

IN THE CIRCUIT COURT OF THE SIXTH  
JUDICIAL CIRCUIT, IN AND FOR  
PINELLAS COUNTY, FLORIDA

DEUTSCHE BANK NATIONAL )  
TRUST COMPANY, )  
 )  
Plaintiff, )  
 )  
-vs- )  
 )  
AIDA HAYES, KENNETH CITY )  
HOME OWNERS, ASSOC., et al., )  
 )  
Defendants. )  
\_\_\_\_\_ )

CASE NO.: 08-013676-~~CI~~  
522008CA013676XX ~~CI CI~~

FILED  
CML CT REC DEPT  
2012-OCT-14 A 11:45  
KENT BURKE  
CLERK OF COURT

**NOTICE OF APPEAL**

NOTICE IS GIVEN that Plaintiff/Appellant, DEUTSCHE BANK NATIONAL TRUST COMPANY ("DEUTSCHE"), by and through its undersigned attorneys, appeals to the Florida Second District Court of Appeal the Amended Final Judgment, rendered by this Court on March 30, 2012, and the Court's Order Denying Motion for Rehearing on Final Judgment, rendered by this Court on November 5, 2012. Conformed copies of the orders designated herein are attached hereto. The nature of the orders appealed is a final order dismissing Plaintiff/Appellant DEUTSCHE's complaint with prejudice.

Dated December 3, 2012.

**BAKER, DONELSON, BEARMAN,  
CALDWELL & BERKOWITZ, PC**

Bank of America Center  
390 North Orange Avenue  
Post Office Box 1549  
Orlando, Florida 32802  
Telephone: (407) 422-6600  
Telecopier: (407) 841-0325  
Counsel for DEUTSCHE

By: 

Richard C. Swank  
Florida Bar No.: 172855  
rswank@bakerdonelson.com

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing has been served via email on  
December 3, 2012 to the following:

Aida Hayes  
Howard Hayes  
c/o Kelley A. Bosecker, Esq.  
kbosecker@tmo.blackberry.net

Randall Mogg, Esq.  
Shapiro, Fishman & Gache, LLP  
rmogg@logs.com

I hereby certify that on December 3, 2012 I served the foregoing by first-class U.S. mail  
to the following:

Mortgage Electronic Registration Systems, Inc.,  
as Nominee for First NLC Financial Services, LLC,  
c/o CT Corporation System, R.A.  
1200 South Pine Island Road  
Plantation, FL 33324



Richard C. Swank

08-105447  
K.M.

Tam. Lon.

**IN THE CIRCUIT COURT FOR THE SIXTH JUDICIAL CIRCUIT  
IN AND FOR PINELLAS COUNTY, FLORIDA  
CIRCUIT CIVIL DIVISION**

DEUTSCHE BANK NATIONAL TRUST  
COMPANY, AS Trustee for IXIS 2006-  
HE3.

Plaintiff,

v.

CASE NO. 08 013676 CI 11

AIDA HAYES; HOWARD HAYES; MORTGAGE  
ELECTRONIC REGISTRATION SYSTEMS, INC., AS  
NOMINEE FOR FIRST NLC FINANCIAL SERVICES, LLC;  
KENNETH CITY HOME OWNERS ASSOCIATION, INC.;  
UNKNOWN PARTIES IN POSSESSION #1; UNKNOWN  
PARTIES IN POSSESSION #2; IF LIVING, AND ALL  
UNKNOWN PARTIES CLAIMING BY, THROUGH, UNDER  
AND AGAINST THE ABOVE NAMED DEFENDANT(S)  
WHO ARE NOT KNOWN TO BE DEAD OR ALIVE,  
WHETHER SAID UNKNOWN PARTIES MAY CLAIM AN  
INTEREST AS SPOUSE, HEIRS, DEVISEES, GRANTEEES,  
OR OTHER CLAIMANTS,  
Defendants.

COPY

**AMENDED FINAL JUDGMENT**

THIS action was tried before the Court for a non-jury trial on  
January 4, 2012. On the evidence presented,

**IT IS ADJUDGED** that this action is dismissed, that Plaintiff,  
DEUTSCHE BANK NATIONAL TRUST COMPANY, take nothing by this action  
and that the Defendants, **AIDA HAYES and HOWARD HAYES**, go henceforth  
without day.

**ORDERED** in St. Petersburg, Pinellas County, Florida, on  
March 30, 2012.

\_\_\_\_\_  
Pamela A.M. Campbell  
Circuit Judge

Copies to:  
Meghan Kenefic, Esquire (SF&G)  
Kelley A. Bosecker, Esquire

Original Signed  
MAR 30 2012  
Pamela A.M. Campbell  
Circuit Judge  
APR 02 2012  
By

IN THE CIRCUIT COURT OF THE SIXTH  
JUDICIAL CIRCUIT, IN AND FOR  
PINELLAS COUNTY, FLORIDA

DEUTSCHE BANK NATIONAL )  
TRUST COMPANY, )

Plaintiff, )

-vs- )

AIDA HAYES, KENNETH CITY )  
HOME OWNERS, ASSOC., et al., )

Defendants. )

CASE NO.: 08-013676

RECEIVED  
NOV 08 2012  
BAKER, DONELSON, BEARMAN, CALDWELL  
& BERKOWITZ, P.A.

ORDER DENYING MOTION FOR REHEARING ON FINAL JUDGMENT

THIS CAUSE, came before the Court upon Plaintiff, Deutsche Bank National Trust Company's Motion for Rehearing on Final Judgment. Upon review of the motion and the court file and being otherwise fully advised in the premises, it is

ORDERED and ADJUDGED AS FOLLOWS:

1. Plaintiff, Deutsche Bank National Trust Company's Motion for Rehearing on Final Judgment is DENIED.

DONE and ORDERED in Chambers at St. Petersburg, Pinellas County, Florida, this  
day of \_\_\_\_\_, 2012.

Pamela A.M. Campbell  
Circuit Court Judge

Original Signed  
NOV 05 2012  
Pamela A.M. Campbell  
Circuit Judge

CERTIFICATE OF SERVICE

I hereby certify that on \_\_\_\_\_, 2012, I mailed the foregoing

Order Denying Motion for Rehearing on Final Judgment by first-class mail to the following:

Aida Hayes  
Howard Hayes  
c/o Kelley A. Bosecker, Esq.  
8500 Belcher Road, Ste. 1201  
Pinellas Park, FL 33781

Mortgage Electronic Registration Systems,  
Inc., as Nominee for First NLC Financial  
Services, LLC  
c/o CT Corporation System, R.A.  
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\_\_\_\_\_  
Judicial Assistant