

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

M72469
S/sl

WILLIAM F. MASTRO, J.P.
ANITA R. FLORIO
THOMAS A. DICKERSON
ARIEL E. BELEN, JJ.

2008-04385

DECISION & ORDER ON MOTION

Federal Steel Fabricators, Inc., plaintiff-respondent,
v 72 Grand Partners, LLC, defendant third-party
plaintiff-appellant; Soho Equities, Inc., et al.,
third-party defendants-respondents.

(Index No. 21192/05)

On the court's own motion, it is

ORDERED that its decision and order on motion dated June 11, 2008, in the above-entitled case is recalled and vacated, and the following decision and order on motion is substituted therefor:


Motion by 72 Grand Partners, LLC, 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, Kings County, dated March 26, 2008.

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

ORDERED that the motion is denied.

MASTRO, J.P., FLORIO, DICKERSON and BELEN, JJ., concur.

ENTER:


James Edward Pelzer
Clerk of the Court

June 30, 2008

FEDERAL STEEL FABRICATORS, INC. v 72 GRAND PARTNERS, LLC