

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

PRESENT: HON. PAUL A. GOETZ PART IAS MOTION 47EFM

Justice

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DIANA SANTINI,

Plaintiff,

- v -

GILLIAN ABRAMS DESIGNS LLC,

Defendant.

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INDEX NO. 154151/2016

MOTION DATE 01/14/2020

MOTION SEQ. NO. 007

**DECISION + ORDER ON
MOTION**

The following e-filed documents, listed by NYSCEF document number (Motion 007) 205, 206, 207, 208, 209, 210, 212, 213, 214, 215, 216, 218

were read on this motion to/for

MODIFY ORDER/JUDGMENT

Upon the foregoing documents, it is

ORDERED that defendant's motion to modify the court's prior orders with respect to the award of costs and disbursements is granted as follows; and it is further

ORDERED that the court's decision dated November 20, 2019 (motion #006), which upon granting reargument, granted plaintiff's motion seeking dismissal of defendant's first counterclaim, is modified insofar as the costs and disbursements are awarded to plaintiff only to the extent they relate to the dismissal of the first counterclaim, and otherwise the decision remains the same; and it is further

ORDERED that the court's decision dated March 25, 2019 (motion #003), which granted defendant's motion and dismissed the complaint is modified to the extent that the Clerk shall enter judgment accordingly, with costs and disbursements awarded to defendant, and otherwise the decision remains the same; and it is further

ORDERED that the judgment entered on December 12, 2019 based on the erroneous November 20, 2019 order is vacated.

01/21/20
DATE


PAUL A. GOETZ, J.S.C.

CHECK ONE:

CASE DISPOSED

NON-FINAL DISPOSITION

GRANTED DENIED

GRANTED IN PART OTHER

APPLICATION: SETTLE ORDER

SUBMIT ORDER

CHECK IF APPROPRIATE: INCLUDES TRANSFER/REASSIGN

FIDUCIARY APPOINTMENT REFERENCE