

DISTRICT COURT OF THE COUNTY OF SUFFOLK, THIRD DISTRICT

Present:

HON BRONWYN M. BLACK-KELLY
JUDGE

Return Date JULY 6, 2023

SLOMIN'S INC.,

Petitioner

AGAINST

JUAN BELTRE

Respondent

Upon the following papers numbered 1 to 5 read
on this petition to confirm an arbitration award
Notice of petition, petition and supporting affirmation 1, 2, 3 ;
Other Exhibits 4
Affidavit of service of petition 5 ;

(and after hearing counsel in support of and opposed to the application) it is,

ORDERED that this petition is granted (UDCA § 206[b], CPLR § 7510). The arbitration award in the amount of \$1,834.58 is confirmed. Plaintiff's application is timely (see CPLR § 7510). Attorney's fees for the instant proceeding are awarded per the agreement of the parties, which reads in part, "The prevailing party in any litigation or arbitration is entitled to recover its reasonable legal fees," (Exhibit A, Contract, ¶ 29; Exhibit B, Arbitration Services, Inc. Arbitration Rule 38[c] ["a party commencing a proceeding in a court of law to confirm or enforce the award shall be entitled to additional counsel fees for post-arbitration proceedings as the court may deem appropriate"]; see Hooper Assoc., Inc. v. AGS Computers, Inc., 74 NY2d 487, 491 [1989]; D & W Central Station Fire Alarm Co., Inc. v. United Properties Corp., 34 Misc3d 85, 87 [App Tm, 2d, 11th & 13th Jud Dists, 2012; New York Merchants Protective Co., Inc. v. Antique Rugs Studio, Inc., 55 Misc3d 146[A], 2017 NY Slip Op 50681 [App Tm, 9th & 10th Jud Dists, 2017]). The attorney's fee is set in the amount of \$1,800. Statutory costs, disbursements, and

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interest also are awarded.

Submit judgment.

Dated:

July 21, 2013



Bronwyn M. Black-Kelly, J.D. #128