION SERVICE (related document(s) 59 Declaration). (HIRSCH, KYLE) (Entered: 11/09/2010)

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