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**STATE OF NEW YORK  
LITIGATION COORDINATING PANEL**

**Panel Case No. 0004/2002**

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NASSAU

-----X

PAUL KITSOS,

Plaintiff,

- against -

Assigned to  
Justice Thomas P. Phelan

Index No. 2368/2001

DONALD WEINER, BARBARA WEINER  
and GARDEN CITY DRESSES FOR LESS,  
INC.,

Defendants.

-----X

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

-----X

PAUL KITSOS and  
KATHERINE BISHOP II,

Plaintiffs,

- against -

Assigned to  
Justice Richard B. Lowe, III

Index No. 103795/2001

DONALD WEINER and BARBARA WEINER,

Defendants.

-----X

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

-----X

PAUL KITSOS and  
KATHERINE BISHOP II,

Plaintiffs,

- against -

DONALD WEINER, DRESSES FOR LESS,  
INC. and TREVOR BRATHWAIT,

Defendants.

-----X

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NASSAU

-----X

DRESSES FOR LESS, INC.,

Plaintiff,

- against -

PAUL KITSOS,

Defendant.

-----X

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NASSAU

-----X

DONALD WEINER and BARBARA WEINER,

Plaintiffs,

- against -

PAUL KITSOS,

Defendant.

-----X

Assigned to Justice Robert Lippman

Index No. 104478/2001

Assigned to Justice Leonard Austin

Index No. 7526/2001

Index No. 14217/2001

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NASSAU

----- X  
PAUL KITSOS,

Plaintiff,

- against -

DRESSES FOR LESS, INC.,  
DONALD WEINER, BARBARA WEINER  
RICHARD PEDONE, WHISKEY WHOLESale,  
INC., DAVID TELLER and BRAD COHEN,

Defendants.

----- X

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NASSAU

----- X  
PAUL KITSOS,

Plaintiff,

- against -

DONALD WEINER, BARBARA WEINER  
and 1700 JERICHO TPKE REALTY CORP.,

Defendants.

----- X

Assigned to Justice Leonard Austin

Index No.6596/2002

Assigned to  
Justice Thomas P. Phelan

Index No. 5112/2001

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NASSAU

----- X  
PAUL KITSOS,

Plaintiff,

- against -

DRESSES FOR LESS, INC.,

Defendant.

----- X

Assigned to  
Justice Leonard Austin

Index No. 14106/2002

**ORDER**

Donald Weiner, a party to various actions listed above, having submitted an application to the Litigation Coordinating Panel, dated September 29, 2002, pursuant to Section 202.69 of the Uniform Rules for the Trial Courts and the Interim Procedures of the Panel (dated May 29, 2002), seeking an Order of Coordination with respect to all actions, and parties Paul Kitsos and Katherine Bishop II having submitted an affirmation in opposition of Harlan M. Lazarus, Esq., dated October 24, 2002, and accompanying exhibits, and the Panel having heard oral argument on the application on November 15, 2002, and due deliberation having been had, and the Panel having issued a Decision this date, it is now therefore

ORDERED that, except as stated below, the application is granted and the actions set forth above shall be coordinated pursuant to Section 202.69 of the Uniform Rules for the Trial Courts in the Supreme Court of the State of New York, Nassau County before a Coordinating Justice of that county; and it is further

ORDERED that, pursuant to Section 202.69 (c) (1), the Administrative Judge of the Tenth

it is further

ORDERED that, the three actions in which a note of issue was filed, Kitsos v Weiner, Index No. 2368/2001, Kitsos v Weiner, Index No. 5112/2001, and Dresses for Less, Inc. v Kitsos, Index No. 7526/2001, all pending in Nassau County, shall only be included in the coordination if the trial Justice shall determine that trial shall be delayed pending proceedings preliminary thereto; and it is further

ORDERED that the Clerk of the Panel shall forthwith transmit a copy of the Decision of the Panel and this Order to counsel for all parties herein, the Justices to whom each of the above actions is currently assigned, and Honorable Edward G. McCabe, Administrative Judge of the Tenth Judicial District; and it is further

ORDERED that, within 30 days from receipt of a copy of this Order, counsel for the applicant shall serve a copy of the Panel's Decision and this Order upon the Clerk of the Supreme Court for New York County, who is directed, upon payment of appropriate fees, if any, to transmit the files in the two actions listed above that are pending in New York County to the Clerk of the Supreme Court, Nassau County.

Dated: November 27 , 2002



HON. HELEN E. FREEDMAN  
Presiding Justice, First Department

HON. RAYMOND E. CORNELIUS  
Justice, Fourth Department

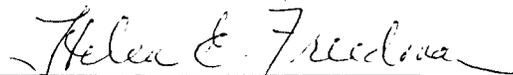
it is further

ORDERED that, the three actions in which a note of issue was filed, Kitsos v Weiner, Index No. 2368/2001, Kitsos v Weiner, Index No. 5112/2001, and Dresses for Less, Inc. v Kitsos, Index No. 7526/2001, all pending in Nassau County, shall only be included in the coordination if the trial Justice shall determine that trial shall be delayed pending proceedings preliminary thereto; and it is further

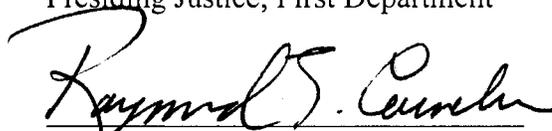
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ORDERED that, within 30 days from receipt of a copy of this Order, counsel for the applicant shall serve a copy of the Panel's Decision and this Order upon the Clerk of the Supreme Court for New York County, who is directed, upon payment of appropriate fees, if any, to transmit the files in the two actions listed above that are pending in New York County to the Clerk of the Supreme Court, Nassau County.

Dated: November 27 , 2002



HON. HELEN E. FREEDMAN  
Presiding Justice, First Department



HON. RAYMOND E. CORNELIUS  
Justice, Fourth Department



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HON. E. MICHAEL KAVANAGH  
Justice, Third Department

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HON. JOSEPH J. MALTESE  
Justice, Second Department

HON. E. MICHAEL KAVANAGH  
Justice, Third Department

A handwritten signature in black ink, appearing to read "Joseph J. Maltese", written over a horizontal line. The signature is fluid and cursive, with a long horizontal stroke extending to the right.

HON. JOSEPH J. MALTESE  
Justice, Second Department