

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF BRONX-----X
ERIC JOYNER

Plaintiff,

-against-

CITY CARTER LEASING, INCORPORATED, and
LEONARDO CHACON.Defendants.
-----X

JUDGMENT

Index No.: 22138/13E

This action has come on for trial before the Honorable Donna Mills, a justice of the Supreme Court of New York, County of Bronx on the issue of liability and damages.

The plaintiff, ERIC JOYNER having appeared at trial by Jeffrey Bloomfield, Esq. a member of the Law Offices of Michael S. Lamonosoff, P.L.L.C. located at 32 Old Slip, 8th Floor, New York, New York 10005. The defendants, CITY CARTER LEASING, INCORPORATED and LEONARDO CHACON having appeared at trial by Sharon A. Mosca of Mead, Hecht, Conklin & Gallagher, Esqs. located at 925 Westchester Avenue, White Plains, New York 10604.

On October 18, 2018, the duly impaneled jury returned a true verdict after plaintiff and defendants presented their evidence and having rested on the issues of liability and damages. The verdict was in favor of the plaintiff, ERIC JOYNER, against the defendants defendant CITY CARTER LEASING, INCORPORATED and LEONARDO CHACON in the sum of FIVE HUNDRED FIFTY THOUSAND (\$550,000.00) DOLLARS broken down as set forth in the executed verdict transcript (annexed hereto as Exhibit "A") as follows:

PAST PAIN AND SUFFERING: \$230,000.00

FUTURE PAIN AND SUFFERING: \$320,000.00

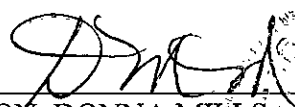

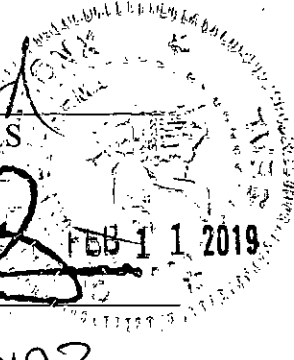
NOW, by motion of the plaintiff and her attorney, Jeffrey Bloomfield, Esq., that was served upon the defendants' attorneys it is:

ADJUDGED, that the plaintiff, ERIC JOYNER, residing at 1980 Park Avenue #2D, New York, New York 10037 have a Judgment on the award and recover of Defendants CITY CARTER LEASING, INCORPORATED and LEONARDO CHACON, in the sum of FIVE HUNDRED FIFTY THOUSAND (\$550,000.00) DOLLARS (TWO HUNDRED THIRTY THOUSAND (\$230,000.00) FOR THE PAST PAIN AND SUFFERING and THREE HUNDRED TWENTY THOUSAND (\$320,000.00) FOR THE FUTURE PAIN AND SUFFERING), plus an interest from October 18, 2018 of ONE HUNDRED THIRTY FIVE DOLLARS AND 62 CENTS (\$135.62) for each additional day after October 18, 2018 that this Judgment is not paid IN THE AMOUNT OF \$5,731.92

It is also ADJUDGED, that the defendants are responsible for Costs and Disbursements pursuant to the CPLR in the amount of ~~ten~~ hundred dollars (\$~~700.00~~). The breakdown of the plaintiff's costs and disbursements is annexed hereto as Exhibit "B" FOR A TOTAL OF \$566,431.92

WHEREFORE, it is respectfully requested that the judgment be entered and plaintiff's application be granted in full.

Dated: 1/22/19
Bronx, New York


HON. DONNA MILLS

Clerk of the Court
WASH. DIAZ


SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF BRONX-----X
ERIC JOYNER

Plaintiff,

-against-

ATTORNEY
AFFIRMATION

Index No.: 22138/13

CITY CARTER LEASING, INCORPORATED, and
LEONARDO CHACON.Defendants.
-----X

BETH KIRCHNER, ESQ, an attorney duly admitted to practice law in the State of New York affirms the following under the penalties of perjury.

1. I am a member of the Law Offices of Michael S. Lamonsoff, attorneys for the plaintiff ERIC JOYNER. I am fully familiar with all the facts and circumstances surrounding this case.

2. This affirmation is submitted in support of plaintiff's application for a judgment based upon the jury's verdict. See Jury's Verdict annexed as Exhibit "A". The plaintiff herein is entitled to a judgment in the amount of FIVE HUNDRED FIFTY THOUSAND (\$550,000.00) DOLLARS (TWO HUNDRED THIRTY THOUSAND (\$230,000.00) FOR THE PAST PAIN AND SUFFERING and THREE HUNDRED TWENTY THOUSAND (\$320,000.00) FOR THE FUTURE PAIN AND SUFFERING) plus ONE HUNDRED THIRTY FIVE DOLLARS AND 62 CENTS (\$135.62) for each additional day after October 18, 2018 that said judgment is not paid. The plaintiff is also entitled to costs and disbursements in the amount of \$500.00 pursuant to the applicable CPLR Sections. For a detailed explanation of the Costs and Disbursements, See Exhibit "B".

3. This action has come on for trial before the Honorable Donna Mills, a justice of the Supreme Court of the State of New York, County of Bronx on the issues of liability and damages.

4. On October 18, 2018, the duly impaneled jury returned a true verdict after plaintiff and defendants presented their evidence and having rested on the issues of liability and damages. The verdict was in favor of the plaintiff, ERIC JOYNER, against the defendants CITY CARTER LEASING, INCORPORATED and LEONARDO CHACON in the total sum of FIVE HUNDRED FIFTY THOUSAND (\$550,000.00) DOLLARS broken down as set forth in the executed verdict sheet (annexed hereto as Exhibit "A") as follows:

PAST PAIN AND SUFFERING: \$230,000.00

FUTURE PAIN AND SUFFERING: \$320,000.00

5. The plaintiff is also entitled to interest on the entire verdict dating back to the award of summary judgment. In this case, the interest (calculated from award of summary judgment until October 18, 2018) is EIGHT THOUSAND ONE HUNDRED THIRTY SIX DOLLARS AND NINETY NINE CENTS (\$8,136.99). The daily amount of interest added to the judgment each day it is not paid is ONE HUNDRED THIRTY FIVE DOLLARS AND 62 CENTS (\$135.62). The interest calculation is based upon the statutory interest rate set forth in Public Authorities Law Section 1212(6).

6. The CPLR Article 50(b) analysis for the future damages award is annexed hereto as Exhibit "C".

7. The plaintiff's judgment has been served upon the defendants' attorneys. The affidavit of service is annexed hereto.

8. The plaintiff's judgment should be entered immediately.

WHEREFORE, it is respectfully requested that the judgment be entered and plaintiff's application be granted in full.

Dated: December 19, 2018
New York, New York



Beth Kirchner

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