

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

M78619
E/sl

REINALDO E. RIVERA, J.P.
MARK C. DILLON
JOSEPH COVELLO
WILLIAM E. McCARTHY, JJ.

2008-03507

ORDER TO SHOW CAUSE

Jennifer Mizrahi, respondent,
v Aaron Mizrahi, appellant.

(Index No. 202601/05)

Motion by the appellant to stay enforcement of a judgment of the Supreme Court, Nassau County, dated March 10, 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; and it is further,

ORDERED that the parties or their attorneys are directed to show cause before this court why an order should or should not be made and entered dismissing the appeal on the ground that the appellant stipulated to withdraw the appeal in a stipulation dated October 28, 2008, by filing an affirmation or an affidavit on that issue in the office of the Clerk of this court and serving one copy of the same on each other on or before November 28, 2008; and it is further,

ORDERED that the Clerk of this court, or his designee, is directed to serve a copy of this order to show cause upon the parties or their attorneys by regular mail.

RIVERA, J.P., DILLON, COVELLO and McCARTHY, JJ., concur.

ENTER:


James Edward Pelzer
Clerk of the Court

November 17, 2008

MIZRAHI v MIZRAHI