

At a term of the Supreme Court of the State of New York, held in and for the County of Westchester at the Courthouse located at 111 Dr. Martin Luther King Jr., Blvd., White Plains, New York on the 17 day of May, 2018.

PRESENT:

HON. Sam D. Walker  
J.S.C.

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THEA D. FRY,

Plaintiff,

**ORDER**

- against -

Index No.: 69308:15

MARY ANN CARR and all persons unknown claiming a legal or equitable right, title, estate, lien or interest in the real property described herein,

Defendant.

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The Court having held a conference on the above captioned matter on April 13, 2018, and Plaintiff and her attorney appeared in Court along with Defendant's attorney. Defendant did not appear but she was in telephone contact with her attorney during the conference. At the conference the parties reached a settlement with Defendant conferring with her attorney on the telephone wherein Defendant's counsel advised the Court that Defendant agreed to the settlement and consented to the terms of the settlement as a final resolution to the above captioned action. Therefore it is hereby

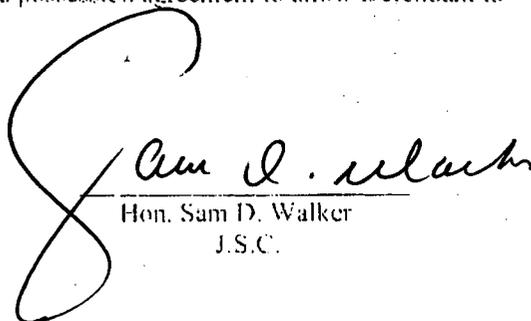
**ORDERED**, that the Plaintiff shall receive, from the Court appointed Referee, the balance of the net proceeds from the sale of the property in dispute of (\$239,535.20), which are

being held in escrow, in full satisfaction of any and all claims Plaintiff had or has against the Defendant; and it is further

**ORDERED**, that the Referee, within 3 days of receipt of this Order, shall issue a check to Plaintiff's attorney for the full balance remaining in escrow of \$239,535.20 from the sale of the property in dispute which check shall be made payable to the Plaintiff; and it is further

**ORDERED**, that the Court's appointment of both the Forensic Accountant and Referee are hereby terminated and any unused portion of any retainer fees paid to the Forensic Accountant shall be returned to the Plaintiff, who paid the retainer; and it is further

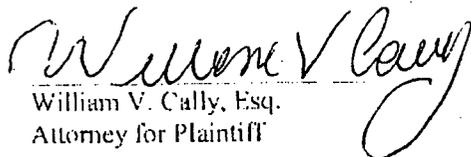
**ORDERED**, that Defendant's counsel shall, within 3 days of receipt of this Order, issue a check from his escrow account to Plaintiff's attorney made payable to Plaintiff for the total funds being held by him (\$765.64) as part of a possession agreement to allow Defendant to remain in the co-op until its sale.

  
Hon. Sam D. Walker  
J.S.C.

Approved as to form and substance:



Matthew P. Lipinsky, Esq.  
Attorney for Defendant



William V. Cally, Esq.  
Attorney for Plaintiff