

SUPREME COURT OF THE STATE OF NEW YORK
NEW YORK COUNTY

PRESENT: HON. ANDREW BORROK PART IAS MOTION 53EFM

Justice

-----X

ASAF BERMAN, AYELET BERMAN,

Plaintiff,

- v -

DEAN JANKELOWITZ, MAYA JANKELOWIZ, NOAMBENNY, LLC, JANKMAN, LLC, MAYADEAN LLC, MOLLY PICON, LLC

Defendant.

INDEX NO. 651789/2018

MOTION DATE 12/26/2018

MOTION SEQ. NO. 001

DECISION AND ORDER

-----X

The following e-filed documents, listed by NYSCEF document number (Motion 001) 28, 29, 30, 31, 32, 33, 34, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 76, 77

were read on this motion to/for AMEND CAPTION/PLEADINGS

Upon the foregoing documents and for the reasons set forth on the record, it is

ORDERED that plaintiffs motion for leave to file a supplemental complaint is denied; and it is further

ORDERED that defendants' motion for partial summary judgment is granted to the extent that the first, second, and seventh causes of action are dismissed as it relates to the trademark and the eighth cause of action is dismissed in its entirety; and it is further

ORDERED that the action shall continue as to the third, fourth, fifth and sixth causes of action.

2/19/2019 DATE

Handwritten signature of Andrew Borrok

20190219123235ABORROKE157847A651E48F99D1996BA783C039A

ANDREW BORROK, J.S.C.

CHECK ONE:

[]

CASE DISPOSED

[]

GRANTED

[]

DENIED

[X]

NON-FINAL DISPOSITION

[]

GRANTED IN PART

[X]

OTHER

APPLICATION:

[]

SETTLE ORDER

[]

SUBMIT ORDER

CHECK IF APPROPRIATE:

[]

INCLUDES TRANSFER/REASSIGN

[]

FIDUCIARY APPOINTMENT

[]

REFERENCE