

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

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E/cb

PETER B. SKELOS, J.P.
STEVEN W. FISHER
ARIEL E. BELEN
PLUMMER E. LOTT, JJ.

2009-03237

DECISION & ORDER ON MOTION

Luz Rosario, respondent, v BNS Buildings,
LLC, et al., appellants.

(Index No. 13365/07)

Motion by the appellants to stay the trial in the above-entitled action pending hearing and determination of an appeal from an order of the Supreme Court, Queens County, entered March 27, 2009.

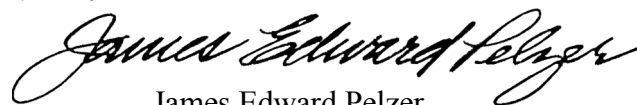
Upon the papers filed in support of the motion and the papers filed in opposition thereto, it is

ORDERED that the motion is granted, and the trial in the above-entitled action is stayed pending hearing and determination of the appeal on condition that the appeal is perfected on or before June 3, 2009; and it is further,

ORDERED that in the event the appeal is not perfected on or before June 3, 2009, the court, on its own motion, may vacate the stay, or the respondent may move to vacate the stay, on three days notice.

SKELOS, J.P., FISHER, BELEN and LOTT, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

May 4, 2009

ROSARIO v BNS BUILDINGS, LLC