INDEX NO. 517544/2016

RECEIVED NYSCEF: 09/25/2018

NYSCEF DOC. NO. 53

SUPREME COURT OF THE STATE OF NEW YORK COUNTY OF KINGS

STELLAR HARDWARE INC., d/b/a STELLAR HARDWARE & BATH,

Index No.517544/2016

Plaintiff,

JUDGMENT

- against -

LIOR GOLAN and PRESTIGE CUSTOM BUILDING & CONSTRUCTION, INC.,

Defendants.

Upon the motion by defendants Lior Golan and Prestige Custom Building & Construction, Inc., by their counsel Ellie S. Konstantatos by Notice of Motion filed on September 5, 2017, for summary judgment dismissing the plaintiff's complaint, with the affirmation of Ellie S. Konstantatos, affidavit of Lior Golan and memorandum of law all filed on September 5, 2017 in support of the motion; and

Upon the cross-motion by plaintiff Stellar Hardware Inc., d/b/a Stellar Hardware & Bath, by its attorney Ronald Francis by Notice of Cross-Motion filed on October 31, 2017, for summary judgment on its causes of action against defendants for account stated, with the affidavit of Sheik Anif and memorandum of law all filed on October 31, 2017 in support of the cross-motion and in opposition to defendants' motion for summary judgment; and

Upon the affirmation of defendants' attorney Ellie S. Konstantatos filed on January 9, 2018 in opposition to the cross-motion, and the memorandum of law filed on January 24, 2018 by plaintiff's counsel in reply; and

Upon both motions coming before the Court on January 25, 20018, and the counsel for both plaintiff and defendants appearing for the motions; and



Upon the Court hearing oral arguments on January 25, 2018 on both motions; and

Upon the Court denying the motion by defendants for summary judgment dismissing the complaint by Order dated January 25, 2018 and filed on the 31st day of January, 2018 by the Clerk of the Supreme Court, Kings County; and

Upon the Court granting the cross-motion by plaintiff for summary judgment on its causes of action against defendants for an account stated by Order dated January 25, 2018 and filed on the 31st day of January, 2018 by the Clerk of the Supreme Court, Kings County;

NOW, on motion of Ronald Francis, attorney for plaintiff Stellar Hardware Inc., d/b/a Stellar Hardware & Bath, it is

Clerk

NANCY T. SUNSHINE Clerk

SOIB SED ST WH 8:32 SHINGS COUNTY CLERK

NYSCE 1560 Bill on South South CPLE sections			COPYRIGHT 1973 BY JULIUS BLUMBERG INC. ST754472011
SUPPEME COURT O	p the	STO	TTE OF NEW YORK INDEX No. 517544/2016
STELLAR HARDWAR	s IN	٥.,	
HARDWARE + BAT		- 1	
	against		Plaintiff(sed) Costs of Plaintiff
	ogauss.	e e = =	Costs of P (2(NT))
LIOR GOLAN and	· PR	2-3 (THE CONOM
Costs before note of issue			
Costs before note of issue	200	00	Fee for index number CPLR \$8018(a). 2/0 00
Costs before note of issue	200	00	Referee's fees CPLR §8801(a)1 Commissioner's compensation CPLR §8801(a)2
CPLR \$8201 subd. \$			Clarks The, hijing notice of pend, or attach.
Allowance by statute			C Clark mee cancel notice of pend. GPLR \$8021(a)12
Allowance by statute. CPLR \$2802(a)(b) Additional allowance. OPLR \$8802(d)			Entering and docketing judgment OPLR \$8301(a)7 \$8016(a)2
Motion Costs			Paid for searches OPLR \$8301(a)10
Appeal to App. Div. or App. Term before argument OPLE \$2203 subd. 1			Serving copy summons & complaint CPLR \$8011(c)1 \$8801(d) _ 55
Appeal to App. Div. or App. Term for argument		8	Pad refereds report OPLR \$8020(a)12
OPLR \$8208 subd. 2 Appeal to Court of Appeals		ATT.	Dertified copies of papers CPLR 48301(a)4
before argument CPLR \$8204 subd. 1		10/	Springschien Diece CPLR \$5020(a) \$8021
Appeal to Court of Appeals for argument CPLR \$8204 subd. 2		,	\ \\ \C\tau\ned \Copy of judgment CPLR \$8021
or The Sound arion.		:	
			Attendataphers' fees CPLR \$8002 \$8801
b			Striff feet on execution CPLR \$8011(b) \$8012
			Sheriff's fees, attachment, arrest, etc. CPLE \$8011(a) (e)2, 3(g)
			Paid printing cases CPLR \$8801(a)6 Paid printing case, CPLR \$8801(a)8
			Clerk's fees Court of Appeals CPLR \$8801(a)12
_			Paid copies of papers CPLR \$8016(a)4
C 55.0	200	20	Face for publication gray process (1)
costs at \$ 5 CM	-(1)	-	Serving subpoena CPLR \$8011(e)1 \$8301(d)
Costs at \$ 6 5 5 0			Serving subpoens CPLR \$8011(e)1 \$8301(d)
Inis	Coun	N	" " Loan Commissioner's Search P
Clerk of Court Kings	Ogu.		" " U.S. Circuit Court Search TT
Clerk of oog			" " Tax Search D
NANCY T. SUNSHIN	-		Attendance of Witnesses: CPLR \$8001(a)(b)(e) \$8801(a)1
Clerk			Attendance of Witnesses: CPLR \$8001(a)(b)(e) \$8801(a)1
			Cherlis fee to Enter Judgmat 45 00
Costs	\$400	OD	C(CV F) for
Detromanianian	485	00	
DISBURSEMENTS	425	00	485 00
TAIVE	I VLZ >	1 - 0	

