

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

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FRED T. SANTUCCI, J.P.
DANIEL D. ANGIOLILLO
RANDALL T. ENG
CHERYL E. CHAMBERS, JJ.

2007-09527

DECISION & ORDER ON MOTION

Judith Bryde, etc., plaintiff-respondent,
v CVS Pharmacy, et al., appellants,
Jato Building Contractors, Inc., defendants-
respondents.

(Index No. 20872-05)

Motion by the appellants to stay all proceedings in the above-entitled action, including the trial, pending hearing and determination of an appeal from an order of the Supreme Court, Suffolk County, dated September 13, 2007, and to place the appeal back on active status.

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


ORDERED that the branch of the motion which is to stay all proceedings is denied; and it is further,

ORDERED that the branch of the motion which is to place the appeal back on active status is denied as unnecessary; and it is further,

ORDERED that the appellants' time to perfect the appeal is enlarged until June 30, 2008, and the record or appendix on the appeal and the appellants' brief must be served and filed on or before that date.

SANTUCCI, J.P., ANGIOLILLO, ENG and CHAMBERS, JJ., concur.

ENTER:


James Edward Pelzer
Clerk of the Court

June 11, 2008

BRYDE v CVS PHARMACY