

FILED

MAR 30 2012

NEW YORK
COUNTY CLERK'S OFFICE

SUPREME COURT OF THE STATE OF NEW YORK

COUNTY OF New York
-----X

Dianne Schwartz and Marilyn White,

Plaintiff/Petitioner,

- against -

Index No. 650823/2010

SBA Technologies, Inc., Fiona Graham and Julius Mwale,

Defendant/Respondent.

-----X

**CERTIFICATE REQUESTING ENTRY OF JUDGMENT
IN ELECTRONICALLY-FILED CASE**

To: The County Clerk, County of New York

Jonathan W. Rich, an attorney admitted to the Bar of the State of New York and counsel for Plaintiffs in the above-captioned electronically-filed case, does hereby request that judgment be entered in this case based upon the document nos.62, 80 & 83, dated see judgment form and entered on see judgment form. Pursuant to CPLR 5017 (a), I do hereby certify that the following documents shall constitute the Judgment Roll for this Judgment. Each document is identified by title of the paper, the date filed with the electronic filing system, and the number of the paper as listed on the E-Filing List of Papers Filed.

<u>Title of Document</u>	<u>Number of Paper On E-Filing List of Papers</u>	<u>Date Filed</u>
✓ 1) <u>Summons and Complaint</u>	No. <u>1</u>	<u>7/6/2010</u>
✓ 2) <u>Reply to Counterclaim</u>	No. <u>7</u>	<u>9/10/2010</u>
✓ 3) <u>Order Granting Default</u> 001	No. <u>62</u>	<u>4/29/2011</u>
✓ 4) <u>Order Denying Vacate Motion</u> 002	No. <u>71</u> <u>69</u>	<u>8/8/2011</u> <u>8/4/2011</u>
✓ 5) <u>Order Granting Sum. Jdgmt.</u> 003	No. <u>80</u>	<u>2/17/2012</u>
✓ 6) <u>Order Severing ^{Amended} Counterclaim</u> 003	No. <u>83</u>	<u>2/21/2012</u>
✓ 7) <u>Answer with Counterclaim</u>	No. <u>86</u>	<u>3/1/2012</u>
✓ 8) <u>affid serv</u>	No. <u>3</u>	<u>7/22/10</u>
✓ 9) <u>affid serv</u>	No. <u>4</u>	<u>7/22/10</u>
✓ 10) <u>affid serv</u>	No. <u>6</u>	<u>8/6/10</u>
✓ <u>Motion 001 papers</u>	<u>12-27,30</u>	---
✓ <u>Motion 002 papers</u>	<u>65-66-4</u>	---
✓ <u>Motion 003 papers</u>	<u>73-75-7</u>	---

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

DIANNE SCHWARTZ and MARILYN WHITE,

Plaintiffs,

- against -

SBA TECHNOLOGIES, INC., FIONA GRAHAM
and JULIUS MWALE,

Defendants.

Index No.: 650823/10

JUDGMENT

The Plaintiffs, Dianne Schwartz and Marilyn White, by their attorneys, Robinson Brog
Leinwand Greene Genovese & Gluck P.C., having:

(1) duly moved for an order pursuant to CPLR § 3212 for summary judgment against
defendant Fiona Graham; and

(2) on August 2, 2011, previously obtained an order pursuant to CPLR § 3215(d), to enter
a default judgment against defendants SBA Technologies, Inc. and Julius Mwale upon final
disposition against defendant Fiona Graham;

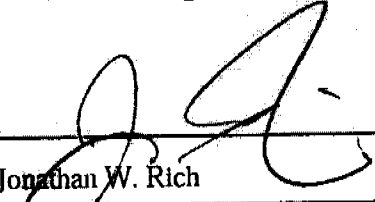
NOW upon the annexed orders of the Hon. Shirley Werner Kornreich, dated February 9,
2012, and February 15, 2012, granting Plaintiffs' motion for summary judgment against
defendant Fiona Graham, and ordering that judgment be entered against all defendants, jointly
and severally, in the amount of \$266,000.00, plus interest at the statutory rate from October 16,
2009, costs and disbursements; and upon the annexed order of the Hon. Shirley Werner
Kornreich, dated August 2, 2011, granting Plaintiffs' motion to enter a default judgment against
defendants SBA Technologies, Inc. and Julius Mwale in the amount of \$266,000.00, plus interest
at the statutory rate from October 16, 2009, costs and disbursements; it is hereby

ADJUDGED that Plaintiffs Dianne Schwartz^(A) and Marilyn White^(B), ~~each having a~~

~~business located at 10 Hudson Street, New York, New York 10013~~, have judgment

The documents listed above are available on the electronic filing website and may be downloaded and printed as needed.

