

STATE OF NEW YORK  
SUPREME COURT : ERIE COUNTY

COMMISSIONERS OF THE STATE INSURANCE  
FUND  
225 Oak Street  
Buffalo, NY 14203

Plaintiffs,

-against -

GAGLANO CONSTRUCTION, INC.  
270 Mapleview Drive  
Tonawanda, NY 14150

Defendant(s).

**ORDER AND JUDGMENT**

Index No.: 813604/20177


NYSIF Policy No.23322464

Plaintiffs, Commissioners of the State Insurance Fund, having submitted a Notice of Motion for an Order for Default Judgment pursuant to CPLR 3215 dated January 22, 2018, and duly served January 22, 2018 and Defendants, Gagliano Construction, Inc., having failed to respond in writing or otherwise to said Motion, and said motion having been duly considered at a term of the New York State Supreme Court, Part 2 thereof, located at 92 Franklin Street in Buffalo, New York, on March 1, 2018 before the Hon. Catherine Nugent-Panepinto, J. S. C.:

Now having given due consideration to Plaintiffs' Motion with no opposition having been made or submitted, It is:

**ORDERED, ADJUDGED AND DECREED** that Plaintiffs, Commissioners of the State Insurance Fund, recover of Defendants, Gagliano Construction, Inc., jointly and severally, the sum of \$91,770.30 as demanded in the Complaint, along with interest from December 23, 2015 to March 1, 2018, the date of the Court's Decision, amounting to \$17,206.93; and a cost of collection of 22% of the sum demanded in Plaintiffs' Motion, amounting to \$20,189.47, making in all the sum of **\$129,166.70** and that the Plaintiffs have execution therefore.

Judgment signed on March 5, 2018

  
Hon. Catherine Nugent-Panepinto, J.S.C.