

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

M91208  
E/sl

PETER B. SKELOS, J.P.  
ANITA R. FLORIO  
RUTH C. BALKIN  
ARIEL E. BELEN, JJ.

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2008-00613

DECISION & ORDER ON MOTION

Zalman Leifer, etc., et al., appellants,  
v Pilgreen Corporation, respondent.

(Index No. 20854/06)

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Motion by the respondent for leave to reargue an appeal from an order of the Supreme Court, Kings County, dated October 15, 2007, which was determined by decision and order of this court dated May 12, 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.

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

ENTER:



James Edward Pelzer  
Clerk of the Court

August 25, 2009

LEIFER v PILGREEN CORPORATION