

J DAVIS  
5/22/07

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NASSAU

-----X  
STATE FARM MUTUAL AUTOMOBILE INSURANCE  
COMPANY and STATE FARM FIRE AND CASUALTY  
COMPANY,

Index No.: 01-013229

Plaintiffs,

-against-

**Individual Defendants:** PAATA ABJANDADZE, DEMIS ANDREEV, ARTHUR ANDRIASOV, PAATA ARAVISELI, MANANA ARUITNOVI, ZAMIRA ASLANISHVILI a/k/a VILI ASLAHISM, VYACHESLAV AZAYEV, SHORENA BARBAKADZE, RUSLAN BASANYUK, EKATERINA BEGIASHVILI, LILYA BHEUBORSKGYER, ELLA BOBULDLANSKY, ALEXANDER BOIAKHCHIAN, ANNA BOLOTINSKAYA, VITALI BONDARENKO, ALEKSANDR BORODHY, PAATA BREGVADZE, BUDGET GROUP, INC., TAMARA BULAYEVA, ZAZA BURNADZE, ANDREY BYLOV, MIKHAIL BYLOV, JOSE F. CARDERAS, GURAM CHAVCHAVADZE, VLADIMIR CHEPEL, RAIBUL CHUBINIDZE, BETTY CLACKEN, SHAWN COLLINS, ANDRE DAVIS, NIDIO DELGADILLO, VAISHTANG DIAKONIDZE, ANDRE DRAGAN, MARINA DUDAURI, TARIEL DUDAURI, ELRAC, INC., VEPKIA EPKOSHVILI, SERGEY FEDEROV, KENNETH FETHKE, YEVGENIYA FOMICHYOVAI, NAUM FRANSTER, SONYA FRANSTER, GALINA FREIMAN, CHRISTINE FRISCIA, MICHAEL FRISCIA, NATALIA FROLOVA, YACHIN GADJIYAN a/k/a YALCHIN GADJIYEV, SVETLANA GAITCHIKOVA, IRYNA GALOVKO, TETYANA GASHKOVA, EFIM GEDELEV, a/k/a YEFIM ZHIDELEV, IRINA GEGETCHKORI, NANA GERMANIDZE, LIANA GEVORKOVA, MARK GRINBERG, MELADZE GOCHA, VAZHA GOCHAISHVILI, IVAN GODERDZISHVILI, FELIX GOFMAN, KHATUNA GOGBAIDZE, MADONNA GOMEACHVILI, GENNAIDY GRIVENCHIKOV, YAKOV GUREVICH, GOCHO GUTASHVILI, a/k/a GOSHA GUTASHVILI, AVTANDIL GVADZHIYA, TORE HAMIDULLAH, PARVIZ HASANOV, HERTZ CORP., EKA ICHKITIDZE, INFINITY FINANCIAL SERVICES, INC., NONA IOBASHVILI, VAHKTANG IZORIA, JAYHUN JAFAROV, YURIY KALAROV, NINO KARDAVA, DAVIT KHIZANISHVILI, EKA KHIZANISHVILI, KAKHABER KHIZANISHVILI, BESIK KHUKIANIDZE, LYUDMILA KIFUDYAN, SEMYON KOGAN, YEFIM KOGAN, SERGEY KOLESOV, NINO KOLOTASHVILI, VALENTINA KOTELNIKOVA, ALEXANDRE KOZHEVNIKOVA, KATERYNA KOZHEVNIKOVA, VLAD KOZLOV, GEORGE KURPRASHVILI, GULKIN KURPRASHVILI, ADRIANA KYZYKI, ADIM LADFUAGAIEV, GAYLA LAISCHEVCEVA, a/k/a GALINA LAISHEVTSEVA, SERGEY LEBEDEV, LEONID LESKOV, TAMAZ LETODIANI, HUA LIN, YAN GUAN LIN, MERAB LIPARTIA, DAVID LOLASHVILI, KATTYA LOPEZ, VARDIO MAKHARDIZ,

