

SCAN

**SHORT FORM ORDER**

**SUPREME COURT - STATE OF NEW YORK**

**Present:**

HON. THOMAS P. PHELAN,

*Justice*

TRIAL/IAS, PART 10  
NASSAU COUNTY

SOLCO PLUMBING SUPPLY, INC.,

ORIGINAL RETURN DATE: 11/22/04

SUBMISSION DATE: 11/22/04

INDEX No.: 5861/03

Plaintiff(s),

-against-

BELROSE FIRE SUPPRESSION, INC., MICHAEL  
HARTIGAN and MICHAEL VUKOVICH,

MOTION SEQUENCE #1

Defendant(s).

The following papers read on this motion:

Notice of Motion..... 1

Motion by plaintiff for a default judgment against defendants brought by Notice of Motion dated October 19, 2004 is denied without prejudice to renewal.

Plaintiff has failed to provide an affidavit of facts constituting the claim (CPLR 3215(f)). To the extent CPLR 3215(f) permits reliance upon a verified complaint in satisfaction of this requirement, the court notes that no such verified pleading exists.

To insure that this action does not languish, a status conference shall be held before the undersigned on February 23, 2005 at 9:30 A.M. Appearance at said conference is excused only if plaintiff has previously served and filed his renewed motion for a default. Plaintiff is directed to serve a copy of this order upon any appearing defendant within 5 days of receipt of a copy of this order from any source.

This decision constitutes the order of the court.

Dated: 12-3-04

HON THOMAS P. PHELAN  
*[Signature]*  
**ENTERED** J.S.C.

DEC 08 2004

NASSAU COUNTY  
COUNTY CLERK'S OFFICE