

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK: COMMERCIAL DIVISION PART 45

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YUCHEN LIN

Petitioner,

- v -

XU SUN,

Respondent.

INDEX NO. 654902/2024

MOTION DATE 11/11/2024

MOTION SEQ. NO. 002

**AMENDED DECISION +  
ORDER ON MOTION**

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**HON. ANAR RATHOD PATEL:**

The following e-filed documents, listed by NYSCEF document number (Motion 002) 25–31, 33–38 were read on this motion to/for DISMISS.

Upon the foregoing documents, and pursuant to the reasons stated on the record following oral argument held on January 22, 2025

**ORDERED** that Plaintiff’s Motion to Dismiss the Complaint pursuant to CPLR §§ 3211(a)(1), (a)(3), and (a)(7) is **GRANTED** with prejudice; and it is further

**ORDERED** that Plaintiff’s application for costs and attorneys’ fees is **DENIED**; and it is further

**ORDERED** that the parties shall file a copy of the January 22, 2025 transcript within thirty (30) days of this Decision and Order.

The foregoing constitutes the decision and order of this Court.

January 23, 2025

DATE



ANAR RATHOD PATEL, A.J.S.C.

CHECK ONE:

CASE DISPOSED

GRANTED  DENIED

APPLICATION:  SETTLE ORDER

CHECK IF APPROPRIATE:  INCLUDES TRANSFER/REASSIGN

NON-FINAL DISPOSITION

GRANTED IN PART  OTHER

SUBMIT ORDER

FIDUCIARY APPOINTMENT  REFERENCE