

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

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E/cb

ROBERT A. SPOLZINO, J.P.
PETER B. SKELOS
RUTH C. BALKIN
CHERYL E. CHAMBERS, JJ.

2009-04193

DECISION & ORDER ON

MOTION

Dune Deck Owners Corp., respondent,
v J.J. & P. Associates Corp., et al., defendants;
J.P. Liggett, nonparty-appellant.

(Index No. 14938/03)

Motion by the nonparty-appellant to stay the subject judicial sale pending hearing and determination of an appeal from an order of the Supreme Court, Suffolk County, dated April 7, 2009, and for leave to appeal from the order, if necessary.

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

ORDERED that the branch of the motion which is to stay the subject judicial sale is denied; and it is further,

ORDERED that the branch of the motion which is for leave to appeal from the order, if necessary, is denied as unnecessary, as the order is appealable as of right.

SPOLZINO, J.P., SKELOS, BALKIN and CHAMBERS, JJ., concur.

ENTER:


James Edward Pelzer

May 15, 2009

DUNE DECK OWNERS CORP. v J.J. & P. ASSOCIATES CORP.

Clerk of the Court

May 15, 2009

DUNE DECK OWNERS CORP. v J.J. & P. ASSOCIATES CORP.