

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

M85985  
E/cb

MARK C. DILLON, J.P.  
ANITA R. FLORIO  
RUTH C. BALKIN  
LEONARD B. AUSTIN, JJ.

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2009-01048

DECISION & ORDER ON MOTION

In the Matter of Eveready Insurance Company,  
appellant, v Joseph France, etc., et al.,  
respondents.

(Index No. 5844/07)

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Motion by the appellant, inter alia, to stay all arbitration proceedings between the parties pending hearing and determination of an appeal from an order of the Supreme Court, Kings County, dated October 10, 2008.

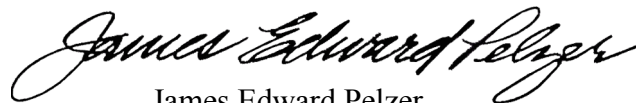
Upon the papers filed in support of the motion and no papers having been filed in opposition or in relation thereto, it is

ORDERED that the branch of the motion which is to stay all arbitration proceedings between the parties is granted and all arbitration proceedings between the parties are stayed pending hearing and determination of the appeal; and it is further,

ORDERED that the motion is otherwise denied.

DILLON, J.P., FLORIO, BALKIN and AUSTIN, JJ., concur.

ENTER:



James Edward Pelzer  
Clerk of the Court

May 4, 2009

MATTER OF EVEREADY INSURANCE COMPANY v FRANCE