

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

M76543  
E/sl

ROBERT A. SPOLZINO, J.P.  
DAVID S. RITTER  
FRED T. SANTUCCI  
EDWARD D. CARNI, JJ.

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2008-06215, 2008-08061

DECISION & ORDER ON MOTION

In the Matter of Golden Horizon Terryville  
Corp., respondent, v Brenda A. Prusinowski,  
et al., appellants.

(Index No. 22669-07)

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Motion by the respondent for a preference in the calendaring of an appeal from an order of the Supreme Court, Suffolk County, dated June 19, 2008, and for an expedited briefing schedule, or, in the alternative, to vacate any automatic stay that is in effect pursuant to CPLR 5519(a). Separate motion by the respondent, inter alia, to consolidate the appeal with an appeal from an order of the same court dated August 11, 2008, and for a preference in the calendaring of the appeal from the order dated August 11, 2008, and for an expedited briefing schedule, or, in the alternative, to vacate any automatic stay that is in effect pursuant to CPLR 5519(a).

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

ORDERED that the branches of the motion which are to vacate any automatic stay that are in effect pursuant to CPLR 5519(a) are denied on condition that the appeals are perfected on or before November 12, 2008; and it is further,

ORDERED that the motions are otherwise denied.

SPOLZINO, J.P., RITTER, SANTUCCI and CARNI, JJ., concur.

ENTER:

  
James Edward Pelzer  
Clerk of the Court

September 29, 2008

MATTER OF GOLDEN HORIZON TERRYVILLE CORP. v PRUSINOWSKI