

Oscar Blandi Salon, Inc. v Joseph E. Marx Co., Inc.

Motion No: 2022-03014

Slip Opinion No: 2022 NYSlipOp 72026(U)

Decided on September 20, 2022

Appellate Division, First Department, Motion Decision

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Judiciary Law § 431.

This motion is uncorrected and is not subject to publication in the
Official Reports.

Supreme Court of the State of New York
Appellate Division, First Judicial Department

Present – Hon. Anil C. Singh,
Tanya R. Kennedy
Saliann Scarpulla
Martin Shulman
Julio Rodriguez III,

Justice Presiding,

Justices.

Oscar Blandi Salon, Inc.,
Plaintiff,

Motion No. **2022-03014**

Index No. 153590/22

Case No. 2022-03144

-against-

Joseph E. Marx Company, Inc.,
Defendant.

Defendant/landlord having moved, pursuant to CPLR 5704(a), for certain relief denied by a Justice of the Supreme Court, New York County, in an order to show cause granted on or about July 05, 2022, or specifically for an order directing plaintiff-tenant to: (a) make the immediate payment to defendant-landlord of May 2022 and June 2022 rent in the total amount of \$150,059.00, and (b) continue to pay rent to defendant at the monthly rate of \$75,029.50 on the first day of each month thereafter pending the hearing and determination by Supreme Court of the underlying motion,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted and plaintiff-tenant is directed to pay to defendant-landlord use and occupancy in the amount of \$150,059.00 for the months of May and June 2022 within five (5) business days of the date of this order, and thereafter at a monthly rate of \$75,029.50, to be paid on the 15th day of each month, during the pendency of this action or further order of Supreme Court.

ENTERED: September 20, 2022



Susanna Molina Rojas
Clerk of the Court