

**ORIGINAL**

**IN THE SUPREME COURT OF OHIO**

**U.S. BANK NATIONAL  
ASSOCIATION, AS TRUSTEE FOR  
CREDIT SUISSE FIRST BOSTON,  
CSFB 2005-12,**

Plaintiff-Appellant,

vs.

**WORLEY V. PERRY, et al.,**

Defendants-Appellees.

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On Appeal from the Cuyahoga County  
Court of Appeals, Eighth Appellate  
District  
  
Court of Appeals  
Case No. CA-10-094757

**11-0170**

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**NOTICE OF PENDING MOTION TO CERTIFY A CONFLICT**

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Appellant U.S. Bank National Association, as Trustee for Credit Suisse First Boston CSFB 2005-12 ("U.S. Bank") hereby gives notice that on December 27, 2010 it filed a Motion To Certify Conflict with the Cuyahoga County Court of Appeals, Eighth Appellate District on the following two issues:

- 1) In a mortgage foreclosure action, is a plaintiff required to establish that it had standing as of the date that the Complaint was filed, or is a plaintiff only required to establish that it had standing prior to entry of judgment?
- 2) Does possession of bearer paper alone entitle its holder to foreclose a mortgage securing its payment, regardless of whether there is a separate notice of assignment of mortgage?

The Motion currently remains pending before the Court of Appeals. Pursuant to S.Ct. Prac. R. 4.4, U.S. Bank will notify this Court of the Court of Appeals' decision on the Motion when the decision is received.

**FILED**  
JAN 28 2011  
CLERK OF COURT  
SUPREME COURT OF OHIO

Respectfully submitted,



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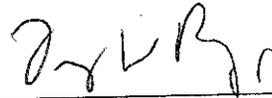
Counsel for Plaintiff-Appellant, U.S. Bank National  
Association, as Trustee for Credit Suisse First  
Boston, CSFB 2005-12

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing has been served upon the following via regular, U.S. Mail, on this 28th day of January, 2011.

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