

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

M92188  
E/sl

STEVEN W. FISHER, J.P.  
JOSEPH COVELLO  
DANIEL D. ANGIOLILLO  
SHERI S. ROMAN, JJ.

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2008-06706, 2009-02793

DECISION & ORDER ON MOTION

Wilfredo Rodriguez, respondent,  
v Rose Martinelli, appellant.

(Index No. 35606/05)

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Motion by the appellant to stay the trial in the above-entitled action pending hearing and determination of appeals from two orders of the Supreme Court, Kings County, dated June 27, 2008, and February 13, 2009, respectively.

Upon the papers filed in support of the motion and no papers having been filed in opposition or in relation thereto, it is

ORDERED that the motion is granted and the trial in the above-entitled action is stayed pending hearing and determination of the appeals.

FISHER, J.P., COVELLO, ANGIOLILLO and ROMAN, JJ., concur.

ENTER:

  
James Edward Pelzer  
Clerk of the Court

September 21, 2009

RODRIGUEZ v MARTINELLI