

**AMENDED SHORT FORM ORDER**  
SUPREME COURT, STATE OF NEW YORK  
COUNTY OF NASSAU

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**JONATHAN ZWIEBEL and JACOB ZWIBEL**  
infants by their mother and natural guardian,  
**JENNIFER ZWIEBEL, and JENNIFER**  
**ZWIEBEL Individually,**

Plaintiffs

*against*

**ACTION #1 & ACTION #2**

**Index No. 09-309**

(Previously consolidated pursuant to Order  
Dated April 22, 2009, hereafter known as  
Action #1)

**BMW FINANCIAL SERVICE, NA, LLC,**  
**FINANCIAL SERVICES VEHICLE TRUST,**  
**THEODORE SARETSKY, BMW OF NORTH**  
**AMERICA, LLC, BMW MANUFACTURING**  
**CO., INC and 1056 BROADWAY WOODMERE**  
**CORP.,**

Defendant

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**JEFFREY Y. KRET and RAQUEL L. KRET,**  
Plaintiffs

*against*

**ACTION #3**

**Index No. 09-2010**

(Previously transferred from Kings County to  
Nassau County pursuant to Order Dated April  
22, 2009, and further joined with Actions #1 and  
#4 pursuant to Order Dated May 1, 2009)

**THEODORE SARETSKY, 1056 BROADWAY**  
**WOODMERE CORP., CHABAD CENTER OF**  
**FIVE TOWNS, AGUDAS HACHSIDIM ANSHAI**  
**CHABADD OF UNITED STATES, INC. and**  
**BMW OF NORTH AMERICA, LLC**

Defendants  
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**RIVKA BOIM, DANIEL BOIM, an Infant under  
the age of Fourteen Years, by his father and  
Natural Guardian, JEREMY BOIM and JEREMY  
BOIM, individually,**

**Plaintiffs**

*against*

***ACTION #4***

**Index No. 09-4098**

(Previously joined with Actions #1 & #3  
pursuant to Order Dated May 1, 2009)

**THEODORE SARETSKY,**

**Defendant**

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**SCHMUEL YANKELEWITZ and YEHUDIS  
YANKELEWITZ an Infant, by their mother and  
natural guardian, TOVA YANKELEWITZ  
and TOVA YANKELEWITZ, individually,**

**Plaintiffs**

*against*

***ACTION #5***

**Index No. 09-16551**

(Instant Motion seeks to join this action for trial  
and discovery with Actions #1 and #3 - #6)

**THEODORE SARETSKY, BMW OF NORTH AMERICA, LLC  
BMW FINANCIAL SERVICES, NA, LLC, BMW  
MANUFACTURING CO., LLC, FINANCIAL  
SERVICES VEHICLE TRUST and CHABAD  
CENTER OF FIVE TOWNS,**

**Defendants**

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**MITCHELL BARNETT,**  
Plaintiffs

*against*

**ACTION #6 (Queens County)**  
**Index No. 09-23775**  
(Instant Motion seeks to transfer this action  
from Queens County to Nassau County and  
thereafter join this action for trial and discovery  
with Actions #1 and #3 - #5)

**THEODORE SARETSKY,**  
Defendant

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The following papers read on this motion:  
Notice of Motion/Order to Show Cause..... X

**PRESENT: HON. JOSEPH P. SPINOLA**

**ORDERED** that, the venue for the matters bearing **Index No. 09-23775 (Queens County)** entitled, ***MITCHELL BARNETT v. THEODORE SARETSKY*** is hereby changed from Supreme Court, Queens County to Supreme Court, Nassau County.

**ORDERED** that, the Clerk of the Supreme Court, Queens County, upon service of a copy of this Order, is hereby directed to transfer the matter bearing Index No. 09-23775 (Queens County) entitled, *MITCHELL BARNETT v. THEODORE SARETSKY* to the Supreme Court, Nassau County.

**ORDERED** that, Actions #5 (09-16551) and Action #6 ( 09-23775) are hereby joined for trial and discovery with Actions #1, #3 and #4) The Clerk is directed to change the caption of this action to read as follows:

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**JONATHAN ZWIEBEL and JACOB ZWIEBEL**  
infants by their mother and natural guardian,  
**JENNIFER ZWIEBEL, and JENNIFER**  
**ZWIEBEL Individually and 1056 BROADWAY**  
**WOODMERE CORP.,**

Plaintiffs

*against*

**Index No. 09-309**  
**ACTION #1**

**BMW FINANCIAL SERVICE, NA, LLC,**  
**FINANCIAL SERVICES VEHICLE TRUST,**  
**THEODORE SARETSKY, BMW OF NORTH**  
**AMERICA, LLC, BMW MANUFACTURING**  
**CO., INC. and**

Defendant  
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**JEFFREY Y. KRET and RAQUEL L. KRET,**  
Plaintiffs

**Index No. 09-2010**  
**ACTION #2**

*against*

**THEODORE SARETSKY, 1056 BROADWAY  
WOODMERE CORP., CHABAD CENTER OF  
FIVE TOWNS, AGUDAS HACHSIDIM ANSHAI  
CHABADD OF UNITED STATES, INC. and  
BMW OF NORTH AMERICA, LLC**  
Defendants  
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**RIVKA BOIM, DANIEL BOIM, an Infant under  
the age of Fourteen Years, by his father and  
Natural Guardian, JEREMY BOIM and JEREMY  
BOIM, individually,**  
Plaintiffs

**Index No. 09-4098**  
**ACTION #3**

*against*

**THEODORE SARETSKY,**  
Defendant  
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**SCHMUEL YANKELEWITZ and YEHUDIS  
YANKELEWITZ an Infant, by their mother and  
natural guardian, TOVA YANKELEWITZ  
and TOVA YANKELEWITZ, individually,**  
Plaintiffs

**Index No. 09-16551**  
**ACTION #4**

**THEODORE SARETSKY, BMW OF NORTH AMERICA, LLC  
BMW FINANCIAL SERVICES, NA, LLC, BMW  
MANUFACTURING CO., LLC, FINANCIAL  
SERVICES VEHICLE TRUST and CHABAD  
CENTER OF FIVE TOWNS,**  
Defendants  
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**MITCHELL BARNETT,**  
Plaintiff

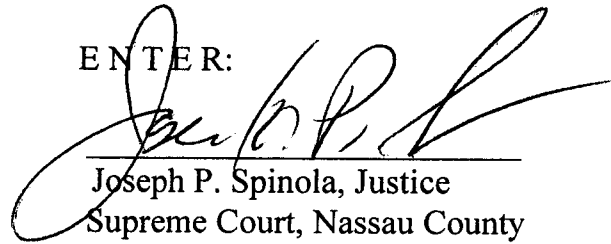
Index No. 09-23775  
**ACTION #5**

*against*

**THEODORE SARETSKY,**  
Defendant  
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This constitutes an Order of the Court on Consent.

ENTER:

  
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Joseph P. Spinola, Justice  
Supreme Court, Nassau County

Dated: November 23, 2009  
Mineola, NY

**ENTERED**  
DEC 03 2009  
NASSAU COUNTY  
COUNTY CLERK'S OFFICE