SABUKHI MAMEDOV, NINO MAMPORIA, EMIL MANUKIAN, SUSANA MATEVOSIAN, GIVI MCHEDLISHVILI, MARK MEELEY, GELA MESKISHVILI, MICHAEL MESTVIRISHVILI, ALDO MERAGLIA, DIANE MERAGLIA, JULIE ANN MERAGLIA, ROMANOZ MIKAELIAN, FARIJ MOHAMED, DMITRIY MOROZOV, VERA MOROZOV, a/k/a VERA MOROZOVA, KOBAMTCHEDLISHVILI, OREST MYTSKIV, KATAZINE NABIDAZEI, WILLIAM NELSON, LARISSA NORKINA, LARISA NUGZARASHVILI, OREST INC., MARINA ORZHEL, VIRGINIA PACIELLO, VITO PACIELLO, VALENTINA PETRENKO, GALINA PILNER, BORIS PLESHKOV, BESIK POCHKMIDZE, KIRILL RAPIOVETS, ASTRID RIVERA, JESUS VELEZ RIVERA, RAFFAELE ROMAGNUOLO, MILIYA ROZHENKO, YIN KWAN RUAN, SHU MING RUAN, VITALY RUJANFKIY, DONNA SAGLAM, IHAB SALEH, DOMENIC SALLEY, SHARON HARRISON-SALLEY, BONDO SAMANISHVILI, MANANA SAPONOVA, RENAT SARAZUTDINOV, OLGA SENKEVICH, KOSTY SEROEV, FRANCES SFALANGA, PAVEL SHAVISHVILI, GALENA SHKREBA, LARISA SHULGA, VOLADYMYR SHYLBERG, LYUDMILA SIDELNIKOVA, GEORGI SIMONYAN, SERGO SIMONYAN, LEYLA SIRADZE, ALEXANDRE SKALKA, TULPANA TABARU, ZURAB TALAKHADZE, LUNG SANG TAN, TANATINI TCABASHVILI, ALAVIDZE TENGIZ, OLEG TERENTIEVA, SVETLANA TERENTIEVA, RIVAS TODRIA, EMZARI TURKIA, NICHOL CHESTER TYRENE, UNITED-2 INC., MZIA USTARASHVILI, IRENE VAINBLAT, RAYN VAYNSHREN, BRYAN VOLPINI, YUDIN VYACHSLAV, WAVES OF WHEAT, INC., ROSEANN WEINEIER, LORA YAKUBOVA, ANDREY YASHCHENGKO, PETR YASHCHENGKO, ALEXANDER YEVDOKIMENKO, KYONG YOON, SYDNEY YOON, NODAR ZAKAIDZE,

**Health Care Defendants.** A&A TRANSPORTATION, INC., A&S MEDICAL, P.C., A. KHODADADI RADIOLOGY, P.C., AAA MEDICAL EQUIPMENT & SUPPLY, INC., ACTIVE BUSINESS CORP., INC., ADAM'S MEDICAL SUPPLY, INC., ADVANCED CHIROPRACTIC SPINAL CARE, P.C., ADVANCED OSTEOPATHIC SERVICES, P.C., ADVANCE RADIOLOGICAL IMAGING ASSOCIATES, ALEXANDER MERSON, M.D., ALEXANDER TVERSKY, M.D., ALFA DIAGNOSTIC IMAGING, P.C., ALFA MEDICAL SUPPLIES, INC., ALGAR MEDICAL SUPPLIES, INC., ALL MENTAL CARE MEDICINE, P.C., ALL NEUROLOGICAL SERVICES, P.C., ALLEVIATION SUPPLY INC., A.M. MEDICAL, P.C., AMERIMED MEDICAL & SURGICAL SUPPLIES, INC., AMOL, INC., AMR A. NAYEL, M.D., A.N. MEDICAL SERVICES, P.C., ANDREW B. WEISS, M.D., ANSCONA AMBULETTE SERVICE, INC., ASCOT RADIOLOGY IMAGING, P.C., A.T. MEDICAL, P.C., ATLANTIC PT, P.C., AVIR SURGICAL SUPPLIES, INC., BACKCARE CHIROPRACTIC, P.C., BAY MEDICAL SERVICES, P.C., BAYRIDGE MEDICAL & SURGICAL SUPPLY, INC., BENSONHURST CAR SERVICE CORPORATION, INC., BIG APPLE MEDICAL CARE, P.C., BORIS SAPOZHNIKOV, BOVA SURGICAL & MEDICAL SUPPLIES, INC., BRAVO MEDICAL SUPPLY, BRIAN CHANG, BROOKLYN

