

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF BRONX

-----X
CELESTE ASIM,

Plaintiff,

ORDER WITH NOTICE
OF ENTRY

-against-

Index #: 303982/2008

THE CITY OF NEW YORK, METROPOLITAN
TRANSPORTATION AUTHORITY, NEW YORK CITY
TRANSIT AUTHORITY, MANHATTAN AND BRONX
SURFACE TRANSIT OPERATING AUTHORITY and JOHN
DOE,

Defendants.
-----X


COUNSELORS:

PLEASE TAKE NOTICE, that annexed is a true copy of an Order duly entered in the
office of the Clerk of the within named Court on December 14, 2011.

12 JAN 24 AM 10:07
COUNTY CLERK
BRONX COUNTY

RECEIVED

Dated: New York, New York
January 11, 2012


ROTH & ROTH, LLP
By: Audra R. Roth
Attorneys for Plaintiff
192 Lexington Avenue, Suite 802
New York, New York 10016
(212) 425-1020
Our File No.: 5611

TO: MICHAEL A. CARDOZO, ESQ.
Corporation Counsel
Attorneys for Defendant
CITY OF NEW YORK
100 Church Street - 4th Floor
New York, New York 10007
(212) 788-0499
Law Dept #: 2008-020087

WALLACE D. GOSSETT, ESQ.
Attorney for Defendants

130 Livingston Street
Brooklyn, New York 11201
(718) 694-3874
File No.: BU-07-11-15-03-001

DEC 14 2011

PART 03

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

Case Disposed
Settle Order
Schedule Appearance

ASIM, CELESTE

Index No. 0303982/2008

-against-

Hon. LARRY S. SCHACHNER

CITY OF NEW YORK

Justice.

The following papers numbered 1 to 2 Read on this motion, REARGUE/RENEW/RESETTLE/RECONSIDER
Noticed on July 22 2011 and duly submitted as No. 6 on the Motion Calendar of December 1, 2011

	PAPERS NUMBERED	
Notice of Motion - Order to Show Cause - Exhibits and Affidavits Annexed	1	
Answering Affidavit and Exhibits <u>Cross Motion</u>	2	
Replying Affidavit and Exhibits		
_____ Affidavits and Exhibits		
Pleadings - Exhibit		
Stipulation(s) - Referee's Report - Minutes		
Filed Papers		
Memoranda of Law		

Upon the foregoing papers this motion and cross motion are consolidated and disposed of as follows. The city's motion to renew is granted. Upon renewal its motion for Summary Judgment dismissing the complaint against it is granted. Plaintiff's cross motion against the remaining defendants is granted. The documentation before the court, including the sworn testimony, affidavit and photographs indicate that the offending vehicle was an N.Y.A. Police vehicle. No opposition has been submitted to raise an issue of fact.

Motion is Respectfully Referred to:
Justice:
Dated:

Dated: 12/2/11

Hon. 
LARRY S. SCHACHNER, J.S.C.

AFFIDAVIT OF SERVICE

STATE OF NEW YORK
COUNTY OF NEW YORK ss.:

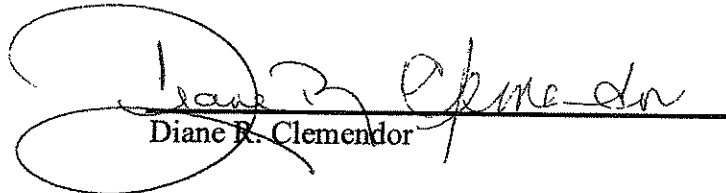
I, Diane R. Clemendor, being duly sworn, deposes and says:

I am over 18 years of age, I am not a party to the action, and I reside in the Kings County in the State of New York.

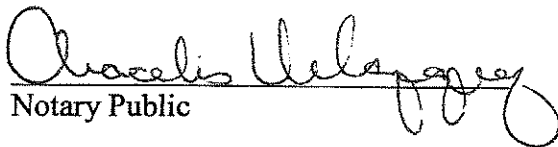
On, January 11, 2012, I served a true copy of the annexed, Order with Notice of Entry, by mailing the same in a sealed envelope, with postage prepaid thereon, in a post office or official depository of the U.S. Postal Service within the State of New York, addressed to the last known address of the addressee as indicated below:

MICHAEL A. CARDOZO, ESQ.
Corporation Counsel
Attorneys for Defendant
CITY OF NEW YORK
100 Church Street - 4th Floor
New York, New York 10007

WALLACE D. GOSSETT, ESQ.
Attorney for Defendants
130 Livingston Street
Brooklyn, New York 11201


Diane R. Clemendor

Sworn to before me this 11th
day of January, 2012


Notary Public

Aracelis Velezquez
Notary Public, State of New York
No. 01VE6237946
Qualified in Queens County
Commission Expires: March 28, 2015

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SURFACE TRANSIT OPERATING AUTHORITY and JOHN
DOE,

Defendants.
-----X

ORDER WITH NOTICE OF ENTRY

The below signature attests to the following papers: Order with Notice of Entry

By: 

Audra R. Roth

ROTH & ROTH, LLP
Attorneys for Plaintiff
192 Lexington Avenue, Suite 802
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(212) 425-1020