

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

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SUPREME SECURITY SYSTEMS, LTD.,

Petitioner,

**IAS Part 15
Index No. 610345/2019
Mot. Seq. No. 001**

-against-

DECISION AND ORDER

HI-JOON LEE a/k/a FRED LEE,

Respondent.

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LEONARD D. STEINMAN, J.

The following papers, in addition to any legal memoranda of law submitted by the parties, were reviewed in preparing this Decision and Order:

Notice of Petition & Exhibits.....1

Petitioner seeks an order pursuant to CPLR §7501, confirming the July 1, 2019 arbitration award rendered in its favor. A review of the documentation presented reveals that all necessary parties have been served with notice of this application. *See New York Merchant's Protective Co., Inc. v. Mima's Kitchen, Inc.*, 114 A.D.3d 796 (2d Dept. 2014). No opposition has been submitted to the petition.

In April of 2012, the parties entered into an agreement wherein it was agreed that any controversy or dispute between the parties concerning the agreement would be resolved in accordance with the Commercial Arbitration Rules of the National Arbitration Association (now Arbitration Services, Inc.). On May 21, 2019, petitioner served a Demand for Arbitration and has provided proof of such service upon each respondent in this matter. Respondent failed to file an answer or appear at the scheduled arbitration hearing on July 1, 2019. Arbitrator Allan L. Pullin, Esq. found respondent in default and issued an award in favor of petitioner of \$3,474.15 plus interest and attorneys' fees, totaling \$4,910.49.

Accordingly, it is hereby

ORDERED, that the petition is granted as set forth below, and it is further

ORDERED, that the July 1, 2019 arbitration award in the amount of \$4,910.49 is hereby confirmed and petitioner is entitled to judgment in this amount together with interest at the annual rate of 9% from the date of the award plus its costs and disbursements; and it is further

ORDERED, that in the event petitioner waives its request for counsel fees it shall submit a proposed Judgment, on notice, to the Judgment Clerk of the Supreme Court. In the event petitioner does not waive its request for counsel fees it is

ORDERED, that subject to the approval of the Justice there presiding and provided a Note of Issue has been filed at least ten (10) days prior thereto, this matter shall appear on the calendar of CCP on **December 10, 2019 at 2:00 p.m.** for an Inquest to determine the amount owed of counsel fees to which petitioner is entitled; and it is further

ORDERED, that a copy of this order shall be served on the Calendar Clerk and accompany the Note of Issue when filed. The failure to file a Note of Issue or appear as directed may be deemed an abandonment of the claim giving rise to the Inquest; and it is further

ORDERED, that the directive with respect to an Inquest is subject to the right of the Justice presiding in CCP to refer the matter to a Justice, Judicial Hearing Officer or a Court Attorney/Referee as he or she deems appropriate; and it is further

ORDERED, that the petitioner's counsel shall serve a copy of this order upon the respondent by overnight mail with proof of mailing within ten (10) days of the date of this Order. Any relief requested not specifically addressed herein is denied.

This constitutes the Decision and Order of this court.

Dated: November 14, 2019
Mineola, New York

ENTER:


LEONARD D. STEINMAN, J.S.C.

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