

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

M77924  
S/sl

STEVEN W. FISHER, J.P.  
JOSEPH COVELLO  
WILLIAM E. McCARTHY  
JOHN M. LEVENTHAL, JJ.

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2008-05029

DECISION & ORDER ON MOTION

Wells Fargo Bank, N.A., respondent,  
v Cesar Canarte, appellant, et al., defendants.

(Index No. 35303/07)

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The defendant Cesar Canarte having appealed to this court from an order of the Supreme Court, Kings County, dated April 11, 2008, and this court having noticed the matter for a CAMP conference, and, counsel for the appellant having failed to appear at the conference without excuse. By order to show cause dated October 8, 2008, counsel for the parties were directed to show cause why an order should or should not be made and entered imposing such sanctions on the counsel for the appellant as the court may deem appropriate pursuant to 22 NYCRR 670.4(b)(2).

Now, on the court's own motion and the papers filed in response thereto, it is


ORDERED that within 20 days of service upon him of a copy of this decision and order on motion, Jon A. Lefkowitz, counsel for the appellant, is directed to pay a sanction in the sum of \$250 to the Lawyers' Fund for Client Protection of the State of New York; and it is further,

ORDERED that the Clerk of this court, or his designee, is directed to serve counsel for the parties with a copy of this decision and order on motion; and it is further,

ORDERED that within 10 days after payment of the sanction, Jon A. Lefkowitz, shall file proof of payment with the Clerk of this court.

FISHER, J.P., COVELLO, McCARTHY and LEVENTHAL, JJ., concur.

ENTER:

  
James Edward Pelzer  
Clerk of the Court

October 31, 2008

WELLS FARGO BANK, N.A. v CANARTE