

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

702

CA 24-01520

PRESENT: LINDLEY, J.P., MONTOUR, OGDEN, GREENWOOD, AND HANNAH, JJ.

CDE GLOBAL, INC., PLAINTIFF-RESPONDENT,

V

ORDER

BRIAN BARNDT, CIRCULAR USA, INC., CIRCULAR GROUP,
LTD., AND EOIN HERON, DEFENDANTS-APPELLANTS.

THE GLENNON LAW FIRM P.C., ROCHESTER (LAUREN A. VALLE OF COUNSEL), FOR
DEFENDANTS-APPELLANTS.

EVERSHEDS SUTHERLAND (US) LLP, NEW YORK CITY (AMY R. ALBANESE OF
COUNSEL), FOR PLAINTIFF-RESPONDENT.

Appeal from an order of the Supreme Court, Allegany County
(Emilio Colaiacovo, J.), entered August 21, 2024. The order, insofar
as appealed from, denied in part the motion of defendants to dismiss
portions of the amended complaint.

It is hereby ORDERED that the order so appealed from is
unanimously affirmed without costs for reasons stated in the decision
at Supreme Court.

Entered: October 3, 2025

Ann Dillon Flynn
Clerk of the Court