

CIVIL COURT OF THE CITY OF NEW YORK
COUNTY OF RICHMOND

GREAT SENECA FINANCIAL CORPORATION

Index No.: 012627/05

Plaintiff,

DECISION/ORDER

against

Present: HON. PHILIP S. STRANIERE
Judge, Civil Court

ANNE D. DOWD,

Defendant.

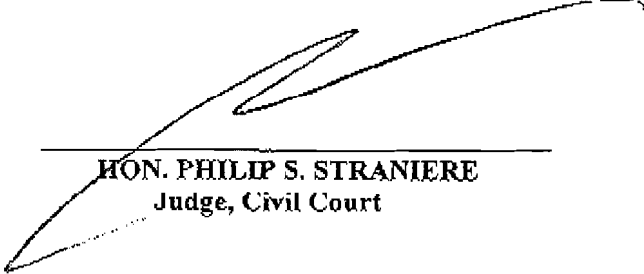
On December 4, 2007 a hearing was to be held on the issue of whether Great Seneca Financial Corporation (GSFC) is engaged in collection activities and as such is required to be licensed by the Department of Consumer Affairs so as to be authorized to commence an action in New York City. GSFC was ordered to produce a witness with knowledge of their procedures as well as knowledge of this case. GSFC did not produce any witness and appeared by counsel only. The defendant did not appear.

GSFC is attempting to collect a credit card debt it purchased from Chase Manhattan Bank. Previously by written decision dated February 15, 2007, the Court denied the plaintiff's motion for summary judgment. In reaching its decision, the Court found that the plaintiff was not in compliance with the New York City Administrative Code 20-489(a) and 20-490. GSFC moved to renew its summary judgment motion and the Court ordered the hearing.

Plaintiff was to produce a witness for the Court to examine under oath as to whether the plaintiff was engaged in debt collection activities. The plaintiff did not produce a witness. The presumption is that the plaintiff is a debt collector and must be licensed. The Court's prior decision stands.

The foregoing constitutes the decision and order of the court.

Dated: January 24, 2008
Staten Island, NY


HON. PHILIP S. STRANIERE
Judge, Civil Court

ASN by Cme on 1/25/08