

Supreme Court of the State of New York
Appellate Division: Second Judicial Department

D13617
T/mv

_____AD3d_____

Submitted - December 20, 2006

DAVID S. RITTER, J.P.
GLORIA GOLDSTEIN
ANITA R. FLORIO
JOSEPH COVELLO, JJ.

2006-07243

DECISION & ORDER

Suzanne Marinacci Streng, respondent,
v TT Enterprises, et al., appellants.

(Index No. 15877/03)

Wollerstein & Futoran (Sweetbaum & Sweetbaum, Lake Success, N.Y. [Marshall D. Sweetbaum] of counsel), for appellants.

Pitnick & Margolin, LLP, Syosset, N.Y. (Chester Tuchman of counsel), for respondent.

In an action to recover damages for personal injuries, the defendants appeal from an order of the Supreme Court, Nassau County (Palmieri, J.), dated July 13, 2006, which granted the plaintiff's motion for leave to amend the complaint.

ORDERED that the order is affirmed, with costs.

The Supreme Court providently exercised its discretion in granting the plaintiff's motion for leave to amend her complaint (*see* CPLR 3025[b]; *Fiumara v C&S Wholesale Grocers*, 33 AD3d 959; *AFBT-II, LLC v Country Vil. on Mooney Pond*, 21 AD3d 972, 972-973; *Holchandler v We Transp.*, 292 AD2d 568, 568-569; *Northbay Constr. Co. v Bauco Constr. Corp.*, 275 AD2d 310, 311-312).

RITTER, J.P., GOLDSTEIN, FLORIO and COVELLO, JJ., concur.

ENTER:


James Edward Pelzer
Clerk of the Court

January 23, 2007

STRENG v TT ENTERPRISES