

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT IN AND FOR
PINELLAS COUNTY, FLORIDA

U.S. BANK NATIONAL ASSOCIATION
AS TRUSTEE FOR SG MORTGAGE SECURITIES CASE NO. 08-13651-CI-15
ASSET BACKED CERTIFICATES, SERIES 2006-FRE2
PLAINTIFF

v.

PETER OSHEA
DEFENDANT _____/

DEFENDANT'S MOTION TO DISMISS

COMES NOW, the Defendant PETER OSHEA and MARIE OSHEA, by and through the undersigned counsel and hereby files this Motion to Dismiss as follows:

1. The name of the Plaintiff of the instant lawsuit, as asserted in the caption, is "US Bank National Association as Trustee for SG Mortgage Securities Asset Backed Certificates, Series 2006-FRE2". Nowhere in the body of Plaintiff's Complaint does the Plaintiff set off or describe in any way the structure of the entity so described nor does the Plaintiff assert in what capacity does the Plaintiff asserts to avail itself of the jurisdiction of this court. Nowhere in the body of Plaintiff's complaint does it assert the basis for its entity-existence or explain in any way the form of the entity that presents itself before the court.
2. Florida Statutes, Chapter 607.0501 and 607.1507 provide that a foreign corporation may not maintain any action in Florida until the corporation complies with the applicable registration provisions that require maintenance in Florida of an office and registered agent while Florida Statutes Chapter 865.09 provides that if a business fails to register a fictitious name, the

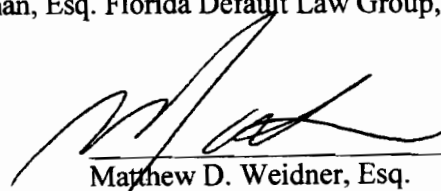
business may not maintain any action, suit or proceeding in any court in Florida until the registration requirements are complied with.

3. A search of the records of the Florida Department of State, Division of Corporations reveals that there is no corporation or entity registered with the name "US BANK NATIONAL ASSOCIATION". (Exhibit A)
4. Because the Plaintiff has not properly identified itself to this court or to this Defendant and because the named Plaintiff does not appear to be registered as an entity that may transact business in this state, the instant case must be dismissed.

WHEREFORE, for the reasons cited above, the Defendants would respectfully request that this honorable court would grant its Motion to Dismiss, along with such other relief as the court finds just and proper.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was mailed on this the 8th Day of October to William W. Huffman, Esq. Florida Default Law Group, PL PO BOX 15018 Tampa FL 33622.



Matthew D. Weidner, Esq.
Attorney for Defendants
229 Central Ave.
St. Petersburg, Fl. 33705
(727) 894-3159
FL. Bar #0185957

FLORIDA DEPARTMENT OF STATE
DIVISION OF CORPORATIONS

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Detail by Entity Name

Florida Profit Corporation

USBANK

Filing Information

Document Number 427277
FEI Number 591465239
Date Filed 06/01/1973
State FL
Status INACTIVE
Last Event CONVERSION
Event Date Filed 12/07/1988
Event Effective Date NONE

Principal Address

C/O WILLIAM H. LANGHOFF
1700 66 ST. NORTH
ST PETERSBURG FL 33710

Changed 05/20/1987

Mailing Address

C/O WILLIAM H. LANGHOFF
1700 66 ST. NORTH
ST PETERSBURG FL 33710

Changed 05/20/1987

Registered Agent Name & Address

JASPERS, SIMON J
1700 66TH ST N
ST PETERSBURG FL 33710

Address Changed: 04/19/1984

Officer/Director Detail

Name & Address

Title CD

WINNIER, ALBERT
3220 BENNET ST.
ST. PETERSBURG FL

Title D

POWELL, JOHN G.
1838 PARK ST. NORTH
ST PETERSBURG FL

Title D

BABCOCK, R. HUSTON, M.D.
4838 PARADISE WAY SOUTH
ST. PETERSBURG FL

Title V

JASPERS, SIMON J.
5812 ERIN LANE S.
ST. PETERSBURG FL

Title D

CRANE, DONALD R., JR
5300 W.CYPRESS ST. #300
TAMPA FL

Title PD

LANGHOFF, WILLIAM H.
2113 GULL LANE
SAFETY HARBOR FL

Annual Reports

Report Year Filed Date

1986	04/17/1986
1987	05/20/1987
1988	07/15/1988

Document Images

No images are available for this filing.

