FILED: NEW YORK COUNTY CLERK 11/16/2021 02:03 PM

NYSCEF DOC. NO. 118

INDEX NO. 653986/2020

RECEIVED NYSCEF: 11/16/2021

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

PRESENT:	HON. ANDREW BORROK	PART 53		
	<i>Justice</i> X			
	,	INDEX NO.	653986/2020	
ATLAS BRO BROOKVIE	OOKVIEW MEZZANINE LLC and ATLAS W LLC	MOTION DATE		
	Plaintiff,	MOTION SEQ. NO.	002	
	- V -			
DB BROOK	VIEW LLC,	DECISION + ORDER ON MOTION		
	Defendant.			
	X			
81, 82, 83, 84	g e-filed documents, listed by NYSCEF document n 4, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97 3, 109, 111, 112, 117			
were read on	this motion to/for	DISMISSAL .		
Upon the for	regoing documents and for the reasons set forth	on the record (11/16	/2021),	
defendant D	B Brookview LLC's motion to dismiss pursuan	t to CPLR 3211 (a)(1	a) and (a)(7) is	
granted in its	s entirety, and the complaint is dismissed.			
J	1			
	202111	16140301ABORROKA24398C7B	F8D4E3599 <del>CB9EA63174DE</del> AB	
11/16/				
DA		ANDREW BORR	OK, JSC	
CHECK ONE:		ON-FINAL DISPOSITION	OTHER	
APPLICATION:		UBMIT ORDER	OTHER	
CHECK IF APPR		IDUCIARY APPOINTMENT	REFERENCE	
			<del>-</del>	

653986/2020 vs. Motion No. 002

FILED: NEW YORK COUNTY CLERK 11/18/2021 12:01 PM

NYSCEF DOC. NO. 119

INDEX NO. 653986/2020

RECEIVED NYSCEF: 11/18/2021

NOTICE OF ENTRY

Index No. 653986/2020

- V -

DB BROOKVIEW LLC,

Defendant,

PLEASE TAKE NOTICE that the enclosed is a true and correct copy of the Decision and Order of the Hon. Andrew Borrok, JSC on Motion Sequence No. 002, which was signed on November 16, 2021 and duly entered in the New York County Clerk's Office on November 16, 2021 (NYSCEF Docket No. 118).

Dated: New York, New York November 18, 2021

## THOMPSON COBURN HAHN & HESSEN LLP

Counsel for Defendant DB Brookview LLC

By: <u>/s/ Zachary G. Newman</u>
Zachary G. Newman
Jose A. Fernandez

488 Madison Avenue New York, New York 10022 (212) 478-7200 FILED: NEW YORK COUNTY CLERK 11/18/2021 12:01 PM

NYSCEF DOC. NO. 119

INDEX NO. 653986/2020

RECEIVED NYSCEF: 11/16/2021

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

PRESENT:	HON. AN	DREW BORROK			PART 53		
			Justi				
				^	INDEX NO.	653986/2020	
ATLAS BROOKVIEW MEZZANINE LLC and A BROOKVIEW LLC			ATLAS		MOTION DATE		
		Plaintiff,			MOTION SEQ. NO.	002	
		- V -					
DB BROOK				DECISION + ORDER ON MOTION			
		Defendant.					
				X			
	4, 85, 86, 87	88, 89, 90, 91, 92,			mber (Motion 002) 76 98, 99, 100, 101, 10		
were read on this motion to/for					DISMISSAL .		
Upon the for	egoing docu	iments and for the	reasons set fo	rth o	n the record (11/16	/2021),	
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					~		
			207	211116	140301ABORROKA2439\$C7B	F8D4E3599 <del>CB9EA63174DE</del> AB	
11/16/3 DA			, ,	_	ANDREW BORR	POK JSC	
CHECK ONE:	. <u>-</u> 「	X CASE DISPOSED		NO	N-FINAL DISPOSITION		
OHEOR ONE.	_	X GRANTED	DENIED		ANTED IN PART	OTHER	
APPLICATION:		SETTLE ORDER		_	BMIT ORDER		
CHECK IF APPR	OPRIATE:	INCLUDES TRANSFE	R/REASSIGN	FID	UCIARY APPOINTMENT	REFERENCE	

653986/2020 vs. Motion No. 002

Page 1 of 1