41.

tier

RECEIVED NYSCEFG: 09/4250/2018 RECEIVED NYSCEF: 09/20/2018

STATE OF NEW YORK, COUNTY OF NEW TOX

ATTORNEY'S AFFIRMATION

The undersigned, an attorney admitted to practice in the courts of this state, affirms: that he is

in the above entitled action; that the foregoing disbursements have been or will necessarily be made or incurred in this action and are reasonable in amount and that each of the persons named as witnesses, attended as such witness on the trial, hearing or examination before trial herein the number of days set opposite their names; that each of said persons resided the number of miles set opposite their names, from the place of said trial, hearing or examination; and each of said persons, as such witness as aforesaid necessarily traveled the number of miles so set opposite their names, in traveling to, and the same distance in returning from the same place of trial, hearing or examination; and that copies of documents or papers as charged herein were actually and necessarily obtained for use.

The undersigned affirms that the foregoing statements are true, under the penalties of perjury.

Dated: September 20, 2018

Plaintiff(s)

RONALD FRANCIS

Defendant(s)

tion Colon and Prostage Cotons

Contricted, the

かいしいるも

his clerk; partner; person having charge of said office.

by then and there leaving a true copy of the

during his absence from said office

strike out either (a) or (b)

•

herein, at his office at

attorney(s)

laxation on

(b) and said office being closed, by depositing a true copy

attorney(s), in the office letter drop or box

9

this

Sworn to before me,

same, enclosed in a sealed wrapper

directed to said

of the items of costs and disbursements in the within in the judgment. office in the courthouse thereof on the day of Sir; Please Take Notice that the within is a true cop taxed action*-taxed-and that the same will be the amount inserted o'clock in the Pure by the Clerk of Court, at his day that # 6

Yours,

depositing a true copy of same enclosed in a postpaid properly addressed wrapper, in-a post office-official depository under the exclusive care and custody of the United States Postal Service within New York State.

the address designated by said attorney(s) for that purpose

P

Attorney(s) for

pue costs taxation is hereby admitted Service of the within bill of

jo

19

iş.

Sworn to before me,

Jo day

notice

Attorney(s) for

one (CPLR \$8402 \$8408) * Strike out

GUPREME COURT OF THE STATE OF NEW YORK Index No. 517544 2016 COUNTY OF KILLES

8 Hardware Inc. 5+e(lar

ā

He Car

says; that deponent is not

and

That on the day of 19 deponent served the within bill of costs and notice of

State of New York, County of

deposes

a party to the action, is over 18 years of age and resides

deposes and says; that deponent is not

SWOTH,

being duly

party

age and resides

to the action, is over 18 years of

within bill of costs and notice of

To

day

deponent served the

do

taxation

That on the

attorney(s) for

State of New York, County of

2 of 2

4 of 4