

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

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A. GAIL PRUDENTI, P.J.
WILLIAM F. MASTRO
STEVEN W. FISHER
MARK C. DILLON, JJ.

2008-07330

DECISION & ORDER ON MOTION

Sharon Baines, et al., respondents,
v Briros Realty Corp., et al., appellants,
et al., defendants.

(Index No. 8120/04)

Motion by the respondents to dismiss an appeal from an order of the Supreme Court, Rockland County, dated May 2, 2008, as untimely taken. Cross motion by the appellants to stay the trial in the above-entitled action pending hearing and determination of the appeal and for a preference in the calendaring of the appeal.

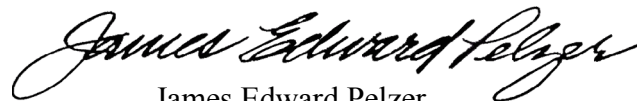
Upon the papers filed in support of the motion and the cross motion, and the papers filed in opposition thereto, it is

ORDERED that the motion is granted and the appeal is dismissed, without costs or disbursements; and it is further,

ORDERED that the cross motion is denied as academic.

PRUDENTI, P.J., MASTRO, FISHER and DILLON, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

October 27, 2008

BAINES v BRIROS REALTY CORP.