

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

PRESENT: HON. LYLE E. FRANK **PART** **11M**

Justice

-----X

THE CITY, YOAV GONEN,

Plaintiff,

- v -

THE NEW YORK CITY POLICE DEPARTMENT, EDWARD
A. CABAN,

Defendant.

-----X

INDEX NO. 161633/2023

MOTION DATE 11/29/2023,
05/28/2024

MOTION SEQ. NO. 001 003

**DECISION + ORDER ON
MOTION**

The following e-filed documents, listed by NYSCEF document number (Motion 001) 9, 19, 21, 26, 27, 28, 29, 30, 31, 32

were read on this motion to/for ARTICLE 78 (BODY OR OFFICER).

The following e-filed documents, listed by NYSCEF document number (Motion 003) 33, 34, 35, 36, 37, 38, 39

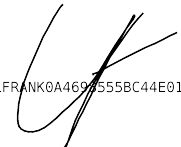
were read on this motion to/for DISCOVERY.

Upon the foregoing documents, the petition in this matter and the motion to compel are both granted without opposition to the extent indicated below.

The Court first notes that the portion of motion sequence 1 that requires a search has apparently been accomplished to some extent, as motion sequence 3 compels the documents that are responsive. As such, the Court will issue the Order as requested by petitioners in sequence 3. However, there has been no opposition to the granting of attorney’s fees so those will be granted as well. It is therefore

ORDERED that respondents are required to commence production of records responsive to petitioners’ request for documents within ten days of the service of this Order with notice of entry, and to continue issuing productions at a rate of no fewer than one thousand pages per month until productions are complete; and it is further

ORDERED that petitioners may submit a breakdown of their attorney’s fees to this Court with proper documentation on seven days’ notice to respondents.

20240607132612LFRANK0A4697555BC44E01AACF8E287241865


6/7/2024
DATE

LYLE E. FRANK, 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"/> DENIED	<input type="checkbox"/> GRANTED IN PART
APPLICATION:	<input type="checkbox"/>	SETTLE ORDER		<input type="checkbox"/> OTHER
CHECK IF APPROPRIATE:	<input type="checkbox"/>	INCLUDES TRANSFER/REASSIGN	<input type="checkbox"/>	<input type="checkbox"/> FIDUCIARY APPOINTMENT
				<input type="checkbox"/> REFERENCE