

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

M78839  
E/sl

WILLIAM F. MASTRO, J.P.  
DANIEL D. ANGIOLILLO  
EDWARD D. CARNI  
RANDALL T. ENG, JJ.

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2008-06784

DECISION & ORDER ON MOTION

Harold Zaretsky, appellant,  
v Feige Zaretsky, respondent.

(Index No. 202667/04)

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Motion by the appellant to amend a decision and order on motion of this court dated September 29, 2008, which granted, in part, his motion, inter alia, to stay enforcement of stated portions of a judgment of the Supreme Court, Nassau County, dated May 6, 2008, pending hearing and determination of an appeal therefrom.

Upon the papers filed in support of the motion and no papers having been filed in opposition or in relation thereto, it is


ORDERED that the motion is granted and the first decretal paragraph of the decision and order on motion court dated September 29, 2008, is amended by deleting therefrom the words "so much of the judgment as equitably distributed the appellant's share of Maxi Aids, Inc., and M & H Realty Corp." and substituting therefor the words "so much of the judgment as directed the appellant to transfer the marital residence to the respondent and awarded the respondent the sum of \$258,527"; and it is further,

ORDERED that the appellant shall perfect the appeal on or before January 14, 2009; and it is further,

ORDERED that in the event the appeal is not perfected on or before January 14, 2009, the court, on its own motion, may vacate the stay, or the respondent may move to vacate the stay, on three days notice.

MASTRO, J.P., ANGIOLILLO, CARNI and ENG, JJ., concur.

ENTER:

  
James Edward Pelzer  
Clerk of the Court

November 20, 2008

ZARETSKY v ZARETSKY