

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

M.L. PRIVATE FINANCE LLC,

Plaintiff,

-against-

HALSEY McLEAN MINOR, THE HALSEY
MCLEAN MINOR TRUST DATED NOVEMBER
3, 2004, and DOES 1 through 50,

Defendants.

08-Civ-11187 (SHS)

ORDER


SIDNEY H. STEIN, U.S. District Judge.

For the reasons set forth on the record on October 1 and October 5, 2009, IT IS HEREBY
ORDERED that:

1. Plaintiff's "Motion (A) For Partial Summary Judgment, (B) To Dismiss Counterclaims, and (C) For Stay of Discovery" [Dkt. 41] is granted with prejudice insofar as summary judgment is granted to plaintiff on its First and Eleventh causes of action and all of defendants' counterclaims are dismissed. The stay of discovery has already been denied [Dkt. 50] and is now moot.
2. Plaintiff has withdrawn causes of action Two through Ten.
3. Defendants' "Motion for Leave to File an Amended Answer, Affirmative Defenses, Counterclaims, and Jury Demand" [Dkt. 51] to add a seventh counterclaim for fraud is denied as futile, made in bad faith, and dilatory.
4. Plaintiff's motion for the appointment of a receiver [Dkt. 70] is denied.

Dated: New York, New York
October 5, 2009

SO ORDERED:


Sidney H. Stein, U.S.D.J.