

**Supreme Court of the State of New York**  
**Appellate Division: Second Judicial Department**

M71291  
E/sl

REINALDO E. RIVERA, J.P.  
HOWARD MILLER  
MARK C. DILLON  
CHERYL E. CHAMBERS, JJ.

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2007-06974

DECISION & ORDER ON MOTION

In the Matter of Southampton Fire District,  
et al., appellants, v Richard Braun, et al.,  
respondents.

(Index No. 36208-06)

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Motion by the appellants for leave to reargue their opposition to the respondents' motion, inter alia, to dismiss an appeal from an order of the Supreme Court, Suffolk County, dated May 25, 2007, on the ground that it had been rendered academic, and for leave to reargue their cross motion to impose a sanction upon the respondents and for an award of costs and an attorney's fee pursuant to 22 NYCRR 130-1.1 for making a frivolous motion, which were determined by decision and order on motion of this court dated March 20, 2008, or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order on motion of this court.

Upon the papers filed in support of the motion and the papers filed in opposition thereto, it is

ORDERED that the motion is denied, with \$100 costs.

RIVERA, J.P., MILLER, DILLON and CHAMBERS, JJ., concur.

ENTER:

  
James Edward Pelzer  
Clerk of the Court

June 5, 2008

MATTER OF SOUTHAMPTON FIRE DISTRICT v BRAUN