

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

M88134  
E/cb

ROBERT A. SPOLZINO, J.P.  
DANIEL D. ANGIOLILLO  
RUTH C. BALKIN  
JOHN M. LEVENTHAL, JJ.

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2006-10173, 2007-03836

DECISION & ORDER ON MOTION

John Curry, appellant-respondent, v James A.  
Dollard, et al., respondents-appellants, New York  
City Employees Retirement System, respondent,  
et al., defendants.

(Index No. 35589/05)

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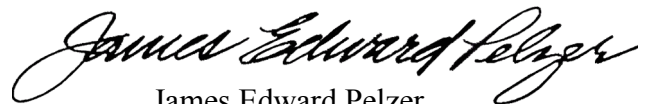
Motion by the appellant-respondent for leave to renew and reargue appeals and cross appeals from two orders of the Supreme Court, Kings County, dated September 20, 2006, and April 6, 2007, respectively, which were determined by decision and order of this court dated June 17, 2008.

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

ORDERED that the motion is denied, with \$100 costs.

SPOLZINO, J.P., ANGIOLILLO, BALKIN and LEVENTHAL, JJ., concur.

ENTER:



James Edward Pelzer  
Clerk of the Court

June 17, 2009

CURRY v DOLLARD