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

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E/cb

STEVEN W. FISHER, J.P.
MARK C. DILLON
JOHN M. LEVENTHAL
CHERYL E. CHAMBERS, JJ.

2009-00174 DECISION & ORDER ON MOTION

Fabrizio Valverde, et al., respondents,
v Hur Chan, appellant.

(Index No. 806/03)

Motion by the appellant, in effect, for leave to reargue opposition to the respondents' prior motion to dismiss an appeal from a judgment of the Supreme Court, Queens County, entered August 12, 2008, inter alia, as untimely taken, which was determined by decision and order on motion dated March 9, 2009, and to reinstate the appeal.

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

ORDERED that the motion is denied.

FISHER, J.P., DILLON, LEVENTHAL and CHAMBERS, JJ., concur.

ENTER:

James Edward Pelzer
Clerk of the Court

May 6, 2009