

<b>Hernandez v City of New York</b>
2021 NY Slip Op 30786(U)
March 15, 2021
Supreme Court, New York County
Docket Number: 158153/2020
Judge: Shawn T. Kelly
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SUPREME COURT OF THE STATE OF NEW YORK
NEW YORK COUNTY

PRESENT: HON. SHAWN TIMOTHY KELLY PART IAS MOTION 57

Justice

-----X

JULIO SALDANA HERNANDEZ,
Plaintiff,

- v -

THE CITY OF NEW YORK, THE NEW YORK CITY
INDUSTRIAL DEVELOPMENT AGENCY

Defendant.

-----X

INDEX NO. 158153/2020
MOTION DATE N/A
MOTION SEQ. NO. 001

DECISION + ORDER ON
MOTION

The following e-filed documents, listed by NYSCEF document number (Motion 001) 4, 5, 6, 7, 8, 9, 10,
11, 12, 13, 14, 18, 19

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

Upon the foregoing documents, it is

The motion is granted pursuant to the February 24, 2021 so-ordered Stipulation
(NYSCEF Doc. No. 20). It is hereby,

ORDERED that the motion is granted and the action JULIO SALDANA
HERNANDEZ v. 509 W 34, L.L.C., 509 W 34 TRS, L.L.C., 509 W 34 MEZZ, L.L.C., 509 W 34
HOLDINGS, L.L.C., TISHMAN SPEYER PROPERTIES, L.P., TISHMAN SPEYER
DEVELOPMENT CORPORATION, TURNER CONSTRUCTION COMPANY,
CIVETTACOUSINS JV, L.L.C., and NYC CONSTRUCTORS, LLC Index Number
31248/2020E, pending in the Supreme Court, Bronx County, shall be consolidated in this Court
with JULIO SALDANA HERNANDEZ v. THE CITY OF NEW YORK and THE NEW YORK
CITY INDUSTRIAL DEVELOPMENT AGENCY, Index No. 158153/2020 , New York
County; and it is further

ORDERED that the consolidation shall take place under New York County Index No. 158153/2020 and the consolidated action shall bear the following caption:

JULIO SALDANA HERNANDEZ

Plaintiff,

-against-

THE CITY OF NEW YORK, THE NEW YORK  
CITY INDUSTRIAL DEVELOPMENT AGENCY,  
509 W 34, L.L.C., 509 W 34 TRS, L.L.C., 509 W 34 MEZZ,  
L.L.C., 509 W 34 HOLDINGS, L.L.C., TISHMAN SPEYER  
PROPERTIES, L.P., TISHMAN SPEYER DEVELOPMENT  
CORPORATION, TURNER CONSTRUCTION COMPANY,  
and NYC CONSTRUCTORS, LLC,

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 No. 31248/2020E 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 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 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; 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 remote preliminary, on May 11 , 2021, at 10:30 AM.

3/15/2021 DATE					 SHAWN TIMOTHY KELLY, J.S.C.
CHECK ONE:	<input type="checkbox"/>	CASE DISPOSED	<input checked="" type="checkbox"/>	NON-FINAL DISPOSITION	
	<input checked="" type="checkbox"/>	GRANTED	<input type="checkbox"/>	DENIED	<input type="checkbox"/>
APPLICATION:	<input type="checkbox"/>	SETTLE ORDER	<input type="checkbox"/>	SUBMIT ORDER	<input type="checkbox"/>
CHECK IF APPROPRIATE:	<input type="checkbox"/>	INCLUDES TRANSFER/REASSIGN	<input type="checkbox"/>	FIDUCIARY APPOINTMENT	<input type="checkbox"/>
					<input type="checkbox"/>
					REFERENCE