

ORDERED that the cross-motion of plaintiff s Chelsea Piers L.P. and Chelsea Piers Management Inc. is granted to the extent of granting summary judgement on their first and second causes of action, to the extent that they seek a declaration that defendant Colony Insurance Company is obliged to provide a defense to the plaintiffs in the action of *McRae v EPS Iron Works, Inc., Chelsea Piers, L.P. Chelsea Piers Mgt. Inc. and John Doe Corp.*, index No. 156554/2015, New York County, with costs and disbursements to plaintiff s, upon submission of an appropriate bill of costs, as taxed by the Clerk, and the motion is otherwise denied; and it is further

ADJUDGED and DECLARED that that defendant Colony Insurance Company is obliged to provide a defense to plaintiff s Chelsea Piers L.P. and Chelsea Piers Management Inc. in the action of *McRae v EPS Iron Works, Inc., Chelsea Piers, L.P. Chelsea Piers Mgt. Inc. and John Doe Corp.*, index No. 156554/2015, New York County; and it is further

ORDERED that defendant Endurance American Specialty Insurance Company and plaintiff s Chelsea Piers L.P. and Chelsea Piers Management Inc. serve a copy of this decision and order on the County Clerk's office, which is directed to enter judgment accordingly; and it is further

ORDERED that counsel are directed to appear for a compliance conference in Part 7, room 345, at 60 Centre Street, on February 20, 2019, at 1000 a.m.

11/27/2018

DATE

GERALD LEBOVITS, J.S.C.

CHECK ONE:

CASE DISPOSED
GRANTED
SETTLE ORDER
INCLUDES TRANSFER/REASSIGN

DENIED

NON-FINAL DISPOSITION
GRANTED IN PART
SUBMIT ORDER
FIDUCIARY APPOINTMENT

OTHER

REFERENCE