

<b>Murrel v New York City Tr. Auth.</b>
2019 NY Slip Op 31802(U)
June 20, 2019
Supreme Court, New York County
Docket Number: 152217/2018
Judge: Lisa A. Sokoloff
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**SUPREME COURT OF THE STATE OF NEW YORK  
NEW YORK COUNTY**

**PRESENT: HON. LISA ANN SOKOLOFF PART IAS MOTION 21EFM**

*Justice*

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**INDEX NO. 152217/2018**

TRAVAR MURREL, LAURA FOSTER,

**MOTION DATE 03/25/2019**

Plaintiff,

**MOTION SEQ. NO. 002**

- v -

NEW YORK CITY TRANSIT AUTHORITY, METROPOLITAN  
TRANSPORTATION AUTHORITY, MTA BUS COMPANY,  
MANHATTAN AND BRONX SURFACE TRANSIT OPERATING  
AUTHORITY, SIMON SEABROOKS, SOCRATE PENA

**DECISION AND ORDER**

Defendant.

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The following e-filed documents, listed by NYSCEF document number (Motion 002) 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52

were read on this motion to/for CONSOLIDATE/JOIN FOR TRIAL.

Upon the foregoing documents, it is

ORDERED that the motion is granted and the action JASON RIVERA vs UBER TECHNOLOGIES INC., SOCRATE R. PENA AND EL BARRIO'S CAR SERVICE LLC, Index No. 27678/2017E, pending in the Supreme Court, Bronx County, shall be consolidated in this Court with JASON RIVERA vs. NEW YORK CITY TRANSIT AUTHORITY, et al, Index No. 450214/2019, New York County, and both actions be consolidated with TRAVAR MURREL, LAURA FOSTER vs NEW YORK CITY TRANSIT AUTHORITY, et al, Index No.152217/2018; and it is further

ORDERED that the consolidation shall take place under New York County Index No. 152217/2018 and the consolidated action shall bear the following caption<sup>1</sup>:

TRAVAR MURREL, LAURA FOSTER, and  
JASON RIVERA,

<sup>1</sup> UBER TECHNOLOGIES INC., having been discontinued from the action in October of 2017 is removed from the caption to avoid confusion.

Plaintiffs,

-against-

NEW YORK CITY TRANSIT AUTHORITY,  
METROPOLITAN TRANSPORTATION AUTHORITY, MTA BUS COMPANY,  
MANHATTAN AND BRONX SURFACE TANSIT OPERATING AUTHORITY,  
SIMON SEABROOKS, SOCRATE R. PENA AND EL BARRIO'S CAR SERVICE, LLP,  
Defendants.

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, Bronx 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, Bronx 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, Bronx County, shall transfer the documents on file under Index No27678/2017E to the Clerk of this Court for the purpose of consolidation; and it is further

ORDERED that the Clerk of the Supreme Court, Bronx 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 all three 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 three actions hereby consolidated and shall mark his 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](http://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, Bronx 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 in all files; 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 all parties may serve cross-claims within 60 days of the consolidation of all three actions; and it is further

ORDERED that counsel are directed to appear for a discovery conference in Room 279 ,  
80 Centre Street, New York, New York, on August 22, 2019 at 2:30 AM/PM.

6/20/2019  
DATE

LISA ANN SOKOLOFF, J.S.C.

CHECK ONE:

CASE DISPOSED

GRANTED

DENIED

NON-FINAL DISPOSITION

GRANTED IN PART

OTHER

APPLICATION:

SETTLE ORDER

SUBMIT ORDER

CHECK IF APPROPRIATE:

INCLUDES TRANSFER/REASSIGN

FIDUCIARY APPOINTMENT

REFERENCE