

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

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E/sl

WILLIAM F. MASTRO, J.P.
FRED T. SANTUCCI
RUTH C. BALKIN
ARIEL E. BELEN, JJ.

2007-09445, 2008-00205

DECISION & ORDER ON MOTION

Peter Fusco, et al., respondents,
v State Farm Fire and Casualty Company,
a/k/a State Farm Insurance Company, appellant.

(Index No. 9547/04)

Motion by the respondents for leave to file a late motion for leave to reargue appeals from two judgments of the Supreme Court, Nassau County, dated July 27, 2007, and October 19, 2007, respectively, which were determined by decision and order of this court dated December 30, 2008, and for leave to reargue.

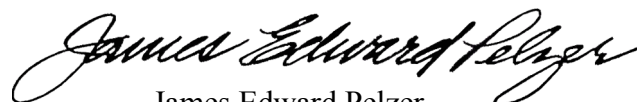
Upon the papers filed in support of the motion and the papers filed in opposition thereto, it is

ORDERED that the branch of the motion which is for leave to file a late motion for leave to reargue is granted; and it is further,

ORDERED that the branch of the motion which is for leave to reargue is denied, with \$100 costs.

MASTRO, J.P., SANTUCCI, BALKIN and BELEN, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

June 12, 2009

FUSCO v STATE FARM FIRE AND CASUALTY COMPANY, a/k/a STATE FARM
INSURANCE COMPANY