

Fernandez v Sub 412 Assoc., LLC
2021 NY Slip Op 31624(U)
May 14, 2021
Supreme Court, New York County
Docket Number: 161024/2017
Judge: Lewis J. Lubell
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This opinion is uncorrected and not selected for official publication.

**SUPREME COURT OF THE STATE OF NEW YORK
NEW YORK COUNTY**

PRESENT: HON. LEWIS JAY LUBELL

PART

IAS MOTION 29

Justice

-----X

JUAN FERNANDEZ,

Plaintiff(s),

- v -

SUB 412 ASSOCIATES, LLC, 2398 REALTY ASSOCIATES,
LLC, ARAMIS, INC, DESIGN REPUBLIC PARTNERS
ARCHITECTS, LLP, NUCOR CONSTRUCTION CORP.,

Defendant(s).

-----X

ARAMIS, INC.

Plaintiff(s),

-against-

NUCOR CONSTRUCTION CORP.

Defendant(s).

-----X

SUB 412 ASSOCIATES, LLC, 2398 REALTY ASSOCIATES,
LLC

Plaintiff(s),

-against-

NUCOR CONSTRUCTION CORP.

Defendant(s).

-----X

DESIGN REPUBLIC PARTNERS ARCHITECTS, LLP

Plaintiff(s),

-against-

NUCOR CONSTRUCTION CORP.

Defendant(s).

-----X

INDEX NO. 161024/2017

MOTION DATE 10/09/2020,
11/23/2020

MOTION SEQ. NO. 002 003

**DECISION + ORDER ON
MOTION**

Third-Party
Index No. 595970/2019

Second Third-Party
Index No. 595989/2019

Third Third-Party
Index No. 595995/2019

NUCOR CONSTRUCTION CORP.

Fourth Third-Party
Index No. 595145/2020

Plaintiff(s),

-against-

ANFIELD INTERIORS, INC., MANHATTAN FINE CLEANERS
INC.

Defendant(s).

-----X

ARAMIS, INC

Fifth Third-Party
Index No. 595264/2020

Plaintiff(s),

-against-

ANFIELD INTERIORS, INC.

Defendant(s).

-----X

The following e-filed documents, listed by NYSCEF document number (Motion 002) 139, 140, 141, 142, 143, 144

were read on this motion to/for

CONSOLIDATE/JOIN FOR TRIAL

The following e-filed documents, listed by NYSCEF document number (Motion 003) 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163

were read on this motion to/for

ORDER OF PROTECTION

Upon the foregoing documents, it is

ORDERED that Motion Seq. Nos. 2 and 3 are granted in their entirety with no opposition filed and without prejudice to any further application relative to these two motions; and it is further **ORDERED** that the Third-Party Action bearing Index No. 595970/2019, the Second Third-Party Action bearing Index No. 595989/2019, and the Third Third-Party Action bearing Index No. 595995/2019 are hereby discontinued by stipulation and order of the Court as all parties to those actions are direct defendants in the main action; and it is further

ORDERED that any direct claims in the Third-Party Action, the Second Third-Party Action, and the Third-Party Action are hereby converted to cross-claims in the main action; and it is further

ORDERED that the Fourth Third-Party Action bearing Index No. 595145/2020 will now be referred to as and deemed the Third-Party Action and the Fifth Third-Party Action bearing Index No. 595264/2020 will now be referred to as and deemed the Second Third-Party Action.

ORDERED that the amended caption shall read as follows:

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

-----X
JUAN FERNANDEZ,

Plaintiff(s),

Index No.: 161024/2017

-against-

SUB 412 ASSOCIATES, LLC, 2398 REALTY
ASSOCIATES, LLC, ARAMIS, INC, DESIGN
REPUBLIC PARTNERS ARCHITECTS, LLP,
NUCOR CONSTRUCTION CORP, and THE
ESTEE LAUDER COMPANIES, INC.,

Defendant(s).

-----X
NUCOR CONSTRUCTION CORP.,

Plaintiff(s),

Third-Party Action
Index No.: 595145/2020

-against-

ANFIELD INTERIORS, INC. and MANHATTAN
FINE CLEANERS INC.,

Defendant(s).

-----X
ARAMIS INC.,

Plaintiff(s),

Second Third-Party Action
Index No.: 595264/2020

-against-

ANFIELD INTERIORS, INC.,

Defendant(s).

-----X

ORDERED that within twenty (20) days from entry of this order, counsel for the moving party shall e-file and serve a copy of this order with notice of entry along with 'Notice to County Clerk' Form EF-23 upon the County Clerk and the Clerk of the General Clerk's office who are directed to amend the caption and mark the court's records to reflect the aforementioned changes.

5/14/2021

DATE

CHECK ONE:

☐

CASE DISPOSED

☒

GRANTED

☐

DENIED

APPLICATION:

☐

SETTLE ORDER

CHECK IF APPROPRIATE:

☐

INCLUDES TRANSFER/REASSIGN

☒

NON-FINAL DISPOSITION

☐

GRANTED IN PART

☐

OTHER

☐

SUBMIT ORDER

☐

FIDUCIARY APPOINTMENT

☐

REFERENCE



LEWIS JAY LUBELL, J.S.C.