

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

M79399  
E/sl

WILLIAM F. MASTRO, J.P.  
HOWARD MILLER  
EDWARD D. CARNI  
WILLIAM E. McCARTHY, JJ.

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2008-10581

DECISION & ORDER ON MOTION

Zolie Kish, respondent, v Nubest  
Salon & Spa, et al., appellants  
(and a third-party action).

(Index No. 13600/06)

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Motion by the appellants to stay all proceedings in the above-entitled action, including the trial on the issue of damages, pending hearing and determination of an appeal from an order of the Supreme Court, Nassau County, entered October 14, 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.

MASTRO, J.P., MILLER, CARNI and McCARTHY, JJ., concur.

ENTER:

  
James Edward Pelzer  
Clerk of the Court

December 4, 2008

KISH v NUBEST SALON & SPA