

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

M91057  
E/sl

STEVEN W. FISHER, J.P.  
FRED T. SANTUCCI  
RANDALL T. ENG  
L. PRISCILLA HALL, JJ.

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2009-07060

DECISION & ORDER ON MOTION

Korova Milk Bar of White Plains, Inc.,  
appellant, v Pre Properties, LLC, respondent.

(Index No. 09-16666)

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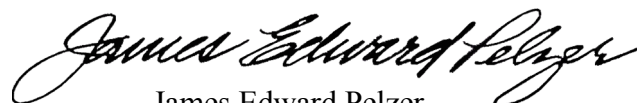
Motion by the appellant to enjoin the respondent from commencing any proceedings to evict it from the subject premises, pending hearing and determination of an appeal from an order of the Supreme Court, Westchester County, entered July 31, 2009, and for an expedited briefing schedule.

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

ORDERED that the motion is denied.

FISHER, J.P., SANTUCCI, ENG and HALL, JJ., concur.

ENTER:



James Edward Pelzer  
Clerk of the Court

August 20, 2009

KOROVA MILK BAR OF WHITE PLAINS, INC. v PRE PROPERTIES, LLC