

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

M87296
E/sl

STEVEN W. FISHER, J.P.
MARK C. DILLON
HOWARD MILLER
RANDALL T. ENG, JJ.

2008-11259, 2009-03768

DECISION & ORDER ON MOTION

John P. Mantovani, plaintiff-respondent,
v Whiting-Turner Contracting Company,
et al., defendants-respondents, Herbert G.
Martin, Inc., defendant third-party
plaintiff/fourth-party plaintiff-appellant;
ADCO Electrical Corp, third-party defendant-
respondent; United Rental, fourth-party
defendant-respondent
(and another title).

(Index No. 08-11259)


Motion by Herbert G. Martin, Inc., in effect, for leave to reargue its prior motion to stay the trial in the above-entitled action pending hearing and determination of appeals from two orders of the Supreme Court, Westchester County, both entered November 13, 2008, which was determined by decision and order on motion dated March 20, 2009.

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, MILLER and ENG, JJ., concur.

ENTER:


James Edward Pelzer
Clerk of the Court

May 29, 2009

MANTOVANI v WHITING-TURNER CONTRACTING COMPANY