

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

M80160  
E/sl

ROBERT A. LIFSON, J.P.  
ANITA R. FLORIO  
EDWARD D. CARNI  
ARIEL E. BELEN, JJ.

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2006-10857

DECISION & ORDER ON MOTION

Hani Chen, appellant, v City of New  
York, respondent, et al., defendants.

(Index No. 15766/00)

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Motion by the appellant, in effect, for leave to reargue an appeal from a judgment of the Supreme Court, Kings County, entered November 14, 2006, which was determined by decision and order of this court dated September 16, 2008, or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this court.

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

ORDERED that the motion is denied.

LIFSON, J.P., FLORIO, CARNI and BELEN, JJ., concur.

ENTER:



James Edward Pelzer  
Clerk of the Court

December 19, 2008

CHEN v CITY OF NEW YORK