

**SUPREME COURT - STATE OF NEW YORK  
I.A.S. Part 39 - SUFFOLK COUNTY**

PRESENT:

Hon. **DENISE F. MOLIA,**  
Justice

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FRACY BOUCHER,  
  
Petitioner,  
  
- against -  
  
CARRIAGE HOUSE REALTY, CORP.,  
  
Respondent.

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CASE DISPOSED: NO  
MOTION R/D: 5/9/08  
SUBMISSION DATE: 5/9/08  
MOTION SEQUENCE No.: 002 MG

ATTORNEY FOR PETITIONER  
Kevin Fitzgerald, Esq.  
542 North Country Road  
St. James, New York 11780

ATTORNEYS FOR RESPONDENT  
David J. Sutton, P.C.  
1205 Franklin Avenue, Suite 320  
Garden City, New York 11530

Joan Gorta  
29 Maiden Lane  
Patchogue, New York 11772

Upon the following papers filed and considered relative to this matter:

Order to Show Cause dated April 24, 2008; Affirmation dated April 14, 2008; Exhibit A annexed thereto; Affidavit of Joan Gorta dated May 8, 2008; and upon due deliberation; it is

**ORDERED**, that the motion by David J. Sutton, the counsel of record for the respondent, Carriage House Realty, Corp., pursuant to CPLR 321(b)(2), for an Order relieving David J. Sutton, as counsel of record for the said respondent, is granted; and it is further

**ORDERED**, that David J. Sutton, is hereby relieved as counsel of record for the respondent Carriage House Realty, Corp.; and it is further

**ORDERED**, that David J. Sutton, is hereby directed to serve a copy of this Order with notice of entry, upon all parties to this action by certified mail, return receipt requested, within ten (10) days of the date of the entry of this Order; and it is further

**ORDERED**, that the respondent Carriage House Realty, Corp., is directed to advise the Court, in writing, within thirty (30) days of receipt of a copy of this Order with notice of entry, of the name, address and telephone number of new counsel; and it is further

**ORDERED**, that within fifteen (15) days of the date of the entry of this Order, David J. Sutton, shall provide the Court with proof of service of this Order upon the respondent Carriage House Realty, Corp.; and it is further

**ORDERED**, that this matter be stayed for a period of forty five (45) days after the date of entry herein, to permit the respondent sufficient opportunity to obtain new counsel.

The foregoing constitutes the Order of this Court.

Dated: May 12, 2008

**DENISE F. MOLIA**

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HON. DENISE F. MOLIA J.S.C.