

THE COURT OF THE STATE OF NEW YORK — NEW YORK COUNTY

NT: SHERRY KLEIN HEITLER
Justice

PART

HARNEY,

Plaintiff,

- v -

HERSEY TRADING CORPORATION,
DER FRIED, JUDITH HERSKOWITZ,

Defendants.

INDEX NO. 2

MOTION DATE

MOTION SEQ. NO.

MOTION CAL. NO.

wing papers, numbered 1 to were read on this motion to/for

[Motion/ Order to Show Cause — Affidavits — Exhibits ...

ng Affidavits — Exhibits

[Affidavits

PAPERS NUM

-Motion: Yes No

Defendant Judith Herskowitz's request to file a Motion to Vacate this court's order of June 8, 2005, in which the court directed Herskowitz to seek and obtain prior written approval from this court before filing further motions under Index Nos. 024517/88 or 023002/92, is hereby denied on the ground that, in any event, the proposed motion is repetitive of motions already raised and considered by the court.

For further clarification of the court's order of June 8, 2005, the court notes that its decision does not preclude Herskowitz from filing a meritorious, non-repetitive motion. If such a motion is filed, the court will permit the filing of same. Additionally, the court's order of June 8, 2005 does not preclude Herskowitz from responding to any motions or orders brought by other parties in this matter, and Herskowitz should be served with same.

This shall constitute the decision and order of the court.

Oct 21, 2008

Sherry Klein Heitler
SHERRY KLEIN HEITLER

Check one: FINAL DISPOSITION NON-FINAL DISPOSITION

Check if appropriate: DO NOT POST