

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

M78065
E/sl

STEVEN W. FISHER, J.P.
RUTH C. BALKIN
WILLIAM E. McCARTHY
JOHN M. LEVENTHAL, JJ.

2007-07547, 2007-07567, 2007-11555,
2007-11556, 2008-06262, 2008-08654

DECISION & ORDER ON MOTION

Joe Hill, et al., appellants,
v Michael Murphy, et al., respondents
(Appeal Nos. 1 & 3)

Meadow Lane Equities Corp., plaintiff,
v Joey Hill, et al., defendants third-party
plaintiffs-appellants; Rachel M. Harari,
third-party defendant-respondent.
(Appeal Nos. 2 & 4)

Meadow Lane Equities Corp., plaintiff-respondent,
v Joey Hill, et al., appellants; First New York
Partners, nonparty-respondent
(and a third party action).
(Appeal No. 5)

Meadow Lane Equities Corp., respondent,
v Joey Hill, et al., appellants
(and a third party action).
(Appeal No. 6)

(Index Nos. 439/07, 4388/07)

Motion by the appellants on appeals from two orders of the Supreme Court, Nassau County, both dated July 12, 2007 (Appellate Division Docket Nos. 2007-07547, 2007-07567) , two orders of the same court both dated October 18, 2007 (Appellate Division Docket Nos. 2007-11555, 2007-11556), and two orders of the same court dated June 6, 2008 (Appellate Division Docket No. 2008-06262), and September 3, 2008 (Appellate Division Docket No. 2008-08654) , respectively, to stay enforcement of stated portions of the order dated September 3, 2008, pending hearing and determination of the appeals and to consolidate the appeals.

November 3, 2008

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

ORDERED that the branch of the motion which is to stay enforcement of stated portions of the order dated September 3, 2008 (Appellate Division Docket No. 2008-08654), is granted, and so much of the order dated September 3, 2008, as requires the appellants to remove from their home two skylights, a compressor for a "second" heat pump, a concrete pad, and exterior electrical installations and related wires, ducts, and electric box, and requires the appellants to restore or repair the affected areas to restore them to their prior condition is stayed pending hearing and determination of the appeals; and it is further,

ORDERED that the branch of the motion which is to consolidate the appeals is granted to the extent that the appeals will be calendared together and will be argued or submitted on the same day, and that branch of the motion is otherwise denied.

FISHER, J.P., BALKIN, McCARTHY and LEVENTHAL, JJ., concur.

ENTER:


James Edward Pelzer
Clerk of the Court