

SUPREME COURT OF THE STATE OF NEW YORK
Appellate Division, Fourth Judicial Department

1300/19

CA 19-00064

PRESENT: CENTRA, J.P., CARNI, LINDLEY, CURRAN, AND WINSLOW, JJ.

FEDERAL NATIONAL MORTGAGE ASSOCIATION
("FANNIE MAE"), A CORPORATION ORGANIZED AND
EXISTING UNDER THE LAWS OF THE UNITED STATES
OF AMERICA, PLAINTIFF-APPELLANT,

V

ORDER

CLAUDE TORTORA, ALSO KNOWN AS CLAUDE TOTORA,
ALSO KNOWN AS CLAUDE T. TORTORA,
DEFENDANT-RESPONDENT,
ET AL., DEFENDANTS.
(ACTION NO. 1.)

CLAUDE TORTORA, INDIVIDUALLY, AND AS EXECUTOR
OF THE ESTATE OF JACQUELINE SQUITIERI, DECEASED,
PLAINTIFF-RESPONDENT,

V

FEDERAL NATIONAL MORTGAGE ASSOCIATION
("FANNIE MAE"), A CORPORATION ORGANIZED AND
EXISTING UNDER THE LAWS OF THE UNITED STATES
OF AMERICA, DEFENDANT-APPELLANT.
(ACTION NO. 2.)
(APPEAL NO. 2.)

HOGAN LOVELLS US LLP, NEW YORK CITY (CHAVA BRANDRISS OF COUNSEL), FOR
PLAINTIFF-APPELLANT AND DEFENDANT-APPELLANT.

WEBSTER & DUBS, P.C., BUFFALO (DANIEL WEBSTER OF COUNSEL), FOR
DEFENDANT-RESPONDENT AND PLAINTIFF-RESPONDENT.

Appeal from an amended order of the Supreme Court, Erie County
(Frank A. Sedita, III, J.), entered January 4, 2019. The amended
order, inter alia, granted summary judgment in action No. 1 to
defendant Claude Tortora, also known as Claude Totora, also known as
Claude T. Tortora, and determined that the subject mortgage is
unenforceable.

It is hereby ORDERED that said appeal is unanimously dismissed
without costs (*see Faison v Luong*, 122 AD3d 1268, 1269 [4th Dept
2014]).

Entered: October 2, 2020

Mark W. Bennett
Clerk of the Court