

Allen v New York City Tr. Auth.
2018 NY Slip Op 31069(U)
May 31, 2018
Supreme Court, New York County
Docket Number: 150116/2015
Judge: Kathryn E. Freed
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SUPREME COURT OF THE STATE OF NEW YORK NEW YORK COUNTY

PRESENT: HON. KATHRYN E. FREED PART IAS MOTION 2

Justice

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INDEX NO. 150116/2015

ANGELIN ALLEN,

Plaintiff,

MOTION SEQ. NO. 002

- v -

NEW YORK CITY TRANSIT AUTHORITY, METROPOLITAN
TRANSPORTATION AUTHORITY, GVC II, INC., CORP TRANS
GROUP (CTG), UG IMPERIAL INC.

DECISION AND ORDER

Defendant.

-----X

The following e-filed documents, listed by NYSCEF document number (Motion 002) 42, 43, 44, 45, 46, 47

were read on this motion to/for

CONSOLIDATE/JOIN FOR TRIAL

Plaintiff moves, without opposition, to consolidate this action with the one entitled *Allen v Allstate Private Car & Limousine, Inc.*, in Supreme Court, Kings County, bearing index No. 522800/2016. The papers indicate that the cases have common issues of law and fact, and that consolidation would serve the interests of justice and judicial economy. (*See DLJ Mtge. Capital, Inc. v Kontogiannis*, 110 AD3d 522 [1st Dept 2013]; *Murphy v 317-319 Second Realty LLC*, 95 AD3d 443 [1st Dept 2012].)

Accordingly, it is hereby

ORDERED that the motion is granted; and it is further

ORDERED that the action entitled *Allen v Allstate Private Car & Limousine, Inc.*, in Supreme Court, Kings County, bearing index No. 522800/2016, is consolidated for all purposes

in this Court, with the above-captioned action, and the pleadings in each action shall stand as the pleadings in the consolidated action; and it is further

ORDERED that the consolidated action shall bear the following caption:

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ANGELIN ALLEN,

Plaintiff,

-against-

NEW YORK CITY TRANSIT AUTHORITY,
METROPOLITAN TRANSPORTATION AUTHORITY,
GVC II, INC., CORP TRANS GROUP (CTG),
UG IMPERIAL, INC., ALLSTATE PRIVATE CAR
& LIMOUSINE, INC., and HUSAN MAMAJONOV,

Defendants.

-----X
and it is further

ORDERED that, within 30 days from entry of this order, counsel for the movant shall serve a certified copy of this order upon the Clerk of the Supreme Court, Kings County, and shall pay the appropriate fee, if any, for such transfer and shall contact the staff of said Clerk to arrange for the effectuation of the transfer in an efficient manner; and it is further

ORDERED that service upon the Clerk of the Supreme Court, Kings County shall be made in accordance with any applicable protocol or other procedures of said county; and it is further

ORDERED that the Clerk of the Supreme Court, Kings County, shall transfer the documents on file under Index No. 522800/2016 to the Clerk of this Court for the purpose of consolidation; and it is further

ORDERED that the Clerk of the Supreme Court, Kings County and the Clerk of this court shall coordinate the transfer of the documents being transferred so as to ensure an efficient transfer and to minimize insofar as practical the reproduction of such documents, including with regard to any documents that may be in digital format; and it is further

ORDERED that the pleadings in the actions hereby consolidated shall stand as the pleadings in the consolidated action; and it is further

ORDERED that, within 30 days from entry of this order, movant shall serve a copy of this order with notice of entry on the Clerk of the Court (60 Centre Street, Room 141 B), who shall consolidate the documents in the actions hereby consolidated and shall mark his or her records to reflect the consolidation; and it is further

ORDERED that such service upon the Clerk of the Court shall be made in hard-copy format if the case pending in this county is a hard-copy case or, if this case is an e-filed one, shall be made in accordance with the procedures set forth in the *Protocol on Courthouse and County Clerk Procedures for Electronically Filed Cases* (accessible at the “E-Filing” page on this court’s website at the address www.nycourts.gov/supctmanh); and it is further

ORDERED that, as applicable and insofar as is practical, the Clerk of this Court shall file the documents transferred from the Supreme Court, Kings County in the consolidated case file under the New York County Index Number of the consolidated action in the New York State Courts Electronic Filing System or make appropriate notations of such documents in the e-filing records of the court so as to ensure access to the documents in the consolidated action; and it is further

ORDERED that, within 30 days from entry of this order, movant shall serve a copy of this order with notice of entry upon the Clerk of the General Clerk's Office (60 Centre Street, Room 119), who is hereby directed to reflect the consolidation by appropriately marking the court's records; and it is further

ORDERED that such service upon the Clerk of the General Clerk's Office shall be made in hard-copy format if the case pending in this county is a hard-copy case or, if the case pending here is an e-filed one, shall be made in accordance with the procedures set forth in the aforesaid *Protocol*; and it is further

ORDERED that counsel are directed to appear for a status conference in Room 280, 80 Centre Street, New York, New York, on July 31, 2018 at 2:15 p.m.

5/31/2018

DATE

CHECK ONE:

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CASE DISPOSED

☒

GRANTED

☐

DENIED

☒

NON-FINAL DISPOSITION

☐

GRANTED IN PART

☐

OTHER

APPLICATION:

☐

SETTLE ORDER

☐

SUBMIT ORDER

CHECK IF APPROPRIATE:

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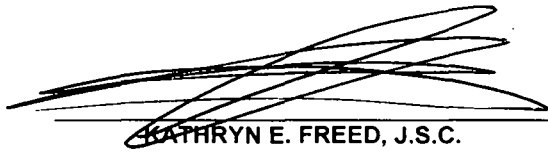
INCLUDES TRANSFER/REASSIGN

☐

FIDUCIARY APPOINTMENT

☐

REFERENCE


KATHRYN E. FREED, J.S.C.