

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

M71878  
T/sl

ROBERT A. SPOLZINO, J.P.  
STEVEN W. FISHER  
EDWARD D. CARNI  
THOMAS A. DICKERSON, JJ.

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2008-04187

DECISION & ORDER ON MOTION

Progressive Northeastern Insurance Company,  
respondent, v North State Autobahn, Inc.,  
etc., et al., appellants.

(Index No. 05-8750)

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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, Westchester County, entered April 18, 2008.

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

ORDERED that the motion is denied.

SPOLZINO, J.P., FISHER, CARNI and DICKERSON, JJ., concur.

ENTER:



James Edward Pelzer  
Clerk of the Court

June 16, 2008

PROGRESSIVE NORTHEASTERN INSURANCE COMPANY v NORTH STATE  
AUTOBAHN, INC.