

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

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RUBEN ELBERG, individually and derivatively on :
behalf of ROYAL CP HOTEL HOLDINGS LP and :
ROYAL HI HOTEL HOLDINGS LP :
Plaintiff, :

v.

Index No.

TAMARA PEWZNER, individually, as co-executor and :
co-trustee of the Estate of Jacob Elberg, and as co- :
Manager of ROYAL ONE REAL ESTATE, LLC, :
ROYAL REAL ESTATE MANAGEMENT LLC, :
ROYAL LIC REAL ESTATE MANAGEMENT, LLC, :
Defendants,

**NOTICE OF MOTION FOR
SUMMARY JUDGMENT IN
LIEU OF COMPLAINT**

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MOTION BY: ABRAMS FENSTERMAN, LLP
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Lake Success, NY 11201
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Levi Huebner & Associates P.C.
488 Empire Blvd. Suite 100
Brooklyn, NY 11225
Attorneys for Plaintiff

BEFORE: Hon. Andrew Borrok

RETURN DATE & TIME: August 2, 2022 at 9:30 a.m.
LOCATION: New York County Courthouse
Motion Submission Part
60 Centre Street, Room 130
New York, New York 10007

ORAL ARGUMENT: Requested

SUPPORTING PAPERS: Affirmation of Brian Thomas McCarthy, Esq., dated June 29, 2022,
and all the pleadings and proceedings heretofore had herein.

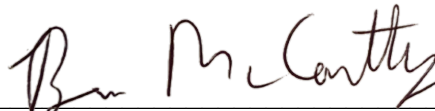
RELIEF REQUESTED: An Order pursuant to CPLR § 3213:

1. Granting Plaintiff's Motion for Summary Judgment in Lieu of Complaint;
2. Entering Money Judgment against the Defendant in the amount of \$24,178,233.84 plus pre-judgment interest;
3. Awarding Plaintiff the costs and disbursements of this action, including attorney's fees and expenses; and,
4. Granting such other and further relief as this Court deems just, proper, and equitable.

ANSWERING PAPERS: Served ten (10) days prior to the return date pursuant to CPLR 3213.

Dated: June 29, 2022

ABRAMS FENSTERMAN, LLP



By: Robert Abrams, Esq.
Brian Thomas McCarthy, Esq.

Pursuant to 22 N.Y.C.R.R. § 130-1.1

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