

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

M90728  
E/sl

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

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2009-04362

DECISION & ORDER ON MOTION

Chester Lenda, plaintiff-respondent,  
v Breeze Concrete Corp., et al., defendants-  
respondents, Angel Pinacela, appellant.

(Index No. 29535-06)

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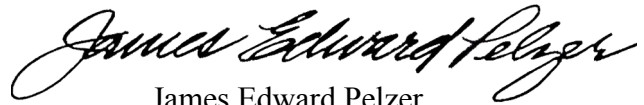
Motion by the appellant to stay all proceedings in the above-entitled action, including the trial, pending hearing and determination of an appeal from an order of the Supreme Court, Suffolk County, dated April 1, 2009.

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

LEND A v BREEZE CONCRETE CORP.