

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

M249054  
E/sl

MARK C. DILLON, J.P.  
SHERI S. ROMAN  
JEFFREY A. COHEN  
BETSY BARROS, JJ.

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2017-08054

DECISION & ORDER ON MOTION

Globe Trade Capital, LLC, respondent,  
v Thomas J. Hoey, Jr., et al., appellants,  
et al., defendants.

(Index No. 70272/14)

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Motion by the respondent on an appeal from an order of the Supreme Court, Suffolk County, dated June 1, 2017, in effect, to direct the appellant to serve and file a supplemental record containing certain documents and to strike stated portions of the record on the ground that they contain matter de hors the record.


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 branch of the motion which is to direct the appellant to serve and file a supplemental record is granted to the extent that on or before May 23, 2018, the appellants shall serve and file a supplemental record containing the material annexed as Exhibits G, H, and I to the affirmation Howard B. Kleinberg dated March 14, 2018, filed in support of the motion; and it is further,

ORDERED that the branch of the motion which is to strike stated portions of the record is granted and pages 12 through 100, and 393 through 507 of the record are stricken and on or before May 23, 2018, the appellants shall remove the stricken material from the copies of the record filed with the Clerk of the Court; and it is further,

ORDERED that the motion is otherwise denied.

DILLON, J.P., ROMAN, COHEN and BARROS, JJ., concur.

ENTER:   
Aprilanne Agostino  
Clerk of the Court

April 23, 2018

GLOBE TRADE CAPITAL, LLC v HOEY