

SUPREME COURT OF THE STATE OF NEW YORK
NEW YORK COUNTY

PRESENT: HON. DEBRA A. JAMES PART IAS MOTION 59EFM

Justice

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INDEX NO. 161598/2018

NATHALIE CHEMOUNY, GARY SUID, and ALEXIA
PARPERI,

MOTION DATE 05/30/2019

Petitioners,

MOTION SEQ. NO. 001

- v -

DORDEVIC ADC INC.,

DECISION + ORDER ON
MOTION

Respondent.

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The following e-filed documents, listed by NYSCEF document number (Motion 001) 10, 12, 14, 15, 16,
17, 18, 20, 21

were read on this motion to/for DISCHARGE/CANCEL MECHANICS LIEN
ORDER

Upon the foregoing documents, it is

ORDERED that the Verified Petition seeking vacatur of the
mechanic's lien dated November 19, 2018 on the property known as
Unit #5 of the building located at 64 Grand Street, New York,
New York 10013, Block 475, Lot 28 (Property) is denied, and the
proceeding is dismissed.

DECISION

Respondent is correct that respondent properly named Grand
Street Artists Cooperative, Inc., which was by deed conveyed the
fee simple interest in the Property, as the owner on the subject
mechanic's lien. See Harlem Plumbing Supply Co., Inc. v
Handelsman, 40 AD2d 768 (1st Dept. 1972). Respondent is

likewise correct that with respect to their assertions that the amount stated in the mechanic's lien is "willfully exaggerated", petitioners' remedy is to petition the New York State Supreme Court "for an order directing the lienor within the time specified in the order to deliver to the petitioner[s] the [itemized] statement required by" Lien Law § 38.

10/9/2019
DATE

Debra A. James
DEBRA A. JAMES, J.S.C.

CHECK ONE:

CASE DISPOSED
 GRANTED DENIED

NON-FINAL DISPOSITION

APPLICATION:

SETTLE ORDER

GRANTED IN PART OTHER

CHECK IF APPROPRIATE:

INCLUDES TRANSFER/REASSIGN

SUBMIT ORDER

FIDUCIARY APPOINTMENT REFERENCE