

At an IAS Term, Comm-11 of the Supreme Court of the State of New York, held in and for the County of Kings, at the Courthouse, at Civic Center, Brooklyn, New York, on the 27th day of September, 2018.

P R E S E N T:

HON. SYLVIA G. ASH,

Justice.

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ARONOV, DAVID

Plaintiff(s),

- against -

KHAVINSON, EUGENE A

Defendant(s).

-----X

**DECISION AND ORDER
Mot. Seq. #1,2,&3
Index # 500499/2016**

The following papers numbered 1 to 3 read herein:

Papers Numbered

Notice of Motion/Order to Show Cause/
Petition/Cross Motion and
Affidavits (Affirmations) Annexed _____
Opposing Affidavits (Affirmations) _____
Reply Affidavits (Affirmations) _____

1,


2,3

4

After oral argument and upon the foregoing papers, Defendant's motions for summary judgment and dismissal are hereby DENIED, while Plaintiff's motion for leave to amend is partially granted. Plaintiff's request for leave to include legal malpractice, breach of fiduciary duty, legal fraud, violation of GBL § 352-e, and breach of contract are hereby DENIED. The request for leave to seek attorney's fees, however, is hereby GRANTED.

This constitutes the Decision and Order of the Court.

E N T E R,



Sylvia G. Ash, J.S.C.

2018 OCT -1 AM 11:30
KINGS COUNTY CLERK
FILED

