

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

M71811
E/sl

DAVID S. RITTER, J.P.
HOWARD MILLER
MARK C. DILLON
WILLIAM E. McCARTHY, JJ.

2008-04932

DECISION & ORDER ON MOTION

41st Avenue Realty Associates, LLC, et al.,
plaintiffs, v Patriot Secured Receivable
Holdings, LLC, et al., defendants.

(Index No. 12794/08)

Motion by Patriot Secured Receivable Holdings, LLC, for leave to appeal to this court from an order of the Supreme Court, Queens County, dated May 28, 2008, and, in effect, to stay enforcement of the temporary restraining order contained in the order dated May 28, 2008, pending hearing and determination of the appeal.

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 for leave to appeal is denied; and it is further,

ORDERED that the motion is otherwise denied as academic.

RITTER, J.P., MILLER, DILLON and McCARTHY, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

June 12, 2008

41ST AVENUE REALTY ASSOCIATES, LLC v PATRIOT SECURED RECEIVABLE
HOLDINGS, LLC