

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

M90724  
E/sl

ANITA R. FLORIO, J.P.  
HOWARD MILLER  
RUTH C. BALKIN  
LEONARD B. AUSTIN, JJ.

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2009-05294

DECISION & ORDER ON MOTION

Judith Yu, respondent,  
v Lio Yu, appellant.

(Index No. 201539/09)

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Motion by the appellant to stay enforcement of an order of the Supreme Court, Nassau County, dated May 13, 2009, pending the hearing and determination of an appeal therefrom, and for a preference in the calendaring of the appeal.

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

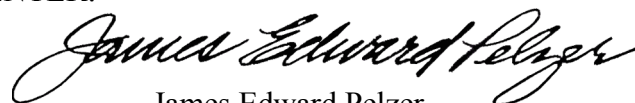
ORDERED that the branch of the motion which is to stay enforcement of the order dated May 13, 2009 is granted to the extent that enforcement of so much of the order as directed the appellant to pay maintenance in the sum of \$4,000 per month is stayed pending hearing and determination of the appeal on condition that the appellant pay maintenance to the respondent in the sum of \$1,500 per month, payable in installments of \$750 on or before the first and fifteenth of each month, commencing with a payment of \$750 on or before August 15, 2009, and that branch of the motion is otherwise denied; and it is further,

ORDERED that in the event the appellant does not comply with the foregoing condition, the court, on its own motion, may vacate the stay, or the respondent may move to vacate the stay, on three days notice; and it is further,

ORDERED that the branch of the motion which is for a preference is denied.

FLORIO, J.P., MILLER, BALKIN and AUSTIN, JJ., concur.

ENTER:



James Edward Pelzer  
Clerk of the Court

August 12, 2009

YU v YU