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SHORT FORM ORDER

SUPREME COURT - STATE OF NEW YORK

Present:

HON. ROY S. MAHON

Justice

PROGRESSIVE ADVANCED INSURANCE COMPANY and
PROGRESSIVE MAX INSURANCE COMPANY,

Plaintiff(s),

- against -

DONNY MOMPOINT, KENNY LOUISSAINT, TAQUIA
ROBINSON, JOSE GOMEZ, MANUEL PERECHU,
GOUBERT BEAUGE, KESHAWN TAYLOR, RASHID BILAL,
CORNELL MEANS, AHMED MUNIR MALIK and NINOTCHKA
LAMONT,

("Individual Defendants"),

- and -

ABC PHYSICAL THERAPY, P.C., ART OF HEALING MEDICINE
P.C., BAY L'S MEDICAL SUPPLIES, CANON CHIROPRACTIC
CARE, P.C., DARLINGTON MEDICAL DIAGNOSTIC, P.C.,
DOSHI DIAGNOSTIC IMAGING SERVICES, P.C., GABA MEDICAL, P.C.,
GRS CHIROPRACTIC, P.C., KJC CHIROPRACTIC, P.C. LIFE TREE
ACUPUNCTURE, PC., MDJ MEDICAL, P.C., NEW
MILLENNIUM MEDICAL IMAGING, PC., NEW YORK DIAGNOSTIC
MEDICAL CARE, P.C., NOVA ACUPUNCTURE, P.C., OMEGA
DIAGNOSTIC IMAGING, P.C., OPTIMAL WELL-BEING
CHIROPRACTIC, P.C., PARKVIEW MEDICAL & SURGICAL, P.C.,
PRO-VEK PLUS, INC., PROGRESSIVE ORTHOPEDICS, PLLC,
PROGRESSIVE ORTHOPEDICS, PUGSLEY CHIROPRACTIC, PLLC,
ROM MEDICAL P.C., SEACOAST MEDICAL, P.C., STAR MEDICAL
DIAGNOSTIC, PLLC, SUNRISE ACUPUNCTURE, PC., V & T
MEDICAL P.C. and VICTORY REHAB P.T., P.C.,

("Provider Defendants")

TRIAL/IAS PART 6

INDEX NO. 18569/70

MOTION SEQUENCE
NO. 1

MOTION SUBMISSION
DATE: February 7, 2011

The following papers read on this motion:

Notice of Motion

X

Upon the foregoing papers the motion by plaintiff, unopposed, for an Order granting judgment on default pursuant to CPLR §3215 and an inquest on reimbursement as to the following defendants: DONNY MOMPOINT, GOUBERT BEAUGE, CORNELL MEANS, AHMED MUNIR MALIK, NINOTCHKA LAMONT, ABC PHYSICAL THERAPY, P.C., ART OF HEALING MEDICINE P.C., BAY L'S MEDICAL SUPPLIES, CANON CHIROPRACTIC CARE, P.C., DARLINGTON MEDICAL DIAGNOSTIC, P.C., DOSHI DIAGNOSTIC IMAGING SERVICES, P.C., GABA MEDICAL, P.C., GRS CHIROPRACTIC, P.C., KJC CHIROPRACTIC, P.C., LIFE TREE ACUPUNCTURE, PC., MDJ MEDICAL, P.C., NEW MILLENNIUM MEDICAL IMAGING, PC., NEW YORK DIAGNOSTIC MEDICAL CARE, P.C., NOVA ACUPUNCTURE, P.C., OPTIMAL WELL-BEING CHIROPRACTIC, P.C., PARKVIEW MEDICAL & SURGICAL, P.C., PRO-VEK PLUS, INC., PUGSLEY CHIROPRACTIC, PLLC, ROM MEDICAL P.C, SEACOAST MEDICAL, P.C., STAR MEDICAL DIAGNOSTIC, PLLC, SUNRISE ACUPUNCTURE, PC., V & T MEDICAL P.C. and VICTORY REHAB P.T., P.C., is determined as hereinafter provided:

The Court initially observes that the plaintiff has discontinued as to the defendant Kenny Louissaint.

That branch of the plaintiff's application which seeks an Order pursuant to §3215 as to: DONNY MOMPOINT, GOUBERT BEAUGE, CORNELL MEANS, AHMED MUNIR MALIK, NINOTCHKA LAMONT, ABC PHYSICAL THERAPY, P.C., ART OF HEALING MEDICINE P.C., BAY L'S MEDICAL SUPPLIES, CANON CHIROPRACTIC CARE, P.C., DARLINGTON MEDICAL DIAGNOSTIC, P.C., DOSHI DIAGNOSTIC IMAGING SERVICES, P.C., GABA MEDICAL, P.C., GRS CHIROPRACTIC, P.C., KJC CHIROPRACTIC, P.C., LIFE TREE ACUPUNCTURE, PC., MDJ MEDICAL, P.C., NEW MILLENNIUM MEDICAL IMAGING, PC., NEW YORK DIAGNOSTIC MEDICAL CARE, P.C., NOVA ACUPUNCTURE, P.C., OPTIMAL WELL-BEING CHIROPRACTIC, P.C., PARKVIEW MEDICAL & SURGICAL, P.C., PRO-VEK PLUS, INC., PUGSLEY CHIROPRACTIC, PLLC, ROM MEDICAL P.C, SEACOAST MEDICAL, P.C., STAR MEDICAL DIAGNOSTIC, PLLC, SUNRISE ACUPUNCTURE, PC., V & T MEDICAL P.C. and VICTORY REHAB P.T., P.C., is granted. Lack of opposition is tantamount to consent.

This matter is referred to the Calendar Control Part (CCP), for a hearing on the issue of damages to be held on April 28, 2011. The petitioner shall file and serve a Note of Issue, together with a copy of this Order, on all parties and shall serve copies of same, together with receipt of payment, upon the Calendar Clerk of this Court within twenty (20) days of the date of this Order. The directive with respect to a hearing is subject to the right of the Justice presiding in CCP II to refer the matter to a Justice, Judicial Hearing Officer, or a Court Attorney/Referee, as he or she deems appropriate.

SO ORDERED.

DATED: 2/8/2011

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Rays. Mahon
..... J.S.C.
ENTERED
FEB 15 2011
NASSAU COUNTY
COUNTY CLERK'S OFFICE