

At Part 3 of the Supreme Court, held in and
for the County of Erie, at ~~50 Delaware~~ 92 Franklin
Avenue, Buffalo, New York on April 8
 , 2021

PRESENT: HON. Nugent Panepinto, J.S.C.
Justice Presiding

STATE OF NEW YORK
SUPREME COURT : COUNTY OF ERIE

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.

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. Nugent Panepinto

ENTERED: April 8, 2021