

Liberty Mut. Ins. Co. v Belzince
2021 NY Slip Op 32784(U)
December 20, 2021
Supreme Court, New York County
Docket Number: Index No. 651913-2021
Judge: Louis L. Nock
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SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

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LIBERTY MUTUAL INSURANCE COMPANY and LM
GENERAL INSURANCE COMPANY,

Plaintiffs,

-against-

SAMSON BELZINCE

Individual Defendant,

-and-

ALL HEALTH DME INC
ARS MEDICAL EQUIPMENT CORP
ASG RX CORP
BYOUNG IM LEE, NP
COMPREHENSIVE PSYCHOLOGICAL EVALUATION, PC
DIANA BEYNIN DC
GO FLEX REHAB PHYSICAL THERAPY, PC
HAMZA PHYSICAL THERAPY PLLC
LIANA BINNS, NP
METRO PAIN SPECIALISTS PROFESSIONAL
CORPORATION
MIISUPPLY LLC
ROSAR MEDICAL EQUIPMENT CORP
SOUTH SHORE CHIRO WELLNESS PC
TMVQS CORP.
TOP CHOICE PHARMACY CORP. aka TOP CHOICE RX
TOPLAB aka ADVANCED COMPREHENSIVE
LABORATORY, LLC

Medical Provider Defendants,
Collectively, The Defendants.

ORDER

Index No.: 651913-2021

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Upon reading Plaintiffs, LIBERTY MUTUAL INSURANCE COMPANY and LM GENERAL INSURANCE COMPANY's (hereinafter, collectively "LIBERTY"), Notice of Motion and the Affirmation of Ashley Arcuri, Esq. dated November 5, 2021, together with the exhibits annexed thereto, submitted in support of Plaintiffs' motion to enter default judgment with no opposition thereto, it is hereby:

ORDERED, ADJUDGED, and DECLARED, that LIBERTY's motion for a **default judgment** is granted as against Defendants:

SAMSON BELZINCE

ALL HEALTH DME INC
BYOUNG IM LEE, NP
COMPREHENSIVE PSYCHOLOGICAL EVALUATION, PC
DIANA BEYNIN DC
GO FLEX REHAB PHYSICAL THERAPY, PC
HAMZA PHYSICAL THERAPY PLLC
LIANA BINNS, NP
METRO PAIN SPECIALISTS PROFESSIONAL CORPORATION
MIISUPPLY LLC
SOUTH SHORE CHIRO WELLNESS PC
TMVQS CORP.
TOPLAB aka ADVANCED COMPREHENSIVE LABORATORY, LLC

(hereinafter, collectively “the Non-Answering Defendants”);

and it is further,

ORDERED, ADJUDGED, and DECLARED, that each and every part of any arbitration or court hearing brought by the Non-Answering Defendants stemming from the alleged occurrence of August 11, 2020 involving SAMSON BELZINCE is permanently STAYED;

and it is further,

ORDERED, ADJUDGED, and DECLARED, that the Non-Answering Defendants are permanently BARRED from bringing any arbitration or court hearing stemming from the alleged occurrence of August 11, 2020 involving SAMSON BELZINCE;

and it is further,

ORDERED, ADJUDGED, and DECLARED, that all of LIBERTY’s denials, including those annexed to LIBERTY’s motion, of all claims for No-Fault benefits stemming from the alleged occurrence of August 11, 2020 involving SAMSON BELZINCE are valid;

and it is further,

ORDERED, ADJUDGED, and DECLARED, that LIBERTY is not obligated to honor or pay claims and/or bills for reimbursement submitted by the Non-Answering Defendants under policy number AOS22121706470, nor is LIBERTY required to provide, pay, honor, or reimburse any claims set forth herein, in any current, pending, or future proceedings, including but not limited to cases in any court of the State of New York and/or arbitrations proceeding seeking to recover no-fault benefits arising under LIBERTY policy number AOS22121706470 from the alleged accident of August 11, 2020, involving SAMSON BELZINCE;

and it is further,

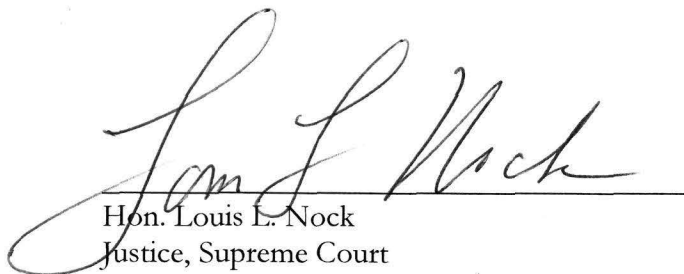
ORDERED, ADJUDGED, and DECLARED, that this Order does not apply to the Answering Defendants, ARS MEDICAL EQUIPMENT CORP, ROSAR MEDICAL EQUIPMENT CORP, ASG RX CORP, and TOP CHOICE PHARMACY CORP aka TOP CHOICE RX,

and it is further,

ORDERED, ADJUDGED, and DECLARED, that the Plaintiffs serve this signed Order upon all parties within 10 days; and

THIS CONSTITUTES THE JUDGMENT AND ORDER OF THIS COURT.

Dated: New York, New York
December 20, 2021


Hon. Louis L. Nock
Justice, Supreme Court

TO:

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