

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

M86044  
E/cb

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

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2009-03124

DECISION & ORDER ON MOTION

Golden Age Mortgage Corporation,  
respondent, v Argonne Enterprises, LLC,  
et al., appellants, et al., defendants.

(Index No. 1822/06)

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Motion by the appellants on an appeal from an order of the Supreme Court, Putnam County, dated February 17, 2009, to vacate a judgment of sale of the same court dated August 5, 2008, to vacate the sales of the subject real property, and, in effect, to stay their eviction from the subject premises.

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

ORDERED that the motion is granted to the extent that the respondent is enjoined from transferring, alienating, or hypothecating the real property located at 25 Finch Road, North Salem, New York, and 182 Finch Road, North Salem, New York, and the appellants' eviction from those premises is stayed, pending hearing and determination of the appeal on condition that the appellants (1) on or before May 15, 2009, post an undertaking with corporate surety in the office of the Clerk of the Supreme Court, Putnam County, in the sum of \$100,000, in terms that if the order appealed from, or any part of it, is affirmed, or the appeal is dismissed, the surety will indemnify the respondent if it is ultimately determined that the respondent sustained a loss during the period that the injunction and stay was in effect, because of its existence, (2) on or before May 15, 2009, and on or before the 15<sup>th</sup> of each month thereafter, pay to the respondent the sums of \$6,023.56 and \$8,205.69, representing use and occupancy, real estate taxes, and insurance for the real property located at 25 Finch Road, North Salem, New York, and 182 Finch Road, North Salem, New York, respectively, and (3) perfect the appeal on or before June 3, 2009; and it is further,

May 4, 2009

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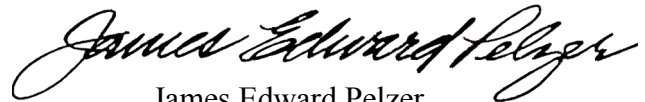
GOLDEN AGE MORTGAGE CORPORATION v ARGONNE ENTERPRISE, LLC

ORDERED that in the event the appellants do not comply with the foregoing conditions, the court, on its own motion, may vacate the stay, or the respondent may move to vacate the stay, on three days notice; and it is further,

ORDERED that the motion is otherwise denied.

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

ENTER:

A handwritten signature in black ink, reading "James Edward Pelzer". The signature is written in a cursive style with a large, sweeping initial "J".

James Edward Pelzer  
Clerk of the Court