

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

PRESENT: EDMEAD
Justice

PART 35

JENNIFER SPANGLER DMD
-v-

INDEX NO. 152463/A

MOTION DATE _____

ADVANCED PLUMBING MECHANICAL
SPRINKLES

MOTION SEQ. NO. _____

The following papers, numbered 1 to _____, were read on this motion to/for _____

Notice of Motion/Order to Show Cause — Affidavits — Exhibits _____ | No(s). _____

Answering Affidavits — Exhibits _____ | No(s). _____

Replying Affidavits _____ | No(s). _____

Upon the foregoing papers, it is ordered that this motion is

The motion is granted in accordance with annexed order; and

Petitioner shall serve a copy of the signed Order within 20 days.

FOR THE FOLLOWING REASON(S):

Dated: 4.16.2016


HON. CAROL R. EDMAD, J.S.C.
J.S.C.

1. CHECK ONE: CASE DISPOSED NON-FINAL DISPOSITION
2. CHECK AS APPROPRIATE: MOTION IS: GRANTED DENIED GRANTED IN PART OTHER
3. CHECK IF APPROPRIATE: SETTLE ORDER SUBMIT ORDER
 DO NOT POST FIDUCIARY APPOINTMENT REFERENCE

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

-----X

In the Matter of the Application of

Index No.:152463/2016

Jennifer S. Stachel, DMD, P.C.,

ORDER

Petitioner,

for an Order vacating and discharging of record a certain Mechanic's Lien filed by Respondent, Advanced Plumbing Mechanical & Sprinklers Corp., against premises known and described as 315 West 57th Street, New York, New York 10019, said premises being situated in Block 1048, Lot 20, as shown on the Land and Tax Map of the County of New York.

-----X

Upon review of the Order to Show Cause dated March 23, 2016, and Petitioner's Verified Petition for an Order: (i) pursuant to Sections 9 and 19(6) of the New York State Lien Law, terminating and canceling the Mechanic's Lien filed by Respondent, Advanced Plumbing Mechanical & Sprinklers Corp., ("Advanced Plumbing") against premises known and described as 315 West 57th Street, New York, New York 10019, said premises being situated in Block 1048, Lot 20 (the "Premises"), as shown on the Land and Tax Map of the County of New York; (ii) directing the County Clerk of New York County to vacate and cancel the Mechanic's Lien filed by Advanced Plumbing, against the Premises and to enter upon the mechanic's lien docket, or other record of liens maintained by said County Clerk, opposite the endorsement of said Mechanic's Lien, a statement that it has been vacated and canceled by virtue of said Order, (iii) directing the County Clerk of New York County to return a certain Lien Discharge Bond filed to bond the subject Mechanic's Lien, which Lien Discharge Bond was issued by SureTec Insurance Company, as surety, and Petitioner, Jennifer S. Stachel, DMD, P.C., as principal; and (iv) awarding Petitioner such other and further relief as this Court deems just and proper under the

circumstances; and the exhibits thereto, and upon all the prior pleadings and proceedings had herein, and it further appearing that the Respondent has been duly served, and no opposition has been interposed by the Respondent; and due deliberation having been had,,

NOW, on the motion of Rivkin Radler LLP, attorneys of record for the Petitioner, it is

ORDERED, that Petitioner's application is granted, and it is further

ORDERED, that the Mechanic's Lien filed by Respondent, Advanced Plumbing Mechanical & Sprinklers Corp., against premises known and described as 315 West 57th Street, New York, New York 10019, said premises being situated in Block 1048, Lot 20, as shown on the Land and Tax Map of the County of New York is hereby and the same discharged, vacated and canceled and of no further force and effect; and it is further,

ORDERED, that the County Clerk of New York County is hereby authorized and directed, without further notice, to enter upon the mechanic's lien docket, or other record of liens maintained by said County Clerk, opposite the endorsement of said mechanic's lien, a statement that said Mechanic's Lien has been vacated and canceled by virtue of this Order; and it is further,

ORDERED, that the County Clerk of New York County is hereby authorized and directed to return a certain Lien Discharge Bond filed on November 13, 2015 to bond the subject Mechanic's Lien, which Lien Discharge Bond was issued by SureTec Insurance Company, as surety, and Petitioner, Jennifer S. Stachel, DMD, P.C., as principal

Enter:



Hon. J.S.C. ~~W. J. ...~~ CAROL R. EDMEND

4.12.2016
HON. CAROL R. EDMEND
J.S.C.