

SUPERIOR COURT
OF THE
STATE OF DELAWARE

E. SCOTT BRADLEY
JUDGE

1 The Circle, Suite 2
GEORGETOWN, DE 19947

October 8, 2014

Glenn T. Piper
Barbara E. Piper
9 Bradford Lane
Lewes, DE 19958

Daniel T. Conway, Esquire
Atlantic Law Group
512 East Market Street
Georgetown, DE 19947

RE: *U.S. Bank National Association v. Glenn T. Piper, et al.*
C.A. No: S10L-11-144 ESB

Dear Counsel and Mr. And Mrs. Piper:

This is my decision on the Plaintiff's Motion for Summary Judgment in this mortgage foreclosure action. The Defendants own a home located at 9 Bradford Lane, Lewes, Delaware 19958. The Plaintiff has a mortgage in the principal amount of \$423,750.00 on that property. The Plaintiff filed a mortgage foreclosure action against the Defendants on November 30, 2010, arguing that the mortgage was in default because no payments had been made since February 1, 2010. The Defendants filed an answer alleging that they and the Plaintiff had modified the terms of the mortgage. The Plaintiff filed a Motion for Summary Judgment on May 3, 2013, arguing that it had not modified the terms of the mortgage and that the Defendants

had not made any payments since February 1, 2010.¹ The Defendants did not file a response to the Plaintiff's Motion for Summary Judgment. The Defendants have also not, despite having conducted discovery in this case, provided the Court with any documentation showing that the Plaintiff and Defendants modified the terms of the mortgage and/or that the Defendants have made any payments since February 1, 2010. The Defendants instead asked for more time to refinance their loan. Given that the Defendants have not challenged the allegations in the Plaintiff's Motion for Summary Judgment, I will grant the Plaintiff's Motion for Summary Judgment. The Plaintiff shall file a form of Order of Judgment within 14 days setting forth the current amount due under the mortgage for my review and signature.

IT IS SO ORDERED.

Very truly yours,

/s/ E. Scott Bradley
E. Scott Bradley

ESB/sal

oc: Prothonotary

cc: Counsel

Mr. and Mrs. Glenn T. Piper

¹ It appears that the delay in this matter was caused by bankruptcy proceedings involving one or more of the Defendants.