

**FILED
CLERK**

4:25 pm, Sep 27, 2018

**U.S. DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
LONG ISLAND OFFICE**

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

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COMMUNITY ASSOCIATION
UNDERWRITERS OF AMERICA, INC. a/s/o
WHITEWOOD AT NORTH HILLS
CONDOMINIUM,

Plaintiffs,

-against-

ADVANCED CHIMNEY INC. and
ADVANCED MAINTENANCE, INC. D/B/A
ADVANCED CHIMNEY,

Defendants.

-----X
ADVANCED CHIMNEY INC. and
ADVANCED MAINTENANCE, INC. D/B/A
ADVANCED CHIMNEY,

Third-Party Plaintiffs,

-against-

WHITEWOOD HOMES INC., WHITEWOOD
AT NORTH HILLS ASSOCIATES, CARL
VERNICK, THOMAS HALSTEAD and
JUDITH KATZ

Third-Party Defendants.
-----X

SPATT, District Judge.

On March 2, 2017, the Plaintiffs commenced this negligence action against the Defendants, seeking to recover insurance proceeds pursuant to an insurance policy that were paid out as a result of a house fire.

On June 4, 2018, the Defendants filed a Third-Party Complaint for common law contribution against the Third-Party Defendants.

On August 20, 2018, the Clerk of the Court issued a Certificate of Default, pursuant to Rule 55(a) of the Federal Rules of Civil Procedure.

On September 7, 2018, the Defendants moved for a default judgment against Third-Party Defendants Whitewood Homes, Inc. and Whitewood at North Hills Associates.

The Court hereby refers this matter to United States Magistrate Judge Gary R. Brown for a recommendation as to whether the motion for a default judgment should be granted, and if so, whether damages should be awarded. The Clerk of the Court is respectfully directed to note the referral.

SO ORDERED.

Dated: Central Islip, New York
September 27, 2018

/s/ Arthur D. Spatt
ARTHUR D. SPATT
United States District Judge