

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

M89600
S/nl

FRED T. SANTUCCI, J.P.
DANIEL D. ANGIOLILLO
RUTH C. BALKIN
CHERYL E. CHAMBERS, JJ.

2009-04752

DECISION & ORDER ON MOTION

Richard Sabatino, et al., appellants,
v 425 Oser Avenue, LLC, respondent.
(and a third-party action)

(Index No. 8416/06)

Motion by the appellant on an appeal from an order of the Supreme Court, Suffolk County, dated April 9, 2009, to stay all proceedings in an action entitled *Sabatino v AAA Maintenance, LLC*, pending in the Supreme Court, Suffolk County, under Index No. 45482/08, pending hearing and determination of the appeal.

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

ORDERED that the motion is denied.

SANTUCCI, J.P., ANGIOLILLO, BALKIN and CHAMBERS, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

July 20, 2009

SABATINO v 425 OSER AVENUE, LLC