CHIROPRACTIC, P.C., BROOKPHIL MEDICAL CARE, P.C., BZ  
CHIROPRACTIC, P.C., CARMEN I. OLMEDO, M.D, CENTRAL  
RADIOLOGY SERVICES, P.C., CHI-POINT ACUPUNCTURE, P.C.,  
CHIROPRACTIC FUNCTIONAL REHABILITATION, P.C.,  
CHIROPRACTIC SPINE & BODY CARE, P.C., CITYWIDE  
MEDICAL SERVICES, P.C., CITYWIDE SOCIAL WORK &  
PSYCHOLOGICAL SERVICES, PLLC, CLEAR LIGHT  
PSYCHOLOGICAL SERVICES, P.C., CLEAR MIND  
PSYCHOLOGICAL SERVICES, P.C., COAST TO COAST EXPRESS,  
COLUMBIA ACUPUNCTURE, P.C., COMPLETE RADIOLOGY,  
P.C., COMPREHENSIVE CONSULTING SERVICES, INC.,  
COMPREHENSIVE MENTAL ASSESSMENT & CARE, P.C.,  
COMPREHENSIVE MEDICAL DIAGNOSTIC TESTING, P.C.,  
DANIEL BOKOR, DC, DEAJESS MEDICAL IMAGING, P.C.,  
DEFINITIVE MEDICAL CARE, P.C. a/k/a NEW  
PSYCHOLOGICAL SERVICES, P.C., DENTAL DIAGNOSTIC, P.C.,  
DJS MEDICAL SUPPLIES, INC., EAST ACUPUNCTURE, P.C.,  
EAST COAST MEDICAL SUPPLIES, INC., EDISON MEDICAL  
SERVICES, P.C., EMILYA MIZHERITSKAYA, M.D., EMPIRE  
TRANSPORTATION a/k/a REM TRANSPORTATION, INC.,  
ENVISION DIAGNOSTIC SERVICES, INC., EVE PHARMACY,  
INC., EVILIO ECHENIQUE, M.D., EX-L AMBULETTE SERVICE,  
INC., FIRST DIAGNOSTIC IMAGING, P.C., FUNCTIONAL  
PHYSICAL THERAPY, P.C., G&G MEDICAL ASSOCIATES, LLP,  
G&M AMBULETTE SERVICE, INC., G.A. PHYSICAL THERAPY,  
P.C., GABRIEL FELDMAR, PhD, GEL'S TRADING CO., CORP,  
GLOBAL MEDICAL CARE, O.L., P.C., GOLDEN TOUCH  
PHYSICAL THERAPY AND REHABILITATION, P.C.,  
GREENPOINT DENTAL GROUP, P.C., G.X. ACUPUNCTURE, P.C.,  
HAIMISH TRANSPORTATION SERVICE, INC., HEALTH &  
WELLNESS CHIROPRACTIC, P.C., HEALTH VALUE MEDICAL,  
P.C., HEALTH LINE MEDICAL SUPPLY, INC., HEALTHY  
LIFESTYLE - SVO INC., HIA-BENSONHURST IMAGING  
ASSOCIATES L.L.P., IGOR KHELEMSKY, M.D., IMPERIAL  
SURGICAL & MEDICAL SUPPLY, INC., INTERNATIONAL  
TRADING, INC., IVB MEDICAL SUPPLY, INC., JAMES T,  
SANTORO, D.C., JEFF CHASE, M.D., P.C., JERUSALEM CAR &  
LIMO SHONNER SHABAT, INC., JOHN DOE 1, JOHN DOE 2,  
JOSEF SHERMAN, PHYSICIAN, P.C., JOSEPH MECCA, M.D.,  
JRWB DIAGNOSTIC IMAGING, P.C., a/k/a OCEAN OPEN MRI,  
P.C., JULIA ACUPUNCTURE, P.C., J.Y. PROFESSIONAL  
RADIOLOGY, P.C., KAIZEN ACUPUNCTURE, P.C., KANTON  
ACUPUNCTURE, P.C., KEYSTONE MEDICAL SUPPLY, INC., L&A  
MEDICAL SUPPLIES CORP., L&M CHIROPRACTIC, P.C., LIBRA  
MEDICAL SUPPLY, INC., LIFE ACUPUNCTURE, P.C., LIFETIME  
MEDICAL SUPPLY, INC., LISAN MEDICAL SUPPLIES, INC.,  
LISANN NEIL MICHAEL, M.D., LMK PSYCHOLOGICAL  
SERVICES, P.C., LONG YAN ACUPUNCTURE SERVICES, P.C., LI  
FIRST AID MEDICAL SUPPLY, INC., LUTHERAN MEDICAL  
CENTER EMERGENCY PHYSICIANS, P.C., LUTHERAN  
MEDICAL CENTER, LYUDMILA LVOV, M.D., M.A.G. MEDICAL,  
P.C., MAIMONIDES MEDICAL CENTER, MALIBU  
ACUPUNCTURE, P.C., MARK KOSTIN MEDICAL, P.C., MARINA  
MERSON, LAC, MB HEALTHBEAT MEDICAL, P.C., MEDICAL

