

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

M72026
E/sl

A. GAIL PRUDENTI, P.J.
DAVID S. RITTER
ANITA R. FLORIO
WILLIAM E. McCARTHY, JJ.

2008-00895

DECISION & ORDER ON MOTION

Sylvester Dechnik, plaintiff-respondent,
v Fortunato & Sons, Inc., defendant third-party
plaintiff appellant-respondent, Kirco Industries,
defendant respondent-appellant; JD Martin
Renovation, Inc., third-party defendant-respondent.

(Index No. 27286/04)


Motion by Fortunato & Sons, Inc., to stay the trial in the above-entitled action pending hearing and determination of an appeal and cross appeal from an order of the Supreme Court, Kings County, dated December 7, 2007.

Upon the papers filed in support of the motion and the papers filed in opposition and relation 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 and cross appeal.

PRUDENTI, P.J., RITTER, FLORIO and McCARTHY, JJ., concur.

ENTER:


James Edward Pelzer
Clerk of the Court

June 19, 2008

DECHNIK v FORTUNATO SONS, INC.