

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

M79046
E/sl

REINALDO E. RIVERA, J.P.
DANIEL D. ANGIOLILLO
EDWARD D. CARNI
RANDALL T. ENG, JJ.

2008-10150

DECISION & ORDER ON MOTION

David E. Cohen, plaintiff,
v Shaare Zion Congregation, etc., defendant.

(Index No. 43504/07)

Motion by the plaintiff for leave to appeal to this court from an order of the Supreme Court, Kings County, dated November 6, 2008, and to stay the election of members of the defendant's Executive Committee, pending hearing and determination of the appeal.

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 for leave to appeal is denied; and it is further,

ORDERED that the motion is otherwise denied as academic.

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

ENTER:


James Edward Pelzer
Clerk of the Court

November 26, 2008

COHEN v SHAARE ZION CONGREGATION