

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

M79746  
E/sl

REINALDO E. RIVERA, J.P.  
DANIEL D. ANGIOLILLO  
THOMAS A. DICKERSON  
CHERYL E. CHAMBERS, JJ.

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2007-09600

DECISION & ORDER ON MOTION

Financial Freedom Senior Funding Corporation,  
appellant, v Steven Rose, etc., et al., respondents,  
et al., defendants.

(Index No. 13771/06)

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Motion by the appellant on an appeal from an order of the Supreme Court, Queens County, dated March 27, 2007, to strike the brief of the respondent Steven Rose on the ground that it refers to matter dehors the record. Cross motion by the respondent Steven Rose for leave to file a replacement brief in the event that the motion is granted.

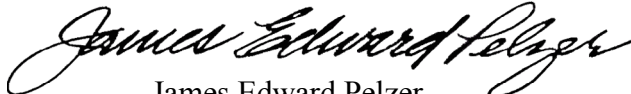
Upon the papers filed in support of the motion and the cross motion, and the papers filed in opposition thereto, it is

ORDERED that the motion is granted and the brief of the respondent Steven Rose is stricken; and it is further,

ORDERED that the cross motion is granted, and on or before December 31, 2008, the respondent Steven Rose shall serve and file a replacement brief that does not refer to matter dehors the record.

RIVERA, J.P., ANGIOLILLO, DICKERSON and CHAMBERS, JJ., concur.

ENTER:



James Edward Pelzer  
Clerk of the Court

December 10, 2008

FINANCIAL FREEDOM SENIOR FUNDING CORPORATION v ROSE