

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

M87542
E/sl

STEVEN W. FISHER, J.P.
ANITA R. FLORIO
JOSEPH COVELLO
THOMAS A. DICKERSON, JJ.

2009-04542, 2009-04543

DECISION & ORDER ON MOTION

In the Matter of Eastern Capital Group, LLC,
respondent, v 1252 East 19th Rainspring, LLC,
appellant.

(Index No. 24614/08)

Motion by 1252 East 19th Rainspring, LLC, for leave to appeal to this court from an order of the Supreme Court, Kings County, dated May 12, 2009 (Appellate Division Docket No. 2009-04542), to stay any sale of the subject real property pending hearing and determination of that appeal as well as an appeal from an order of the same court dated March 30, 2009 (Appellate Division Docket No. 2009-04543), and to consolidate the appeals.

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 for leave to appeal is denied; and it is further,

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

ORDERED that the branch of the motion which is to consolidate the appeals is denied as academic.

FISHER, J.P., FLORIO, COVELLO and DICKERSON, JJ., concur.

ENTER:


James Edward Pelzer
Clerk of the Court

June 4, 2009

MATTER OF EASTERN CAPITAL GROUP, LLC v 1252 EAST 19TH RAINSPRING, LLC