

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

M76577  
E/sl

A. GAIL PRUDENTI, P.J.  
FRED T. SANTUCCI  
WILLIAM E. McCARTHY  
CHERYL E. CHAMBERS, JJ.

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2008-01740

DECISION & ORDER ON MOTION  
Motion to Dismiss Appeal

Charter One Bank, N.A., appellant,  
v Arthur Palmer, et al., defendants;  
Millpond Management, nonparty-respondent.

(Index No. 06-9148)

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Motion by the nonparty-respondent to dismiss an appeal from an order of the Supreme Court, Orange County, dated January 3, 2008, on the ground that no appeal lies from an order denying reargument.

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

ORDERED that the motion is granted and the appeal is dismissed, without costs or disbursements.

PRUDENTI, P.J., SANTUCCI, McCARTHY and CHAMBERS, JJ., concur.

ENTER:

  
James Edward Pelzer  
Clerk of the Court

October 1, 2008

CHARTER ONE BANK, N.A. v PALMER