

PV Holding Corp. v Azcarerent, Inc.

2022 NY Slip Op 30272(U)

January 28, 2022

Supreme Court, New York County

Docket Number: Index No. 157524/2020

Judge: David Benjamin Cohen

Cases posted with a "30000" identifier, i.e., 2013 NY Slip Op 30001(U), are republished from various New York State and local government sources, including the New York State Unified Court System's eCourts Service.

This opinion is uncorrected and not selected for official publication.

SUPREME COURT OF THE STATE OF NEW YORK
NEW YORK COUNTY

PRESENT: HON. DAVID B. COHEN PART 58

Justice

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PV HOLDING CORP. INCLUDING ALL OF ITS
SUBSIDIARIES AND AFFILIATES, INCLUDING BUT NOT
LIMITED TO AVIS BUDGET, LLC, AVIS CAR RENTAL,
LLC, BUDGET CAR RENTAL, LLC, BUDGET TRUCK
RENTAL, LLC, PAYLESS CAR RENTAL, INC. AND
ZIPCAR, INC.,

INDEX NO. 157524/2020

MOTION DATE 12/07/2021

MOTION SEQ. NO. 001

Plaintiff,

- v -

AZCARERENT, INC., BENESSERE SERVICES,
INC., CITIMEDICAL SERVICES, P.C., DR. DAVID
ANGELILLO ORTHOPAEDIC SURGERY & SPORTS
MEDICINE, P.C., STEPHEN A. MATRANGOLO, D.C.,
P.C., HEALTHMAX ACUPUNCTURE, P.C., HEALTHWISE
MEDICAL ASSOCIATES, P.C., HLB MEDICAL,
P.C., INTEGRATED INTERVENTIONAL PAIN
MANAGEMENT, P.C., JOSEPH BROGNA, D.C. D/B/A
SOUTHSHORE CHIROPRACTIC, PLLC, LEVMIC,
INC., NEXRAY MEDICAL IMAGING, P.C., QUALITY MED
EQUIP, INC., RIVER CHEMIST CORP., SA
CHIROPRACTIC, P.C., SUDHA PATEL, M.D.,
PLLC, WELCOME PHYSICAL THERAPY, P.C., AHARON
GUTTERMAN, M.D., PLLC, BALANCE FIT CHIROPRACTIC,
P.C., DNA PHARMACY, INC., EXPERT PHARMACY,
INC., INWOOD MEDICAL CARE, PLLC, NAGLE
ACUPUNCTURE, P.C., ROXBURY ANESTHESIA,
LLC, TRINITY PAIN MANAGEMENT OF STATEN ISLAND,
PLLC, GOOD LIFE ACUPUNCTURE, P.C., NEXUS
CHIROPRACTIC, P.C., OUTREACH MANUAL PHYSICAL
THERAPY, P.C., SYED ASIM MAQSOOD MEDICAL,
P.C., BRIANNA CRAIG, MACKENZIE SWANSON, GRISELL
CUEVAS,

DECISION + ORDER ON
MOTION

Defendant.

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The following e-filed documents, listed by NYSCEF document number (Motion 001) 52, 53, 54, 55, 56,
57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 70, 73

were read on this motion to/for JUDGMENT - DEFAULT

Upon the foregoing documents, it is

ORDERED that the plaintiff's motion for a default judgment on the complaint herein is

granted on default as against defendants AZCARERENT, INC., CITIMEDICAL SERVICES, P.C., DR. DAVID ANGELILLO ORTHOPAEDIC SURGERY & SPORTS MEDICINE, P.C., STEPHEN A. MATRANGOLO, D.C., P.C., HLB MEDICAL, P.C., INTEGRATED INTERVENTIONAL PAIN MANAGEMENT, P.C., JOSEPH BROGNA, D.C. D/B/A SOUTHSORE CHIROPRACTIC, PLLC, LEVMIC, INC., NEXRAY MEDICAL IMAGING, P.C., QUALITY MED EQUIP, INC., RIVER CHEMIST CORP., SA CHIROPRACTIC, P.C., SUDHA PATEL, M.D., PLLC, WELCOME PHYSICAL THERAPY, P.C., AHARON GUTTERMAN, M.D., PLLC, DNA PHARMACY, INC., EXPERT PHARMACY, INC., ROXBURY ANESTHESIA, LLC, TRINITY PAIN MANAGEMENT OF STATEN ISLAND, PLLC, GOOD LIFE ACUPUNCTURE, P.C., NEXUS CHIROPRACTIC, P.C., OUTREACH MANUAL PHYSICAL THERAPY, P.C., SYED ASIM MAQSOOD MEDICAL, P.C., BRIANNA CRAIG, MACKENZIE SWANSON, and GRISELL CUEVAS. Plaintiff shall be awarded the declaratory and injunctive relief sought in the Complaint as to defaulting defendants, together with costs and disbursements as taxed by the Clerk; and it is further

