

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

D19631  
X/kmg

\_\_\_\_\_AD3d\_\_\_\_\_

Argued - May 16, 2008

ROBERT A. SPOLZINO, J.P.  
JOSEPH COVELLO  
THOMAS A. DICKERSON  
RANDALL T. ENG, JJ.

---

2007-09337

DECISION & ORDER

In the Matter of Scher Law Firm, LLP,  
respondent, v 87-10 51<sup>st</sup> Avenue Owners  
Corporation, appellant.

(Index No. 12675/07)

---

Steven D. Fink, Forest Hills, N.Y. (Richard Paul Stone of counsel), for appellant.

Scher Law Firm, LLP, Carle Place, N.Y. (Jonathan L. Scher, Robert S. Nayberg, and  
Austin R. Graff of counsel), respondent pro se.

In a proceeding pursuant to CPLR article 75 to confirm an arbitration award, 87-10 51<sup>st</sup> Avenue Owners Corporation appeals from an order and judgment (one paper) of the Supreme Court, Queens County (Dorsa, J.), dated September 12, 2007, which granted the petition, denied its cross petition, in effect, to vacate or modify the arbitration award, and is in favor of the petitioner and against it in the principal sum of \$110,614.53.

ORDERED that the order and judgment is affirmed, with costs.

Contrary to the appellant's contentions, the Supreme Court properly granted the petition to confirm the arbitration award and denied the cross petition, in effect, to vacate or modify the award. The record provides no support for the appellant's contention that there was a miscalculation of figures in the arbitrator's award, and there is no other valid basis for vacating or modifying the award (*see* CPLR 7511[b], [c]; *Matter of Cupero v Herman*, 50 AD3d 791; *Matter of WBP Cent. Assoc., LLC v Deco Const. Corp.*, 44 AD3d 781; *Matter of New York Cent. Mut. Fire*

June 10, 2008

Page 1.

MATTER OF SCHER LAW FIRM, LLP v 87-10 51<sup>ST</sup> AVENUE OWNERS CORPORATION

*Ins. Co. v Pinckney*, 303 AD2d 757; *Levy v Spanier*, 155 AD2d 517; *Matter of City of Troy [Village of Menands]*, 48 AD2d 733).

SPOLZINO, J.P., COVELLO, DICKERSON and ENG, JJ., concur.

ENTER:

A handwritten signature in black ink, reading "James Edward Pelzer". The signature is written in a cursive, flowing style.

James Edward Pelzer  
Clerk of the Court