

SHORT FORM ORDER

SUPREME COURT - STATE OF NEW YORK

Present: HON. RALPH P. FRANCO, Justice

TRIAL/IAS, PART 13

**MARKET TRANSITION FACILITY of
NEW JERSEY, as subrogee of CELESTINE FDYFIL**

NASSAU COUNTY

Plaintiff(s),

-against-

INDEX No.: 002971/01

MOTION SEQ. 1

LEVO NYE

Defendant(s).

The following papers read on this motion:

Notice of Motion/ Order to Show Cause..... 1

Answering Affidavits.....

Replying Affidavits.....

Unopposed motion by attorney for Defendant for an Order pursuant to CPLR 3215 (a), for an Order directing entry of judgment in favor of Plaintiff is **granted**.

A hearing is necessary 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 10 days prior thereto, this matter shall appear on the calendar of CCP for the **12th day of**

September, 2001, 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.

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.

Dated: August 20, 2001



Hon. Ralph P. Franco

ENTERED

AUG 23 2001

**NASSAU COUNTY
COUNTY CLERK'S OFFICE**