

SHORT FORM ORDER

**SUPREME COURT - STATE OF NEW YORK
COUNTY OF NASSAU**

Present:

Hon. Thomas Feinman
Justice

TD BANK, N.A., successor by merger to
COMMERCE BANK, N.A.,

Plaintiff,

- against -

RDP MULTIPLE SERVICES, CORP. and
DHIALA DAVIS,

Defendants.

TRIAL/IAS PART 13
NASSAU COUNTY

INDEX NO. 22061/10

X X X

MOTION SUBMISSION
DATE: 2/24/11

MOTION SEQUENCE
NO. 1

RDP MULTIPLE SERVICES, CORP. and
DHIALA DAVIS,

Third-Party Plaintiff,

- against -

TD BANK, N.A.
170 Route 70 East
Cherry Hill, N.J. 08034

and

Anna E. Turner
Platzer, Swergold, Karlin, Levin,
Goldber & Jaslow, LLP
Attorneys for Plaintiff
1065 Avenue of the Americas
New York, New York 10018

Third-Party Defendant.

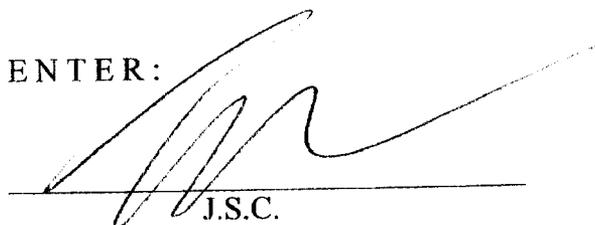
The following papers read on this motion:

Notice of Motion and Affidavits.....	<u>X</u>
Memorandum of Law in Support of Motion.....	<u>X</u>
Affirmation in Opposition.....	<u>N/A</u>
Reply Affirmation.....	<u>N/A</u>

The plaintiff's motion for an order striking the defendants' answer, counterclaim and third-party complaint, a default judgment, and summary judgment on the complaint is granted as it is unopposed.

The plaintiff is hereby directed to Settle Judgment on Notice in the amount of One Hundred Two Thousand Nine Hundred Fourteen and 05/100 Dollars, (\$102,914.05), to the Clerk. A copy of this order with notice of entry shall accompany the proposed judgment.

ENTER:



J.S.C.

Dated: March 15, 2011

cc: Platzer, Swergold, Karlin, Levine, Goldberg & Jaslow, LLP
RDP Multiple Services, Corp.
Dhiala Davis

ENTERED

MAR 18 2011

**NASSAU COUNTY
COUNTY CLERK'S OFFICE**