ACUPUNCTURE-AHOY, P.C., MEDICAL EXPERTISE, P.C.,  
MEDTRON INC., MEGARAY MEDICAL, P.C., METAL DRAGON  
ACUPUNCTURE, PLLC., METRO MEDICAL DIAGNOSTICS, P.C.,  
MICRO SOLUTION PROVIDER, INC., MIDBORO MEDICAL  
HELP, P.C., MIDWAY MEDICAL SUPPLY, INC., MIDWOOD  
ADVANCED MEDICAL SERVICES, P.C., MINGMEN  
ACUPUNCTURE SERVICES, P.C., MN DENTAL DIAGNOSTIC,  
P.C., MODERN PSYCHIATRIC SERVICES, P.C., MULTIQUEST  
PSYCHOLOGICAL, ACUPUNCTURE, MASSAGE, THERAPY &  
SOCIAL WORK SERVICE, PLLC, MYOFACIAL DENTAL  
DIAGNOSTIC, P.C., NACHUM LEVIN, M.D., NEUROHEALTH  
PLUS MEDICAL, P.C., NEUROLOGY GROUP, PLLC., NEW  
ABILITY MEDICAL, P.C., NEW MILLENNIUM CHIROPRACTIC,  
P.C., NEW MILLENNIUM MEDICAL, P.C., NEW  
PSYCHOLOGICAL SERVICES P.C., NEW YORK CITY HEALTH  
AND HOSPITAL, NK MEDICAL SERVICE, P.C., NORTH BRONX  
MEDICAL, P.C., NORTH SHORE UNIVERSITY HOSPITAL,  
NORTH STAR MEDICAL, P.C., NORTH STAR PHYSICAL  
MEDICINE, PLLC., NOSTRAND MEDICAL, P.C., NY MEDICAL &  
DIAGNOSTIC, P.C., OLEG NASHTATIK, DDS, OMEGA PLUS  
MEDICAL SUPPLIES, INC., OP MEDICAL DIAGNOSTIC, P.C.,  
OPTIMUM CHOICE ACUPUNCTURE, P.C., PARK AVENUE  
SOUTH CHIROPRACTIC, PARK RADIOLOGY, P.C., PARK SLOPE  
MEDICAL DIAGNOSTICS, P.C., PARKVILLE MEDICAL, P.C.,  
PARKWAY HOSPITAL, PARKWAY MRI, P.C., PHYLLIS OLSEN,  
LAC., PLP ACUPUNCTURE, P.C., PRECISION DIAGNOSTIC  
IMAGING, P.C., PERSONAL TOUCH MEDICAL, P.C.,  
PREFERRED CAR SERVICE, INC., PREMIER MEDICINE, P.C.,  
PROGRESS IMAGING, P.C., PSYCHMETRICS MEDICAL, P.C.,  
PSYCHOLOGICAL HEALTH CARE OF NEW YORK., P.C., PUSPA  
BHANSALI, M.D., QB MEDICAL, P.C., QUEENS MEDICAL, P.C.,  
QUENTIN MEDICAL SERVICES, P.C., RAINBOW MEDICAL  
SUPPLY, INC., RAPID AMBULETTE, INC., REISS THERAPEUTIC  
SERVICES CSW, P.C., RELIEF MEDICAL SUPPLY, INC., RENA  
KAHANUKAYVA, DO, RESONANCE RADIOLOGY, P.C., RKL  
NATIONWIDE DISTRIBUTORS, INC., ROBERT CONCIATORI,  
M.D., ROBERT L. BARD, M.D. (CR), RONALD L. COLLINS, M.D.,  
ROYAL MEDICAL CARE, P.C., ROYAL SURGICAL SUPPLY, INC.,  
SALVATORE LENTINI, DC., SAMIMAX MEDICAL, P.C., SCL  
MEDICAL SERVICES, P.C., SCRIPT CITY RX, INC., SELECT  
CHIROPRACTIC, P.C., S.G. MEDICAL CARE, P.C., SHARMA  
MEDICAL SERVICES, P.C., SHDLOM GOOTZEIT, M.D., SIGMA  
INSTRUMENTS, INC., SIGMA SURGICAL SUPPLIES, INC., SLON  
MEDICAL INSTRUMENT, LLC., SMALL HOUSE  
CHIROPRACTIC, P.C., SOCRATES PSYCHOLOGICAL SERVICES,  
P.C., SOURCE CHIROPRACTIC, P.C., SOUTH SHORE MEDICAL  
OF NY, P.C., STAR MEDICAL PRACTICE, P.C., STATE GENERAL  
MANAGEMENT CORP. , STATEN ISLAND UNIVERSITY HOSP.,  
SUNSET MEDICAL, P.C., SUPERIOR OXYGEN & ORTHO  
SUPPLIES, INC., TAMAR TRANSPORTATION CORP., INC., TC  
AMBULANCE CORP., TEAM AMBULETTE SERVICES, INC.,  
TEODORO Y. PANG, M.D., P.C., THE PARKWAY HOSPITAL  
INC., THIRD AVENUE RADIOLOGY AND IMAGING, P.C.,  
TRADITIONAL ACUPUNCTURE, P.C., TRANS MEDICAL

SUPPLIES, INC., TRI-STATE SURGICAL SUPPLY, INC., TYI  
MEDICAL SUPPLIES, INC., ULTIMATE MEDICAL SUPPLIES,  
CORP, UNIVERSAL ACUPUNCTURE PAIN SERVICES, P.C.,  
UNIVERSITY GROUP MEDICAL ASSOCIATES, P.C., UNLIMITED  
MEDEL EQUIPMENT, INC., URBAN MEDICAL DIAGNOSTICS,  
P.C., U.S. MEDICAL, P.C., V&L TRANSPORTATION SERVICE,  
INC., V&M TRANSPORTATION, CORP., VALENTIN  
AVANESSOV, M.D., VALERY BERGER, M.D., VERONA  
MANAGEMENT, INC., VLADIMIR KALIKA, M.D., VICTORY  
MEMORIAL HOSPITAL, VIP EXPRESS MEDICAL SUPPLIES, INC.,  
VISTA TRANSPORTATION NY, INC., VITALITY  
CHIROPRACTIC, P.C., VITO A. LAFERRERA, D.C., VLADIMIR  
ZLATNIK, M.D., P.C., V.N.V. MANAGEMENT, INC., VOLGA  
TRANSPORTATION CORP., WANG ACUPUNCTURE SERVICE,  
P.C., WEST CHIROPRACTIC, P.C., Y.S.L. MEDICAL SUPPLY,  
YURI BROSGOL, M.D., INC., ZITTA ROYZMAN, D.D.S., 20  
AVENUE MEDICAL SUPPLY, INC.

