

Disla v Groupe Robert Inc.

2022 NY Slip Op 34809(U)

June 22, 2022

Supreme Court, Queens County

Docket Number: Index No. 711152/2018

Judge: Ulysses B. Leverett

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This opinion is uncorrected and not selected for official publication.

At a Trial Scheduling Part held in and for the County of Queens, New York at the Queens County Supreme Court, 88-11 Sutphin Blvd, Jamaica, NY on the 22nd day of June, 2022.

P R E S E N T : Hon. Ulysses Leverett
J.S.C.

-----X
HADASSAH DISLA,

Plaintiff,

Index No. 711152/2018

Seq # 8 + 9

-against-

ORDER

GROUPE ROBERT INC., TRANSPORT ROBERT LTEE., MARCO FERLAND, FIVE STAR PRINTING, INC., JUNIOR PREREZ GARABITOS, KEURIS VALLEJO ROMERO and JAMAICA COMMERCIAL PROPERTIES, INC.,

Defendants.
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Plaintiff Hadassah Disla having moved for an Order pursuant to CPLR 3212 granting partial summary judgment on the issue of liability against the Defendants Groupe Robert, Inc., Transport Robert LTEE and Marco Ferland (The Groupe Robert Defendants), by Notice of Motion dated January 4, 2022, and striking the Fourth, Fifth, Seventh, Ninth, Tenth, Fifteenth and Sixteenth Affirmative Defenses contained in the Answers of The Groupe Robert Defendants; and

The Court having read and considered the Affirmation of Plaintiff's counsel, Thomas P. Valet, dated January 4, 2022, and the Exhibits annexed thereto, and Plaintiff's Memorandum of Law dated January 4, 2022, in support of the Motion; and

The Court having read and considered the Affirmation of Douglas Conners, counsel for The Groupe Robert Defendants, dated January 31, 2022, and the Exhibits annexed thereto in

partial opposition to the Motion; and

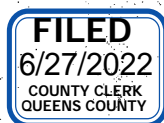
The Court having read and considered the Reply Affirmation of Plaintiff's counsel Thomas P. Valet dated February 7, 2022, in further support of the Motion; and

The Court having provided the Parties with the opportunity to be heard on the Motions by their attorneys, Doug Conners, Esq., for the Groupe Robert Defendants; Gavin Fields, Esq., for the Defendant Five Star Printing; and Thomas P. Valet, Esq., for the Plaintiff, on June 16, 2022, via Teams Meeting remote conference,

NOW THEREFORE, Plaintiff's motion pursuant to CPLR 3212 for an Order granting partial summary judgment on the issue of liability against The Groupe Robert Defendants is denied; and

Plaintiff's motion for an Order striking the Fourth, Fifth, Seventh, Ninth, Tenth, Fifteenth and Sixteenth Affirmative Defenses contained in the Answers of the Groupe Robert Defendants is granted, and Plaintiff's name shall not appear on the Verdict Sheet with respect to any alleged culpable conduct of the Plaintiff.

ENTER:



Ulysses B. Leverett
J.S.C.

Hon. Ulysses B. Leverett

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