

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

M244138
E/afa

MARK C. DILLON, J.P.
SYLVIA O. HINDS-RADIX
JOSEPH J. MALTESE
HECTOR D. LASALLE, JJ.

2017-06888

DECISION & ORDER ON MOTION

Lydia Badr, appellant,
v Kenneth I. Blumberg, etc., et al., defendants,
United Hospice of Rockland, Inc., respondent.

(Index No. 35885/14)

2017-06897

Lydia Badr, appellant,
v Kenneth I. Blumberg, etc., et al., defendants,
Bradley Cohen, etc., respondent.

(Index No. 35885/14)

2017-06903

Lydia Badr, appellant,
v Kenneth I. Blumberg, etc., et al., defendants,
Nyack Hospital, respondent.

(Index No. 35885/14)

2017-07921

Lydia Badr, appellant,
v Kenneth I. Blumberg, etc., et al., defendants,
Nyack Hospital, respondent.

(Index No. 35885/14)

January 3, 2018

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Motion by the appellant to stay the trial in the above-entitled action pending hearing and determination of appeals from three orders of the Supreme Court, Rockland County, dated April 17, 2017, May 17, 2017, and May 18, 2017, respectively, and a judgment of the same court dated June 1, 2017, and to consolidate the appeals.

Upon the papers filed in support of the motion and the papers filed in opposition thereto, it is

ORDERED that on the Court's own motion, the appeal from the order dated May 17, 2017, is dismissed, without costs or disbursements, on the ground that the right of direct appeal therefrom terminated upon entry of the judgment dated June 1, 2017 (*see Matter of Aho*, 39 NY2d 241); the issues raised on the appeal from the order dated May 17, 2017, may be brought up for review and raised on the appeal from the judgment; and it is further,

ORDERED that the branch of the motion which is to consolidate the appeals is denied as unnecessary with respect to the appeals from the orders dated April 17, 2017, and May 18, 2017, and the judgment as those appeals may be consolidated as of right (*see* 22 NYCRR 670.7[c][1]), and otherwise denied as academic; and it is further,

ORDERED that the motion is otherwise denied; and it is further,

ORDERED that on the Court's own motion, the time to perfect the appeals from the orders dated April 17, 2017, and May 18, 2017, and the judgment is enlarged until February 20, 2018.

DILLON, J.P., HINDS-RADIX, MALTESE and LASALLE, JJ., concur.

ENTER:



Aprilanne Agostino
Clerk of the Court