

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

M80638
S/sl

REINALDO E. RIVERA, J.P.
ANITA R. FLORIO
DANIEL D. ANGIOLILLO
WILLIAM E. McCARTHY
CHERYL E. CHAMBERS, JJ.

2006-01718

DECISION & ORDER ON MOTION

Susan Lipp, et al., appellants, v Port Authority
of New York and New Jersey, respondent.

(Index No. 20103/05)


Motion by the Port Authority of New York and New Jersey to vacate an interlocutory judgment of the Supreme Court, Queens County, entered December 12, 2006, which was entered pursuant to a decision and order of this court dated November 21, 2006, which reversed an order of the Supreme Court, Queens County, dated January 9, 2006. By decision and order on motion dated April 30, 2008, the motion was held in abeyance and was referred to the panel of Justices hearing an appeal from an order of the Supreme Court, Queens County, dated October 2, 2007 (Appellate Division Docket No. 2007-10480), which denied the movant's motion to vacate the interlocutory judgment entered December 12, 2006, for determination upon the argument or submission of the appeal from the order dated October 2, 2007.

Upon the papers filed in support of the motion and the papers filed in opposition thereto, and upon the submission of the appeal from the order dated October 2, 2007, it is

ORDERED that the motion is denied.

RIVERA, J.P., FLORIO, ANGIOLILLO, McCARTHY and CHAMBERS, JJ., concur.

ENTER:


James Edward Pelzer
Clerk of the Court

December 31, 2008

LIPP v PORT AUTHORITY OF NEW YORK AND NEW JERSEY