

IN THE SUPREME COURT OF OHIO

Case No. 2012-2110

CITIMORTGAGE INC., successor by merger to
ABN AMRO Mortgage Group, Inc.,

Appellants,

vs.

**JAMES A. ROZNOWSKI AND
STEFFANIE ROZNOWSKI,**

Appellees.

On Appeal from the Stark County Court of Appeals
Ohio Fifth Appellate District, Case No. 2012 CV 00093

APPELLEES' MOTION FOR RECONSIDERATION

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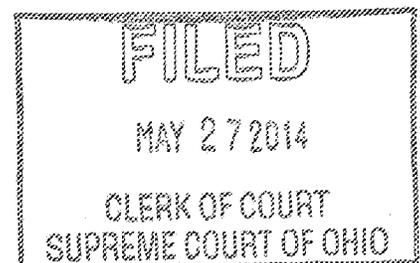
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APPELLEES' MOTION FOR RECONSIDERATION

Appellees, James and Steffanie Roznowski, hereby MOVE this Court to Reconsider the Decision of May 15, 2014, in this case.

At paragraph 25, this Court states that after a judgment like the one at issue in this case, "all that remains is mathematics, with the court plumbing in the final amounts due after the property has been sold at sheriff's sale." This Court's first footnote further dismisses the Appellees' showing that CitiMortgage has indeed "proven itself unreliable."

The record shows that CitiMortgage failed several times to make sure that the numbers alleged to be owing were the same between its own Complaint, motions, and proposed judgment entries. The Appellees' request for additional time to oppose summary judgment had documents attached showing that CitiMortgage had difficulty stating the same amounts twice either over the telephone (per the sworn statement of Steffanie Roznowski), and during mediation. The evidence is on the record. This Court simply did not consider it.

Worse, the majority's decision makes a mathematically challenged party the only one with oversight on a mortgagor's right of redemption.

Just about every communication the Roznowskis received from CitiMortgage and its predecessors contained the "privacy notices" so often included in financial correspondence. These notices make it very clear lenders are barred by state and federal law from disclosing information about the account to persons other than the borrowers. This Court's ruling will prejudice, or eliminate, the ability of a person who has redemption rights to ascertain the amounts necessary. Heirs, widows who are not

also signatories to the note or mortgage, and even other financial institutions with interests in the property will be shut out from ascertaining the amount necessary to redeem.

The Appellees ask that this Court also consider the Memorandum in Support of Reconsideration submitted by Amicus Terry Smith, and ask further that his Memorandum be incorporated herein by reference.

CONCLUSION

For the reasons stated, the Appellees James & Steffanie Roznowski ask that this Court Reconsider its holdings on both Propositions of Law.

Respectfully submitted,

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CERTIFICATE OF SERVICE

A copy of the foregoing Motion for Reconsideration was sent via First Class mail on this 27th Day of May, 2014, to each of the following:

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