

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

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PENN HOTEL JUNIOR LLC,

Plaintiff,

-against-

Index No. 650126/2023

Hon. Melissa A. Crane

Part 60

JUDGMENT

JCMC WEST 34 MEZZ II LLC and
MEYER CHETRIT,

Defendants.
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Upon the motion filed on January 7, 2025 by plaintiff Penn Hotel Junior LLC (“Plaintiff”) for an order granting summary judgment in favor of Plaintiff against defendants JCMC West 34 Mezz II LLC and Meyer Chetrit (collectively, the “Defendants”) (NYSCEF Nos. 156 - 239) (Motion Seq. 5) (the “Motion”); and the Court having considered the Defendants’ opposition to the Motion (NYSCEF Nos. 240 - 257 and No. 282); and the Court having considered the reply papers of Plaintiff in support of the Motion (NYSCEF Nos. 258 - 281); and the Court having conducted argument on May 28, 2025 to consider the Motion (the “Hearing”); and upon the record of the Hearing; and the Court having entered a Decision + Order on Motion dated May 28, 2025 and duly entered on May 29, 2025 (the “Order”) granting the Motion (i) against Meyer Chetrit under (a) that certain Amended and Restated Recourse Guaranty (Junior Mezzanine) (NYSCEF No. 211) for the full amount of the Debt (as used therein), (b) that certain Amended and Restated Interest Reserve Replenishment Guaranty (Junior Mezzanine) (NYSCEF No. 210) in the amount of \$1,398,012, and (c) liquidated damages under that certain Amended and Restated Guaranty of Completion (Junior Mezzanine), and (ii) against JCMC West 34 Mezz

II LLC for the full amount of the Debt (as defined in the Amended and Restated Loan Agreement (Junior Mezzanine) (NYSCEF No. 205), and directing the Plaintiff to submit a proposed judgment (NYSCEF Nos. 285 and 286); and upon the proposed judgment submitted by Plaintiff (NYSCEF No. 291); and after considering the objections submitted by Defendants to the proposed judgment (NYSCEF No. 293); it is NOW, on motion of Katsky Korins LLP, attorneys for Plaintiff, having an office located at 605 Third Avenue, New York, New York 10158, ~~THEREFORE HEREBY~~:

ORDERED AND ADJUDGED that PENN HOTEL JUNIOR LLC, a New York limited liability company, having an address at 330 Madison Avenue, 39th Floor New York, New York 10017, has judgment against and shall recover from defendant MEYER CHETRIT, having an address at 300 East 79th Street, New York, New York 10075, (i) on the First Cause of Action as set forth in the Complaint, the sum of \$106,367,012.00, with prejudgment interest thereon at the rate of 9% per annum from November 27, 2022 until June 4, 2025(920 days) in the sum of \$ 24,129,283.82, for a total sum of \$ 130,496,295.82 on the First Cause of Action; plus (ii) on the Third Cause of Action as set forth in the Complaint, the sum of \$1,398,012.00, with prejudgment interest thereon at the rate of 9% per annum from December 31, 2022 until June 4, 2025 (886 days) in the sum of \$ 305,417.74, for a total sum of \$ 1,703,429.74 on the Third Cause of Action; less (iii) Plaintiff's credit bid in the amount of \$100,000.00, all for a total judgment on the First and Third Causes of Action set forth in the Complaint in the sum of \$ 132,199,725.56, as calculated by the Clerk, together with post-judgment interest thereon from and after June 5, 2025 at the rate of 9% per annum; and THAT PENN HOTEL JUNIOR LLC have execution therefor as against MEYER CHETRIT; and it is further

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ORDERED AND ADJUDGED that PENN HOTEL JUNIOR LLC, a New York limited liability company, having an address at 330 Madison Avenue, 39th Floor New York, New York 10017, has judgment against and shall recover from defendant MEYER CHETRIT, having an address at 300 East 79th Street, New York, New York 10075, on the Fourth Cause of Action as set forth in the Complaint, the sum of (i) \$17,475,146.42 less (ii) Plaintiff's credit bid in the amount of \$100,000.00, all for a total judgment in the sum of \$17,375,146.42, and continuing thereafter with interest thereon from and after the date hereof at the rate of 9% per annum; and THAT PENN HOTEL JUNIOR LLC have execution therefor as against MEYER CHETRIT; and that the judgment set forth in this decretal paragraph is separate from the judgment in the first decretal paragraph above, *provided however*, the judgment set forth in this decretal paragraph shall be deemed satisfied upon payment in full of the judgment set forth in the first decretal paragraph above; and it is further

ORDERED AND ADJUDGED that PENN HOTEL JUNIOR LLC, a New York limited liability company, having an address at 330 Madison Avenue, 39th Floor New York, New York 10017, has judgment against and shall recover from defendant JCMC WEST 34 MEZZ II LLC, c/o the Chetrit Group LLC, 512 Seventh Avenue, New York, New York 10018, on the Fifth Cause of Action as set forth in the Complaint, the sum of (i) \$17,475,146.42 less (ii) Plaintiff's credit bid in the amount of \$100,000.00, all for a total judgment in the sum of \$17,375,146.42, and continuing thereafter with interest thereon from and after the date hereof at the rate of 9% per annum; and that PENN HOTEL JUNIOR LLC have execution therefor as against JCMC WEST 34 MEZZ II LLC; and it is further

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ORDERED AND ADJUDGED that the Clerk of this Court enter and docket this Judgment forthwith, in favor of Plaintiff PENN HOTEL JUNIOR LLC, and against the Defendants.

ENTER:



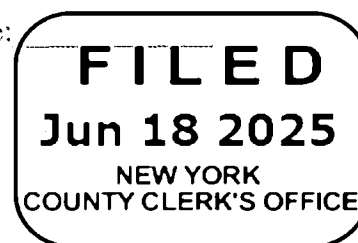
HON. MELISSA A. CRANE, J.S.C.

Date: 6/16/25



CLERK

Date:



650126/2023

Judgment
Attorney for Judgment Creditor
KATSKY KORINS LLP.
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212-953-6000

