

Rael Automatic Sprinkler Co., Inc. v 20 TSQ Groundco LLC
2022 NY Slip Op 31889(U)
June 15, 2022
Supreme Court, New York County
Docket Number: Index No. 160958/2020
Judge: Joel M. Cohen
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SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK: COMMERCIAL DIVISION PART 03M

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RAEL AUTOMATIC SPRINKLER COMPANY, INC.,
Plaintiff,

INDEX NO. 160958/2020

MOTION DATE 02/28/2022

- v -

MOTION SEQ. NO. 001

20 TSQ GROUNDSCO LLC,CNY CONSTRUCTION 701
LLC,NATIXIS REAL ESTATE CAPITAL LLC,NATIXIS,
NEW YORK BRANCH, NEW YORK TUBS, LLC,FACADE
TECHNOLOGY, LLC,HARDER SERVICES,
INC.,SIGNATURE METAL AND MARBLE
MAINTENANCE, LLC,TEXAS SCENIC COMPANY,
INC.,PENGUIN MAINTENANCE AND SERVICES,
INC.,SOLAR ELECTRIC SYSTEMS, INC.,A.F. SUPPLY
CORP., TREX COMMERCIAL PRODUCTS,
INC.,SAFWAY ATLANTIC, LLC,B.A.C.C. BUILDERS
INC.,LIF INDUSTRIES, LLC,CUMMING MANAGEMENT
GROUP, INC.,LIVINGSTON ELECTRICAL ASSOCIATES,
INC.,PGS MILLWORK, INC.,TRANSCONTINENTAL
CONTRACTING, INC.,ARGOSY DESIGNS
INC.,AMERICAN INDUSTRIES CORP. OF NEW YORK,
UNITED STATES INFORMATION SYSTEMS, INC.,PLATT
BYARD DOVELL WHITE ARCHITECTS L.L.P., ASPRO
PLUMBING INC.,DESIMONE CONSULTING
ENGINEERING GROUP, LLC,CONSOLIDATED CARPET
WORKROOM, LLC,BLONDIE'S TREEHOUSE
INCORPORATED, PARAMOUNT PAINTING GROUP,
LLC,DOOR AUTOMATION CORP., SMARTWOOD
INTERNATIONAL LLC,E. FRIEDMAN ASSOCIATES,
INC.,INFINITE SAFETY, QUALITY, AND
CONSTRUCTION MANAGEMENT INC.,ULE GROUP
CORP., TETRA TECH ENGINEERS ARCHITECTS &
LANDSCAPE ARCHITECTS, P.C. D/B/A COSENTINI
ASSOCIATES, D3 LED, LLC,NAVILLUS TILE,
INC.,FACADE MAINTENANCE SYSTEMS LLC,OTIS
ELEVATOR COMPANY, R&S UNITED SERVICES,
INC.,JEROME ALUMINUM PRODUCTS CORP.,
MONTBLEAU & ASSOCIATES, INC.,MARAGOS
PAINTING LLC,NEXT STEP DESIGN, JANTILE
INCORPORATED, JOHN DOE 1 THROUGH 10, 20 TSQ
LESSEE LLC,701 SEVENTH PROPERTY OWNER
LLC,THE WITKOFF GROUP, BURO HAPPOLD
CONSULTING ENGINEERS, P.C.,KINGS COUNTY
WATERPROOFING CORP., SERVICE GLASS & STORE
FRONT CO., INC.,METAL SALES CO., INC.,CORD
CONTRACTING CO. INC.

**DECISION + ORDER ON
MOTION**

Defendants.

3215. Plaintiff has established a prima facie case by submitting the verified complaint, the mechanics lien documents, notices and affidavits of service on defendants, and affidavits in support of the motion (*see* NYSCEF 198, 199, 201, 203, 205). Plaintiff adequately filed two affidavits in support of the motion for a default judgment by Kevin Cuneo-Tomasi, attorney for plaintiff Rael, and Michael Glass, Accounts Receivable Manager of Rael (*see* NYSCEF 198-99). Finally, Plaintiff has submitted proof that those Defendants were duly served with copies of the Summons and Verified Complaint and proof that Defendants failed to answer or appear (*see* NYSCEF 201, 205).

Defendants may seek a vacatur of the instant default judgment if they can satisfy the requirements of CPLR § 5015, CPLR § 317, or any other relevant law.

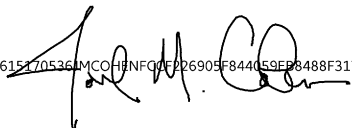
Accordingly, it is:

ORDERED that Plaintiff's Motion is **granted in part**, and the Clerk of the Court is directed to enter a judgment in favor of Plaintiff declaring that Defendants New York Tubs LLC, Signature Meal and Marble Maintenance LLC, Penguin Maintenance and Services Inc., Trex Commercial Products Inc., Door Automation Corp., Façade Maintenance Systems LLC, R&S United Services Inc., Jantille Incorporated, Next Step Design, Montbleu & Associates Inc., Maragos Painting LLC, and each of them and all persons claiming under them are forever foreclosed of all equity of redemption or other interest in the property located at 701 Seventh Avenue, New York, New York 10036 (Block 1000, Lot 001); and it is further

ORDERED that Plaintiff's Motion for default judgment against Defendants Paramount Painting Group LLC, Desimone Consulting Engineering Group, LLC, Transcontinental Contracting, Inc., and E. Friedman Associates, Inc., and B.A.C.C. Builders Inc. is **denied as moot**; and it is further

ORDERED that Plaintiff's counsel shall serve a copy of this order with notice of entry on Defendants within five (5) days from the date of this Order.

This constitutes the Decision and Order of the Court.


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JOEL M. COHEN, J.S.C.

6/15/2022
DATE

CHECK ONE:	<input type="checkbox"/>	CASE DISPOSED	<input checked="" type="checkbox"/>	NON-FINAL DISPOSITION	
	<input type="checkbox"/>	GRANTED	<input type="checkbox"/>	GRANTED IN PART	<input type="checkbox"/>
APPLICATION:	<input type="checkbox"/>	SETTLE ORDER		SUBMIT ORDER	
CHECK IF APPROPRIATE:	<input type="checkbox"/>	INCLUDES TRANSFER/REASSIGN		FIDUCIARY APPOINTMENT	<input type="checkbox"/>
				REFERENCE	