

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

M90725
E/sl

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

2009-03458

DECISION & ORDER ON MOTION

Mario Ficalora, plaintiff,
v Ciampa 162, LLC, defendant third-party
plaintiff-respondent; Rico Electric, Inc.,
third-party defendant-appellant.

(Index No. 100542/07)

Motion by the third-party defendant-appellant to stay all proceedings in the above-entitled action, including the trial, pending hearing and determination of an appeal from an order of the Supreme Court, Richmond County, dated March 9, 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.

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

ENTER:



James Edward Pelzer
Clerk of the Court

August 12, 2009

FICALORA v CIAMPA 162, LLC