

Short Form Order and Judgment

NEW YORK SUPREME COURT - QUEENS COUNTY

Present: HONORABLE JAIME A. RIOS
Justice

IA PART 8

LIBERTY MUTUAL INSURANCE COMPANY, X
Petitioner,
_____- against -
FANNY TIGRE and TERESA HERNANDEZ,

Respondents,
- and -
JOHANNA MARTINEZ,
Proposed Add'l. Respondent.
_____ X

Index
Number 14682/04
Motion
Date September 1, 2004
Motion
Cal. Number 20

The following papers numbered 1 to 7 were read on this amended notice of petition and petition by the petitioner, pursuant to CPLR article 75, seeking to permanently stay the arbitration demanded by the respondents or alternative relief.

| | <u>Papers Numbered</u> |
|--|----------------------------|
| Notice of Petition - Affidavits - Exhibits | 1-4 |
| Answering Affidavits - Exhibits | 5-7 |

Upon the foregoing papers it is ordered that the amended notice of petition and petition are determined as follows:

The threshold issue presented in this proceeding to permanently stay an arbitration for uninsured motorist insurance benefits is whether service of the original petition and amended notice of petition and petition were jurisdictionally defective.

The genesis of the controversy was a letter dated October 4, 2002, wherein the attorney for the respondents Fanny Tigre and Teresa Hernandez (the respondents), advised the petitioner Liberty Mutual Insurance Company (Liberty Mutual), of the respondents' notice of intention to make a claim for

Supreme Judgment

**Pennsylvania. Superior Court, Wilson
Conrad Kress, Edward Pease
Allinson, William Irwin Schaffer, Albert
Barnes Weimer, Spencer Gilbert
Nauman**

Supreme Judgment:

Invalidity Mindy Chen-Wishart, Alexander Loke, Stefan Vogenauer, Hiroo Sono, Burton Ong, 2022 The Studies in the Contract Laws of Asia series charts the divergence in and common principles of contract laws across Asia with a view to providing the scholarly foundations for future harmonization and reform This fourth volume deals with factors affecting the validity of contracts Atlantic Reporter ,1922 **United States Circuit Courts of Appeals Reports** ,1896 **Senate Bill[s]**. Illinois. General Assembly. Senate,1907 Reports of Cases Decided in the Court of Appeals of the State of New York New York (State). Court of Appeals, George Franklin Comstock, Henry Rogers Selden, Francis Kernan, Erasmus Peshine Smith, Joel Tiffany, Edward Jordan Dimock, Samuel Hand, Hiram Edward Sickels, Louis J. Rezzemini, Edmund Hamilton Smith, Edwin Augustus Bedell, Alvah S. Newcomb, James Newton Fiero, 1866 *Revised Statutes of the United States, Passed at the First Session of the Forty-third Congress, 1873-74; Embracing the Statutes of the United States, General and Permanent in Their Nature, in Force on the First Day of December, One Thousand Eight Hundred and Seventy-three, as Revised and Consolidated by Commissioners Appointed Under an Act of Congress (etc.). Mit 2 Suppl.-Vol* [Anonymus AC10343482], 1875 **Report of the Proceedings of the ... Annual Meeting of the Missouri Bar Association** Missouri Bar Association, 1884 List of members in each volume **Supplement (1902-1905) to the New York Annotated Codes** New York (State), 1905 **A Digest of Reported Cases for the Years 1895-1903** Kadirvalepillai Balasingham, N. S. Naganathan, 1904 **Annual Report of the Public Service Commission** Missouri Public Service Commission, 1920 Reports Containing the Cases Determined in All the Circuits from the Organization of the Courts ,1901 Pennsylvania Superior Court Reports Pennsylvania. Superior Court, Wilson Conrad Kress, Edward Pease Allinson, William Irwin Schaffer, Albert Barnes Weimer, Spencer Gilbert Nauman, 1898 Containing cases decided by the Superior Court of Pennsylvania Public Laws Enacted by the Philippine Legislature Philippines, 1924 **The Australian Law Times** ,1897 **New York Court of Appeals. Records and Briefs.** New York (State). Court of Appeals., 1909 Volume contains 196 NY 523 Webster v Columbian Nat l Life Ins Co 196 NY 544 Wells v Taylor 196 NY 553 Witmer v City of Jamestown 196 NY 324 Wynkoop v Ludlow Valve Mfg Co 196 NY 104 People v Warshor 197 NY 512 Bloomer v Saint Paul Fire Marine Ins Co *Report of the Attorney General of the Commonwealth of Pennsylvania for the Years* Pennsylvania. Office of the Attorney General, 1889 The South Western Reporter ,1919 Includes the decisions of the Supreme Courts of Missouri Arkansas Tennessee and Texas and Court of Appeals of Kentucky Aug Dec 1886 May Aug 1892 Court of Appeals of Texas Aug 1892 Feb 1893 Jan Feb 1928 Courts of Civil and Criminal Appeals of Texas Apr June 1896 Aug Nov 1907 Court of Appeals of Indian Territory May June 1927 Jan Feb 1928 Courts of Appeals of Missouri and Commission of Appeals of Texas The British Columbia reports ,1895 A Treatise on the Modern Practice in Equity in the State and Federal Courts of the United States Charles Fisk Beach, 1894 **Court of Appeals: New York: 190** ,1894

