

SHORT FORM ORDER

SUPREME COURT - STATE OF NEW YORK

Present:

HON. EDWARD W. MC CARTY III

Justice

TRIAL/IAS, PART 9
NASSAU COUNTY

DOLORES DAVIS,

Plaintiff(s),

-against-

INDEX No. 25647/1997
Action #1

AN SUNG JUN,

Defendant(s).

MOTION DATE: 4/28/2000
MOTION SEQ.#005

PAMELA JONES,

Plaintiff(s)

-against-

INDEX No. 33609/1998
Action #2

AN SUNG JUN and DOLORES DAVIS,

Defendant(s)

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF QUEENS

JEFFREY MUSE, as Father and Natural Guardian of
GLEN THOMPSON, an Infant and JEFFREY MUSE,
Individually,

Plaintiff(s)

-against-

INDEX No. 5918/1998
Action #3

AN SUNG JUN, ROBERT DAVIS and DOLORES DAVIS,
Defendant(s)

CIVIL COURT OF THE CITY OF NEW YORK
COUNTY OF QUEENS

DARLENE JOHNSON,

Plaintiff(s)

-against-

AN SUNG JUN and DOLORES DAVIS,

The following papers read on this motion:

Notice of Motion/ Order to Show Cause	X
Cross-Motion	
Answering Affidavit	X
Replying Affidavits	X

This is an application by the defendant An Sung Jun seeking an order removing and consolidating Actions 3 and 4 for the purposes of a joint trial. Such a request overlooks the distinction between consolidation and a joint trial. This distinction is often overlooked as evidence my prior order of October 9, 1998. That order is modified to provide that Actions 1 and 2 are joined for trial and not consolidated. This application is granted to the extent that Actions 3 and 4 are removed from the respective Courts in Queens County to be joined with Actions 1 and 2, subject to the jurisdictional limitations of the original Courts. The plaintiff in Action 4 will be produced for examination before trial on **July 18, 2000** at 9:30 a.m. at Supreme Court, Mineola, New York, lower level.

Date 6-19-2000

E W McCarty III
J.S.C.