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Bank of America, N.A. v. Casey, No. 14-2115

interpretations of two different state statutes, each of which concerns defects in real estate titles, which may affect considerable numbers of Massachusetts foreclosure proceedings, the following questions are certified to the Supreme Judicial Court of Massachusetts: 1) under Massachusetts state law, can a Section 5B affidavit cure the defective acknowledgement, or otherwise provide constructive notice to a bona fide purchaser?; and 2) if not, can the bankruptcy trustee avoid the mortgage under 11 U.S.C. section 544(a)(3)?