

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

D23567
C/hu

_____AD3d_____

Submitted - May 12, 2009

REINALDO E. RIVERA, J.P.
HOWARD MILLER
RUTH C. BALKIN
LEONARD B. AUSTIN, JJ.

2008-06276

DECISION & ORDER

Board of Managers of 2121 Shore Condominium,
etc., appellant, v Estate of Bharat K. Mhatre, respondent.

(Index No. 43462/03)

Schechter & Brucker, P.C., New York, N.Y. (Kenneth H. Amorello of counsel), for
appellant.

Steven R. Finkelstein, New York, N.Y., for respondent.

In an action to recover unpaid condominium common charges and related fees, the
plaintiff appeals from so much of an order of the Supreme Court, Kings County (Schneier, J.), dated
May 12, 2008, as granted its motion for reimbursement of additional counsel fees and expenses only
to the extent of awarding the sum of \$5,000.

ORDERED that the order is affirmed insofar as appealed from, with costs.

Under the circumstances here, we find no basis to disturb the granting of the plaintiff's
motion for reimbursement of additional counsel fees and expenses only to the extent of awarding the
sum of \$5,000, to supplement the prior award of counsel fees and expenses in the foreclosure
judgment (*see Miller Realty Assoc. v Amendola*, 51 AD3d 987, 990; *Sempra Energy Trading Corp.*
v PG&E Texas VGM, 284 AD2d 253, 254; *Orix Credit Alliance v Grace Indus.*, 261 AD2d 521, 522;
Granada Condominium I v Morris, 225 AD2d 520).

RIVERA, J.P., MILLER, BALKIN and AUSTIN, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

June 16, 2009

BOARD OF MANAGERS OF 2121 SHORE CONDOMINIUM v
ESTATE OF BHARAT K. MHATRE