ORDERED that movant shall submit a hard copy of a proposed judgment to Motion Support, Order Section located at 60 Centre Street, Room 119A, New York, New York and upload same to the e-file system no later than February 28, 2022; and it is further

ORDERED that moving defendants shall serve a copy of this order with notice of entry on the Clerk of the General Clerk's Office (60 Centre Street, Room 119); and it is further

ORDERED that such service upon the Clerk of the General Clerk's Office 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 the court's website at the address www.nycourts.gov/supctmanh); and it is further

ORDERED that the plaintiff's motion for leave to amend the complaint is granted; and it is further

ORDERED that the amended complaint, in the form annexed to the motion papers, shall be deemed served upon service of a copy of this order with notice of entry upon all parties who have appeared in the action; and it is further

ORDERED that a supplemental summons and amended complaint, in the form annexed to the motion papers, shall be served, in accordance with the Civil Practice Law and Rules, upon the additional party in this action within 30 days after service of a copy of this order with notice of entry; and it is further

ORDERED that the action shall bear the following caption:

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

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PV HOLDING CORP. INCLUDING ALL OF ITS
SUBSIDIARIES AND AFFILIATES, INCLUDING BUT NOT
LIMITED TO AVIS BUDGET, LLC, AVIS CAR RENTAL, LLC,
BUDGET CAR RENTAL, LLC, BUDGET TRUCK RENTAL,
LLC, PAYLESS CAR RENTAL, INC. and ZIPCAR, INC.,

Plaintiffs,

Index No.: 157524/2020

-against-

AZCAREMENT, INC., BENESSERE SERVICES, INC.,
CITIMEDICAL SERVICES, P.C., DR. DAVID ANGELILLO
ORTHOPAEDIC SURGERY & SPORTS MEDICINE, P.C.,
STEPHEN A. MATRANGOLO, D.C., P.C., HEALTHMAX
ACUPUNCTURE, P.C., HEALTHWISE MEDICAL
ASSOCIATES, P.C., HLB MEDICAL, P.C., INTEGRATED
INTERVENTIONAL PAIN MANAGEMENT, P.C., JOSEPH
BROGNA, D.C. d/b/a SOUTHSORE CHIROPRACTIC, PLLC,
LEVMIC, INC., NEXRAY MEDICAL IMAGING, P.C.,
QUALITY MED EQUIP, INC., RIVER CHEMIST CORP., SA
CHIROPRACTIC, P.C., SUDHA PATEL, M.D., PLLC,
WELCOME PHYSICAL THERAPY, P.C., AHARON
GUTTERMAN, M.D., PLLC, BALANCE FIT CHIROPRACTIC,

P.C., DNA PHARMACY, INC., EXPERT PHARMACY, INC., INWOOD MEDICAL CARE, PLLC, NAGLE ACUPUNCTURE, P.C., ROXBURY ANESTHESIA, LLC, TRINITY PAIN MANAGEMENT OF STATEN ISLAND, PLLC, GOOD LIFE ACUPUNCTURE, P.C., NEXUS CHIROPRACTIC, P.C., OUTREACH MANUAL PHYSICAL THERAPY, P.C., SYED ASIM MAQSOOD MEDCIAL, P.C., SURGICORE OF JERSEY CITY, LLC, BRIANNA CRAIG, MACKENZIE SWANSON and GRISELL CUEVAS,

Defendants.

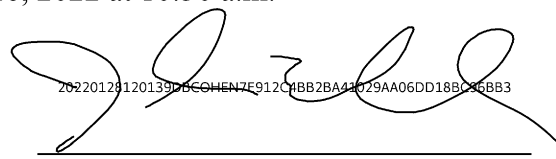
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And it is further

ORDERED that counsel for the moving party shall serve a copy of this order with notice of entry upon the County Clerk (60 Centre Street, Room 141B) and the Clerk of the General Clerk’s Office (60 Centre Street, Room 119), who are directed to mark the court’s records to reflect the parties being added pursuant hereto; and it is further

ORDERED that such service upon the County Clerk and the Clerk of the General Clerk’s Office 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 the court’s website at the address (ww.nycourts.gov/supctmanh); and it is further

ORDERED that the parties are to appear for a preliminary conference in Part 58, 71 Thomas Street, Room 305, via MS TEAMS, on April 26, 2022 at 10:30 a.m.


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DAVID B. COHEN, J.S.C.

1/28/2022
DATE

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"/>	OTHER
APPLICATION:	<input type="checkbox"/>	SETTLE ORDER	<input type="checkbox"/>	SUBMIT ORDER	<input type="checkbox"/>	REFERENCE
CHECK IF APPROPRIATE:	<input type="checkbox"/>	INCLUDES TRANSFER/REASSIGN	<input type="checkbox"/>	FIDUCIARY APPOINTMENT	<input type="checkbox"/>	