

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

D14273
Y/gts

_____AD3d_____

Submitted - February 15, 2007

WILLIAM F. MASTRO, J.P.
GABRIEL M. KRAUSMAN
ANITA R. FLORIO
RUTH C. BALKIN, JJ.

2005-11570

DECISION & ORDER

Nob Hill Condominium, Section I, appellant,
v Susan Garrahan, respondent.

(Index No. 12637/04)

Richard M. Hendler, New York, N.Y., for appellant.

Pelle & Pelle, Massapequa, N.Y. (David D. Pelle of counsel), for respondent.

In an action to permanently enjoin the defendant from engaging in alterations, renovations, or improvements to her condominium unit without prior consent from the condominium board of managers, the plaintiff appeals from an order of the Supreme Court, Suffolk County (Pitts, J.), dated November 14, 2005, which denied its motion for a preliminary injunction.

ORDERED that the order is affirmed, with costs.

Under the circumstances of this case, the issuance of a preliminary injunction was not warranted.

MASTRO, J.P., KRAUSMAN, FLORIO and BALKIN, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

March 13, 2007

NOB HILL CONDOMINIUM, SECTION I v GARRAHAN