

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

PRESENT: HON. JENNIFER G. SCHECTER **PART** IAS MOTION 54EFM

Justice

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INDEX NO. 450839/2021

CONSOLIDATED RESTAURANT OPERATIONS, INC.

MOTION SEQ. NO. 001

Plaintiff,

- v -

**DECISION + ORDER ON
MOTION**

WESTPORT INSURANCE CORP.,

Defendant.

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The following e-filed documents, listed by NYSCEF document number (Motion 001) 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164

were read on this motion to/for DISMISSAL.

Upon the foregoing documents and for the reasons stated on the record, it is ORDERED that the motion to dismiss is granted and it is ADJUDGED and DECLARED that the losses plaintiff alleges in its complaint are not covered by the insurance policy. Movant is to e-file the transcript within 45 days.

8/4/2021
DATE

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JENNIFER G. SCHECTER, J.S.C.

CHECK ONE:

<input checked="" type="checkbox"/>	CASE DISPOSED	<input type="checkbox"/>	NON-FINAL DISPOSITION
<input checked="" type="checkbox"/>	GRANTED	<input type="checkbox"/>	GRANTED IN PART
<input type="checkbox"/>	DENIED	<input type="checkbox"/>	OTHER