

SHORT FORM ORDER  
SUPREME COURT - STATE OF NEW YORK

Present: HONORABLE KENNETH A. DAVIS  
Justice

SCA

TRIAL/IAS, PART 7  
NASSAU COUNTY

CRISANTO ANDRADE,

Plaintiff,

-against-

REBECCA E. KRIEB and LAWRENCE G. KRIEB,

Defendants.

INDEX No. 18679/03

MOTION SUBMISSION  
DATE: 04/01/04

MOTION SEQ. # 1

The following papers read on this motion:

Notice of Motion/ Order to Show Cause..... X  
Answering Affidavits.....  
Replying Affidavits.....  
Briefs: Plaintiff's/Petitioner's.....  
Defendant's/Respondent's.....

Upon the foregoing papers, it is ordered that this unopposed motion by the plaintiff for an order pursuant to CPLR § 3215 (a) (b) directing that a default judgment be entered against the defendants, REBECCA E. KRIEB and LAWRENCE G. KRIEB, or in the alternative, setting this matter down for an inquest in favor of plaintiffs, assessing damages in a sum certain or for a sum which can by computation be made certain, awarding costs, attorneys' fees and sanctions to plaintiffs' attorneys is decided as follows. A review of the documentation presented reveals that all necessary parties have been served with notice of this application, and further, that the relief requested is appropriate.

It is hereby ordered that plaintiff is awarded a default judgment as against Rebecca Krieb and Lawrence Krieb. It is further ordered that this matter shall be set down for inquest to assess the appropriate amount of damages.

Subject to the approval of the Justice there presiding and provided a Note of Issue has been filed at least ten (10) days prior thereto, this matter shall appear on the Calendar Control Part on the 1<sup>st</sup> day of June, 2004 at 9:30 a.m.

A copy of this order shall be served on the Calendar Clerk and accompany the note of issue when filed. The failure to file a note of issue or appear as directed may be deemed an abandonment of the claims giving rise to the hearing.

This constitutes the decision and order of the Court.

**ENTERED**

Dated: APR 08 2004 APR 12 2004   
HON. KENNETH A. DAVIS J.S.C.

NASSAU COUNTY  
COUNTY CLERK'S OFFICE