Dated: March 1, 2012



(Signature)

Jonathan W. Rich

(Name)

Robinson Brog et. al

(Firm Name)

875 Third Ave, 9th Floor

(Address)

New York, New York 10022

Attorney for Plaintiffs

Certificate	87	3/26/12
Judgment	88	3/26/12
Bill of costs	89	3/2/12
affid of mailing	90	3/26/12
affid of mailing	91	3/26/12
Non - mil	92	3/26/12
Transcript from 2/9/12	93	3/26/12

and recover

~~Plaintiff's name~~ against defendant Fiona Graham whose address is 350 Central Park West, 16A, New York, New York 10025, defendant SBA Technologies, Inc. whose address is 445 Park Avenue, 9th and 10th Floors, New York, New York 10022 and defendant Julius Mwale whose address is 1018 N. Division Street Peekskill, NY

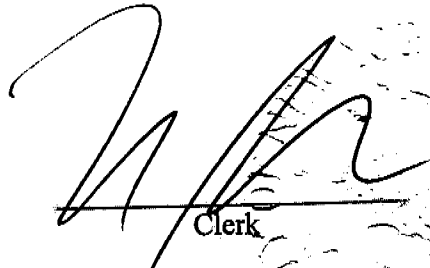
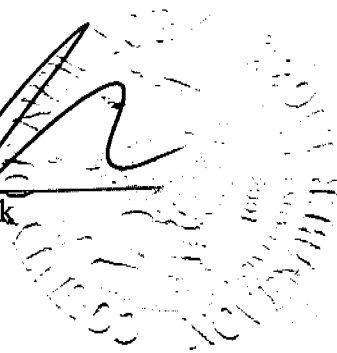
Jointly and severally, in

10566, the amount of \$266,000.00, plus interest at the statutory rate of 9% from October 16, 2009 ~~through the present date~~ in the amount of \$56,932.12 and ~~costs~~ costs, in the amount

\$ 58,767.78 and disbursements as taxed by The clerk,

of 770.00, for a total judgment of \$ 325,537.78, and THAT

The Plaintiffs shall have execution therefor.


Clerk


(A) 290 W 12 ST APT 16
NY NY 10014

(B) 222 W 14 ST APT 14 E
NY NY 10011

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NEW YORK
COUNTY CLERK'S OFFICE

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK**

DIANNE SCHWARTZ and MARILYN WHITE,

Plaintiffs,

- against -

SBA TECHNOLOGIES, INC., FIONA GRAHAM
and JULIUS MWALE,

Defendants.

Index No.: 650823/10

**PLAINTIFFS'
BILL OF COSTS**

**COSTS and
DISBURSEMENTS**

RJI

95.00 ✓

Costs by statute

200.00 ✓

Fee for index number

210.00 ✓

Affidavits

0.00

Motion Fees

~~135.00~~ 90.00

Serving summons and complaint

~~55.00~~ 135.00 ✓

~~Clerk's fee entering judgment~~

~~45.00~~

Sheriff's fee on execution

~~0.00~~ 40.00 ✓

Postage

0.00

Costs taxed

Total

~~\$ 740.00~~

\$ 770.00

I HEREBY CERTIFY THAT I HAVE
ADJUSTED THIS BILL OF COSTS AT
\$ 770.00

MAR 30 2012

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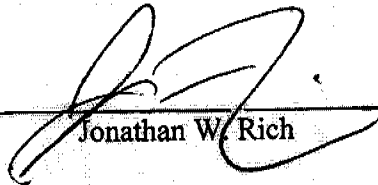
NEW YORK
COUNTY CLERK'S OFFICE

ATTORNEY'S AFFIRMATION

The undersigned, Jonathan W. Rich, an attorney duly admitted to practice law in the courts of the State of New York, hereby affirms the following under the penalties of perjury:

1. I am associated with the firm of Robinson Brog Leinwand Greene Genovese & Gluck P.C., attorneys for plaintiff, and as such am fully familiar with the facts and circumstances of the above-captioned action; that the foregoing costs are correct and were necessarily incurred in this action and are reasonable in amount; and that the services for which fees have been charged were actually and necessarily performed and are reasonable in amount.

Dated: New York, New York
March 1, 2012


Jonathan W. Rich

ROBINSON BROG LEINWAND GREENE
GENOVESE & GLUCK P.C.
875 Third Avenue, 9th Floor
New York, New York 10022-1223
(212) 603-6300
Attorneys for Plaintiffs

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COUNTY CLERK'S OFFICE**

Costs are taxed in the amount of _____ and included in the judgment

March __, 2012

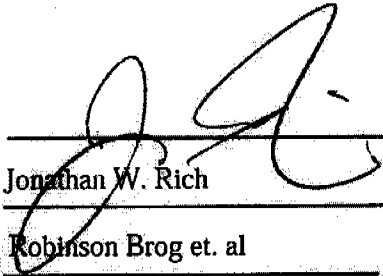
Clerk of the Court

Interest Calculation

DIANNE SCHWARTZ & MARILYN WHITE V. FIONA GRAHAM ET AL

Principal amount of judgment award:	\$266,000.00
Annual interest on principal at 9% per annum:	\$23,940.00
Per Diem Interest (365 day year):	\$65.59
Interest owed from May October 16 – March 1, 2012:	868 days at \$65.59 per day = \$56,932.12
Total Interest Owed:	\$56,932.12

650 823/10



(Signature)
Jonathan W. Rich

(Name)
Robinson Brog et. al

(Firm Name)
875 Third Ave, 9th Floor

(Address)
New York, New York 10022

Attorney for Plaintiffs

Judgment

2-3

DOCKETED BY
B.C.
3

**FILED AND
DOCKETED**

MAR 30 2012
AT 10:11 A M
N.Y., CO. CLK'S OFFICE

7/27/07