

Fernandez v Sub 412 Assoc., LLC
2021 NY Slip Op 31624(U)
May 14, 2021
Supreme Court, New York County
Docket Number: 161024/2017
Judge: Lewis J. Lubell
Cases posted with a "30000" identifier, i.e., 2013 NY Slip Op <u>30001</u> (U), are republished from various New York State and local government sources, including the New York State Unified Court System's eCourts Service.
This opinion is uncorrected and not selected for official publication.

SUPREME COURT OF THE STATE OF NEW YORK
NEW YORK COUNTY

PRESENT: HON. LEWIS JAY LUBELL

PART

IAS MOTION 29

Justice

-----X
JUAN FERNANDEZ,
Plaintiff(s),
- v -

INDEX NO. 161024/2017
MOTION DATE 10/09/2020
11/23/2020
MOTION SEQ. NO. 002 003

SUB 412 ASSOCIATES, LLC, 2398 REALTY ASSOCIATES,
LLC, ARAMIS, INC, DESIGN REPUBLIC PARTNERS
ARCHITECTS, LLP, NUCOR CONSTRUCTION CORP.,

DECISION + ORDER ON
MOTION

Defendant(s).
-----X

ARAMIS, INC

Third-Party
Index No. 595970/2019

Plaintiff(s),

-against-

NUCOR CONSTRUCTION CORP.

Defendant(s).
-----X

SUB 412 ASSOCIATES, LLC, 2398 REALTY ASSOCIATES,
LLC

Second Third-Party
Index No. 595989/2019

Plaintiff(s),

-against-

NUCOR CONSTRUCTION CORP.

Defendant(s).
-----X

DESIGN REPUBLIC PARTNERS ARCHITECTS, LLP

Third Third-Party
Index No. 595995/2019

Plaintiff(s),

-against-

NUCOR CONSTRUCTION CORP.

Defendant(s).
-----X

NUCOR CONSTRUCTION CORP.

Fourth Third-Party
Index No. 595145/2020

Plaintiff(s),

-against-

ANFIELD INTERIORS, INC., MANHATTAN FINE CLEANERS
INC.

Defendant(s).

-----X

ARAMIS, INC

Fifth Third-Party
Index No. 595264/2020

Plaintiff(s),

-against-

ANFIELD INTERIORS, INC.

Defendant(s).

-----X

The following e-filed documents, listed by NYSCEF document number (Motion 002) 139, 140, 141, 142, 143, 144

were read on this motion to/for CONSOLIDATE/JOIN FOR TRIAL

The following e-filed documents, listed by NYSCEF document number (Motion 003) 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163

were read on this motion to/for ORDER OF PROTECTION

Upon the foregoing documents, it is

ORDERED that Motion Seq. Nos. 2 and 3 are granted in their entirety with no opposition filed and without prejudice to any further application relative to these two motions; and it is further

ORDERED that the Third-Party Action bearing Index No. 595970/2019, the Second Third-Party Action bearing Index No. 595989/2019, and the Third Third-Party Action bearing Index No. 595995/2019 are hereby discontinued by stipulation and order of the Court as all parties to those actions are direct defendants in the main action; and it is further

ORDERED that any direct claims in the Third-Party Action, the Second Third-Party Action, and the Third-Party Action are hereby converted to cross-claims in the main action; and it is further

ORDERED that the Fourth Third-Party Action bearing Index No. 595145/2020 will now be referred to as and deemed the Third-Party Action and the Fifth Third-Party Action bearing Index No. 595264/2020 will now be referred to as and deemed the Second Third-Party Action.

ORDERED that the amended caption shall read as follows:

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

-----X
JUAN FERNANDEZ,

Plaintiff(s),

Index No.: 161024/2017

-against-

SUB 412 ASSOCIATES, LLC, 2398 REALTY ASSOCIATES, LLC, ARAMIS, INC, DESIGN REPUBLIC PARTNERS ARCHITECTS, LLP, NUCOR CONSTRUCTION CORP, and THE ESTEE LAUDER COMPANIES, INC.,

Defendant(s).

-----X
NUCOR CONSTRUCTION CORP.,

Plaintiff(s),

Third-Party Action
Index No.: 595145/2020

-against-

ANFIELD INTERIORS, INC. and MANHATTAN FINE CLEANERS INC.,

Defendant(s).

-----X
ARAMIS INC.,

Plaintiff(s),

Second Third-Party Action
Index No.: 595264/2020

-against-

ANFIELD INTERIORS, INC.,

Defendant(s).

-----X

ORDERED that within twenty (20) days from entry of this order, counsel for the moving party shall e-file and serve a copy of this order with notice of entry along with 'Notice to County Clerk' Form EF-23 upon the County Clerk and the Clerk of the General Clerk's office who are directed to amend the caption and mark the court's records to reflect the aforementioned changes.

5/14/2021

DATE



LEWIS JAY LUBELL, J.S.C.

CHECK ONE:

CASE DISPOSED

NON-FINAL DISPOSITION

GRANTED

DENIED

GRANTED IN PART

OTHER

APPLICATION:

SETTLE ORDER

SUBMIT ORDER

CHECK IF APPROPRIATE:

INCLUDES TRANSFER/REASSIGN

FIDUCIARY APPOINTMENT

REFERENCE