

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

M85782
E/cb

A. GAIL PRUDENTI, P.J.
RANDALL T. ENG
ARIEL E. BELEN
CHERYL E. CHAMBERS, JJ.

2008-08818

DECISION & ORDER ON MOTION

Mariusz Baginski, et al., respondents-appellants,
v Queen Grand Realty, LLC, defendant third-party
plaintiff-appellant-respondent, Manhattan Beer
Distributions, LLC, defendant appellant-respondent,
et al., defendant; Milcon Construction Corp.,
third-party defendant fourth-party plaintiff-respondent;
Macro Contracting Corp., fourth-party defendant-
respondent.

(Index No. 4735/05)

Motion by the appellants-respondents to stay the trial in the above-entitled action pending hearing and determination of an appeal and cross appeal from an order of the Supreme Court, Queens County, entered September 10, 2008.

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

ORDERED that the motion is denied.

PRUDENTI, P.J., ENG, BELEN and CHAMBERS, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

April 27, 2009

BAGINSKI v QUEEN GRAND REALTY, LLC