

Renonce v Village Plaza, LLC
2016 NY Slip Op 31662(U)
June 27, 2016
Supreme Court, Queens County
Docket Number: 2339/2014
Judge: Martin J. Schulman
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This opinion is uncorrected and not selected for official publication.

Jun. 17. 2016 4:50PM

No. 8078 P. 2

SEQ: 4

At an ~~IAS~~ Term Part ^{TSP} of the Supreme Court . of the State of New York, County of Queens, at the Courthouse located at 88-11 Sutphin Blvd., Jamaica, NY 11435, on the 21st day of JUNE 2016,

PRESENT:

HON. HON. MARTIN J. SCHULMAN

Justice

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BELLA RENONCE, INFANT BY HER MOTHER AND NATURAL GUARDIAN, BESSY COLIN RENONCE AND BESSY COLIN RENONCE, INDIVIDUALLY

INFANT'S COMPROMISE ORDER

Index # 2339/2014

Plaintiff(s),

- against -

VILLAGE PLAZA, LLC AND BNKP CORPORATION d/b/a LITTLE CAESARS

Defendant(s).

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FILED
JUL 05 2016
COUNTY CLERK
QUEENS COUNTY

Upon reading and filing the Petition of **BESSY COLIN RENONCE**, mother and natural guardian of the infant, **BELLA RENONCE** duly verified and acknowledged on June 1, 2016 , the Attorney Affirmation of **DAVID M. ASCHER**, dated June 2, 2016 , the Affirmation of **JON PAUL PHILLIP DIMAURO M.D.**, signed and dated May 31, 2016 ; and upon all of the pleadings and proceedings heretofore had herein; and it appearing that the best interests of the infant will be served by compromising the action in the amount of **THREE HUNDRED THOUSAND DOLLARS (\$300,000.00)**;

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No. 8078 P. 3

NOW, on the motion of **LAW OFFICE OF DAVID ASCHER**, attorneys for the Plaintiffs herein, it is hereby,

ORDERED, that **BESSY COLIN RENONCE**, as mother and natural guardian of **BELLA RENONCE**, an infant, is authorized, empowered and directed to compromise and settle the cause of action on behalf of the Infant for personal injuries sustained by the Infant in the sum of **THREE HUNDRED THOUSAND DOLLARS (\$300,000.00.00)**; and it is further

ORDERED that the Defendant **BNKP CORP. d/b/a LITTLE CAESARS** has agreed to settle the matter for **TWO HUNDRED THOUSAND DOLLARS (\$200,000.00)** and that Defendant **VILLAGE PLAZA** has agreed to settle the matter for **ONE HUNDRED THOUSAND DOLLARS (\$100,00.00)**

ORDERED, that the sum of **\$4,167.26** be allowed and made payable to **LAW OFFICE OF DAVID ASCHER**. for costs and disbursements incurred in connection with the preparation and prosecution of this action. Defendant **BNKP Corporation** shall pay **\$2,778.17** and Defendant **VILLAGE PLAZA** shall pay **\$1389.08**; and it is further

ORDERED, that the sum of **\$32,870.30** be allowed and made payable by Defendant **VILLAGE PLAZA** to **LAW OFFICE OF DAVID ASCHER** as payment of their fees for professional services rendered herein; and it is further **ORDERED**, that the sum of **\$65,740.61** be allowed and made payable by Defendant **BNKP CORPORATION** as payment for their fees for professional services rendered; it is further;

ORDERED, that the balance of said settlement **\$197,221.83** to be paid to the Infant Plaintiff by defendants as follows:

Ordered Defendant **BNKP CORPORATION** in sum of **\$131,481.21** and **VILLAGE PLAZA** in the sum of **\$65,740.62** be allowed and made payable to **BESSY COLIN**

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No. 8078 P. 4

RENONCE, AS MOTHER AND NATURAL GUARDIAN OF **BELLA RENONCE**, an Infant, jointly with an officer of Community Federal Savings, located at 216-244 Jamaica Avenue, Queens, NY to be deposited in the said bank in an account, or accounts, yielding the highest rate of interest available, in the name of the mother and natural guardian, in trust for the Infant and for the sole use and benefit of the Infant; and that the time deposit accounts and certificate of deposit accounts shall be continuously renewed at maturity at the highest rate of interest then available, but the date of maturity thereof shall not extend beyond the date upon which the Infant attains the age of eighteen (18) years; and that when no such time deposit or certificate of deposit account is available, then the accumulated funds shall be placed in the bank's insured money market account; and that no withdrawals shall be made from said account, or accounts, before the Infant reaches the age of eighteen (18) years, except upon further order of this Court; and it is further

ORDERED, that the filing of a bond is hereby dispensed with, in accordance with the provision of CPLR § 1210(c); and it is further

ORDERED, that upon compliance with the terms of this Order, **BESSY COLIN RENONCE**, as mother and natural guardian of **BELLA RENONCE**, an Infant, be and hereby is authorized to deliver releases and any and all papers necessary to effectuate such settlement and collect such monies herein, and Plaintiffs' attorneys are hereby authorized to deliver Stipulations of Discontinuance of the above-entitled action to the said Defendants; and it is further

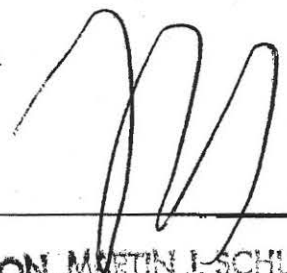
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ORDERED, that the infant Plaintiff, upon reaching her 18th birthday and upon presentation of proof, may withdraw the funds from the above bank without any or further Notice or Order of the Court:

ORDERED, that pursuant to the Uniform Rules of New York State Trial Courts, Section 202.5, the attorneys and the client to this action have mutually agreed that the name of the infant-plaintiff shall not be redacted.

ENTER



J.S.C

HON. MARTIN J. SCHULMAN

FILED
JUL 05 2016
COUNTY CLERK
QUEENS COUNTY