

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

M87914
E/sl

WILLIAM F. MASTRO, J.P.
STEVEN W. FISHER
HOWARD MILLER
THOMAS A. DICKERSON
CHERYL E. CHAMBERS, JJ.

2009-03175

DECISION & ORDER ON MOTION

Jack Swed, respondent,
v Manuel Pena, et al., appellants.

(Index No. 159/07)

Motion by the appellants to stay the trial in the above-entitled action pending hearing and determination of an appeal from an order of the Supreme Court, Kings County, dated February 13, 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.

MASTRO, J.P., FISHER, MILLER, DICKERSON and CHAMBERS, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

June 11, 2009

SWED v PENA