

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

M80641
E/sl

REINALDO E. RIVERA, J.P.
EDWARD D. CARNI
RANDALL T. ENG
JOHN M. LEVENTHAL, JJ.

2008-08292

DECISION & ORDER ON MOTION

Northfield Insurance Company, etc., respondent,
v Model Towing and Recovery, appellant, et al.,
defendants
(and third-party actions).

(Index No. 14043/04)

Motion by the appellant on an appeal from an order of the Supreme Court, Queens County, entered August 21, 2008, for the court to take judicial notice of an order of the same court dated December 4, 2008.

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

ORDERED that the motion is held in abeyance and referred to the panel of Justices hearing the appeal for determination upon the argument or submission thereof.

RIVERA, J.P., CARNI, ENG and LEVENTHAL, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

January 2, 2009

NORTHFIELD INSURANCE COMPANY v MODEL TOWING AND RECOVERY