

SUPREME COURT OF THE STATE OF NEW YORK
NEW YORK COUNTY

PRESENT: JEFFREY K. OING J.S.C. Justice

PART 48
652009/2015
INDEX NO.
MOTION DATE
MOTION SEQ. NO. 001

Wonder Works Construction
-v-
H. Sampragnac & Son Corp.

The following papers, numbered 1 to , were read on this motion to/for
Notice of Motion/Order to Show Cause — Affidavits — Exhibits No(s).
Answering Affidavits — Exhibits No(s).
Replying Affidavits No(s).

Upon the foregoing papers, it is ordered that this motion is

Mtn pursuant to CPLR 902 for an order allowing this
action to be maintained as a class action is granted. The
prerequisites to maintaining this class action as set forth in
CPLR 902 have been met. Further, the opposition focused
on the fact that the mtn was based on an atty's affidavit.
No challenge was made to satisfaction of CPLR 902. Movant
cured the alleged deficiencies in the moving papers by proffering
an affidavit from TT's principal.
Movant directed to submit to Part 48 a proposed order
on notice.

Dated: 11/17/15

Signature of Jeffrey K. Oing, J.S.C.

MOTION/CASE IS RESPECTFULLY REFERRED TO JUSTICE
FOR THE FOLLOWING REASON(S):

- 1. CHECK ONE: CASE DISPOSED
2. CHECK AS APPROPRIATE: MOTION IS: GRANTED DENIED GRANTED IN PART OTHER
3. CHECK IF APPROPRIATE: SETTLE ORDER SUBMIT ORDER
DO NOT POST FIDUCIARY APPOINTMENT REFERENCE