

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF _____

-----X

Plaintiff,

Index No.: _____

-against-

RESETTLEMENT ORDER

Defendant.

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J.:

Plaintiff / Defendant moves by order to show cause for an order granting resettlement of the court's order dated _____. The *plaintiff / defendant* opposes the motion.

Resettlement is a procedure used to correct errors or omissions as to form or for clarification. Resettlement is not to be used to bring about a substantive change. See *Foley v. Roche*, 68 A.D.2d 558, 566 (1st Dept. 1979). Thus, *plaintiff's / defendant's* motion which seeks resettlement is inappropriate as it does not seek to correct or clarify the order but, rather, seeks to change the substance. Accordingly, the motion for resettlement is denied.

This constitutes the decision and order of the court.

Dated: _____

Justice Supreme Court