

SUPREME COURT OF THE STATE OF NEW YORK
NEW YORK COUNTY

PRESENT: HON. W. FRANC PERRY PART IAS MOTION 23EFM

Justice

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THE CITY OF NEW YORK,

Petitioner-Judgment Creditor,

- v -

HC2 HOLDINGS INC.,

Respondent-Garnishee.

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INDEX NO. 451275/2019

MOTION DATE 09/10/2019

MOTION SEQ. NO. 001

ORDER AND JUDGMENT

The following e-filed documents, listed by NYSCEF document number (Motion 001) 2, 9, 10, 11, 12 were read on this motion to/for EXTEND - TIME

Petitioner-Judgment Creditor the City of New York having filed this special proceeding seeking an order and judgment, pursuant to CPLR 5227 and 5232, extending the effectiveness of an execution and levy served by the Sheriff of the City of New York on Respondent HC2 Holdings Inc. on May 10, 2019, with respect to all property not capable of delivery in the possession of HC2 Holdings Inc. in which judgment debtor Philip A. Falcone is believed or known to have an interest, including any property specified in the notice; and respondent-garnishee HC2 Holdings Inc. having acknowledged service of the aforesaid execution and levy and having waived its right to file an answer to the petition herein, and having consented to the relief requested in the petition, namely, the entry of a judgment extending to and including December 31, 2020, the effectiveness of the said levy and execution and the time within which it shall be required to deliver to the Sheriff all property not capable of delivery coming into its possession in which judgment debtor Philip Falcone has an interest;

NOW, on motion of GEORGIA M. PESTANA, Acting Corporation Counsel of the City of New York, attorney for petitioner-judgment creditor the City of New York, it is hereby

ORDERED and ADJUDGED that the effectiveness of an execution and levy served by the Sheriff of the City of New York on HC2 Holdings Inc. on May 10, 2019, with respect to all property not capable of delivery in the possession of HC2 Holdings Inc. in which judgment debtor Philip A. Falcone is believed or known to have an interest, including any property specified in the notice, is extended to and including December 31, 2020.

This constitutes the order and judgment of the court.

10/3/2019

DATE

W. FRANC PERRY, J.S.C.

CHECK ONE:

CASE DISPOSED

NON-FINAL DISPOSITION

GRANTED

DENIED

GRANTED IN PART

OTHER

APPLICATION:

SETTLE ORDER

SUBMIT ORDER

CHECK IF APPROPRIATE:

INCLUDES TRANSFER/REASSIGN

FIDUCIARY APPOINTMENT

REFERENCE