

SHORT FORM ORDER

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

SCM
ENTERED
IN
COMPUTER

Present:

**HON. DANIEL PALMIERI
Acting Justice Supreme Court**

-----X
**G.E.I.C.O. a/s/a CHERYL COUBROUGH
MICHAEL CROCITTO,**

Plaintiff,

-against-

**KEITH FANT, WILLIAM T. CASE and
DIANE M. CASE,**

Defendants.

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

-----X
MICHAEL CROCITTO and CHERYL COUBROUGH,

Plaintiff,

-against-

KEITH FANT, WILLIAM CASE AND DIANE CASE,

Defendants

-----X
The following papers have been read on this motion:

Notice of Motion, dated 3-6-08.....1

The attorney for plaintiff G.E.I.C.O. moves for an Order pursuant to CPLR §602

TRIAL TERM PART: 48

ACTION NO. 1

INDEX NO.: 019503/06

MOTION DATE: 4-1-08

SUBMIT DATE: 4-1-08

SEQ. NUMBER - 001

ACTION NO. 2

INDEX NO. 4427/04

consolidating the above-entitled actions. The motion is granted and the actions are consolidated into Action No. 2

It is clear from a reading of the moving papers that these actions arise out of the same accident and common questions of law and fact exist.

These actions stem from a motor vehicle accident which occurred on November 25, 2003, neither action is on the trial calendar and discovery is still in progress.

As upon trial, common questions of law and facts will arise, the time of the witnesses, jurors, parties and the Court will be used more efficiently if they are consolidated. Therefore it is,

NOW ORDERED, that this motion by the attorney for plaintiff G.E.I.C.O. seeking consolidation of both actions is granted.

ORDERED, that all parties shall serve upon any party so demanding copies of disclosure documents heretofore obtained in the other action and it is further,

ORDERED, that the consolidated action shall bear the caption and index number as follows:

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

-----X
**MICHAEL CROCITTO, CHERYL COUBROUGH
and G.E.I.C.O, a/s/o CHERYL COUBROUGH,
MICHAEL CROCITTO,**

Plaintiffs

-against-

INDEX NO. 4427/04

KEITH FANT, WILLIAM CASE and DIANE CASE,

Defendants
-----X

ORDERED, that all matters of trial practice, including the right to open and close, are reserved to the Justice presiding at the trial, and it is further,

ORDERED, that all papers shall reflect the consolidated status of these actions, and it is further,

ORDERED, that the Movant shall serve within 30 days , a copy of the Order upon all parties to both actions and upon the Clerk of the Supreme Court of Nassau County, and upon receipt of this Order, the Nassau County Clerk is directed to consolidate the files, and it is further,

ORDERED, that the consolidated action shall be assigned to this Part.

ORDERED, that all parties shall attend a Preliminary Conference scheduled for April 9, 2008, located at 100 Supreme Court Drive, Mineola, NY, 11501, First Floor. No adjournments of this conference will be permitted absent the permission of this Court. All parties are forewarned that failure to attend the above scheduled conference may result in the dismissal of pleadings (see NYCRR 202.27) or monetary sanctions (22 NYCRR 130-2.1 et seq).

This shall constitute the Decision and Order of this Court.

DATED: April 1, 2008

ENTER



HON. DANIEL PALMIERI
Acting Supreme Court Justice

ENTERED

APR 07 2008

NASSAU COUNTY
COUNTY CLERK'S OFFICE

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