

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

M88137  
E/cb

REINALDO E. RIVERA, J.P.  
MARK C. DILLON  
HOWARD MILLER  
RUTH C. BALKIN  
JOHN M. LEVENTHAL, JJ.

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2008-02721

DECISION & ORDER ON MOTION

Merchants Insurance Group, as subrogee of Helen  
Coutrier, appellant, v Peter Coutrier, respondent.

(Index No. 20811-03)

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Motion by the appellant for leave to reargue an appeal from an order of the Supreme Court, Suffolk County, dated February 1, 2008, which was determined by decision and order of this court dated February 17, 2009, or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this court.

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.

RIVERA, J.P., DILLON, MILLER, BALKIN and LEVENTHAL, JJ., concur.

ENTER:

  
James Edward Pelzer  
Clerk of the Court

June 17, 2009

MERCHANTS INSURANCE GROUP, as subrogee of COUTRIER v COUTRIER