Defendants.

-----X

Upon the foregoing papers, it is ordered that this unopposed motion by the plaintiff for an order (a) immediately staying any and all current and future proceedings, including but not limited to uninsured/underinsured/underinsured motorist lawsuits and arbitrations, arbitrations and lawsuits seeking to recover no-fault benefits and third-party lawsuits and arbitrations, involving any and all of the defendants named herein, their agents, employees, assignors and/or heirs pending the hearing and resolution of the declaratory action in the above captioned matter; (b) directing that plaintiff is not required to provide a defense and/or indemnification to any of the defendants who are "insureds" or "insured operators" as those terms are set forth in the annexed summons and complaint for a declaratory judgment action, in any current or future proceedings, including but not limited to uninsured/underinsured motorist lawsuits and arbitrations, arbitrations and lawsuits seeking to recover no-fault benefits and third-party lawsuits and arbitrations, pending the hearing and resolution of the declaratory judgment action in the above captioned matter; (c) directing that plaintiff is not required to pay any sums, monies, damages, awards and/or benefits to any of the defendants named herein their agents, employees, assignors and/or heirs arising out of any current or future proceedings, including but not limited to uninsured/underinsured motorist lawsuits and arbitrations, arbitrations and lawsuits seeking to recover no-fault benefits and third-party lawsuits and arbitrations, pending the hearing and resolution of the declaratory judgment action in the above captioned matter is decided as follows.

The following parties have entered into a stipulation of discontinuance with the plaintiff and shall be removed from the caption of this matter: ALGAR MEDICAL SUPPLY, INC., CENTRAL RADIOLOGY, DENTAL DIAGNOSTIC, P.C., ENVISION DIAGNOSTIC SERVICES,

INC., LAFERRERA, VITO, D.C., L&M CHIROPRACTIC, P.C., M.N. DENTALDIAGNOSTICS, P.C., MIDBORO MEDICAL P.C., MIDWAY MEDICAL SUPPLY INC., MYOFACIAL DENTAL DIAGNOSTIC, PC., NEW MILLENNIUM CHIROPRACTIC, P.C., OMEGA PLUS MEDICAL SUPPLIES, INC., PARK SLOPE MEDICAL DIAGNOSTICS, P.C., PARKWAY MRI, P.C., PREMIER MEDICINE, P.C., PARKWAY MRI, P.C., PREMIER MEDICINE, P.C., Q.B. MEDICAL, P.C., RELIEF MEDICAL SUPPLY INC., SELECT CHIROPRACTIC, P.C., SMALL HOUSE CHIROPRACTIC, SUNSET MEDICAL, P.C., VERONA ASSOCIATES, VOLGA TRANSPORTATION CORPORATION, ZITTA ROYZMAN, D.D.S., DIAGNOSTIC IMAGING, P.C., PLP ACUPUNCTURE, P.C., IMPERIAL MEDICAL AND SURGICAL SUPPLY, INC., TRANSCARE CORPORATION, d/b/a TC AMBULANCE CORP., JEFF CHESSE, MD, PC, MULTIQUEST PSYCHOLOGICAL, GOLDEN TOUCH PHYSICAL THERAPY AND REHAB, P.C., LISAN MEDICAL SUPPLIES, INC., RESONANCE RADIOLOGY, ASCOT RADIOLOGY, DR. JOSEPH MECCA and AMR A. NAYEL, M.D.

