

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

M80104  
E/cb

REINALDO E. RIVERA, J.P.  
FRED T. SANTUCCI  
EDWARD D. CARNI  
THOMAS A. DICKERSON, JJ.

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2008-06295

DECISION & ORDER ON MOTION

Oscar Grant, respondent, v Publio I.  
Polanco, et al., defendants, Kwadwo Baawuah,  
et al., appellants.

(Index No. 21760/06)

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Motion by the appellants to stay the trial in the above-entitled action pending hearing and determination of an appeal from an order of the Supreme Court, Kings County, dated May 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.

RIVERA, J.P., SANTUCCI, CARNI and DICKERSON, JJ., concur.

ENTER:

  
James Edward Pelzer  
Clerk of the Court

December 18, 2008

GRANT v POLANCO