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- Chapter 2: Essential Elements of Supreme Judgment
- Chapter 3: Supreme Judgment in Everyday Life
- Chapter 4: Supreme Judgment in Specific Contexts
- Chapter 5: Conclusion

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Table of Contents Supreme Judgment

1. Understanding the eBook Supreme Judgment
 - The Rise of Digital Reading Supreme Judgment
 - Advantages of eBooks Over Traditional Books
2. Identifying Supreme Judgment
 - Exploring Different Genres
 - Considering Fiction vs. Non-Fiction
 - Determining Your Reading Goals
3. Choosing the Right eBook Platform
 - Popular eBook Platforms
 - Features to Look for in an Supreme Judgment
 - User-Friendly Interface
4. Exploring eBook Recommendations from Supreme Judgment
 - Personalized Recommendations
 - Supreme Judgment User Reviews and Ratings
 - Supreme Judgment and Bestseller Lists
5. Accessing Supreme Judgment Free and Paid eBooks
 - Supreme Judgment Public Domain eBooks
 - Supreme Judgment eBook Subscription Services
 - Supreme Judgment Budget-Friendly Options
6. Navigating Supreme Judgment eBook Formats
 - ePub, PDF, MOBI, and More
 - Supreme Judgment Compatibility with Devices
 - Supreme Judgment Enhanced eBook Features
7. Enhancing Your Reading Experience
 - Adjustable Fonts and Text Sizes of Supreme Judgment
 - Highlighting and Note-Taking Supreme Judgment
 - Interactive Elements Supreme Judgment
8. Staying Engaged with Supreme Judgment

- Joining Online Reading Communities
 - Participating in Virtual Book Clubs
 - Following Authors and Publishers Supreme Judgment
9. Balancing eBooks and Physical Books Supreme Judgment
- Benefits of a Digital Library
 - Creating a Diverse Reading Collection Supreme Judgment
10. Overcoming Reading Challenges
- Dealing with Digital Eye Strain
 - Minimizing Distractions
 - Managing Screen Time
11. Cultivating a Reading Routine Supreme Judgment
- Setting Reading Goals Supreme Judgment
 - Carving Out Dedicated Reading Time
12. Sourcing Reliable Information of Supreme Judgment
- Fact-Checking eBook Content of Supreme Judgment
 - Distinguishing Credible Sources
13. Promoting Lifelong Learning
- Utilizing eBooks for Skill Development
 - Exploring Educational eBooks
14. Embracing eBook Trends
- Integration of Multimedia Elements
 - Interactive and Gamified eBooks

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