

SUPREME COURT OF THE STATE OF NEW YORK — NEW YORK COUNTY
PRESENT: HON. MARTIN SHULMAN, J.S.C.

PART 1

William Bruder,
- v -

Index No. 805050/15

Ashutosh K. Tewari, M.D.

MOTION SEQ. NO. 002

The following papers, numbered 1 to 2, were read on this motion to withdraw as counsel:

Notice of Motion/ Order to Show Cause — Affidavits — Exhibits A-B
Answering Affirmations

PAPERS NUMBERED
<u>1</u>
<u>2</u>

ORDER

Upon the foregoing papers, it is

ORDERED that the motion to withdraw as counsel is granted upon filing (via NYSCEF) of proof of compliance with the conditions set forth below, to the extent that it is

ORDERED that Silberstein, Awad & Miklos, P.C. is hereby relieved as counsel for plaintiff William Bruder ("plaintiff"); and it is further

ORDERED that, on or before April 6, 2018, said attorneys shall serve a copy of this order upon the former client at his last known address(es) by certified mail, return receipt requested and regular first class mail, and upon the attorneys for all other parties appearing herein by regular first class mail; and it is further

ORDERED that, together with the copy of this order to be served upon the former client, moving counsel shall forward a notice directing the former client to appear *pro se* or appoint a substitute attorney, on or before June 5, 2018, and the client shall comply therewith; and it is further

ORDERED that plaintiff *pro se*, or any new attorneys retained by him shall serve and file a notice of appearance on or before June 5, 2018, and appear and be ready to proceed with this action either with new counsel or *pro se* on the next scheduled conference date, which is hereby scheduled for June 12, 2018 at 9:30 a.m., to be held at 60 Centre Street, Room 325, New York, New York, and the failure to so appear shall result in the dismissal of the complaint; and it is further

ORDERED that no further proceedings may be taken against the former client without leave of this court for the period through and including June 5, 2018; and it is further

ORDERED that pursuant to Judiciary Law §475, Silberstein, Awad & Miklos, P.C.'s lien is hereby fixed in the sum of \$4,225.00 on any monies obtained by plaintiff through the final determination of this action, representing the disbursements incurred by plaintiff's counsel on his behalf in connection with the above captioned action; and it is further

ORDERED that plaintiff or his substitute counsel shall notify Silberstein, Awad & Miklos, P.C. in writing within ten (10) days of any settlement, verdict or other disposition of the within action.

The foregoing constitutes this court's decision and order.

Dated: April 4, 2018


Martin Shulman, J.S.C.

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