

SUPREME COURT OF THE STATE OF NEW YORK — NEW YORK COUNTY

Sub #1

PRESENT: Jacqueline W. Silbermann
Justice

PART _____

IN RE EAST 51ST STREET
CRANE COLLAPSE LITIGATION

INDEX NO. 769000/2008

MOTION DATE _____

MOTION SEQ. NO. _____

MOTION CAL. NO. _____

The following papers, numbered 1 to _____ were read on this motion to/for _____

Notice of Motion/ Order to Show Cause — Affidavits — Exhibits ...Memorandum
Answering Affidavits — Exhibits — Memorandum _____
Replying Affidavits — Memorandum _____

PAPERS NUMBERED

1

Cross-Motion: Yes No

Upon the Court's own motion, it is ORDERED that the County Clerk of New York County is directed to issue, without fee, a Case Management Index Number for the matters being litigated before the Honorable Karen S. Smith alleging injury, property damage and/or contract claims in connection with the crane collapse at East 51st Street, New York, New York on March 15, 2008. For purposes of Case Management, all orders, papers and pleadings relating to the combined litigation shall bear the caption "IN RE EAST 51ST STREET CRANE COLLAPSE LITIGATION". The Case Management Index Number assigned to the combined litigation shall be "769000/2008". However, any orders, papers or pleadings having specific application one or more, but not all of the individual actions involved in this matter, shall be filed under the individual case caption(s) and index number(s) to which they relate.

This order shall apply to the following, pending cases, which have been consolidated for purposes of joint discovery and joint trial: *Delle Porta v E 51st Street, et al* (Index No. 104427/2008), *Gallone v E 51st Street et al* (Index No. 108131/2008), *Mazza v E 51st Street et al* (Index No. 107756/2008), *White v E 51st Street* (Index No. 105656/2008), *Rapetti v E 51st Street* (Index No. 107688/2008) and *Gallego v E 51 St Street et al* (New York County Index No. 402179/2008, formerly Kings County Index No. 13504/2008) and to the following, pending cases, which have been consolidated for purposes of joint discovery only; *Reliance v E 51 st Street et al* (Index No. 601342/2008), and *Reliance v Kennelly & Schaoul* (Index No. 601373/2008). This order shall also apply to such cases, now pending or hereafter commenced, as may be consolidated into the combined litigation by any subsequent order of the court.

The foregoing constitutes the decision and order of this court.

FILED

NOV 26 2008

NEW YORK
COUNTY CLERK'S OFFICE

Dated: 11/26/08

Hon. Jacqueline W. Silbermann, J.S.C.

Administrative Judge

Check one: FINAL DISPOSITION NON-FINAL DISPOSITION
Check if appropriate: DO NOT POST REFERENCE

MOTION/CASE IS RESPECTFULLY REFERRED TO JUSTICE FOR THE FOLLOWING REASON(S):