

**Superintendent of the Dept. of Fin. Servs. of the  
State of N.Y. v Celtic HC Servs. LLC**

2025 NY Slip Op 33706(U)

September 29, 2025

Supreme Court, New York County

Docket Number: Index No. 450879/2024

Judge: Judy H. Kim

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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. JUDY H. KIM PART 04**

*Justice*

-----X

SUPERINTENDENT OF THE DEPARTMENT OF  
FINANCIAL SERVICES OF THE STATE OF NEW YORK  
AS LIQUIDATOR OF ALLIANCE NATIONAL INSURANCE  
COMPANY,

Plaintiff,

- v -

CELTIC HC SERVICES LLC,

Defendants.

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INDEX NO. 450879/2024

MOTION DATE 05/27/2025

MOTION SEQ. NO. 001

**DECISION + ORDER ON  
MOTION**

The following e-filed documents, listed by NYSCEF document number (Motion 001) 9, 10, 11, 12, 13, 14, 15, 16, 17

were read on this motion for JUDGMENT - DEFAULT.

Upon the foregoing documents, plaintiff’s motion for entry of a default judgment against defendant Celtic HC Services LLC is granted for the reasons set forth below.

On August 21, 2020, Alliance National Insurance Company (“ANIC”) was adjudged insolvent, and the Superintendent of the Department of Financial Services of the State of New York was appointed to take possession of ANIC’s assets and liquidate the business (*Matter of Lacewell [Alliance Natl. Ins. Co.]*, Sup Ct, Nassau County, August 21, 2020, Sher, J., index No. 607845/2020; NYSCEF Doc. No. 12 [“Liquidation Order”]). Acting as the liquidator of ANIC, plaintiff commenced this action against defendant Celtic HC Services LLC (“Celtic”) to recover unpaid insurance services with a balance of \$13,071.00.

Plaintiff moves, pursuant to CPLR 3215, for a default judgment against defendant based on its failure to timely answer or appear in this action. The motion is unopposed. Plaintiff seeks

relief based on its third cause of action for account stated and waives the other two causes of action (see NYSCEF Doc. No. 10, Legum affirm at ¶ 5).

A motion for a default judgment must be supported with “proof of service of the summons and the complaint[,] ... proof of the facts constituting the claim, the default and the amount due” (CPLR 3215[f]). Plaintiff has satisfied these requirements. An affidavit of service dated March 28, 2024, demonstrates that plaintiff served Celtic with process pursuant to Limited Liability Company Law §303 by delivering the summons, verified complaint, and a Notice of Electronic Filing to the Secretary of State on that same date (NYSCEF Doc. No. 3 [Affidavit of James Perone]). It has also established its compliance with CPLR 3215(g)(4) through mailing of the summons to the defendant on April 12, 2024 (NYSCEF Doc. No. 4 [Affidavit of Thomas J. Pendergast]). Additionally, plaintiff subsequently mailed the instant motion to defendant on May 27, 2025 (NYSCEF Doc. No. 14 [Affidavit of Thomas J. Pendergast]).

In support of the facts constituting its claim, plaintiff submits the Liquidation Order dated August 21, 2020, in which plaintiff was ordered to take possession and liquidate the business and affairs of ANIC (NYSCEF Doc. No. 12), the Affirmation of Ronald, the Chief Financial Officer of the New York Liquidation Bureau, who provides that after a final audit of defendant’s records, a balance of \$13,071.00 remains due to ANIC, which is reflected in an invoice sent to defendant on May 4, 2020 and the invoice remains unpaid (NYSCEF Doc. No. 11), and the aforementioned invoice (NYSCEF Doc. No. 13). Finally, Plaintiff has established defendant’s default through the affirmation of its counsel, Steven G. Legum, Esq. (NYSCEF Doc. No. 10, Legum affirm at ¶¶ 2, 4).

In light of the foregoing, plaintiff has demonstrated its entitlement to a default judgment on its account stated claim as against defendant through “proof of service, proof of default, and

proof that it presented [defendant Celtic] with an account balance of [\$13,071.00] without objection” (*Nouveau El. Indus., Inc. v Tracey Towers Hous. Co.*, 95 AD3d 616, 617 [1<sup>st</sup> Dept 2012]). As plaintiff’s account stated claim is for a sum certain, inquest to determine damages is not necessary (*Tr. Graphics Ltd. V Arco Distrib., Inc.*, 202 AD2d 241, 241 [1st Dept 1994]).

Accordingly, it is

**ORDERED** that plaintiff’s motion for a default judgment against defendant is granted, without opposition; and it is further

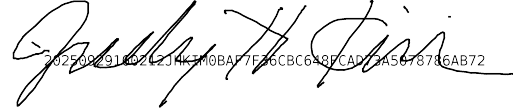
**ORDERED** that plaintiff is granted a judgment in the amount of \$13,071.00, plus interest at the statutory rate from May 4, 2020, as well as costs and disbursements, in its favor and against defendant Celtic HC Services LLC; and it is further

**ORDERED** that plaintiff shall, within twenty days from the date of this decision and order, serve a copy of this decision and order, with notice of entry, on defendant as well as 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); and it is further

**ORDERED** that the Clerk shall enter judgment accordingly.

This constitutes the decision and order of the Court.



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9/29/2025

DATE

HON. JUDY H. KIM, J.S.C.

CHECK ONE:

CASE DISPOSED

NON-FINAL DISPOSITION

GRANTED

DENIED

GRANTED IN PART

OTHER

APPLICATION:

SETTLE ORDER

SUBMIT ORDER

CHECK IF APPROPRIATE:

INCLUDES TRANSFER/REASSIGN

FIDUCIARY APPOINTMENT

REFERENCE