

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

**PRESENT: Hon. EILEEN BRANSTEN
*Justice***

PART 21

JOEL L. AMAKER, SR.

INDEX NO. 400217/99

Petitioner,

MOTION DATE 9/28/99

- v -

MOTION SEQ. NO. 003

**OFFICE OF COLLECTIVE BARGAINING AND BOARD OF
COLLECTIVE BARGAINING,**

MOTION CAL. NO. 001

Respondents.

The following papers, numbered 1 to _____ were read on this motion to/for _____

*** PAPERS NUMBERED**

Notice of Motion/ Order to Show Cause - Affidavits - Exhibits ...

*** 1**

Answering Affidavits - Exhibits _____

*** 2**

Replying Affidavits _____

Cross-Motion: Yes No

Upon the foregoing papers, it is ordered that this motion is denied, for the reasons set forth below

After reading the papers and after oral argument held on the record, the petitioner failed to make this motion to reargue the court's 5/6/99 decision within 30 days of the motion of entry date 7/30/99 and served on 7/31/99. Foley v Roche 86 A.D.2d 887 2nd Dep't 1982). The court also finds that Petitioner failed to bring forth new facts which the court did not consider in its 5/6/99 decision. This constitutes the decision and order of the Court.

Dated: 10/6/99

J. S. C.

Check one: FINAL DISPOSITION NON-FINAL DISPOSITION