

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

M90734
E/sl

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

2009-00404

DECISION & ORDER ON MOTION

Pilar Franco, et al., plaintiffs-respondents,
v Joseph P. Breceus, et al., appellants,
Adam B. D'Auguste, defendant-respondent.

(Index No. 31808/07)

Motion by the appellants to stay the trial in the above-entitled action pending hearing and determination of an appeal from an order of the Supreme Court, Kings County, dated December 12, 2008.

Upon the papers filed in support of the motion and no papers having been filed in opposition or in relation 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 13, 2009

FRANCO v BRECEUS