

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

M72064
E/sl

ROBERT A. LIFSON, J.P.
FRED T. SANTUCCI
HOWARD MILLER
DANIEL D. ANGIOLILLO, JJ.

2007-07257

DECISION & ORDER ON MOTION

LKE Family Limited Partnership, appellant,
Gillen Living Trust, et al., respondents.

(Index No. 23142-06)

Motion by the appellant on an appeal from an order of the Supreme Court, Suffolk County, dated June 25, 2007, for leave to reargue its motion, inter alia, to stay all proceedings in a matter entitled *Gillen v Johansen*, pending in the Third District Court, Suffolk County, under Index No. 421/07, pending hearing and determination of the appeal, which was determined by decision and order on motion dated August 24, 2007.

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

ORDERED that the motion is denied.

LIFSON, J.P., SANTUCCI, MILLER and ANGIOLILLO, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court June 18, 2008

June 19, 2008

LKE FAMILY LIMITED PARTNERSHIP v GILLEN LIVING TRUST