

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

M77927
E/sl

PETER B. SKELOS, J.P.
FRED T. SANTUCCI
JOSEPH COVELLO
WILLIAM E. McCARTHY
CHERYL E. CHAMBERS, JJ.

2007-03440, 2007-11030

DECISION & ORDER ON MOTION

Angel A. Perez, et al., appellants,
v Damaris Fugon, et al., respondents.

(Index No. 05-3856)

Motion by the respondents for leave to reargue appeals from two orders of the Supreme Court, Orange County, both dated February 28, 2007, which were determined by decision and order of this court dated June 17, 2008. Cross motion by the appellants for “requested relief in the appeal of their motion to renew the underlying original summary judgment because of the submission of new evidence” in the event that the court grants the motion for leave to reargue.


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 denied; and it is further,

ORDERED that the cross motion is denied as academic.

SKELOS, J.P., SANTUCCI, COVELLO, McCARTHY and CHAMBERS, JJ., concur.

ENTER:


James Edward Pelzer
Clerk of the Court

October 31, 2008

PEREZ v FUGON