

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

D16113
X/gts

_____AD3d_____

Argued - June 11, 2007

HOWARD MILLER, J.P.
GLORIA GOLDSTEIN
STEVEN W. FISHER
JOSEPH COVELLO, JJ.

2006-06239

DECISION & ORDER

Elisheva Sinensky, appellant, v
Arthur Weiner, et al., respondents.

(Index No. 9555/05)

Elisheva Sinensky, Teaneck, New Jersey, appellant pro se.

Brill & Miesel, New York, N.Y. (Mark N. Axinn of counsel), for respondent Arthur Weiner.

Rosen & Livingston, New York, N.Y. (Benjamin R. Tessler of counsel), for respondents Frank Safra, Arnold Garber, Steve Glass, Board of Directors of 1360 Ocean Parkway Owners Corp., 1360 Ocean Parkway Owners Corp., and United Management (no brief filed).

In an action, inter alia, to recover damages for tortious interference with contract and for injunctive relief, the plaintiff appeals from an order of the Supreme Court, Kings County (Martin, J.), dated April 28, 2006, which denied her motion for a preliminary injunction enjoining the defendant Arthur Weiner from, among other things, entering into a contract of sale for the shares of stock in a certain cooperative apartment, and from conveying such shares to anyone other than the plaintiff.

ORDERED that the order is affirmed, with costs payable by the appellant to the respondent Arthur Weiner.

The plaintiff failed to meet her burden of establishing irreparable injury absent the

October 2, 2007

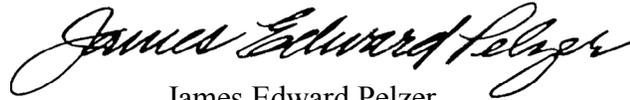
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granting of a preliminary injunction (*see McLaughlin, Piven, Vogel v Nolan & Co.*, 114 AD2d 165, 172; *After Six v 201 E. 66th St. Assoc.*, 87 AD2d 153, 156; *cf. Seitzman v Hudson Riv. Assoc.*, 126 AD2d 211). Accordingly, the plaintiff's motion for a preliminary injunction was properly denied.

MILLER, J.P., GOLDSTEIN, FISHER and COVELLO, 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