

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

M71372  
E/sl

ROBERT A. SPOLZINO, J.P.  
FRED T. SANTUCCI  
RANDALL T. ENG  
JOHN M. LEVENTHAL, JJ.

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2008-03090

DECISION & ORDER ON MOTION

Jose Guerrero, et al., respondents,  
v Randy Bernstein, et al., appellants.

(Index No. 1018-06)

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Motion by the appellants to stay the trial in the above-entitled action pending hearing and determination of an appeal from an order of the Supreme Court, Suffolk County, dated December 17, 2007.

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

ORDERED that the motion is granted, and the trial in the above-entitled action is stayed pending hearing and determination of the appeal.

SPOLZINO, J.P., SANTUCCI, ENG and LEVENTHAL, JJ., concur.

ENTER:



James Edward Pelzer  
Clerk of the Court

June 4, 2008

GUERRERO v BERNSTEIN