

PART LPM

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

Case Disposed	<input type="checkbox"/>
Settle Order	<input type="checkbox"/>
Schedule Appearance	<input type="checkbox"/>

-----X
MELENDEZ, HENRY

Index No. 26134/2016E

- against -

Hon. LUCINDO SUAREZ,

21 WEST 86 LLC, et ano

Justice.

-----X

The following papers numbered 1 to _____ read on this motion, _____,
noticed on _____ and duly submitted as No. _____ on the Motion Calendar of _____

	PAPERS NUMBERED	
Notice of Motion - Order to Show Cause - Exhibits and Affidavits Annexed		
Notice of Cross-Motion - Order to Show Cause - Exhibits and Affidavits Annexed		
Answering Affidavit and Exhibits		
Replying Affidavit and Exhibits		
Memoranda of Law		
Filed Papers		

Upon this matter appearing on the preliminary conference calendar before the undersigned; the appearance of counsel of record for plaintiff and defendants and the court's conference with same; it appearing that plaintiff, represented by different counsel, has commenced a new action asserting the same causes of action against the same defendants for the same occurrence under index number 26667/2016E; it further appearing that plaintiff's counsel of record acknowledges not having authority to act on plaintiff's behalf, despite the fact that counsel has not moved to withdraw or been relieved, nor has a notice of appearance or notice of substitution been filed by incoming counsel; and due deliberation; it is:

ORDERED, that within thirty (30) days after the date of this order, plaintiff's counsel of record shall submit an *ex parte* application for an order to show cause to be relieved as counsel for plaintiff or shall cause a stipulation of discontinuance to be filed.

This constitutes the decision and order of the court.