A review of the documentation presented reveals that all necessary parties have been served with notice of this application except PAATA ABJANDADZE, KHATUNA GOGBAIDZE, ARTHUR ANDRIAZOV, GENNAIDY GRIVENCHOKOV, PAATA ARAVISELI, YAKOV GUREVICH, ZAMIRA ASLANISHVILI, PARVIZ HASANOV, RUSLAN BASANYUK, EKA ICHKITIDZE, EKATERINA BEGIASHVILI, NONA IOBASHVILI, ELLA BOBULDLANSKY, VAKHTANG, IZORIA, ALEXANDER BOIAKCHIAN, NINO KARDAVA, ALEKSANDR BORODHY, BESIK KHUKIANIDZE, PAATA BREGVADZE, LYUDMILA KIFUDYAN, TAMARA BULAYEVA, YEFIM KOGAN, ZAZA BURNADZE, SERGEY KOLESOV, GURMAN CHAVCHAVADZE, AVTANDIL GVADZHIYA, VEPKIA EPKOSHVILI, VALENTINA KORELNIKOVA, SERGEY FEDEROV, ALEXANDRE KOZHEVNIKOVA, YEVGENIYA FOMICHYOVAI, KATERYNA KOZHEVNIKOVA, NATALIA FROLOVA, VLAD KOZLOV, YACHIN GADJIYEN, GEORGE KUPRASHVILI, SVETLANA GAITCHOKOVA, GULKIN KUPRASHVILI, IRYNA GALOVKO, ADIM LADFUAGAEV, TETYANA GASHKOVA, GALYA LISHEVCEVA, EFIM GREDELVE a/k/a YEFIM ZHIDELEV, LEONID LESKOV, IRINA GEGETCHKORI, TAMAZ LETODIANI, LIANA GEVORKOVA, MERAB PIPARTIA, MELADZE GOCHA, DAVID LOLASHVILI, VAZHA GOCHIASHVILI, VARDI MAKHARDIZ, GELA MESKHISHVILI, MZIA USTARASHVILI, MICHAEL MESTVIRISHVILI, IRENE VAINBLAT, DMITRITY MOROZOV, YUDIN VYACHSLAV, VERA MOROZOV a/k/a VERA MOROZOVA, NODAR ZAKAIDZE, OREST MYTSKIV, DEMIS ANDREEV, KATAZINE NABIDAZEI, LILYA BHEUBORSKGYER, LARISSA NORKINA, VITALI BONDARENKO, LARISA NUGZARASHVILI, JOSE F. CARDERAS, VALENTINA PETRENKO, BETTY CLAKEN, VITALY RUJANFKY, NIDIO DELGADILLO, BONDONO SAMANISHVILI, ELRAC, INC., RENAT SARAZUTDINOV, KENNETH FETHKE, OLGA SENKEVICH, NAUM FRANSTER, KOSTY SEROEV, SONYA FRANSTER, PAVEL SHAVISHVILI, TORE HAMIDULLAH, LYUDMILA SIDELNIKOVA, ADRIANA KYZYKI, SERGO SIMONYAN, SEGEY LEBEDEV, LEYLA SIRADZE, KATTYA LOPEZ, ALEXANDRE SKALKA, EMIL MANUKIAN, ZURAB TALAKHADZE, MARK MEELY, TANATINI TCABASHVILI, ROMANOV MIKAELIAN, OLEG TERENTIEVA, SVETLANA TERENTIEVA, RIVAS TODRIA, FARIJ MOHAMED, WILLIAM NELSON, OREST, INC., VIRGINIA PACIELLO, BORIS SAPOZHNIKOV, VITO PACIELLO, BRIAN CHANG, ASTRID RIVERIA, COAST TO COAST EXPRESS, INC., JESUS VELEZ RIVERIA, DANIEL BOKOR, P.C., DONNA SAGLAM, DAVIT KHIZANISHVILI, IHAB SALEH, G&G MEDICAL ASSOCIATES, LLP, FRANCES SFALANGA, JOSEPH MECCA, M.D., LUNG SANG TAN, LISANN NEIL MICHAEL, M.D., NICHOL CHESTER TYRENE, LUTHERAN MEDICAL CENTER EMERGENCY PHYSICIANS, P.C., UNITED-2 INC., PARK AVENUE SOUTH CHIROPRACTIC, RAYN VAYNSHTEN, PHYLLIS OLSEN, I.A.C., BRYAN VOLPINI, ROBERT CONCIATORI, M.D., WAVES OF WHEAT, INC., RONALD COLLINS, M.D., ALEXANDER TVERSKOY, M.D., RONALD L. BARD, M.D., A.M. MEDICAL, P.C.,

UNLIMITED MEDEL EQUIPMENT, INC., AMR A. NAYEL, M.D., VLADIMIR KALIKA, M.D., and NINO KOLOTASHVILI. Accordingly, this matter is granted as to all defendants properly served with the exception of BAY MEDICAL SERVICES, P.C., NEW YORK MEDICAL & DIAGNOSTICS, MADONA GOMIASHVILI, HEALTH & WELLNESS CHIROPRACTIC SERVICES, INC., HERTZ CORPORATION, MAIMONIDES MEDICAL CENTER, NORTH SHORE UNIVERSITY HOSPITAL, STATEN ISLAND UNIVERSITY HOSPITAL, SUETLANA GATCHIKOVA, VYANCHEDLAV, AYZAYEU, AVANESSOV, VALENTIN, M.D., BERGER, VALERY, Ph.D., KAIZEN ACUPUNCTURE, P.C., SANTORO, JAMES D.C., BUDGET GROUP, INC., NICHOL CHESTER TYRENE, YEFIM KOGAN, GOFMAN FELIX, UNIVERSAL ACUPUNCTURE PAIN SERVICES, P.C., URBAN MEDICAL DIAGNOSTICS, P.C., NEW ABILITY MEDICAL, P.C., VERONA MANAGEMENT INC., JOSEPH SHERMAN, P.C., SCL MEDICAL SERVICES, PC., BIG APPLE MEDICAL CARE, P.C., US MEDICAL CARE, P.C., ROYAL MEDICAL CARE, P.C., ALFA DIAGNOSTIC IMAGING, P.C., FIRST DIAGNOSTIC IMAGING, P.C., BAYRIDGE MEDICAL & SURGICAL SUPPLY, INC., SS/SIGMA SURGICAL SUPPLIES, RAINBOW MEDICAL SUPPLIES, DR. ANDREW WEISS, A.T. MEDICAL, REISS THERAPEUTIC SERVICES, ADVANCED CHIROPRACTIC SPINAL CARE, WANG ACUPUNCTURE, OPTIMUM CHOICE ACUPUNCTURE, LEMOINE MEDICAL, P.C., METAL DRAGON ACUPUNCTURE, COMPREHENSIVE CONSULTING SERVICES, LMK PSYCHOLOGICAL SERVICES, P.C., ADVANCED OSTEOPATHIC SERVICES, P.C., and JRWB DIAGNOSTIC IMAGING, P.C., who have appeared in this action.

