

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

M76349  
E/sl

ROBERT A. LIFSON, J.P.  
DAVID S. RITTER  
HOWARD MILLER  
RUTH C. BALKIN, JJ.

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2008-00501

DECISION & ORDER ON MOTION  
Motion to Dismiss Appeal

Sally Flotteron, et al., respondents,  
v SKR Building Corp., et al., defendants,  
Sherif Farag, et al., appellants.

(Index No. 102713/06)

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Motion by the respondents to dismiss an appeal from an order of the Supreme Court, Richmond County, dated December 6, 2007, on the ground that the appellants are not aggrieved by the order dated December 6, 2007.

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

ORDERED that the matter is remitted to the Supreme Court, Richmond County, to report on whether it considered the affirmation of Edward R. Finkelstein, the attorney for Sherif Farag and Gihan Farag, dated August 30, 2007, to join in the cross motion of SKR Building Corp. for summary judgment dismissing the complaint, and treated Sherif Farag and Gihan Farag as joint movants on the cross motion, which resulted in the order dated December 6, 2007. The Supreme Court, Richmond County, shall file its report with all convenient speed; and it is further,

ORDERED that the motion is held in abeyance in the interim.

LIFSON, J.P., RITTER, MILLER and BALKIN, JJ., concur.

ENTER:



James Edward Pelzer  
Clerk of the Court

October 2, 2008

FLOTTERON v SKR BUILDING CORP.