

**IN THE CIRCUIT COURT OF THE TWELFTH
JUDICIAL CIRCUIT, IN AND FOR SARASOTA
COUNTY, FLORIDA**

CASE NO.: 2008-CA-0015507-NC

**WASHINGTON MUTUAL BANK, et al,
Plaintiff,**

vs.

**BETTY B. KELLOGG, et al,
Defendants.**

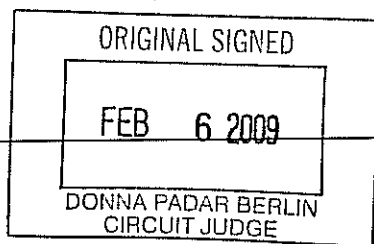
**ORDER VACATING FINAL JUDGMENT AND CANCELLING SALE DATE
AND GRANTING DEFENDANT LEAVE TO FILE A RESPONSE**

This action came before the Court on this 6th day of February, 2009, upon a duly noticed hearing on the Defendant Betty B. Kellogg's verified motion to set aside judgment, cancel a sale date and grant Defendant Betty B. Kellogg leave to file a response in this matter, at the hearing was counsel for Defendant Betty B. Kellogg and no counsel appeared for plaintiff/and counsel appeared for plaintiff, upon consideration of the consideration of the motion and the record in this case, the Court finds that the defendant's motion should be GRANTED:

IT IS ADJUDGED that:

1. The default entered is vacated and the Final Judgment entered January 9, 2009 is vacated.
2. The mortgage subject of this lawsuit is restored to its status as it existed before the judgment.
3. The sale scheduled for February 11, 2009 is hereby cancelled.
4. The defendant Betty B. Kellogg is granted leave to file her response in this lawsuit within 20 days of the entry of this order.

ORDERED at Sarasota County, Florida on this 6th day of February, 2009.



CIRCUIT COURT JUDGE

cc:

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