

IN THE CIRCUIT COURT OF THE NINTH JUDICIAL CIRCUIT
IN AND FOR ORANGE COUNTY, FLORIDA

Nationstar Mortgage LLC,

Plaintiff,

v.

Case No.: 2017-CA-002387-O

Jonathan Mack, et.al.

Defendant(s).

/

OBJECTION OF SALE

COMES NOW, the undersigned files this objection of sale for the Defendant, Jonathan Mack, and states the following:

1. The findings in this instant case overlooked defect(s) in granting the final judgment. By reference and incorporated herein, see any concurrent and/or subsequent actions/filings challenging jurisdictional defect(s) and/or void judgment. There has been a Motion to Vacate Judgment which the court requires an evidentiary hearing. See hearing minutes on the docket about January 14, 2019.
2. A defect in obtaining the final judgment of foreclosure can lead to a setting aside of an accompanying judicial sale. See *Esque Real Estate Holdings, Inc. v. C.H. Consulting, Ltd.*, 940 So.2d 1185 (Fla. 4th DCA 2006).
3. It is well settled that a trial court retains equitable jurisdiction over its judgments, even after a final judgment has been entered, and in particular with regard to vacating a foreclosure sale and setting aside a clerk's certificate of title. *Surratt v. Fleming*, 309 So. 2d 614 (Fla. 1st DCA 1975); *American Savings & Loan Assoc. of Fla. v. Saga Development Corp.*, 362 So.

2d 54 (Fla. 3d DCA 1978)(citing *Surratt*); *Hass v. Hass*, 421 So. 2d 664 (Fla. 3d DCA 1982) (affirming the holdings of *Surratt* and *Saga*).

4. Defendant also requests that the Court refer this matter to mediation pursuant to Chapter 44, Florida Statutes and Fla. R. of Civ. P. 1.700, 1.710, and 1.720.

WHEREFORE, Defendant(s), Objects to the sale of the property that is the subject matter of this action.

CERTIFICATE OF SERVICE

The undersigned certifies copy of the foregoing has been furnished to: Attorney of record & Aty Robertson Anschutz & Schneid PL& 6409 Congress Ave. Ste 100 Boca Raton FL 33487 & P 561-241-6901 & F561-997-6909 & Email:mail@rasflaw.com by U.S. Mail, Fax and/or E-filing this 14th day of January, 2018.

A.I.M. Law P.A. ----- PO Box 568163 - Orlando FL 32856 - Aty Lim cell 407-925-4858 (no voicemail but text capable)- Direct 407-279-1246 (voicemail capable) – Primary Email: mailclerk.firm@gmail.com -Secondary Emails: Firm.Assistants@gmail.com & chris.lim.law@gmail.com & Counsel for Jonathan Mack

/s/Chris Lim

For the Firm: Chris Lim - FBN 13006