

At Part \_\_ of the Supreme Court, held in and for the County of Erie, at 50 Delaware Avenue, Buffalo, New York on \_\_\_\_\_, 2021

**PRESENT: HON. \_\_\_\_\_, J.S.C.**  
Justice Presiding

STATE OF NEW YORK  
SUPREME COURT : COUNTY OF ERIE

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SAMUEL, SON & CO. (USA) INC.  
d/b/a ROLL FORM GROUP  
4334 Walden Avenue  
Lancaster, New York 14086

Plaintiff,

v.

SIMPSON & BROWN, INC.  
119 North Avenue, W  
Cranford, New Jersey 07016

Defendant.

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**ORDER AND JUDGMENT**

Index No. 801838/2020

**JUDGMENT AGAINST:  
SIMPSON & BROWN, INC.**

Plaintiff Samuel, Son & Co. (USA) Inc. d/b/a Roll Form Group (“Plaintiff”), by and through its attorneys, Duke Holzman Photiadis & Gresens LLP, having moved this Court for an Order (a) granting judgment by default, pursuant to CPLR § 3215, against Defendant Simpson & Brown, Inc. (“Simpson” or “Defendant”) and (b) awarding such other and further relief as the Court deems just and proper,

**NOW UPON** consideration of the Affirmation of counsel for Plaintiff (Kristine N. Celeste, Esq.), with exhibits, dated February 9, 2021, the failure of Defendants to answer or otherwise appear in this action, and all the pleadings and proceedings heretofore;

**AND UPON** the appearance of Plaintiff's counsel and the failure of Defendant, or counsel on its behalf, to appear; it is hereby

**ORDERED**, that Plaintiff's application for judgment of default against Defendant for failure to appear, pursuant to CPLR § 3215, is GRANTED; it is further

**ORDERED** that SAMUEL, SON & CO. (USA) INC. d/b/a ROLL FORM GROUP, address stated above, recover against Defendant SIMPSON & BROWN, INC., address stated above, in the principal amount of \$470,619.07, plus service charges in the amount of \$217,490.67, plus attorneys' fees and costs in the amount of \$8,771.70, for a combined total judgment in the amount of **\$696,881.44** and that Plaintiff has execution therefor.

**SO ORDERED.**

\_\_\_\_\_  
HON.

**ENTERED:**