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Index # : 127226-2020

STATE OF NEW YORK  
SUPREME COURT COUNTY OF ONTARIO

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ROUTE 96 PROPERTIES, LLC,

Plaintiff,

Index No. 127226-2020

vs

ADVENTURES IN MOVEMENT AND  
SENSATION, INC., AND MARK KLYCZEK,

**ORDER**

Defendants.

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Plaintiff having moved for summary judgment by Notice of Motion dated October 12, 2020, having submitted in support of its motion the affidavit of Mark DiFelice sworn to September 24, 2020 and the attorney affirmation of Michael J. Wegman dated October 12, 2020; and

Defendant having submitted in opposition the attorney affidavit of Edward C. Kenyon sworn to November 16, 2020; and

Plaintiff having submitted the Reply Affirmation of Michael J. Wegman dated November 20, 2020; and

The parties having appeared through their respective counsel for argument before the Court on November 23, 2020, and the Court having had due deliberation thereon;

NOW it is HEREBY

**ORDERED** that Plaintiff's motion for summary judgment on its first cause of action against Defendant Adventures in Movement and Sensation, Inc. is granted in the amount of \$5,003.25, together with interest thereon at the rate of 12% per annum from March 1, 2020; and it is further

**ORDERED** that Plaintiff's motion for summary judgment on its second cause of action against Defendant Adventures in Movement and Sensation, Inc. is granted in the amount of \$50,000.00, together with interest thereon at the rate of 12% per annum from March 30, 2020; and it is further

**ORDERED** that Plaintiff's motion for summary judgment on its third cause of action against Defendant Mark Klyczek is granted in the amount of \$55,003.25, together with interest thereon at the rate of 12% per annum from March 30, 2020; and it is further

**ORDERED** that Plaintiff's application for attorneys' fees is granted in the amount of \$3,242.00; and it is further

**ORDERED** that Plaintiff shall have costs and disbursements as taxed; and it is further

**ORDERED and ADJUDGED** that upon entry of judgment Plaintiff shall have execution thereon.

Dated: November \_\_\_\_, 2020

**ENTER.**

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Hon. Charles A. Schiano, Jr., J.S.C.