

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

M91546  
E/sl

WILLIAM F. MASTRO, J.P.  
JOHN M. LEVENTHAL  
CHERYL E. CHAMBERS  
SHERI S. ROMAN, JJ.

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2009-07123

DECISION & ORDER ON MOTION

Jeffrey Falk, etc., et al., appellants,  
v Victor A. Gallo, et al., respondents.

(Index No. 19472/06)

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Motion by the appellants to stay enforcement of an order of the Supreme Court, Nassau County, dated June 30, 2009, pending hearing and determination of an appeal therefrom.

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

ORDERED that the motion is granted, and enforcement of the order dated June 30, 2009, is stayed pending hearing and determination of the appeal on condition that the appeal is perfected on or before October 5, 2009; and it is further,

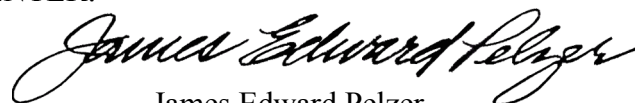
ORDERED that in the event the appeal is not perfected on or before October 5, 2009, the court, on its own motion, may vacate the stay, or the respondents may move to vacate the stay, on three days notice; and it is further,

ORDERED that the respondents shall serve and file their brief, if any, on or before November 4, 2009; and it is further,

ORDERED that the appellants shall serve and file their reply brief, if any, on or before November 16, 2009.

MASTRO, J.P., LEVENTHAL, CHAMBERS and ROMAN, JJ., concur.

ENTER:



James Edward Pelzer  
Clerk of the Court

September 3, 2009

FALK v GALLO