

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

M91401
E/sl

ROBERT A. SPOLZINO, J.P.
FRED T. SANTUCCI
RANDALL T. ENG
ARIEL E. BELEN, JJ.

2009-01998

DECISION & ORDER ON MOTION

Susan M. Schwartz, respondent-appellant,
v Richard Dauber, et al., appellants-respondents,
Ken Lamont Stone, et al., respondents.
(Action No. 1)

(Index No. 008748/06)

Richard Dauber, etc., et al., appellants-respondents,
v Ken Lamont Stone, et al., respondents, Susan M.
Schwartz, et al., respondents-appellants.
(Action No. 2)

(Index No. 5453/06)

State Farm Mutual Insurance Company, etc.,
plaintiff-respondent, v Elrac, Inc., defendant, Richard
Dauber, etc., defendant third-party plaintiff-appellant;
MGM Transport, et al., third-party defendants-
respondents.
(Action No. 3)

(Index No. 13420/07)

Richard Dauber, etc., et al., appellants,
v Vanity Fair Manufacturers, Inc., etc.,
respondent.
(Action No. 4)

(Index No. 19877/07)

September 1, 2009

SCHWARTZ v DAUBER

Page 1.

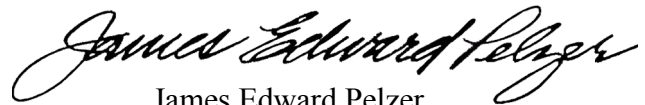
Motion by Richard Dauber, as administrator of the estate of Susan Dauber, to stay all proceedings in the above-entitled actions, including the trial, pending hearing and determination of appeals and cross appeals from an order of the Supreme Court, Nassau County, dated December 24, 2008, as amended January 26, 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 trials in the above-entitled actions are stayed pending hearing and determination of the appeals and cross appeals, and the motion is otherwise denied.

SPOLZINO, J.P., SANTUCCI, ENG and BELEN, JJ., concur.

ENTER:

A handwritten signature in cursive script that reads "James Edward Pelzer".

James Edward Pelzer
Clerk of the Court