

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

M244711  
E/sl

MARK C. DILLON, J.P.  
SYLVIA O. HINDS-RADIX  
JOSEPH J. MALTESE  
HECTOR D. LASALLE, JJ.

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2017-04354, 2017-11336

DECISION & ORDER ON MOTION

M&T Bank, respondent, v Frank Biordi,  
appellant, et al., defendants.

(Index No. 11691/14)

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Motion by the appellant, in effect, to consolidate appeals from an order of the Supreme Court, Nassau County, entered February 8, 2017, and a judgment of the same court entered September 8, 2017, and deem the record and briefs filed in connection with the appeal from the order to be filed in connection with the appeal from the judgment, and for leave to serve and file a supplemental record containing the judgment and notice of appeal from the judgment.

Upon the papers filed in support of the motion and no papers having been filed in opposition or in relation thereto, it is

ORDERED that the motion is granted, and the appellant shall serve and file a supplemental record containing the judgment and notice of appeal from the judgment on or before February 20, 2018.

DILLON, J.P., HINDS-RADIX, MALTESE and LASALLE, JJ., concur.

ENTER:

  
Aprilanne Agostino  
Clerk of the Court

January 18, 2018

M&T BANK v BIORDI