

APPENDIX A

SUPREME COURT
STATE OF CONNECTICUT

PSC-190196

THE BANK OF NEW YORK MELLON F/K/A THE BANK OF NEW YORK AS TRUSTEE
ON BEHALF OF CIT MORTGAGE LOAN

v.

WILLIAM RUTTKAMP ET AL.

ORDER ON PETITION FOR CERTIFICATION TO APPEAL

The defendant's petition for certification to appeal from the Appellate Court (AC 42865) is denied.

Shlomit Ruttkamp, self-represented, in support of the petition.
Benjamin T. Staskiewicz, in opposition.

Decided October 22, 2019

By the Court,

/s/

Maurilio R. Amorim
Assistant Clerk - Appellate

Notice Sent: October 22, 2019
Petition Filed: September 9, 2019
Clerk, Superior Court, MMXCV106001915S
Hon. Edward s. Domnarski
Clerk, Appellate Court
Reporter of Judicial Decisions
Staff Attorneys' Office
Counsel of Record

Paper notice sent to: Shlomit Ruttkamp, William J. Ruttkamp

APPENDIX B

EXHIBIT – 1

APPELLATE COURT
STATE OF CONNECTICUT

AC 42865

THE BANK OF NEW YORK MELLON
F/K/A THE BANK OF NEW YORK AS TRUSTEE
ON BEHALF OF CIT MORTGAGE LOAN

v.

WILLIAM RUTTKAMP ET AL.

JULY 17, 2019

ORDER

THE MOTION OF THE PLAINTIFF-APPELLEE, FILED MAY 7, 2019, TO DISMISS APPEAL, HAVING BEEN PRESENTED TO THE COURT, IT IS HEREBY ORDERED THAT REVIEW IS GRANTED, BUT THE RELIEF REQUESTED THEREIN IS DENIED.

BY THE COURT,

/s/
MAURILIO R. AMORIM
ASSISTANT CLERK - APPELLATE

NOTICE SENT: JULY 18, 2019
HON. EDWARD S. DOMNARSKI
COUNSEL OF RECORD
CLERK, SUPERIOR COURT, MMXCV106001915S

PAPER NOTICE SENT TO COUNSEL OF RECORD WITHOUT ELECTRONIC ACCESS

192004

EXHIBIT – 2

APPELLATE COURT
STATE OF CONNECTICUT

AC 42865

THE BANK OF NEW YORK MELLON
F/K/A THE BANK OF NEW YORK AS TRUSTEE
ON BEHALF OF CIT MORTGAGE LOAN

v.

WILLIAM RUTTKAMP ET AL.

JULY 17, 2019

ORDER

THE MOTION OF THE PLAINTIFF-APPELLEE, FILED JULY 1, 2019, FOR REVIEW, HAVING BEEN PRESENTED TO THE COURT, IT IS HEREBY ORDERED THAT REVIEW IS GRANTED, BUT THE RELIEF REQUESTED THEREIN IS DENIED.

BY THE COURT,

/S/
MAURILIO R. AMORIM
ASSISTANT CLERK - APPELLATE

NOTICE SENT: JULY 18, 2019
HON. EDWARD S. DOMNARSKI
COUNSEL OF RECORD
CLERK, SUPERIOR COURT, MMXCV106001915S

PAPER NOTICE SENT TO COUNSEL OF RECORD WITHOUT ELECTRONIC ACCESS

192004

EXHIBIT – 3

APPELLATE COURT
STATE OF CONNECTICUT

AC 42865

THE BANK OF NEW YORK MELLON
F/K/A THE BANK OF NEW YORK AS TRUSTEE
ON BEHALF OF CIT MORTGAGE LOAN

v.

WILLIAM RUTTKAMP ET AL.

JULY 17, 2019

ORDER

THE MOTION OF THE PLAINTIFF-APPELLEE, FILED MAY 7, 2019, TO
DISMISS APPEAL, HAVING BEEN PRESENTED TO THE COURT, IT IS HEREBY
ORDERED GRANTED AS THE APPEAL IS FRIVOLOUS.

BY THE COURT,

/S/
MAURILIO R. AMORIM
ASSISTANT CLERK - APPELLATE

NOTICE SENT: JULY 18, 2019
HON. EDWARD S. DOMNARSKI
COUNSEL OF RECORD
CLERK, SUPERIOR COURT, MMXCV106001915S

PAPER NOTICE SENT TO COUNSEL OF RECORD WITHOUT ELECTRONIC
ACCESS

184270.

EXHIBIT – 4



STATE OF CONNECTICUT

SUPREME COURT
APPELLATE COURT

CAROLYN C. ZIOGAS
CHIEF CLERK

SUSAN C. REEVE
DEPUTY CHIEF CLERK

231 CAPITOL AVENUE
HARTFORD, CT 06106

TEL. (860) 757-2200
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July 18, 2019

AC 42865: The Bank of New York Mellon v. William J. Ruttkamp Et Al.

Dear Counsel of Record:

Please be advised that orders on the motions to dismiss appeal #184270 and the motion for review #192004 in the above-captioned appeal were issued on July 17, 2019.

The orders were sent in error. Please be further advised that the motions and the appeal remain pending. Notice will be issued when there are orders on the motions.

I apologize for any confusion this may have caused.

