

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

M91322
E/sl

STEVEN W. FISHER, J.P.
MARK C. DILLON
JOSEPH COVELLO
RANDALL T. ENG, JJ.

2009-06667

DECISION & ORDER ON MOTION

In the Matter of Rocco Agostino Landscape
and General Contractor Corp., petitioner,
v Mary F. Pazan, etc., et al., respondents.

(Index No. 15902/09)

Motion by the petitioner for leave to appeal to this court from an order of the Supreme Court, Queens County, dated July 20, 2009, and, inter alia, to enjoin the New York City Department of Parks and Recreation from awarding contracts CNYG 808M-PlaNYC, Q391-108M, and Q205A-108M, pending hearing and determination of the appeal.

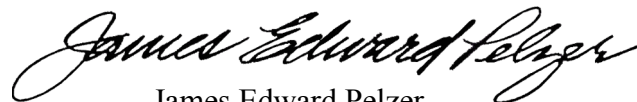
Upon the papers filed in support of the motion and the papers filed in opposition thereto, it is

ORDERED that the branch of the motion which is for leave to appeal is denied; and it is further,

ORDERED that the motion is otherwise denied as academic.

FISHER, J.P., DILLON, COVELLO and ENG, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

August 27, 2009

MATTER OF ROCCO AGOSTINO LANDSCAPE AND GENERAL
CONTRACTOR CORP. v PAZAN