

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

M91043  
E/sl

PETER B. SKELOS, J.P.  
ANITA R. FLORIO  
JOSEPH COVELLO  
RUTH C. BALKIN, JJ.

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2009-05073

DECISION & ORDER ON MOTION

Willie Smith, et al., respondents,  
v New York City Housing Authority, appellant,  
et al., defendants.

(Index No. 4513/04)

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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, Queens County, entered May 4, 2009.

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

ORDERED that the motion is granted to the extent that the trial in the above-entitled action is stayed pending hearing and determination of the appeal, and the motion is otherwise denied.

SKELOS, J.P., FLORIO, COVELLO and BALKIN, JJ., concur.

ENTER:



James Edward Pelzer  
Clerk of the Court

August 20, 2009

SMITH v NEW YORK CITY HOUSING AUTHORITY