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**MEMORANDUM DECISION**

**SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NASSAU - PART 4**

**Present: HON. UTE WOLFF LALLY  
Justice**

**METMOR FINANCIAL, INC.,**

**Motion Sequence #2  
Submitted May 11, 2010**

**Plaintiff,**

**-against-**

**INDEX NO: 24899/90**

**RUFUS ALEXANDER, EASTLYN ALEXANDER  
FORD MOTOR CREDIT CORP., STATE TAX  
COMMISSION OF THE STATE OF NEW YORK,  
"JOHN DOE #1" through "JOHN DOE #12",**

**Defendants.**

Appearances:

For Plaintiff:

For Defendants:

Perry Ian Tischler, Esq.  
Attorney for Defendant  
Eastlyn Alexander  
38-39 Bell Boulevard, Suite 203  
Bayside, NY 11361

Andrew M. Cuomo, Esq.  
Attorney for State Tax Commission  
Of the State of New York  
120 Broadway, Charities Bureau  
New York, NY 10271

This is a motion for an order pursuant to RPAPL § 1362 confirming the Referee's Report and Recommendation Dated March 15, 2010 of Martin Dehler, Esq. appointed

pursuant to an Order of this Court dated November 24, 2009 to conduct a Surplus Money Proceeding and upon confirming said report ordering the office of the State Comptroller to disburse one-half (1/2) of the surplus monies, plus accrued interest, currently on deposit with said office to movant/claimant/defendant Eastlyn Alexander, with attorney's fee of \$1,750.00 payable from said recovery.

Movant having established that the requisite statutory notice provisions were satisfied and the recovery (including attorneys fees) is limited to one half of the amount on deposit, this motion is granted.

Settle order on notice.

Dated: June 29, 2010

  
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UTE WOLFF LALLY, J.S.C.

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