

**Sky Coverage Inc. v Alwex Inc.**

2022 NY Slip Op 34929(U)

January 28, 2022

Supreme Court, New York County

Docket Number: Index No. 652604/2018

Judge: Barry R. Ostrager

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SUPREME COURT OF THE STATE OF NEW YORK NEW YORK COUNTY

PRESENT: HON. BARRY R. OSTRAGER PART IAS MOTION 61EFM

Justice

SKY COVERAGE INC. and MARK BAKHCHI,

Plaintiffs,

- v -

ALWEX INC., HARVEY WEXELMAN and NICHOLAS ROSS,

Defendants.

Table with 2 columns: Field Name, Value. INDEX NO. 652604/2018, MOTION DATE, MOTION SEQ. NO. 012

DECISION & ORDER ON MOTION

HON. BARRY R. OSTRAGER

In this 2018 case with 443 docket entries, non-party Pami Wexelman has moved to quash a subpoena that was served upon her or, in the alternative, for a protective order. The submissions made in connection with the motion satisfy the Court that Ms. Wexelman may have documents relevant to this case (and related litigation in Nassau County). The motion to quash the subpoena is denied on condition that the parties meet and confer with a view to agreeing on the precise categories of documents that may be in Ms. Wexelman's possession that are relevant to this case. Ms. Wexelman is not required to produce any documents which she may properly claim to be privileged attorney-client communications.

The trial of this case before a jury remains scheduled for December 5, 2022. The Court will not entertain any further discovery motions. There is a pre-trial conference scheduled for October 4, 2022 at 10:00 a.m. The parties are strongly encouraged to retain the services of a paid mediator with a view toward putting an end to this vexatious case which has consumed an inordinate amount of party and judicial resources.

Dated: January 28, 2022

Handwritten signature of Barry R. Ostrager, J.S.C.

CHECK ONE: CASE DISPOSED, GRANTED, SETTLE ORDER, INCLUDES TRANSFER/REASSIGN, DENIED, NON-FINAL DISPOSITION, GRANTED IN PART, SUBMIT ORDER, FIDUCIARY APPOINTMENT, OTHER, REFERENCE