

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

M77531  
E/sl

ROBERT A. SPOLZINO, J.P.  
ANITA R. FLORIO  
WILLIAM E. McCARTHY  
THOMAS A. DICKERSON, JJ.

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2008-07956

DECISION & ORDER ON MOTION

Mount Vernon City School District,  
respondent-appellant, v Nova Casualty  
Company, appellant-respondent, et al.,  
defendant.

(Index No. 07-5657)

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Joint motion by the appellant-respondent and the respondent-appellant to stay the trial in the above-entitled action pending hearing and determination of an appeal and cross appeal from an order of the Supreme Court, Westchester County, entered August 4, 2008.

Upon the papers filed in support of the motion and no papers having been filed in opposition or relation thereto, it is

ORDERED that the motion is denied.

SPOLZINO, J.P., FLORIO, McCARTHY and DICKERSON, JJ., concur.

ENTER:



James Edward Pelzer  
Clerk of the Court

October 23, 2008

MOUNT VERNON CITY SCHOOL DISTRICT v NOVA CASUALTY COMPANY