

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

M73776
E/sl

ROBERT A. SPOLZINO, J.P.
STEVEN W. FISHER
MARK C. DILLON
THOMAS A. DICKERSON, JJ.

2008-06216

DECISION & ORDER ON MOTION

Murray Breidart, et al., respondents,
v Melvin Wiesenthal, et al., defendants;
Marshall G. Kaplan, nonparty-appellant.

(Index No. 6038/02)


Motion by the nonparty-appellant to stay enforcement of an order of the Supreme Court, Kings County, dated June 12, 2008, pending hearing and determination of an appeal therefrom.

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, DILLON and DICKERSON, JJ., concur.

ENTER:


James Edward Pelzer
Clerk of the Court

July 28, 2008

BREIDBART v WIESENTHAL