

SUPREME COURT OF THE STATE OF NEW YORK NEW YORK COUNTY

PRESENT: HON. ROBERT R. REED
J.S.C., Justice

PART 43

Ameri Restoration Inc.

INDEX NO. 150178/2015

-v-

MOTION DATE _____

Golda Matthews

MOTION SEQ. NO. 001

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). _____

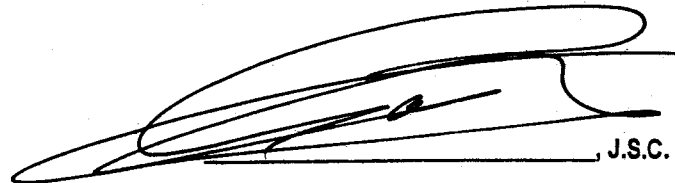
Replying Affidavits _____ No(s). _____

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

decided in accordance with the attached Order.

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

Dated: 3/16/18


_____, J.S.C.

- 1. CHECK ONE: CASE DISPOSED NON-FINAL DISPOSITION
- 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

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

AMERI RESTORATION INC.,

Index No.: 150178/2015

Plaintiff

ORDER

- against -

GOLDA MATTHEWS, and JOHN and JANE
DOES 1-10 and others similarly situated,

Defendants.

UPON reading and filing the Affirmation of defendant's attorney Ronald Francis, Esq., dated January 31, 2018, the exhibits annexed thereto, the Memorandum of Law in Support of the Motion, dated January 31, 2018, all in support of the motion of defendant for an Order (1) Pursuant to NY Lien Law §17 and §19, summarily discharging the mechanic's lien dated January 14, 2013 and filed by plaintiff on or about January 13, 2013 against the premises known as 535 West 152nd Street, New York NY; Block 2084, Lot 14; and extended on January 8, 2014 by the filing of an Extension of Mechanic's Lien dated January 7, 2014; (2) Pursuant to CPLR 6513 and 6514(b), cancelling the Notice of Pendency dated January 7, 2015 and filed by plaintiff on January 7, 2015, and for costs and expenses occasioned by the filing and cancellation of the notice of pendency; and (3) Pursuant to CPLR 3211 or 3212, dismissing the plaintiff's second cause of action for foreclosure of the mechanic's lien,

NOW, on motion of Ronald Francis, attorney for defendant, it is

ORDERED, that defendant's motion to discharge the mechanic's lien is granted and the New York County Clerk is hereby directed to forthwith ^{vacate, cancel and} discharge the mechanic's lien dated January 14, 2013 and filed by plaintiff on or about January 13, 2013 against the premises known

as 535 West 152nd Street, New York NY; Block 2084, Lot 14; and extended on January 8, 2014 by the filing of an Extension of Mechanic's Lien dated January 7, 2014; and it is further

ORDERED, that defendant's motion to cancel the Notice of Pendency is granted and the New York County Clerk is hereby directed to forthwith cancel the Notice of Pendency dated January 7, 2015 and filed by plaintiff on January 7, 2015; and it is further

~~ORDERED that defendant is awarded the costs and expenses occasioned by the filing and cancellation of the notice of pendency, to be determined by the Court at the trial of this action, and it is further~~

ORDERED that defendant's motion to dismiss plaintiff's second cause of action for foreclosure of the mechanic's lien is granted.

Dated: March 16, 2018

ENTER:


J.S.C.