

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

M88003
E/sl

ROBERT A. SPOLZINO, J.P.
FRED T. SANTUCCI
ANITA R. FLORIO
PLUMMER E. LOTT, JJ.

2009-04890

DECISION & ORDER ON MOTION

Richard McQuillan, et al., plaintiffs,
v Timothy J. Leake, et al., defendants.
(Matter No. 1)

In the Matter of Timothy J. Leake, petitioner,
v Richard McQuillan, respondent.
(Matter No. 2)

(Index Nos. 1109/09, 4230/09)

Motion by Timothy J. Leake for leave to appeal to this court from an order of the Supreme Court, Nassau County, dated May 18, 2009, and, inter alia, to enjoin Richard McQuillan from using the name "Links Realty" or "Links," pending hearing and determination of the appeal.

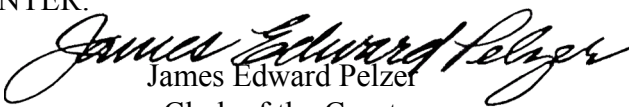
Upon the papers filed in support of the motion and the papers filed in opposition thereto, it is

ORDERED that the branch of the motion which is for leave to appeal is denied; and it is further,

ORDERED that the motion is otherwise denied as academic.

SPOLZINO, J.P., SANTUCCI, FLORIO and LOTT, JJ., concur.

ENTER:


James Edward Pelzer
Clerk of the Court

June 15, 2009

McQUILLAN v LEAKE