

SHORT FORM ORDER

SUPREME COURT - STATE OF NEW YORK

Present:

HON. STEPHEN A. BUCARIA

Justice

TRIAL/IAS, PART 3
NASSAU COUNTY

In the Matter of the Application of
JOSEPH LIVOLSI,

INDEX No. 021188/09

Holder of Fifty (50%) Percent of all
Outstanding Shares Entitled to Vote

MOTION DATE: Nov. 6, 2009
Motion Sequence # 001

Petitioner,

For the Dissolution of 111 Glen Street Corp., a
Domestic corporation, Pursuant to §1104-a of
the Business Corporation Law,

-against-

111 GLEN STREET CORP. and PHILIP
ARFMAN,

Respondents.

The following papers read on this motion:

Notice of Motion..... X
Affirmation in Opposition..... X

This Notice of Petition and Petition, for an order pursuant to CPLR §1104-a directing that 111 Glen Street Corp. be dissolved pursuant to BCL 1104(a)(1), BCL 1104(a)(3), and for such other and further relief as to this Court deems just and proper, is **denied** and the petition is **dismissed**, for the reasons set forth in this Court's order of September 13, 2007.

The instant application is allegedly grounded on precisely the same allegations as previously made in an action before this Court under index no. 5486/07. Inasmuch as there is no application pursuant to CPLR 2215 to award sanctions, no such award will be made. The petitioner is cautioned against any future such application.

This order concludes the within matter assigned to me pursuant to the Uniform Rules for New York State Trial Courts.

So Ordered.

Dated NOV 09 2009

Stephen A. Zucarek
XXX J.S.C.

ENTERED
NOV 10 2009
NASSAU COUNTY
COUNTY CLERK'S OFFICE