

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

**804**

**CA 10-02131**

PRESENT: SCUDDER, P.J., SMITH, CARNI, SCONIERS, AND GREEN, JJ.

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BEACON FEDERAL, PLAINTIFF-RESPONDENT,

V

ORDER

PHILIP J. SIMAO, PRIME L.L.C., ALSO KNOWN AS  
PRIME, LLC, ONONDAGA DEVELOPMENT, LLC, WARNERS  
ROAD DEVELOPMENT, LLC, ALSO KNOWN AS WARNERS ROAD  
DEVELOPMENT, DEFENDANTS-APPELLANTS,  
DEALMAKER AUTO GROUP L.L.C., ET AL., DEFENDANTS.

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MCAHON, KUBLICK & SMITH, P.C., SYRACUSE (JAN S. KUBLICK OF COUNSEL),  
FOR DEFENDANTS-APPELLANTS.

MENTER, RUDIN & TRIVELPIECE, P.C., SYRACUSE (JULIAN B. MODESTI OF  
COUNSEL), FOR PLAINTIFF-RESPONDENT.

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Appeal from an order of the Supreme Court, Onondaga County  
(Deborah H. Karalunas, J.), entered July 27, 2010 in a mortgage  
foreclosure action. The order, inter alia, granted plaintiff judgment  
against defendants.

It is hereby ORDERED that the order so appealed from is  
unanimously affirmed without costs for reasons stated at Supreme  
Court.

Entered: June 10, 2011

Patricia L. Morgan  
Clerk of the Court