

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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IDEA NUOVA, INC.

Plaintiff-Respondent,

08 Civ. 8595 (PKC)

-against-

ORDER

GM LICENSING GROUP, INC.

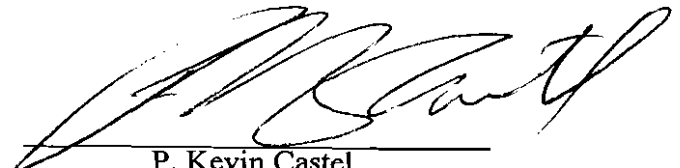
Defendant-Petitioner.  
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P. KEVIN CASTEL, U.S.D.J.:

I have reviewed the submissions of plaintiff, including the declaration and memorandum of law. Under the authority of CPLR § 5240, I will limit the use of CPLR § 5222 restraining notices (assuming arguendo that their use would be lawful in this case) and vacate any notices heretofore served. The absence of a final judgment in this case and the availability of a supersedeas bond once final judgment is entered leads me to conclude that the burden on non-party garnishees outweighs the plaintiff's need in this case. All other relief sought by plaintiff is denied.

I invite plaintiff's counsel to submit a proposed final judgment through the Court's judgment clerk and on notice to opposing counsel.

SO ORDERED.

  
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P. Kevin Castel  
United States District Judge

Dated: New York, New York  
October 26, 2009

