

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

M92324  
E/sl

REINALDO E. RIVERA, J.P.  
ANITA R. FLORIO  
RANDALL T. ENG  
JOHN M. LEVENTHAL, JJ.

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2009-08038

DECISION & ORDER ON MOTION

Kevin Sheehan, respondent, v Town of  
Riverhead Water District, appellant,  
et al., defendants.

(Index No. 12303-04)

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Motion by the appellant on an appeal from an order of the Supreme Court, Suffolk County, dated August 19, 2009, to stay enforcement of a judgment of the same court entered March 17, 2009, and to lift the restraining notices levied against the appellant's accounts at the Suffolk County National Bank, pending hearing and determination of the appeal from the order.

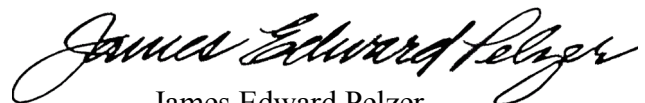
Upon the papers filed in support of the motion and the papers filed in opposition thereto, it is

ORDERED that the motion is granted, and enforcement of the judgment entered March 17, 2009, is stayed and the restraining notices levied against the appellant's account at the Suffolk County National Bank are lifted, pending hearing and determination of the appeal on condition that the appeal is perfected on or before October 26, 2009; and it is further,

ORDERED that in the event the appeal is not perfected on or before October 26, 2009, the court, on its own motion, may vacate this order, or the respondent may move to vacate this order, on three days notice.

RIVERA, J.P., FLORIO, ENG and LEVENTHAL, JJ., concur.

ENTER:



James Edward Pelzer  
Clerk of the Court

September 24, 2009

SHEEHAN v TOWN OF RIVERHEAD WATER DISTRICT