

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

M78830
E/sl

ROBERT A. SPOLZINO, J.P.
MARK C. DILLON
EDWARD D. CARNI
JOHN M. LEVENTHAL, JJ.

2008-08770

DECISION & ORDER ON MOTION

Lazy S Group I, appellant,
v Kathryn Gomez, et al., respondents.

(Index No. 05-7563)

Motion by the appellant to stay enforcement of an order of the Supreme Court, Westchester County, entered August 20, 2008, pending hearing and determination of an appeal from the order.


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

ORDERED that the motion is granted to the extent that the sale of the subject premises is stayed pending hearing and determination of the appeal on condition that the appeal is perfected on or before December 22, 2008, and the motion is otherwise denied; and it is further,

ORDERED that in the event the appeal is not perfected on or before December 22, 2008, the court, on its own motion, may vacate the stay, or the respondents may move to vacate the stay, on three days notice.

SPOLZINO, J.P., DILLON, CARNI and LEVENTHAL, JJ., concur.

ENTER:


James Edward Pelzer
Clerk of the Court

November 21, 2008

LAZY S GROUP I v GOMEZ