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ATTORNEYS AT LAW

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August 12, 2011

MFY LEGAL SERVICES
299 Broadway, 4th Floor
New York, NY 10007
Fax: 212-417-3891
Attn: Ms. Tanya Kessler, Esq.
tkessler@mfy.org

RE: DiGiorgio v. 1109-1113 Manhattan Ave
Re: Your August 8, 2011 correspondence
Our File No.: 11343-SC

Dear Counselors:

Enclosed herein, please find a copy of the Court stamped Order with Notice of Entry.

Thank you for your attention to this matter.

Yours,

FAUST, GOETZ, SCHENKER & BLEE, LLP

By:


Joel Soto
Legal Secretary to Christopher B. Kinzel

CBK/js
Enclosure

CC: NIXON PEABODY
50 Jericho Quadrangle

Suite 300
Jericho, NY 11753-2728
(516) 832-7623
Fax: (866) 947-2042
Attn: Mr. Dan Gibbons, Esq.
DGibbons@nixonpeabody.com
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WEIL GOTSHAL & MANGES LLP
Attorneys for Plaintiffs
767 Fifth Avenue
New York, NY 10153
(212) 310-8000

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF KINGS

VINCENT DiGIORGIO, DAVID SCHALLER, HUMBERTO
ORTEGA, FREDERICK ANDERSON, ROSS BELK,
and KERRY LEWIS, individually and on behalf of all
other persons similarly situated,

Plaintiffs,

-against-

ORDER WITH NOTICE OF ENTRY

Index No.: 8235/2011

1109-1113 MANHATTAN AVENUE PARTNERS,
LLC, CIS COUNSELING CENTER, INC.,
HARMONY OUTREACH, LLC, and DONNA
DeCICCO,

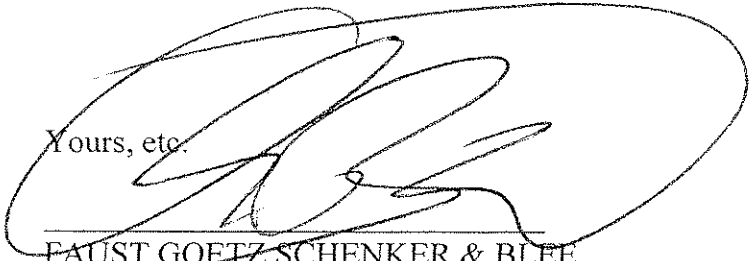
Defendants.
_____X

COUNSEL:

PLEASE TAKE NOTICE, that annexed hereto is a true copy of the Order of the
Honorable Judge Bernadette F. Bayne, dated August 4, 2011.

Dated: New York, New York
August 4, 2011

Yours, etc.



FAUST GOETZ SCHENKER & BLEE

By: Christopher B. Kinzel

Attorneys for Defendant

1109-1113 MANHANTTAN AVENUE
PARTNERS, LLC

Two Rector Street, 20th Floor

New York, New York 10006

(212) 363-6900

Our File No.: 11343-SC

RECEIVED
KINGS COUNTY CLERK
2011 AUG -5 AM 11:20

To: MFY LEGAL SERVICES
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At an I.A.S. Trial Term, Part 18 of the Supreme Court of the State of New York, held in and for the County of Kings, at the Courthouse, located at Civic Center, Borough of Brooklyn, City and State of New York, on the 4TH day of August 2011

P R E S E N T :
Hon. BERNADETTE F. BAYNE
Justice

VINCENT DI GIORGIO, DAVID SCIALOJA, ET AL
Plaintiff(s)

Cal. No.
Index No. 8235/2011

- against -

1109-1113 MANHATTAN AVENUE PARTNERS LLC,
CIS COUNSELING CENTER, INC. PARTNER,
OUTREACH LLC AND JOHN A. DECKER Defendant(s)

The following papers numbered 1 to	read on this motion	Papers Numbered
Notice of Motion - Order to Show Cause and Affidavits (Affirmations) Annexed		
Answering Affidavit (Affirmation)		
Reply Affidavit (Affirmation)		
_____ Affidavit (Affirmation)		
Pleadings - Exhibits		
Stipulations - Minutes		
Filed Papers		

UPON PAPERS SUBMITTED AND AFTER ORAL ARGUMENT, DEFENDANT 1109-1113 MANHATTAN AVENUE PARTNERS LLC'S CROSS-MOTION TO DISMISS PLAINTIFFS' COMPLAINT IS GRANTED IN ALL RESPECTS, AND IT IS ORDERED AS A MATTER OF LAW THAT THE REMAINING OCCUPANTS OF THE PREMISES LEASED BY 1109-1113 MANHATTAN AVE PARTNERS TO CIS COUNSELING CENTER ARE DEEMED LICENSEES OF CIS AND ARE NOT TENANTS OF THE SUBJECT PREMISES; AND MANHATTAN AVE PARTNERS IS DIRECTED TO PROCEED IN LANDLORD TENANT COURT WITH SUMMARY EVICTION PROCEEDINGS ACCORDINGLY.

For Clerks use only

MG _____

MD _____

Motion Seq. # _____

E N T E R

Bernadette Bayne
JSC

BERNADETTE F. BAYNE
Supreme Court Justice

VINCENT DiGIORGIO, DAVID SCHALLER, HUMBERTO
ORTEGA, FREDERICK ANDERSON, ROSS BELK,
and KERRY LEWIS, individually and on behalf of all
other persons similarly situated,

Plaintiffs,

-against-

1109-1113 MANHATTAN AVENUE PARTNERS,
LLC, CIS COUNSELING CENTER, INC.,
HARMONY OUTREACH, LLC, and DONNA
DeCICCO,

Defendants.

ORDER WITH NOTICE OF ENTRY

FAUST GOETZ SCHENKER & BLEE
Attorneys for Defendants
1109-1113 MANHATTAN AVENUE PARTNERS
TWO RECTOR STREET
NEW YORK, N.Y. 10006
(212) 363-6900

To: ***

Service of a copy of the within ***** is hereby admitted.

Dated:

.....
Attorney(s) for ***

PLEASE TAKE NOTICE

that the within is a (certified) true copy of a ***
entered in the office of the clerk of the within named Court on ***

**NOTICE OF
ENTRY**

that an Order of which the within is a true copy will be presented for settlement to the Hon. ***
one of the judges of the within named Court, at ***, on ***, at ***

**NOTICE OF
SETTLEMENT**