Note: This is not official record. See documents if question or conflict.

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Entity Name :

Entity Name List

Corporate Name	Document Number	Status
USBANK	427277	INACT/CV
US BANK ACQUISITION CORPORATION	P93000023992	INACT
<u>U.S. BANKRUPTCY & LIQUIDATION INC.</u>	V28168	INACT
<u>U.S. BANKRUPTCY RECONSTRUCTION AND FINANCE CO.</u>	L74933	INACT
<u>U. S. BANKRUPT LIQUIDATORS, INC.</u>	512178	INACT
<u>U. S. BANK SYSTEMS, INC.</u>	P94000037407	INACT
<u>U.S. BARBER SHOPS INC.</u>	P94000013320	INACT
<u>U.S. BARBER SHOPS INC.</u>	P98000049292	INACT
<u>US BARCODES, INC.</u>	P01000090544	ACT
<u>U.S. BARIATRIC, INC.</u>	P02000046492	INACT/MG
<u>U.S. BARIATRIC, LLC</u>	L02000034672	ACT
<u>U.S. BARIATRIC CENTRAL FLORIDA, LLC</u>	L08000055084	ACT
<u>U.S. BARIATRIC, FORT LAUDERDALE, LLC</u>	L02000011542	ACT
<u>U.S. BARIATRIC KIDS, LLC</u>	L02000034797	INACT
<u>U.S. BARIATRIC MANAGEMENT, INC.</u>	P02000112949	INACT
<u>U.S. BARIATRIC MANAGEMENT, LLC</u>	L02000034784	ACT
<u>U.S. BARIATRIC, MIAMI, LLC</u>	L02000011543	INACT/UA
<u>U.S. BARIATRIC OFFICE SPECIALTY SERVICES, INC.</u>	P02000124874	INACT
<u>U.S. BARIATRIC OFFICE SPECIALTY SERVICES, LLC.</u>	L02000034796	ACT
<u>U.S. BARIATRIC, ORLANDO, LLC</u>	L02000011546	ACT
<u>U.S. BARIATRIC ST. AUGUSTINE, L.L.C.</u>	L07000001939	ACT
<u>U.S. BARIATRIC, TAMPA, LLC</u>	L02000011544	INACT/UA
<u>US BAR MEMBERS, INC.</u>	P06000008643	INACT

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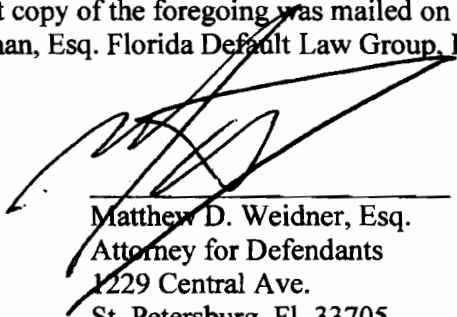
PETER OSHEA
DEFENDANT

**DEFENDANT'S MOTION TO REQUIRE PLAINTIFF TO POST NON-
RESIDENT COST BOND**

COMES NOW, the Defendant, by and through the undersigned counsel and pursuant to Chapter 57.011, Florida Statutes and respectfully demands that the Plaintiff, a non-resident corporation or other non-resident entity be required to post a security bond as required by the above cited statute. On failure to file such bond within 30 days after this notice, the defendant may move to dismiss this action.

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I hereby certify that a true and correct copy of the foregoing was mailed on this the 8th Day of October to William W. Huffman, Esq. Florida Default Law Group, PL PO BOX 15018 Tampa FL 33622.


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