

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

M77894  
E/sl

ANITA R. FLORIO, J.P.  
HOWARD MILLER  
EDWARD D. CARNI  
ARIEL E. BELEN, JJ.

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2008-09371

DECISION & ORDER ON MOTION

New York Community Bank, etc., respondent,  
v Jay Vermonty, etc., et al., defendants,  
David Sheldon, etc., et al., appellants.

(Index No. 21862/06)

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Motion by the appellants to stay enforcement of an order and judgment (one paper) of the Supreme Court, Queens County, entered September 29, 2008, pending hearing and determination of an appeal therefrom.

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

ORDERED that the motion is denied.

FLORIO, J.P., MILLER, CARNI and BELEN, JJ., concur.

ENTER:

  
James Edward Pelzer  
Clerk of the Court

October 30, 2008

NEW YORK COMMUNITY BANK v VERMONTY