

At an I.A.S. Trial Term, Part <sup>B</sup> of the Supreme Court of the State of New York, held in and for the County of Kings, at the Courthouse, located at Civic Center, Borough of Brooklyn, City and State of New York, on the 29 day of Jan 20 24

P R E S E N T :

Hon. Sweeney Justice

Liberty Funding Solutions Plaintiff(s)

Cal. No. 34  
Index No. 534740/2022

- against -

Buscemi IT Solutions et al. Defendant(s)

The following papers numbered 1 to read on this motion

Papers Numbered

Notice of Motion - Order to Show Cause

and Affidavits (Affirmations) Annexed

Answering Affidavit (Affirmation)

Reply Affidavit (Affirmation)

Affidavit (Affirmation)

Pleadings - Exhibits

Stipulations - Minutes

Filed Papers

NY/CEP Docs.

51-58

After oral argument, defendant's order to show cause is granted to the extent that judgment against defendant Buscemi IT Solutions is vacated and the case is dismissed as against this defendant based on lack of subject matter jurisdiction. See BCL 1314(b). All restraints placed on Buscemi IT Solutions are lifted and any monies received by Plaintiff from Buscemi IT shall be returned within 10 days of this order. Defendant's OSC as for Angelo Buscemi is denied as to this defendant/guarantor.

For Clerks use only

MGext

MD

Motion Seq. #

003

E N T E R

J.S.C.

HON. PETER P. SWEENEY, J.S.C.