

Rubin v Islamic Republic of Iran

2017 NY Slip Op 31876(U)

September 6, 2017

Supreme Court, New York County

Docket Number: 156937/2013

Judge: Kathryn E. Freed

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This opinion is uncorrected and not selected for official publication.

SUPREME COURT OF THE STATE OF NEW YORK
NEW YORK COUNTY

PRESENT: HON. KATHRYN E. FREED
Justice

PART 2

-----X
JENNY RUBIN, DEBORAH RUBIN, DANIEL MILLER,
ABRAHAM MENDELSON, STUART HERSH, RENAY FRYM,
NOAM ROZENMAN, ELENA ROZENMAN, TZVI ROZENMAN

INDEX NO. 156937/2013

MOTION DATE 8/1/2017

Plaintiffs,

MOTION SEQ. NO. 001

- v -

THE ISLAMIC REPUBLIC OF IRAN, THE IRANIAN MINISTRY
OF INFORMATION AND SECURITY, AYATOLLAH ALI
HOSEINI KHAMENEI, ALI AKBAR HASHEMI-RAFSANJANI,
ALI FALLAHIAN-KHUZESTANI,

DECISION AND ORDER

Defendants.

-----X
The following e-filed documents, listed by NYSCEF document number 14, 15, 16, 17, 18, 19, 20, 21,
22, 23, 24, 25

were read on this application to/for Judgment - Default

In this action to renew certain judgments pursuant to CPLR 5014 (1), plaintiffs now move, by order to show cause, for leave to enter a default judgment. Plaintiffs' papers have successfully established "proof of service of the summons and complaint, proof of the facts constituting the claim, and proof of the defaulting party's default in answering or appearing." *Atlantic Cas. Ins. Co. v RJNJ Servs. Inc.*, 89 AD3d 649, 651 (2d Dept 2011); see CPLR 3215 (a). They are thus entitled to a default judgment and renewal of their judgments against defendants.

Accordingly, it is hereby:

ORDERED that plaintiffs' motion for a default judgment against defendants is granted, and plaintiffs are entitled to renewal of the judgments reflected in the Judgement Docket Control numbers 001792034-01 through 001792034-99; and it is further

ORDERED that the Clerk is directed to enter a renewal judgment in favor of plaintiff Jenny Rubin against all defendants, jointly and severally, for compensatory damages in the amount of \$7 million, together with interest at the statutory rate from September 10, 2003; and it is further

ORDERED that the Clerk is directed to enter a renewal judgment in favor of plaintiff Daniel Miller against all defendants, jointly and severally, for compensatory damages in the amount of \$12 million, together with interest at the statutory rate from September 10, 2003; and it is further

ORDERED that the Clerk is directed to enter a renewal judgment in favor of plaintiff Abraham Mendelson against all defendants, jointly and severally, for compensatory damages in the amount of \$12 million, together with interest at the statutory rate from September 10, 2003; and it is further

ORDERED that the Clerk is directed to enter a renewal judgment in favor of plaintiff Stuart Hersh against all defendants, jointly and severally, for compensatory damages in the

amount of \$12 million, together with interest at the statutory rate from September 10, 2003; and

it is further

ORDERED that the Clerk is directed to enter a renewal judgment in favor of plaintiff Noam Rozenman against all defendants, jointly and severally, for compensatory damages in the amount of \$15 million, together with interest at the statutory rate from September 10, 2003; and

it is further

ORDERED that the Clerk is directed to enter a renewal judgment in favor of plaintiff Deborah Rubin against all defendants, jointly and severally, for compensatory damages in the amount of \$2.5 million, together with interest at the statutory rate from September 10, 2003; and

it is further

ORDERED that the Clerk is directed to enter a renewal judgment in favor of plaintiff Renay Frym against all defendants, jointly and severally, for compensatory damages in the amount of \$6 million, together with interest at the statutory rate from September 10, 2003; and it

is further

ORDERED that the Clerk is directed to enter a renewal judgment in favor of plaintiff Elena Rozenman against all defendants, jointly and severally, for compensatory damages in the amount of \$2.5 million, together with interest at the statutory rate from September 10, 2003; and

it is further

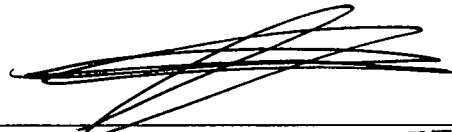
ORDERED that the Clerk is directed to enter a renewal judgment in favor of plaintiff Tzvi Rozenman against all defendants, jointly and severally, for compensatory damages in the amount of \$2.5 million, together with interest at the statutory rate from September 10, 2003; and it is further

ORDERED that the Clerk is directed to enter a renewal judgment in favor of all plaintiffs against all defendants, jointly and severally, for punitive damages in the amount of \$37 million, together with interest at the statutory rate from September 10, 2003.

This constitutes the decision and order of the court.

9/6/2017

DATE



HON. KATHRYN E. FREED

CHECK ONE:

CASE DISPOSED
 GRANTED

DENIED

NON-FINAL DISPOSITION

GRANTED IN PART

OTHER

APPLICATION:

SETTLE ORDER

SUBMIT ORDER

CHECK IF APPROPRIATE:

DO NOT POST

FIDUCIARY APPOINTMENT

REFERENCE