

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

D31697
H/nl

_____AD3d_____

Submitted - May 20, 2011

REINALDO E. RIVERA, J.P.
PETER B. SKELOS
L. PRISCILLA HALL
LEONARD B. AUSTIN, JJ.

2010-04548

DECISION & ORDER

Lend-Mor Mortgage Bankers Corp., respondent,
v Edward Nicholas, et al., defendants, Ameriquest
Mortgage Company, appellant.

(Index No. 6900/06)

Solomon & Siris, P.C., Garden City, N.Y. (Michael J. Siris and Bill Tsevis of counsel;
Brian Shupak on the brief), for appellant.

Borchert, Genovesi, LaSpina & Landicino, P.C., Whitestone, N.Y. (Helmut Borchert
of counsel), for respondent.

In an action to foreclose a mortgage, the defendant Ameriquest Mortgage Company
appeals from an order of the Supreme Court, Queens County (Cullen, J.), dated March 19, 2010,
which denied that branch of its cross motion which was to compel the plaintiff to respond to certain
discovery demands.

ORDERED that the order is affirmed, with costs.

Under the circumstances of this case, the Supreme Court properly denied that branch
of the cross motion of the defendant Ameriquest Mortgage Company (hereinafter Ameriquest), which
was to compel the plaintiff to respond to certain discovery demands.

Ameriquest's remaining contentions are without merit.

RIVERA, J.P., SKELOS, HALL and AUSTIN, JJ., concur.

ENTER:


Matthew G. Kiernan

Matthew G. Kiernan
Clerk of the Court

June 14, 2011

LEND-MOR MORTGAGE BANKERS CORP. v NICHOLAS