

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 1, 2017.

Present: Hon. Barbara R. Kapnick, Justice Presiding,
Marcy L. Kahn
Cynthia S. Kern
Peter H. Moulton, Justices.

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Christopher Brummer,
Plaintiff-Respondent,

M-3328

-against-

Index No. 153583/15

Benjamin Wey, FNL Media LLC, and
NYG Capital LLC, doing business
as New York Global Group,
Defendants-Appellants.

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An appeal having been taken from an order of the Supreme Court, New York County, entered on or about June 6, 2017,

And defendants-appellants having moved, pursuant to CPLR 5519(c), to stay the aforesaid order which, without an evidentiary hearing, granted plaintiff's motion for a preliminary injunction and temporary restraining order: (1) enjoining defendants from posting any article about plaintiff to the website TheBlot.com for the duration of the action; and (2) ordering defendants to remove from TheBlot.com all articles they have posted which concern plaintiff,

And an interim order of a Justice of this Court, dated June 15, 2017, having stayed the entirety of the Supreme Court's order,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

Ordered that the interim stay of this Court, dated June 15, 2017, should be lifted to the extent of directing defendants to remove all photographs or other images and

statements from websites under defendants' control which depict or encourage lynching; encourage the incitement of violence; or that feature statements regarding plaintiff that, in conjunction with the threatening language and imagery with which these statements are associated, continue to incite violence against plaintiff. The interim stay is also lifted so as to prohibit defendants from posting on any traditional or online media site any photographs or other images depicting or encouraging lynching in association with plaintiff. The issue of the amount of the undertaking is presently being addressed in the motion Court.

ENTERED:



CLERK