

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

M85793
E/cb

A. GAIL PRUDENTI, P.J.
HOWARD MILLER
RANDALL T. ENG
ARIEL E. BELEN, JJ.

2009-02983

DECISION & ORDER ON MOTION

In the Matter of ESP Wexford, LLC, appellant,
v Pawling Joint Sewer Commission, et al., respondents.
(Proceeding No. 1)

In the Matter of ESP Wexford Pawling, LLC, appellant,
v Town of Pawling Planning Board, et al., respondents.
(Proceeding No. 2)

In the Matter of ESP Wexford Pawling, LLC, appellant,
v Pawling Joint Sewer Commission, et al., respondents.
(Proceeding No. 3)

(Index Nos. 5396/08, 7252/08, 7780/08)

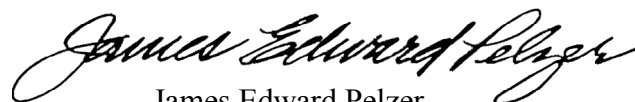
Motion by the appellants, inter alia, to enjoin the respondent Jucca Company from installing a certain sewer line and constructing a certain office building pending hearing and determination of an appeal from a judgment of the Supreme Court, Dutchess County, dated February 25, 2009.

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

ORDERED that the motion is denied.

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

ENTER:



James Edward Pelzer
Clerk of the Court

April 27, 2009

MATTER OF ESP WEXFORD, LLC v PAWLING JOINT SEWER COMMISSION