As to defendants PAATA ABJANDADZE, KHATUNA GOGBAIDZE, ARTHUR ANDRIAZOV, GENNAIDY GRIVENCHOKOV, PAATA ARAVISELI, YAKOV GUREVICH, ZAMIRA ASLANISHVILI, PARVIZ HASANOV, RUSLAN BASANYUK, EKA ICHKITIDZE, EKATERINA BEGIASHVILI, NONA IOBASHVILI, ELLA BOBULDLANSKY, VAKHTANG, IZORIA, ALEXANDER BOIAKCHIAN, NINO KARDAVA, ALEKSANDR BORODHY, BESIK KHUKIANIDZE, PAATA BREGVADZE, LYUDMILA KIFUDYAN, TAMARA BULAYEVA, YEFIM KOGAN, ZAZA BURNADZE, SERGEY KOLESOV, GURMAN CHAVCHAVADZE, AVTANDIL GVADZHIYA, VEKPIA EPKOSHVILI, VALENTINA KORELNIKOVA, SERGEY FEDEROV, ALEXANDRE KOZHEVNIKOVA, YEVGENIYA FOMICHYOVAI, KATERYNA KOZHEVNIKOVA, NATALIA FROLOVA, VLAD KOZLOV, YACHIN GADJIYEN, GEORGE KUPRASHVILI, SVETLANA GAITCHOKOVA, GULKIN KUPRASHVILI, IRYNA GALOVKO, ADIM LADFUAGAEV, TETYANA GASHKOVA, GALYA LISHEVCEVA, EFIM GREDELVE a/k/a YEFIM ZHIDELEV, LEONID LESKOV, IRINA GEGETCHKORI, TAMAZ LETODIANI, LIANA GEVORKOVA, MERAB PIPARTIA, MELADZE GOCHA, DAVID LOLASHVILI, VAZHA GOCHIASHVILI, VARDI MAKHARDIZ, GELA MESKHISHVILI, MZIA USTARASHVILI, MICHAEL MESTVIRISHVILI, IRENE VAINBLAT, DMITRITY MOROZOV, YUDIN VYACHSLAV, VERA MOROZOV a/k/a VERA MOROZOVA, NODAR ZAKAIDZE, OREST MYTSKIV, DEMIS ANDREEV, KATAZINE NABIDAZEI, LILYA BHEUBORSKGYER, LARISSA NORKINA, VITALI BONDARENKO, LARISA NUGZARASHVILI, JOSE F. CARDERAS, VALENTINA PETRENKO, BETTY CLAKEN, VITALY RUJANFKY, NIDIO DELGADILLO, BONDONO SAMANISHVILI, ELRAC, INC., RENAT SARAZUTDINOV, KENNETH FETHKE, OLGA SENKEVICH, NAUM FRANSTER, KOSTY SEROEV, SONYA FRANSTER, PAVEL SHAVISHVILI, TORE HAMIDULLAH, LYUDMILA SIDELNIKOVA, ADRIANA KYZYKI, SERGO SIMONYAN, SEGEY LEBEDEV, LEYLA SIRADZE, KATTYA LOPEZ, ALEXANDRE SKALKA, EMIL MANUKIAN, ZURAB TALAKHADZE, MARK MEELY, TANATINI TCABASHVILI, ROMANOZ MIKAELIAN, OLEG TERENTIEVA, SVETLANA TERENTIEVA, RIVAS TODRIA, FARIJ MOHAMED, WILLIAM NELSON, OREST, INC., VIRGINIA PACIELLO, BORIS SAPOZHNIKOV, VITO PACIELLO, BRIAN CHANG, ASTRID RIVERIA, COAST TO COAST EXPRESS, INC., JESUS VELEZ RIVERIA, DANIEL BOKOR, P.C., DONNA SAGLAM, DAVIT KHIZANISHVILI, IHAB SALEH, G&G MEDICAL ASSOCIATES, LLP, FRANCES SFALANGA, LUNG SANG TAN, LISANN

NEIL MICHAEL, M.D., LUTHERAN MEDICAL CENTER EMERGENCY PHYSICIANS, P.C., UNITED-2 INC., PARK AVENUE SOUTH CHIROPRACTIC, RAYN VAYNSHTEN, PHYLLIS OLSEN, I.A.C., BRYAN VOLPINI, ROBERT CONCIATORI, M.D., WAVES OF WHEAT, INC., RONALD COLLINS, M.D., ALEXANDER TVERSKOY, M.D., RONALD L. BARD, M.D., A.M. MEDICAL, P.C., UNLIMITED MEDEL EQUIPMENT, INC., , VLADIMIR KALIKA, M.D., and NINO KOLOTASHVILI, this motion is denied with leave to renew upon proof of proper service.