Very truly yours,

Maurilio R. Amorim, Assistant Clerk

CC: Hon. Edward S. Domnarski

Clerk, Superior Court, MMXCV106001915S

L. Jeanne Dutton
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EXHIBIT – 5

APPELLATE COURT
STATE OF CONNECTICUT

AC 42865

THE BANK OF NEW YORK MELLON
F/K/A THE BANK OF NEW YORK AS TRUSTEE
ON BEHALF OF CIT MORTGAGE LOAN

v.

WILLIAM RUTTKAMP ET AL.

JULY 18, 2019

ORDER

THE MOTION OF THE PLAINTIFF-APPELLEE, FILED JULY 1, 2019, FOR REVIEW, HAVING BEEN PRESENTED TO THE COURT, IT IS HEREBY ORDERED THAT REVIEW IS GRANTED, BUT THE RELIEF REQUESTED THEREIN IS DENIED.

BY THE COURT,

/s/
MAURILIO R. AMORIM
ASSISTANT CLERK - APPELLATE

NOTICE SENT: JULY 18, 2019
HON. EDWARD S. DOMNARSKI
COUNSEL OF RECORD
CLERK, SUPERIOR COURT, MMXCV106001915S

PAPER NOTICE SENT TO COUNSEL OF RECORD WITHOUT ELECTRONIC
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192004

EXHIBIT – 6

APPELLATE COURT
STATE OF CONNECTICUT

AC 42865

THE BANK OF NEW YORK MELLON
F/K/A THE BANK OF NEW YORK AS TRUSTEE
ON BEHALF OF CIT MORTGAGE LOAN

v.

WILLIAM RUTTKAMP ET AL.

JULY 18, 2019

ORDER

THE MOTION OF THE PLAINTIFF-APPELLEE, FILED MAY 7, 2019, TO
DISMISS APPEAL, HAVING BEEN PRESENTED TO THE COURT, IT IS HEREBY
ORDERED GRANTED AS THE APPEAL IS FRIVOLOUS.

BY THE COURT,

/s/
MAURILIO R. AMORIM
ASSISTANT CLERK - APPELLATE

NOTICE SENT: JULY 18, 2019
HON. EDWARD S. DOMNARSKI
COUNSEL OF RECORD
CLERK, SUPERIOR COURT, MMXCV106001915S

PAPER NOTICE SENT TO COUNSEL OF RECORD WITHOUT ELECTRONIC
ACCESS

184270

APPENDIX C

A.C. NO. 42865	:	SUPERIOR COURT
DOCKET NO. MMX-CV-10-6001915S	:	
THE BANK OF NEW YORK MELLON	:	J.D. OF MIDDLESEX
F/K/A THE BANK OF NEW YORK AS	:	
TRUSTEE ON BEHALF OF CIT	:	
MORTGAGE LOAN TRUST 2007-1	:	
V.	:	AT MIDDLETOWN
WILLIAM RUTTKAMP, ET AL.	:	JUNE 14, 2019

RULING ON MOTION TO TERMINATE APPELLATE STAY

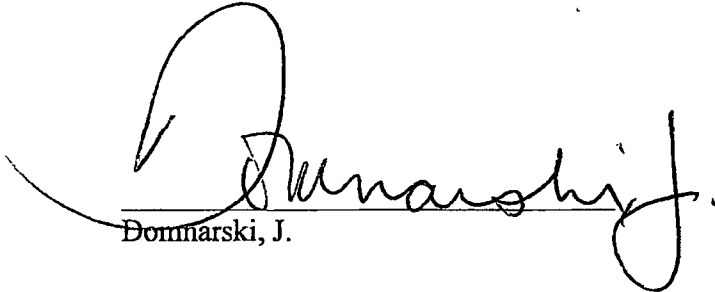
The court conducted a hearing on the plaintiff's motion to terminate stay pursuant to P.B. Sec. 61-11 (c) on June 6, 2019. In addition to the arguments presented, the court considered the defendant's objection, dated May 15, 2019, which was not filed with this court, but was filed with the Appellate Court.

The court finds that due administration of justice requires that any appellate stay be terminated. The defendant argues that this action should be dismissed because the court lacks subject matter jurisdiction. The defendant claims that the action was brought under the plaintiff's corporate brand name, therefore, the plaintiff did not have the legal capacity to sue. The Appellate Court specifically addressed this issue in its decision and expressly found that the plaintiff was a legal entity with legal capacity to sue. See *Bank of New York Mellon v. Ruttkamp*, 188 Conn. App. 365, 372 (2019).

201.10

The defendant also argues that Judge Morgan had no authority to open a judgment of dismissal that was entered in an earlier proceeding of this case. Although Judge Morgan's decision to grant the motion to open the judgment of dismissal is mentioned in the opinion, it does not appear that it was an issue that was included in the appeal. Id. p.783

The defendant has not presented to this court any new issues in the instant appeal. The due administration of justice requires that the direction of the Appellate Court, to this court, to reset the law days should be fulfilled without further stay. At the hearing, the defendant acknowledged the determinations made by the Appellate Court. However, she argued that she was not adequately represented in the appeal, and that the issues she relies on should still be heard by the Court. Such an argument does not, and should not, prevent this court from carrying out the direction of the Appellate Court.



Dommarski, J.

**Additional material
from this filing is
available in the
Clerk's Office.**