

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

M80233  
E/sl

A. GAIL PRUDENTI, P.J.  
ROBERT A. SPOLZINO  
WILLIAM E. McCARTHY  
JOHN M. LEVENTHAL, JJ.

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2008-09782

DECISION & ORDER ON MOTION

Berkeley Terrace Apartment Company, L.P.,  
appellant, v Berkeley Acquisitions, LLC, et al.,  
respondents.

(Index No. 43820/07)

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Motion by the appellant for a preference in the calendaring of an appeal from an order of the Supreme Court, Kings County, dated September 2, 2008.

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 denied.

PRUDENTI, P.J., SPOLZINO, McCARTHY and LEVENTHAL, JJ., concur.

ENTER:



James Edward Pelzer  
Clerk of the Court

December 22, 2008

BERKELEY TERRACE APARTMENT COMPANY, L.P. v  
BERKELEY ACQUISITIONS, LLC