

SUPREME COURT OF THE STATE OF NEW YORK
NEW YORK COUNTY

FERN A. FISHER, DEPUTY CHIEF ADMINISTRATIVE JUDGE FOR NEW YORK CITY COURTS AND ADMINISTRATIVE AUTHORITY OF THE CIVIL COURT OF THE CITY OF NEW YORK, BY ERIC T. SCHNEIDERMAN, Attorney General of the State of New York,

PART 47

-against- LEUCADIA NATIONAL CORP., L-CREDIT, LLC, LR CREDIT, LLC, and LR CREDIT 1-23, LLC,

Petitioner,

INDEX NO. 452328/16

and THE ROLLING JUBILEE FUND,

Respondents,

MOTION DATE

Assignee.

solely as

MOTION SEQ. NO. 001

The following papers, numbered 1 to 2, were read on this motion to/for Vacate Default Judgments

Notice of Motion/Order to Show Cause — Affidavits — Exhibits No(s) 1

Answering Affidavits — Exhibits No(s) 2

Replying Affidavits No(s)

Upon the foregoing papers, it is ordered that this motion is

Pursuant to CPLR §5015(c), Petitioner Fern A. Fisher's petition seeking to vacate and set aside all default judgments obtained by Respondents Leucadia National Corp., L-Credit, LLC, LR Credit, LLC, and LR Credit 1-23, LLC, against consumers in the State of New York and to stay all marshals and/or sheriffs who hold executions under such judgments from executing to collect such judgments is granted without objection in accordance with the parties' settlement agreement and Final Order in Sykes v. Mel S. Harris and Assoc. LLC, 09CV8586 (SDNY).

As such, it is hereby

ORDERED that all default judgments listed in New York State Courts E-Filing Document Number 14, Exhibit A, List of Default Judgements, filed on April 28, 2017, under Index Number 452328/2016, involving consumers in the State of New York, are vacated and set aside; and it is further

ORDERED that all marshals and/or sheriffs who hold executions under the default judgements listed in New York State Courts E-Filing Document Number 14, Exhibit A, List of Default Judgements, filed on April 28, 2017, under Index Number 452328/2016, involving consumers from the State of New York, are stayed from executing to collect such judgments; and it is further

ORDERED that the Clerk shall vacate all default judgments listed in New York State Courts E-Filing Document Number 3, Exhibit A, List of Default Judgements, filed on April 28, 2017, under Index Number 452328/2016, involving consumers in the State of New York, and any further proceedings are referred to the Administrative Judges of the affected courts; and it is further

ORDERED that the parties shall have leave to amend Exhibit A, List of Default Judgements, to include updated information regarding the judgment court and case number of each affected judgment where such information is not yet available; and it is further

ORDERED that Petitioner shall serve a certified copy of this order on the County Clerk of all affected counties.

This constitutes the decision and order of the court.

Dated: 05/02/17

HON. ERIKA M. EDWARDS, J.S.C.

- 1. CHECK ONE: [X] CASE DISPOSED [] NON-FINAL DISPOSITION
2. CHECK AS APPROPRIATE: MOTION IS: [X] GRANTED [] DENIED [] GRANTED IN PART [] OTHER
3. CHECK IF APPROPRIATE: [] SETTLE ORDER [] SUBMIT ORDER
[] DO NOT POST [] FIDUCIARY APPOINTMENT [] REFERENCE

MOTION/CASE IS RESPECTFULLY REFERRED TO JUSTICE FOR THE FOLLOWING REASON(S):