

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

**1696**

**CA 09-01264**

PRESENT: SMITH, J.P., FAHEY, CARNI, AND GREEN, JJ.

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SMALL BUSINESS LOAN SOURCE, LLC,  
PLAINTIFF-APPELLANT,

V

ORDER

KAIVAL KALI CORPORATION, KARUNA CORPORATION,  
DEFENDANTS-RESPONDENTS,  
ET AL., DEFENDANTS.

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DEILY, MOONEY & GLASTETTER, LLP, ALBANY (JOHN D. RODGERS OF COUNSEL),  
FOR PLAINTIFF-APPELLANT.

GEORGE T. WOLF, FAIRPORT, FOR DEFENDANTS-RESPONDENTS.

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Appeal from an order of the Supreme Court, Yates County (W. Patrick Falvey, A.J.), entered April 23, 2009 in a mortgage foreclosure action. The order denied the motion of plaintiff for leave to file a deficiency judgment.

It is hereby ORDERED that the order so appealed from is unanimously affirmed without costs.

Entered: February 11, 2010

Patricia L. Morgan  
Clerk of the Court