

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

D13419  
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Submitted - December 6, 2006

HOWARD MILLER, J.P.  
ROBERT A. SPOLZINO  
GABRIEL M. KRAUSMAN  
STEVEN W. FISHER  
MARK C. DILLON, JJ.

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2005-10256

DECISION & ORDER

In the Matter of New York City Transit Authority,  
appellant, v Martha Williams, respondent.

(Index No. 19115/05)

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Jones Jones, LLP, Brooklyn, N.Y. (Ange Neiger of counsel), for appellant.

In a proceeding pursuant to CPLR article 75 to permanently stay arbitration of a claim for uninsured motorist benefits, the petitioner appeals from an order of the Supreme Court, Kings County (Ruchelsman, J.), dated September 22, 2005, which denied the petition and dismissed the proceeding.

ORDERED that the order is reversed, on the law, with costs, the petition is granted, and the arbitration is permanently stayed.

In view of the release signed by the respondent, the Supreme Court should have granted the petition to permanently stay arbitration of a claim for uninsured motorist benefits.

MILLER, J.P., SPOLZINO, KRAUSMAN, FISHER and DILLON, JJ., concur.

ENTER:



James Edward Pelzer  
Clerk of the Court

January 16, 2007

MATTER OF NEW YORK CITY TRANSIT AUTHORITY v WILLIAMS