

AK Med. NYC, P.C. v Palisades Ins. Co.

2026 NY Slip Op 30620(U)

February 26, 2026

Civil Court of the City of New York, Kings County

Docket Number: Index No. CV-707433-23/KI

Judge: Sandra Elena Roper

Cases posted with a "30000" identifier, i.e., 2013 NY Slip Op 30001(U), are republished from various New York State and local government sources, including the New York State Unified Court System's eCourts Service.

This opinion is uncorrected and not selected for official publication.

CIVIL COURT OF CITY OF NEW YORK
COUNTY OF KINGS: PART 40-NFA

-----X

AK Medical NYC, P.C.
a/a/o Raphael, Shella

Plaintiff(s),

-against-

PALISADES INS. CO.

Defendant(s).

-----X

Index No CV-707433-23/KI
Cal #4 Seq #1

DECISION AND ORDER

Recitation, as required by CPLR
§ 2219(a) of the papers considered in
review of this Motion.
Papers for Motion:
Plaintiff's Motion to Amend.....1
Proposed Incoming Defendant's Opposition.....2
Exhibits.....

Upon a review of the foregoing cited papers and after oral argument, the Decision/Order to amend the Summons and Complaint and the Caption is as follows:

Although the proposed incoming Defendant, GEICO Insurance Company, submitted opposition, it failed to file a motion or cross-motion seeking relief to intervene pursuant to CPLR § 1014, as required by this Court's Decision and Order dated June 4, 2025. An opposition is not the same as intervention pursuant to CPLR § 1014; therefore, the proposed incoming Defendant has no standing and failed to comply with this Court's order. Accordingly, the proposed incoming Defendant's opposition is not considered.

Application to amend the Summons and Complaint and the Caption pursuant to CPLR §305, §3025, and §2001 is GRANTED.

The Defendant herein, PALISADES INS. CO. is to be REMOVED as an improper defendant and GEICO INSURANCE COMPANY is to be added as the correct Defendant. Action against PALISADES INS. CO. is discontinued without prejudice.

IT IS ORDERED that the caption is hereby amended and the Clerk is directed to amend the caption to read as follows:

CIVIL COURT OF THE CITY OF NEW YORK
COUNTY OF KINGS

-----X

AK Medical NYC, P.C. a/a/o Raphael, Shella
Plaintiff(s),

Index No. CV-707433-23/KI

-against-

Geico Insurance Company

Defendant(s).

-----X

It is further **ORDERED** that plaintiff shall serve the incoming defendant, GEICO INSURANCE COMPANY with an Amended Summons and Complaint per the CPLR within 20 days hereof.

This constitutes the decision and order of this Court.

Date: February 26, 2026

HON. SANDRA ELENA ROPER, J.C.C.