

FILL OUT ALL SECTIONS OF THIS FORM BEFORE FILING WITH THE COUNTY CLERK  
AND FIDUCIARY CLERK/COURT – MUST BE COMPLETED WITHIN 30 DAYS OF SALE

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## FORECLOSURE ACTION SURPLUS MONIES FORM

SUPREME COURT/COUNTY COURT OF THE STATE OF NEW YORK:

COUNTY OF NEW YORK

EMIGRANT BANK, SUCCESSOR BY MERGER  
WITH EMIGRANT SAVINGS BANK MANHATTAN

Index No. 850681/2023

Plaintiff,

-against-

FLORENCE SOMMER a/k/a FLORENCE T.  
SOMMER, et al

Defendant.

MORTGAGED PROPERTY:

301 EAST 79TH STREET, #9P, NEW  
YORK, NY

COUNTY: NEW YORK

SBL #: 1542; 1116

Sale Date: January 21, 2026

### A. To be completed by the Referee

- Final Judgment Amount per Judgment: \$ 239,333.91
- Adjusted Judgment Amount (Upset Price): \$ 108,238.15<sup>12</sup>  
(This is the total amount due to the bank after post-sale disbursements, fees, taxes, utilities, etc.)
- Sale Price: \$ 100  
(To calculate if there is a surplus, subtract the higher of line 1 or line 2 from line 3 and enter any surplus on line 4)
- Surplus Amount (enter \$0.00 if no surplus) \$ 0  
\*\*If there are surplus funds, attach proof/receipt that the surplus amount was deposited with the  
Treasurer, Comptroller, Commissioner of Finance, Clerk of Court, etc.

Referee's TOTAL compensation awarded/fees  
earned in this matter:

\$ Unknown at Sale

Referee Name: Jeffrey R. Miller, Esq.

Telephone: 212-227-4200

Address: 32 Broadway | 13th Floor | New York, NY 10004

Email: JA.Miller@nycclerk.com

Signature/Date: [Signature] 1/24/26

\*If plaintiff is also the purchaser, complete both B. and C.

### B. To be completed by Plaintiff's Rep.

Name: Terenzi & Confusione, P.C.

Address: 401 Franklin Avenue, Suite 304  
Garden City, NY 11530

Telephone: 516-812-0800

Email: lconfusione@tcpclaw.com

Signature/Date: [Signature] 1/24/26

### C. To Be Completed by Purchaser

Name: [Signature]

Address: [Signature]

Telephone: [Signature]

Email: [Signature]

Signature/ Date: [Signature] 1/24/26

Additional Copies of this Form can be found at <https://www.nycourts.gov/forms/foreclosure/>