

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

D17623
G/prt

_____AD3d_____

Argued - October 16, 2007

DAVID S. RITTER, J.P.
FRED T. SANTUCCI
HOWARD MILLER
RUTH C. BALKIN, JJ.

2006-08402

DECISION & ORDER

Stephen Levine, et al, respondents,
v Harriet Feldmann, appellant (and related actions).

(Index No. 5902/04)

George David Rosenbaum, New York, N.Y. (Joshua R. Kopelowitz of counsel)
for appellant.

Fine & Bassik, Great Neck, N.Y. (Barry S. Bassik of counsel), for respondents.

In an action for specific performance of a contract for the sale of real property, the defendant appeals, as limited by her brief, from so much of an order of the Supreme Court, Nassau County (Spinola, J.), entered July 25, 2006, as granted the plaintiffs' motion for summary judgment directing specific performance of the contract.

ORDERED that the order is affirmed insofar as appealed from, without costs or disbursements.

The plaintiffs established their prima facie entitlement to summary judgment directing specific performance of the contract and, in opposition, the defendant failed to raise a triable issue of fact. Accordingly, the Supreme Court properly granted the plaintiffs' motion for summary judgment directing specific performance of the contract.

RITTER, J.P., SANTUCCI, MILLER and BALKIN, JJ., concur.

ENTER:


James Edward Pelzer
Clerk of the Court

January 15, 2008

LEVINE v FELDMANN