

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

M90604  
E/sl

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

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2009-06511

DECISION & ORDER ON MOTION

Walter Friedman, respondent,  
v Yona Friedman, appellant.

(Index No. 07-18085)

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Motion by Yona Friedman for leave to appeal to this court from a decision of the Supreme Court, Westchester County, entered June 24, 2009, and to stay all proceedings in the above-entitled action 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

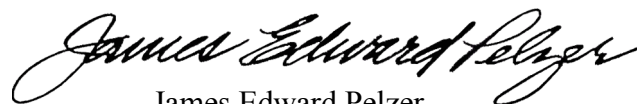
ORDERED that the branch of the motion which is for leave to appeal is denied; and it is further,

ORDERED that on the court's own motion, the appeal purportedly taken as of right is dismissed, without costs or disbursements, on the ground that no appeal lies from a decision (*see Schicchi v J.A. Green Constr. Co.*, 100 AD2d 509), without prejudice to taking an appeal from an interlocutory or final judgment; 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

FRIEDMAN v FRIEDMAN