

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK: PART 62

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IN RE EAST 51<sup>ST</sup> STREET CRANE COLLAPSE  
LITIGATION

CONSOLIDATION ORDER

Index No.: 769000/2008

Date: 11/20/2008

**FILED**

DEC - 5 2008

COUNTY CLERK'S OFFICE  
NEW YORK

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PRESENT: KAREN S. SMITH, J.S.C.:

It is hereby ORDERED:

1) that the following cases be consolidated with the instant consolidation for purposes of discovery and trial:

A) Eveready Insurance Company a/s/o Luz Lalich v New York Crane and Equipment Corporation, et al, Index No. 026143/2008

B) Rite Aid of New York , Inc. v East 51<sup>st</sup> Street Development Company, LLC et al, Index No. 113754/2008

C) Fireman's Fund Insurance Company a/s/o NY Crane and Equipment Corporation v East 51<sup>st</sup> Street Development Company, LLC et al, Index No. 113484/2008

D) Susan Jendersee, as Administratrix of the Estate of Clifford Canzona v East 51<sup>st</sup> Street Development Company, LLC. et al, Index No. 113965/2008

E) Rosalie Stephens, individually and as Administratrix of the Estate of Aaron Stephens v The City of New York et al, Index No. 113949/2008

F) Solomon v Kennelly Development Co., LLC, Index No 114922/2008

G) Bleidner v East 51<sup>st</sup> Street Development Company et al, Index No. 111098/2008

H) Battistello v East 51<sup>st</sup> Street Development Company, LLC et al, Index 111409/2008

*Faxed*  
~~Scanned~~ to New York EF on 12/5/08

2) that the following cases be consolidated with the instant consolidated action for purposes of joint discovery only:

A) Admiral Insurance Company v Joy Contractors, Inc. et al, Index No. 108852/2008

B) Reliance Construction, Ltd. v East 51<sup>st</sup> Street Development Company, LLC et al Index No. 602177/2008

3) All cases referred to in this order shall be administered pursuant to and as set forth in this Court's Case Management Orders for the East 51<sup>st</sup> Street Crane Collapse Litigation cases.

Dated: December 4, 2008

ENTER:



Hon. Karen S. Smith, J.S.C.

**FILED**

DEC - 5 2008

**COUNTY CLERKS OFFICE  
NEW YORK**