Defendant BUDGET GROUP, INC. and NICHOL CHESTER TYRENE's cross motion for an order pursuant to CPLR § 3211 and 3212 granting summary judgment for failure to state a cause of action, for an order pursuant to CPLR § 3211 dismissing the action for failure to obtain jurisdiction as proper service has not been effectuated, for an order pursuant to CPLR § 3212 and VTL § 388(1) dismissing the complaint of the plaintiffs upon the ground that the complaint is without merit as the defendant was not an owner of a vehicle involved in the July 2, 2000 accident, for an order pursuant to CPLR § 1003 dismissing the complaint as plaintiffs seek relief against persons who are undefined and not a party to this action and for an order pursuant to 22 NYCRR 130-1.1 shall be the subject of oral argument to be held on April 3, 2002 at 10:00 a.m.

Defendants, NEW ABILITY MEDICAL, P.C., VERONA MANAGEMENT INC., JOSEPH SHERMAN, P.C., SCL MEDICAL SERVICES, P.C., BIG APPLE MEDICAL CARE, P.C., US MEDICAL CARE P.C., ROYAL MEDICAL CARE, P.C., ALFA DIAGNOSTIC IMAGING, P.C., FIRST DIAGNOSTIC IMAGING, P.C., BAYRIDGE MEDICAL & SURGICAL SUPPLY, INC., SSS/SIGMA SURGICAL SUPPLIES, RAINBOW MEDICAL SUPPLIES, DR. ANDREW WEISS, A.T. MEDICAL, REISS THERAPEUTIC SERVICES, ADVANCED CHIROPRACTIC SPINAL CARE, WANG ACUPUNCTURE, OPTIMUM CHOICE ACUPUNCTURE, LEMOINE MEDICAL, P.C., METAL DRAGON ACUPUNCTURE, COMPREHENSIVE CONSULTING SERVICES, LMK PSYCHOLOGICAL SERVICES, P.C., ADVANCED OSTEOPATHIC SERVICES, P.C., and JRWB DIAGNOSTIC IMAGING, P.C. motion for an order dismissing this action as against the above referenced defendants shall be the subject of oral argument to be held on April 3, 2002 at 11:00 a.m.

As to defendants BAY MEDICAL SERVICES, P.C., NEW YORK MEDICAL & DIAGNOSTICS, MADONA GOMIASHVILI, HEALTH & WELLNESS CHIROPRACTIC SERVICES, INC., HERTZ CORPORATION, MAIMONIDES MEDICAL CENTER, NORTH SHORE UNIVERSITY HOSPITAL, STATEN ISLAND UNIVERSITY HOSPITAL, SUETLANA GATCHIKOVA, VYANCHEDLAV, AYZAYEU, AVANESSOV, VALENTIN, M.D., BERGER, VALERY, Ph.D., KAIZEN ACUPUNCTURE, P.C., SANTORO, JAMES D.C., BUDGET GROUP, INC., NICHOL CHESTER TYRENE, YEFIM KOGAN, GOFMAN FELIX, UNIVERSAL ACUPUNCTURE PAIN SERVICES, P.C., URBAN MEDICAL DIAGNOSTICS, P.C., NEW ABILITY MEDICAL, P.C., VERONA MANAGEMENT INC., JOSEPH SHERMAN, P.C., SCL MEDICAL SERVICES, PC., BIG APPLE MEDICAL CARE, P.C., US MEDICAL CARE, P.C., ROYAL MEDICAL CARE, P.C., ALFA DIAGNOSTIC IMAGING, P.C., FIRST DIAGNOSTIC IMAGING, P.C., BAYRIDGE MEDICAL & SURGICAL SUPPLY, INC., SS/SIGMA SURGICAL SUPPLIES, RAINBOW MEDICAL SUPPLIES, DR. ANDREW WEISS, A.T. MEDICAL, REISS THERAPEUTIC SERVICES, ADVANCED CHIROPRACTIC SPINAL CARE, WANG ACUPUNCTURE, OPTIMUM CHOICE ACUPUNCTURE, LEMOINE MEDICAL, P.C., METAL DRAGON ACUPUNCTURE, COMPREHENSIVE CONSULTING SERVICES, LMK PSYCHOLOGICAL SERVICES, P.C., ADVANCED OSTEOPATHIC




SERVICES, P.C., and JRWB DIAGNOSTIC IMAGING, P.C., an appearance has been made and accordingly, this matter shall appear on this Court's calendar for a preliminary conference on April 10, 2002 at 9:30 a.m., to be held in the courtroom of Justice Davis.

Submit judgment on notice.

This constitutes the decision and order of the Court.

Dated:

  
\_\_\_\_\_  
J.S.C.