

**Supreme Court of the State of New York**  
**Appellate Division: Second Judicial Department**

D14831  
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Submitted - March 20, 2007

HOWARD MILLER, J.P.  
DAVID S. RITTER  
JOSEPH COVELLO  
WILLIAM E. McCARTHY, JJ.

2005-09431

DECISION & ORDER

A. Fajer Imp. E Exp. Ltda, d/b/a Dialom Brasil,  
appellant, v Schick Technologies, Inc., respondent.

(Index No. 29507/02)

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Tranfo & Tranfo, LLC, Jericho, N.Y. (Joseph A. Tranfo of counsel), for appellant.

Morgan Melhuish Abrutyn, New York, N.Y. (Erin A. O’Leary of counsel) and Heller, Horowitz & Feit, P.C., New York, N.Y. (Joseph S. Schick of counsel), for respondent (one brief filed).

In an action to recover damages for breach of contract and libel, the plaintiff appeals from an order of the Supreme Court, Queens County (Dollard, J.), dated August 8, 2005, which granted the defendant’s motion pursuant to CPLR 3103 for a protective order prohibiting the plaintiff from taking certain nonparty depositions and vacating those deposition notices.

ORDERED that the order is affirmed, with costs.

“While CPLR 3101(a) provides for full disclosure of all evidence material and necessary to the prosecution or defense of an action, unlimited disclosure is not required, and supervision of disclosure is generally left to the trial court’s broad discretion” (*Smith v Moore*, 31 AD3d 628, quoting *Blagrove v Cox*, 294 AD2d 526). Here, the Supreme Court properly determined that the plaintiff’s notices of certain nonparty depositions were untimely.

The plaintiff's remaining contentions are without merit.

MILLER, J.P., RITTER, COVELLO and McCARTHY, JJ., concur.

ENTER:

A handwritten signature in black ink, reading "James Edward Pelzer". The signature is written in a cursive style with a large, sweeping initial "J".

James Edward Pelzer  
Clerk of the Court