

SHORT FORM ORDER**SUPREME COURT - STATE OF NEW YORK
COUNTY OF NASSAU**

Present:

Hon. Thomas Feinman

Justice

PROGRESSIVE INSURANCE COMPANY,

Plaintiff,

- against -

JENEA WILLIAMS, JAMES PAUL, SARHAI BERNARD,
JANELLE COLA, FABIAN BEECHER, SHELTON
SARGEANT, OMARI D. WALLACE, CARL FAGAN,
IZZY KING, BELLA ZIMBLER, PEDRO PATE, HASUS
HARDY, VLADIMIR FRENKEL, THEODORE JEMMOTT
and ANATOLY FRENKEL,

Individual Defendants,

ALEV MEDICAL SUPPLY, INC., AVE K MEDICAL, P.C.
PERFECT POINT ACUPUNCTURE, P.C., NEOMY
MEDICAL, P.C., QUALITY PSYCHOLOGICAL SERVICES,
P.C., RADIOLOGY TODAY, P.C., EAGLE SURGICAL
SUPPLY, INC., CHIROPRACTIC BACK CARE P.C.,
AS ACUPUNCTURE P.C., SHARP RADIOLOGY, P.C.,
UNIQUE CHIROPRACTIC, P.C., ANATOLIY SUNIK, LAC,
ASNODIN DIANALAN, QUEENS MEDICAL SUPPLY, INC.,
BAY RIDGE ACUPUNCTURE, P.C., INFINITY HEALTH
PRODUCTS, LTD., HIGH QUALITY MEDICAL P.C.,
HIGHLAND PARK CHIROPRACTIC, P.C., MOBILE MEDICAL
AND DIAGNOSTIC, LLC and DIANA VAVIKOVA,Provider Defendants.

TRIAL/IAS, PART 18
NASSAU COUNTY

INDEX NO. 17244/08

MOTION SUBMISSION
DATE: 3/2/09MOTION SEQUENCE
NO. 1

The following papers read on this motion:

Notice of Motion and Affidavits	<u>X</u>
Affirmation in Opposition.....	<u>N/A</u>
Reply Affirmation.....	<u>N/A</u>

Plaintiff's unopposed motion is granted.

Plaintiff's unopposed motion for a default judgment as and against defendants Jenea Williams, Sarhai Bernard, Fabian Beecher, Theodore Jemmott, Anatoly Frankel, Izzy King, Bella Zimbler, Ave. K. Medical, P.C., Alev Medical Supply, Inc. Perfect Point Acupuncture, P.C., Neomy Medical, P.C., Quality Psychological Services, P.C., Eagle Surgical Supply, Inc., Chiropractic Back Care, P.C., AS Acupuncture, P.C., Sharp Radiology, P.C., Queens Medical Supply, Inc., Bay Ridge Acupuncture, P.C., Infinity Health Products, Ltd., High Quality Medical, P.C., Highland Park Chiropractic, P.C., Mobile Medical and Diagnostic, LLC, is granted.

Plaintiff's unopposed motion for an extension of time to effectuate service and for substituted service upon defendants James Paul, Janelle Cola, Shelton Sargeant, Omari D. Wallace, Carl Fagan, Pedro Pate, Hasus Hardy, Vladimir Frenkel, Diana Vavikova, Asodin Dianalan, and Anatoliy Sunik, LAc, pursuant to CPLR §306-b and CPLR §308(5), is granted. Therefore, plaintiff's time to effectuate service upon the aforesaid defendants is hereby extended to one hundred twenty (120) days from the service of order with notice of entry.

A hearing is required on the issue of damages.

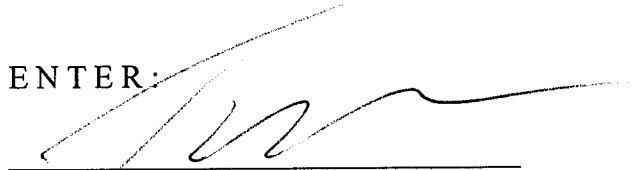
Subject to the approval of the Justice there presiding and **provided a note of issue has been filed at least ten (10) days prior thereto**, this matter shall appear on the calendar of CCP for the **15th day of July, 2009 at 9:30 a.m.**

A copy of this order shall be served on the Calendar Clerk and accompany the notice 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.**

The directive with respect to a hearing is subject to the right of the Justice presiding in CCP to refer the matter to a Justice, Judicial Hearing Officer or a Court Attorney/Referee as he or she deems appropriate. In the event that the matter is referred to a Judicial Hearing Officer (JHO) or a Court Attorney/Referee, such JHO or Court Attorney/Referee is given the jurisdiction to hear and report all issues to the undersigned and/or to hear and resolve all issues.

Notwithstanding anything to the contrary, attorney for movant shall serve a copy of this order, with notice of entry, on the **defendants by regular and certified mail.**

ENTER:



A handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the right.

J.S.C.

Dated: March 31, 2009

ENTERED
APR 03 2009
NASSAU COUNTY
COUNTY CLERK'S OFFICE