

At Part ____ of the Supreme Court of the State of New York, held in Courthouse of New York County, 60 Centre Street, New York, NY 10007-1474, on the ____ day of _____, 2019.

P R E S E N T :

Hon.

Justice.

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In the Matter of the Arbitration between

1199SEIU UNITED HEALTHCARE WORKERS EAST,

Petitioner,

Index No. 656502/2018

-and-

ORDER AND JUDGMENT

KALA PHARMACY, INC. ,

Respondent.

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Petitioner, 1199SEIU UNITED HEALTHCARE WORKERS EAST (“Union” or “1199”), having applied to the Court for an Order confirming the Award of the Arbitrator made in the above-entitled proceeding, dated and duly affirmed November 30, 2018, the petition having regularly come on to be heard before me in IAS Part _____, upon reading and filing the Notice of Petition dated December 31, 2018 and the Petition verified on December 31, 2018 with proof of service, on application of LEVY RATNER, P.C., attorneys for Petitioner, it is

ORDERED AND ADJUDGED, that the Petition to confirm the Award of the Arbitrator in the above-entitled proceeding, and for judgment thereon is granted on default and the Award is confirmed; and it is

ORDERED AND ADJUDGED, that 1199SEIU UNITED HEALTHCARE WORKERS EAST, with its offices at 310 West 43rd Street, New York, NY 10036-6407, recover upon said Award, for and on behalf of the following funds for the following amounts:

FUND		AMOUNT
1199SEIU NATIONAL BENEFIT FUND FOR HEALTH AND HUMAN SERVICE EMPLOYEES	\$	5,291.35
plus interest due per Agreement	\$	80.89
plus costs and expenses of Arbitration per Agreement	\$	500.00
BENEFIT FUND TOTAL		5,872.24
1199SEIU HEALTH CARE EMPLOYEES PENSION FUND	\$	1,100.00
plus interest due per Agreement	\$	16.82
plus costs and expenses of Arbitration per Agreement	\$	110.00
PENSION FUND TOTAL		1,226.82
TOTAL SUM OF ALL FUNDS MENTIONED ABOVE	\$	7,099.06

all against KALA PHARMACY, INC. , with its place of business at 9311 Church Avenue, Brooklyn, New York 11212, together with **interest at 1.5% per month** on the principal as provided in the Arbitrator's Award in an amount to be calculated by the clerk, in the sum of \$_____, and the costs and disbursements of this application as taxed by the clerk in the amount of \$601.00, plus attorneys' fees of **\$700.00** as provided for in the Arbitrator's Award, said sums to be computed by the clerk totaling to a sum of \$_____; and that the petitioner, 1199SEIU UNITED HEALTHCARE WORKERS EAST, shall have execution on the total amount of the judgment at the post-judgment interest rate of 1.5% per month until date of final payment.

ENTER

J.S.C.