

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

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E/cb

ANITA R. FLORIO, J.P.
JOSEPH COVELLO
RUTH C. BALKIN
LEONARD B. AUSTIN, JJ.

2009-00113

DECISION & ORDER ON MOTION

Juan Velez, et al., plaintiffs-respondents,
v Fifth Avenue Jewelers Exchange, et al.,
defendants third-party plaintiffs-appellants,
et al., defendants; LVI Services, Inc.,
third-party defendant-respondent.

(Index No. 39/06)

Motion by the defendants third-party plaintiffs-appellants to stay all proceedings in the above-entitled action, including the trial, pending hearing and determination of an appeal from an order of the Supreme Court, Queens County, entered November 20, 2008.

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

ORDERED that the motion is denied.

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

ENTER:



James Edward Pelzer
Clerk of the Court

May 7, 2009

VELEZ v FIFTH AVENUE JEWELERS EXCHANGE