

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

M89136  
J/sl

STEVEN W. FISHER, J.P.  
THOMAS A. DICKERSON  
ARIEL E. BELEN  
CHERYL E. CHAMBERS, JJ.

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2009-03185

DECISION & ORDER ON MOTION

Marie Leopold, appellant,  
v New York City Transit Authority, et al.,  
respondents.

(Index No. 1537/07)

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The plaintiff having appealed to this court from an order of the Supreme Court, Kings County, dated January 14, 2009, and this court having noticed the matter for a CAMP conference, and, counsel for the respondents having failed to appear at the conference without excuse. By order to show cause dated June 9, 2009, counsel for the appellant and the respondents were directed to show cause why an order should or should not be made and entered imposing such sanctions on counsel for the respondents as the court may deem appropriate pursuant to 22 NYCRR 670.4(b)(2).

On the court's own motion and the papers filed in response to the order to show cause, it is

ORDERED that the motion is denied.

Under the circumstances sanctions are not warranted.

FISHER, J.P., DICKERSON, BELEN and CHAMBERS, JJ., concur.

ENTER:



James Edward Pelzer  
Clerk of the Court

July 9, 2009

LEOPOLD v NEW YORK CITY TRANSIT AUTHORITY