

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

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E/sl

REINALDO E. RIVERA, J.P.
ROBERT A. LIFSON
RANDALL T. ENG
CHERYL E. CHAMBERS, JJ.

2008-04688

DECISION & ORDER ON MOTION

Lawrence Totaro, et al., respondents,
v Stratis Scarlatos, Jr., appellant,
et al., defendant.

(Index No. 6461/04)

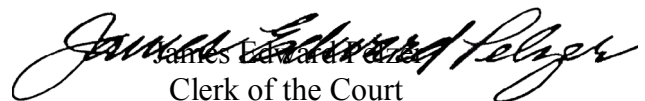
Motion by the respondents to direct the appellant to post an undertaking as a condition of perfecting an appeal from a judgment of the Supreme Court, Queens County, entered May 5, 2008.

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

ORDERED that the motion is denied.

RIVERA, J.P., LIFSON, ENG and CHAMBERS, JJ., concur.

ENTER:


James Edward Kelly
Clerk of the Court

October 29, 2008

TOTARO v SCARLATOS