

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

BORO B CONSTRUCTION, INC.,

Index No. 157746/2013

Plaintiff,

ORDER AND JUDGMENT

- against -

DOUBLE G (1999) LIMITED PARTNERSHIP,
TRIBECA DENTAL ASSOCIATES, P.C.,
BABAK HAMIDI, and GUARANTEE
COMPANY OF NORTH AMERICA USA,

Defendants.

WHEREAS the plaintiff having filed and served a second supplemental summons and second amended complaint asserting causes of action for breach of contract, account stated, unjust enrichment, foreclosure of a mechanic's lien bond, and violation of construction trust funds;

WHEREAS the defendants having filed and served counterclaims for breach of contract and willful exaggeration of mechanic's lien;

WHEREAS this action, having come before the Court for a bench trial June 16 and 17, 2016, with the Honorable Gerald Lebovitz presiding; and the plaintiff having agreed to the dismissal of defendant Babak Hamidi from the action; and the plaintiff having agreed to the dismissal of its causes of action for account stated and violation of construction trust funds; and the issues having been tried and the Court having rendered its decision dismissing plaintiff's causes of action for breach of contract, unjust enrichment and foreclosure of mechanic's lien bond, and

dismissing defendants' counterclaims; it is hereby

ORDERED and ADJUDGED that Judgment is rendered in favor of defendants Double G (1999) Limited Partnership, Tribeca Dental Associates, P.C., Babak Hamidi, and Guarantee Company of North America USA ("Defendants") and against plaintiff Boro B Construction, Inc. ("Plaintiff") dismissing the complaint and all causes of action against Defendants; and it is further

ORDERED and ADJUDGED that Judgment is rendered in favor of Plaintiff against Defendants dismissing the counterclaims against Plaintiff; it is further

ORDERED and ADJUDGED that the Mechanic's Lien Bond is discharged and Guarantee Company of North America USA is released from any and all liability.

Dated: 6/30/16

SO ORDERED AND ADJUDGED:



GERALD LEBOVITS, J.S.C.
HON. GERALD LEBOVITS
J.S.C.