

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

M77579
E/sl

ROBERT A. SPOLZINO, J.P.
DAVID S. RITTER
HOWARD MILLER
MARK C. DILLON
DANIEL D. ANGIOLILLO, JJ.

2008-07450

DECISION & ORDER ON MOTION

In the Matter of Frank MacKay, etc., et al.,
respondents-appellants, et al., petitioners-
respondents, v Craig M. Johnson, appellant-
respondent, et al., respondents-respondents.

(Index No. 13543/08)

Motion by James Kapsis and Michael Camardi, in effect, for leave to reargue an appeal and cross appeal from a final order of the Supreme Court, Nassau County, dated August 11, 2008, which were determined by decision and order of this court dated August 20, 2008.

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

ORDERED that the motion is denied.

SPOLZINO, J.P., RITTER, MILLER, DILLON and ANGIOLILLO, JJ., concur.

ENTER:


James Edward Pelzer
Clerk of the Court

October 23, 2008

MATTER OF MacKAY v JOHNSON