

LOCAL RULE 17 | ALL FORECLOSURE CASES

A. Is your worksheet completed? Please answer the following questions in the motion:

- 1) How were the parties served and show proof of service and notice of hearing?
- 2) If there was a substitution of plaintiff, a supplemental or amended pleading is required for a transaction post complaint (Rule 1.190(d))?
- 3) Have all of the parties answered or been defaulted?
- 4) If there are Affirmative Defenses, are they addressed by the Affidavit of Indebtedness (AOI)?
- 5) Does the AOI comply with F.S. 90.803(6) and [Yisrael v. State, 993 So.2d 952, 956-958 \(Fla. 2008\)](#)? Are the business records attached?
- 6) If there was a change in servicers, is there an Affidavit for the business records of each servicer?
- 7) If the complaint pleads that there is an "owner" other than plaintiff, is there some proof regarding the authorization of the plaintiff to act on behalf of the "owner"?
- 8) If the complaint pleads a "lost note" count and the note is no longer "lost" was the complaint amended, [Feltus v. U.S. Bank, 80 So.3d 375 \(2d DCA 2012\)](#)?
- 9) Is the original note with all allonges present so it can be cancelled? Does it run to the plaintiff or is it endorsed in blank? Does it match the copy attached to the complaint?

