

**SUPREME COURT - STATE OF NEW YORK**

**PRESENT: HON. JACK L. LIBERT,**  
**Justice.**

**UNITED STATES MERCHANTS PROTECTIVE CO.,**  
**INC,**

**Plaintiff,**

**-against-**

**SAMAR FOOD CORPORATION and JOSE PAULINO,**

**Defendants.**

**TRIAL PART 20**  
**NASSAU COUNTY**

**MOTION # 01**  
**INDEX # 600452/2020**  
**MOTION SUBMITTED:**  
**MARCH 3, 2020**

**XXX**

**The following papers having been read on this motion:**

- Notice of Motion/Order to Show Cause.....1**
- Cross Motion/Answering Affidavits.....**
- Reply Affidavits.....**

Petitioner moves unopposed pursuant to CPLR 7510 to confirm the arbitration award dated December 2, 2019 in the sum of \$19,073.18 with costs, disbursements and interest from December 2, 2019. Petitioner also seeks attorney fees in the total sum of \$2,000.00. Counsel is entitled to attorneys fees he or she incurred in commencing this special proceeding to confirm the award (*D&W Cent. Sta. Fire Alarm Co., Inc. v. United Props. Corp.*, 34 Misc. 3d 85 [App. Term, 2d Dept., 11<sup>th</sup> and 13<sup>th</sup> Jud. Dists. 2012]). Counsel attaches an affirmation in support of his application for attorneys’ fees. The court finds the request for \$2,000 fair and reasonable,

Petitioner’s application is granted in all respects. Petitioner is granted judgment confirming the arbitration award in the amount of \$19,073.18 , with costs, disbursements, interest from December 2, 2019, and \$2,000.00 in counsel fees and may enter judgment upon filing with the County Clerk.

So Ordered.

**ENTER**

DATED: May 6, 2020

/S/

**HON. JACK L. LIBERT**  
**J. S. C.**