

SHORT FORM ORDER

SUPREME COURT - STATE OF NEW YORK - COUNTY OF NASSAU
PRESENT: HONORABLE JOHN M. GALASSO, J.S.C.

.....
HEATHER MOLINA,

Plaintiff,
- against -

Sequence #001
Index # 8708/03
Part 40

STEPHEN M. BATULE
Defendant.

4/21/04

.....
Notice of Motion.....1

.....
Upon the foregoing papers and without opposition, it is ordered that this motion by plaintiff pursuant to CPLR §3215 for a default judgment against defendant for failure to appear, answer, move or raise an objection to the complaint on the issue of liability is granted.

An Inquest to assess damages is required.

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 Control Part (CCP2) Calendar on MAY 20, 2004 at 9:30a.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 CCP2 to refer the matter to a Justice, Judicial Hearing Officer or a Court Attorney/Referee he or she deems appropriate.

Plaintiff is directed to serve a copy of this order upon defendant by certified mail return receipt requested at least 10 days before the Inquest date.

Dated: April 22, 2004

[Handwritten signature] **ENTERED**
APR 28 2004
NASSAU COUNTY
COUNTY CLERK'S OFFICE