

CIVIL COURT OF THE CITY OF NEW YORK
COUNTY OF NEW YORK: HOUSING PART B

Index No. HP 307504/2025

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THOMAS DUKLETH, ZACHARY HALL,
SHIRAS PATTERSON BECKWITH, JUDY
SABIN, AND REMIGIUSZ CHLAPEK,

NOTICE OF CROSS-MOTION

Petitioners,

-against-

109E9 LLC, MICHAEL GEYLIK, MGNY
CONSULTING CORP., YURI GEYLIK,

Respondents

-and-

NYC DEPARTMENT OF HOUSING PRESERVATION AND
DEVELOPMENT OF THE CITY OF NEW YORK, and
NYC DEPARTMENT OF BUILDINGS,

Co-Respondents.

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PLEASE TAKE NOTICE that upon the annexed affirmation of M. David Fonseca, Esq., dated August 11, 2025, the affirmation of Michael Geylik, dated August 11, 2025, the affirmation of Yuri Geylik dated August 11, 2025, and the exhibits annexed thereto in support, and the pleadings and proceedings heretofore had herein, Respondents shall move this Court at the Part B room 583 at the Courthouse located at 111 Centre Street, New York, New York , on September 8, 2025 at 9:30 a.m. in the forenoon of that day, or as soon thereafter as counsel may be heard, for an Order:

- (a) Pursuant to CPLR Section 3211, dismissing the proceeding against Respondents MGNY Consulting Corp., and Yuri Geylik, on the grounds that they are improper parties in the action herein as they are not an "Owner" as defined by statute; and
- (b) For such other and further relief as this Court may deem just and proper under the circumstances.

Dated: New York, New York
August 11, 2025

**KUCKER MARINO WINIARSKY
& BITTENS, LLP**

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By: *M. David Fonseca*
M. David Fonseca, Esq.