

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

M92483
E/sl

A. GAIL PRUDENTI, P.J.
HOWARD MILLER
CHERYL E. CHAMBERS
SHERI S. ROMAN, JJ.

2009-07655

DECISION & ORDER ON MOTION

Ousane Barry, respondent,
v Francis A. Valerio, defendant,
Aracena's Transport, Inc., et al., appellants.

(Index No. 29689/05)

Motion by the appellants to stay the trial in the above-entitled action pending hearing and determination of an appeal from an order of the Supreme Court, Kings County, dated June 9, 2009.

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 denied.

PRUDENTI, P.J., MILLER, CHAMBERS and ROMAN, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

September 28, 2009

BARRY v VALERIO