

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

M87589
E/sl

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

2009-00160

DECISION & ORDER ON MOTION

In the Matter of Autotech Collision, Inc.,
petitioner, v Incorporated Village of Lynbrook,
et al., respondents.

(Index No. 3219/07)

Motion by the respondents in a proceeding pursuant to CPLR article 78 which was transferred to this court by an order of the Supreme Court, Nassau County, dated December 12, 2008, to include in the record the full set of transcripts of the proceeding before the Village Tow Review Board.


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

ORDERED that on the court's own motion, the respondents may append the subject hearing transcripts as exhibits to the record; and it is further,

ORDERED that the motion is held in abeyance and referred to the panel of Justices hearing the appeal for determination upon the argument or submission thereof, without prejudice to the petitioner raising the issue that it is entitled to a default judgment.

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

ENTER:


James Edward Pelzer
Clerk of the Court

June 8, 2009

MATTER OF AUTOTECH COLLISION, INC. v INCORPORATED VILLAGE
OF LYNBROOK