

**Roberto Adago v Abdou Rahmane Sy, TWFK Intl., Inc.**

Motion No: 2022-03502 2022-03604

Slip Opinion No: 2022 NYSlipOp 72280(U)

Decided on September 27, 2022

Appellate Division, First Department, Motion Decision

Published by [New York State Law Reporting Bureau](#) pursuant to  
Judiciary Law § 431.

This motion is uncorrected and is not subject to publication in the  
Official Reports.

**Supreme Court of the State of New York**  
**Appellate Division, First Judicial Department**

Present – Hon. Anil C. Singh, Tanya R. Kennedy Saliann Scarpulla Martin Shulman Julio Rodriguez III,	Justice Presiding,    Justices.
--	---

---

Roberto Adago, Plaintiff-Respondent,  -against-	Motion Nos. <b>2022-03502</b> <b>2022-03604</b> Index No. 651241/21 Case Nos. 2022-03074 2022-03110
Abdou Rahmane Sy, TWFK International, Inc., Defendants-Appellants.	

---

Appeals having been taken to this Court from an order of the Supreme Court, New York County, entered on or about June 17, 2022 (Case No. 2022-03074), and from a judgment, same court, entered on or about June 27, 2022 (Case No. 2022-03110), and the appeals having been consolidated and perfected,

And an order of this Court having been entered on August 30, 2022 (M-2022-02975/03147) granting defendants' motion to stay enforcement of the aforesaid order and judgment pending the hearing and determination of the consolidated appeals and granting plaintiff's cross motion to the extent of striking defendants' record and brief and directing defendants to file a settled statement in lieu of transcript and serve same on the plaintiff within 10 days of the issuance of this order, and to file the record and perfect the consolidated appeals within 30 days of the settlement of the statement in lieu of transcript,

And defendants having moved, pursuant to CPLR 2221, to modify this Court's order, entered on August 30, 2022 (M-2022-02975/03147) to the extent of clarifying that the stay of enforcement of the order and judgment includes the direction that any banks which were previously served restraining notices by plaintiff's counsel are directed to comply with this Court's order and immediately release any restraining holds on those accounts (M-2022-03502),

And plaintiff-respondent having cross moved for an order directing defendants-appellants to post an undertaking to secure the judgment appealed from (M-2022-03604),

Now, upon reading and filing the papers with respect to the motion and cross motion, and due deliberation having been had thereon,

It is ordered that defendants-appellants motion to modify this Court's August 30, 2022 order (M-2022-02975/03147) is granted to the extent of clarifying that the stay of enforcement of the order and judgment appealed from includes staying the restraint of any accounts restrained in connection with plaintiff's enforcement of the order and judgment (M-2022-03502), and

It is further ordered that plaintiff-respondent's cross motion is denied (M-2022-03604).

ENTERED: September 27, 2022

A handwritten signature in black ink, appearing to read "Susanna M. Rojas". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Susanna Molina Rojas  
Clerk of the Court