

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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PACIFIC FRUIT INC.,

Plaintiff,

REFERRAL ORDER

11-CV-5650(JS)(ETB)

-against-

LONG ISLAND BANANA CORP., THOMAS J.
HOEY, individually and in his corporate
capacity; THOMAS J. HOEY, JR.,
individually and in his corporate
capacity; and DOES 1-10, individually
and in their corporate capacity;

Defendants.

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FRUIT IMPORTERS AMERICAS, INC.,

Plaintiff,

11-CV-5651(JS)(ARL)

-against-

LONG ISLAND BANANA CORP., THOMAS J.
HOEY, individually and in his corporate
capacity; THOMAS J. HOEY, JR.,
individually and in his corporate
capacity; and DOES 1-10, individually
and in their corporate capacity;

Defendants.

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APPEARANCES

For Plaintiffs: Daniel Frederick Paige, Esq.
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Newark, NJ 07102

For Defendants: Seth Ptasiewicz, Esq.
Trivella, Forte & Smith, LLP
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For Intervening
Plaintiffs: William A. Cadel, Esq.
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SEYBERT, District Judge:

The pending motion to intervene (Docket Entry 23) filed by New England Banana Co., Inc. is hereby REFERRED to Magistrate Judge E. Thomas Boyle pursuant to Rule 72(a) of the Federal Rules of Civil Procedure for decision. See Commack Self-Serv. Kosher Meats v. Rubin, 170 F.R.D. 93, 96 (E.D.N.Y. 1996) (stating that motions to intervene are not dispositive (citing United States v. Certain Real Prop., 751 F. Supp. 1060 (E.D.N.Y. 1989))). The parties are directed to address all future filings related to this motion to Judge Boyle.

SO ORDERED.

/s/ JOANNA SEYBERT
Joanna Seybert, U.S.D.J.

Dated: July 31, 2012
Central Islip, NY