

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

M90737
E/sl

MARK C. DILLON, J.P.
ANITA R. FLORIO
RUTH C. BALKIN
LEONARD B. AUSTIN, JJ.

2007-00208

DECISION & ORDER ON MOTION

Johnny's Plumbing & Heating, Inc., appellant,
v Garson Brothers Construction, LLC, et al.,
respondents.

(Index No. 05-82818)

Motion by the appellant for leave to reargue an appeal from a judgment of the Supreme Court, Westchester County, entered November 16, 2006, which was determined by decision and order of this court dated June 2, 2009, or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this court.

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

ORDERED that the motion is denied, with \$100 costs.

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

ENTER:



James Edward Pelzer
Clerk of the Court

August 13, 2009

JOHNNY'S PLUMBING & HEATING, INC. v GARSON BROTHERS
CONSTRUCTION, LLC