

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

M76604  
E/sl

FRED T. SANTUCCI, J.P.  
MARK C. DILLON  
THOMAS A. DICKERSON  
ARIEL E. BELEN, JJ.

---

2008-08781

DECISION & ORDER ON MOTION

Nastasi & Associates, Inc., plaintiff,  
v TAG Court Square, LLC, respondent,  
Pavarini McGovern, LLC, appellant, et al.,  
defendants.

(Index No. 6483/08)

---

Motion by the appellant to stay enforcement of an order of the Supreme Court, Queens County, entered September 19, 2008, and, in the event that the Clerk of the County of Queens has reduced the value of the appellant's mechanic's lien, to direct the Clerk of the County of Queens to reinstate the appellant's mechanic's lien to its full value, nunc pro tunc, pending hearing and determination of an appeal from the order, and for a preference in the calendaring of the appeal.

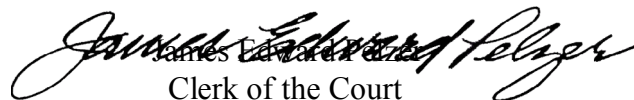
Upon the papers filed in support of the motion and the papers filed in opposition thereto, it is

ORDERED that the branch of the motion which is to stay enforcement of the order entered September 19, 2008, and, in the event that the Clerk of the County of Queens has reduced the value of the appellant's mechanic's lien, to direct the Clerk of the County of Queens to reinstate the appellant's mechanic's lien to its full value, nunc pro tunc, is denied; and it is further,

ORDERED that the branch of the motion which is for a preference in the calendaring of the appeal is granted and the appeal will be calendared when all the briefs have been filed.

SANTUCCI, J.P., DILLON, DICKERSON and BELEN, JJ., concur.

ENTER:

  
James Edward Helzer  
Clerk of the Court

October 8, 2008

NASTASI & ASSOCIATES, INC. v TAG COURT SQUARE, LLC