

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

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E/sl

PETER B. SKELOS, J.P.
HOWARD MILLER
EDWARD D. CARNI
CHERYL E. CHAMBERS, JJ.

2007-03586, 2007-03587

DECISION & ORDER ON MOTION

In the Matter of Elaine Sassower-Berlin,
petitioner-respondent, v Stephen Berlin,
respondent-appellant; Barbara Kopman,
nonparty-appellant.

(Docket Nos. V-11995-04, V-11996-04,
V-11997-04)


Motion by the petitioner-respondent to dismiss appeals from two orders of the Family Court, Suffolk County, both dated March 14, 2007, on the ground that the respondent-appellant has died, and to recall and vacate a decision and order on motion of this court dated May 17, 2007, which stayed enforcement of the orders pending hearing and determination of the appeals. Cross motion by Leonard Berlin for leave to intervene to oppose the motion.

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

ORDERED that the motion and cross motion are held in abeyance pending appointment of a personal representative for the estate of the respondent-appellant, Stephen Berlin.

SKELOS, J.P., MILLER, CARNI and CHAMBERS, JJ., concur.

ENTER:


James Edward Pelzer
Clerk of the Court

June 6, 2008

MATTER OF SASSOWER-BERLIN v BERLIN