

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

M90569
E/sl

A. GAIL PRUDENTI, P.J.
REINALDO E. RIVERA
JOSEPH COVELLO
PLUMMER E. LOTT, JJ.

2009-06514

DECISION & ORDER ON MOTION

In the Matter of John Marsala, petitioner,
v City of Long Beach, et al., respondents.

(Index No. 14361/08)

Motion by the City of Long Beach for leave to appeal to this court from an order of the Supreme Court, Nassau County, entered April 9, 2009, and to stay all proceedings in the above-entitled proceeding pending hearing and determination of the appeal.

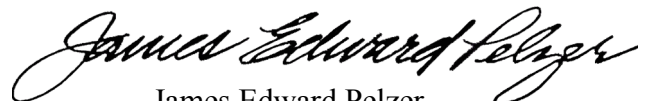
Upon the papers filed in support of the motion and the papers filed in opposition thereto, it is

ORDERED that the branch of the motion which is for leave to appeal is denied; and it is further,

ORDERED that the branch of the motion which is to stay all proceedings is denied as academic.

PRUDENTI, P.J., RIVERA, COVELLO and LOTT, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

August 10, 2009

MATTER OF MARSALA v CITY OF LONG BEACH