

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

M80305
E/sl

PETER B. SKELOS, J.P.
FRED T. SANTUCCI
RUTH C. BALKIN
CHERYL E. CHAMBERS, JJ.

2005-10745

DECISION & ORDER ON MOTION

Mid-Valley Oil Company, Inc., appellant, et al.,
intervenor plaintiff, v Hughes Network Systems,
Inc., etc., defendant third-party plaintiff-respondent;
North Star Video, Inc., third-party defendant.

(Index No. 01-7663)

Motion by the appellant for leave to appeal to the Court of Appeals from a decision and order of this court dated August 19, 2008, which determined an appeal from an order of the Supreme Court, Orange County, dated September 8, 2005.

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

ORDERED that the motion is denied.

SKELOS, J.P., SANTUCCI, BALKIN and CHAMBERS, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

December 24, 2008

MID-VALLEY OIL COMPANY, INC. v HUGHES NETWORK SYSTEMS, INC.