

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

M93972
E/sl

REINALDO E. RIVERA, J.P.
THOMAS A. DICKERSON
L. PRISCILLA HALL
PLUMMER E. LOTT, JJ.

2009-07882, 2009-08508

DECISION & ORDER ON MOTION

Pura Levesque, respondent,
v Gregory Levesque, appellant.

(Index No. 08-24758)

Motion by the appellant on appeals from two orders of the Supreme Court, Westchester County, entered July 14, 2009, and August 25, 2009, respectively, in effect, to stay (1) so much of an order of the same court, dated April 21, 2009, as directed the appellant to file a statement of net worth, (2) all proceedings to hold the appellant in contempt of the order dated April 21, 2009, and (3) so much of the orders entered July 14, 2009, and August 25, 2009, as directed the appellant to pay counsel fees, pending hearing and determination of the appeals, and to consolidate the appeals.

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

ORDERED that the branch of the motion which is, in effect, to stay (1) so much of the order of the Supreme Court, Westchester County, dated April 21, 2009, as directed the appellant to file a statement of net worth, (2) all proceedings to hold the appellant in contempt of the order dated April 21, 2009, and (3) so much of the orders entered July 14, 2009, and August 25, 2009, as directed the appellant to pay counsel fees is granted, and (1) so much of an order of the Supreme Court, Westchester County, dated April 21, 2009, as directed the appellant to serve and file a statement of net worth, (2) all proceedings to hold the appellant in contempt of the order dated April 21, 2009, and (3) so much of the orders entered July 14, 2009, and August 25, 2009, as directed the appellant to pay counsel fees are stayed pending hearing and determination of the appeals on condition that the appeals are perfected on or before December 2, 2009; and it is further,

ORDERED that in the event the appeals are not perfected on or before December 2, 2009, the court, on its own motion, may vacate the stay, or the respondent may move to vacate the stay, on three days notice; and it is further,

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ORDERED that the branch of the motion which is to consolidate the appeals is denied as unnecessary as the appeals may be consolidated as of right (*see* 22 NYCRR 670.7[c][1]).

RIVERA, J.P., DICKERSON, HALL and LOTT, JJ., concur.

ENTER:

A handwritten signature in black ink, reading "James Edward Pelzer". The signature is written in a cursive, flowing style.

James Edward Pelzer
Clerk of the Court