

Hartford Ins. Co. of the Midwest v 84-86 White St. LLC
2018 NY Slip Op 30535(U)
March 26, 2018
Supreme Court, New York County
Docket Number: 156054/13
Judge: Debra A. James
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SUPREME COURT OF THE STATE OF NEW YORK – NEW YORK COUNTY

PRESENT: DEBRA A. JAMES
Justice

PART 59

HARTFORD INSURANCE COMPANY OF THE MIDWEST
a/s/o General Tools & Instruments Co., LLC,

Index No.: 156054/13

Motion Date: 11/23/15

Plaintiff,

Motion Seq. No.: 02

- v -

Motion Cal. No.: _____

84-86 WHITE STREET LLC, ONE KEY LLC,
PRECISE CONSTRUCTION CONTRACTING, INC.,
PILLORI ASSOCIATES, P.A.,

Defendants.

PRECISE CONSTRUCTION CONTRACTING, INC. and
84-86 WHITE STREET LLC,

Third-Party Plaintiffs,

- v -

PILLORI ASSOCIATES, P.A., MANUEL GLAS,
individually, MANUEL GLAS, AIA, and MANUEL
GLAS ARCHITECTS,

Third-Party Defendants.

The following papers, numbered 1 to 1 were read on this motion to consolidate.

Notice of Motion/Order to Show Cause -Affidavits -Exhibits _____

Answering Affidavits - Exhibits _____

Replying Affidavits - Exhibits _____

PAPERS NUMBERED

1

Cross-Motion: ☐ Yes ☒ No

Upon the foregoing papers,

ORDERED that the Order of May 6, 2016 resolving motion
sequence 002 in this action is VACATED, RESETTLED AND CORRECTED

Check One: ☒ **FINAL DISPOSITION** ☐ **NON-FINAL DISPOSITION**

Check if appropriate: ☐ **DO NOT POST** ☐ **REFERENCE**

**MOTION/CASE IS RESPECTFULLY REFERRED TO JUSTICE
FOR THE FOLLOWING REASON(S):**

AS PURSUANT TO CPLR 5019 [see Kiker v Nassau County, 85 NY2d 879 (1995)].

Third-Party defendants MANUEL GLAS, individually, MANUEL GLAS, AIA, and MANUEL GLAS ARCHITECTS move to consolidate this action with the action Great Northern Insurance Company a/s/o Martin Weinstein and Theresa Liszka v. One Key, LLC, Precise Construction Contracting, Inc. and 84-86 White Street, et. al., (Sup Ct, New York County, Index No. 159639/2014) pursuant to CPLR §602(a) on the grounds that the cases have common questions of law and fact. There is no opposition to the motion. Accordingly, it is

ORDERED that the motion is GRANTED without opposition and the above-captioned action is consolidated in this Court with the related case Great Northern Insurance Company a/s/o Martin Weinstein and Theresa Liszka v. One Key, LLC, Precise Construction Contracting, Inc. and 84-86 White Street, et. al., (Sup Ct, New York County, Index No. 159639/2014), under Index No. 156054/2013, and the consolidated action shall bear the following caption:

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

HARTFORD INSURANCE COMPANY OF THE
MIDWEST a/s/o General Tools &
Instruments Co., LLC, and Great
Northern Insurance Company a/s/o
Martin Weinstein and Theresa Liszka

Plaintiff,

Index No.: 156054/2013

- v -

84-86 WHITE STREET LLC, ONE KEY LLC,
PRECISE CONSTRUCTION CONTRACTING, INC.,
PILLORI ASSOCIATES, P.A.,

Defendants.

PRECISE CONSTRUCTION CONTRACTING, INC.,
Third-Party Plaintiff,

- v -

PILLORI ASSOCIATES, P.A. and MANUEL
GLAS, individually, MANUEL GLAS, AIA,
and MANUEL GLAS ARCHITECTS
Third-Party Defendant.

84-86 WHITE STREET LLC,
Third-Party Plaintiff,

- v -

PILLORI ASSOCIATES, P.A.
Third-Party Defendant.

And it is further

ORDERED that the pleadings in the actions hereby
consolidated shall stand as the pleadings in the consolidated
action; and it is further

ORDERED that the movant is directed to serve a copy of this
order with notice of entry on the County Clerk (Room 141 B), who
shall consolidate the papers in the actions hereby consolidated
and shall mark the records to reflect the consolidation, and it
is further

ORDERED that the movant is directed to serve a copy of this order with notice of entry upon the Clerk of the General Clerk's Office (Room 119), who is hereby directed to mark the court's records to reflect the consolidation; and it is further

ORDERED that the parties are directed to appear for a status conference before this court on May 8, 2018, at 10:00 a.m. in Part 59, Room 331, 60 Centre Street, New York, New York 10007.

This is the decision and order of the court.

Dated: MAR 26 2018

ENTER:


DEBRA A. JAMES J.S.C.