

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

M78464
E/sl

HOWARD MILLER, J.P.
THOMAS A. DICKERSON
JOHN M. LEVENTHAL
ARIEL E. BELEN, JJ.

2008-08432

DECISION & ORDER ON MOTION

Manuel Mendieta, plaintiff-respondent,
v 333 Fifth Avenue Association, et al.,
defendants third-party plaintiffs-respondents,
Innovative Concepts Elevator, Inc., defendant-
respondent; SPN, Inc., third-party defendant-
respondent-appellant, Perfume Valley, third-
party defendant-appellant-respondent.

(Index No. 21904/05)


Motion by Perfume Valley to stay all proceedings in the above-entitled action, including the trial, pending hearing and determination of an appeal from an order of the Supreme Court, Kings County, dated August 12, 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.

MILLER, J.P., DICKERSON, LEVENTHAL and BELEN, JJ., concur.

ENTER:


James Edward Pelzer
Clerk of the Court

November 13, 2008

MENDIETA v 333 FIFTH AVENUE ASSOCIATION