

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

M90230  
S/sl

PETER B. SKELOS, J.P.  
THOMAS A. DICKERSON  
ARIEL E. BELEN  
LEONARD B. AUSTIN, JJ.

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2009-05607

DECISION & ORDER ON MOTION

Ben Lee Distributors, Inc., et al., respondents,  
v Halstead Harrison Partnership, appellant-  
respondent, Minskoff Grant Realty & Management  
Corp., defendant third-party plaintiff appellant-  
respondent, Metropolitan Transportation Authority  
of State of New York, et al., defendants/third-party  
defendants respondents-appellants.

(Index No. 05-19289)

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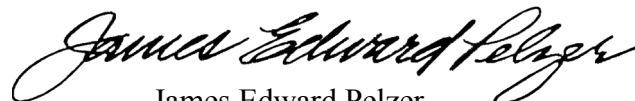
Motion by the appellants-respondents to stay the trial in the above-entitled action pending hearing and determination of an appeal and cross appeal from an order of the Supreme Court, Westchester County, dated May 14, 2009.

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

ORDERED that the motion is denied.

SKELOS, J.P., DICKERSON, BELEN and AUSTIN, JJ., concur.

ENTER:



James Edward Pelzer  
Clerk of the Court

July 31, 2009

BEN LEE DISTRIBUTORS, INC. v HALSTEAD HARRISON PARTNERSHIP