

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 15, 2019.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Rosalyn H. Richter
Peter Tom
Marcy L. Kahn
Peter H. Moulton , Justices.

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Humberto Rivera,
Plaintiff-Respondent,

-against-

M-1029
Index No. 300823/12

11 West 42 Realty Investors, L.L.C.
NTT Services, LLC. and Pritchard
Industries, Inc., Tishman Speyer
Properties, L.P.,
Defendants-Respondents,

Americon Construction, Inc.
Defendant-Appellant,
- - - - -

11 West 42 Realty Investors, L.L.C.,
Third-Party Plaintiff-Respondent,

-against-

Americon Construction, Inc.,
Third-Party Defendant-Appellant,
- - - - -

11 West 42 Realty Investors, L.L.C.,
Second Third-Party Plaintiff-
Respondent,

-against-

NTT Services, LLC and Pritchard
Industries, Inc.,
Second Third-Party Defendants-
Respondents.

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Separate appeals having been taken from the order of the Supreme Court, Bronx County, entered on or about January 19, 2018, and the appeal of defendant/third-party defendant-appellant Americon Construction, Inc. having been perfected,

And defendant/third-party defendant-appellant Americon Construction, Inc., having moved for a stay of trial pending hearing and determination of the appeals,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of staying the trial pending the hearing and determination of the perfected appeal of defendant/third-party defendant-appellant Americon Construction, Inc., without prejudice to the other defendants, if so advised, seeking a further stay of trial upon perfecting their appeals.

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DEPUTY CLERK