

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

M244337  
E/afa

JOHN M. LEVENTHAL, J.P.  
CHERYL E. CHAMBERS  
ROBERT J. MILLER  
COLLEEN D. DUFFY, JJ.

---

2017-12720

DECISION & ORDER ON MOTION

William A. Maloney, etc., respondent-appellant, v Pine Island Corp., appellant-respondent.

(Index No. 33862/15)

---

Motion by the appellant-respondent, inter alia, to stay enforcement of a judgment of the Supreme Court, Rockland County, dated November 28, 2017, and to stay the release of the sum of \$162,000 from escrow held by Cynthia Costa-Trahan, pending hearing and determination of an appeal and cross appeal from the judgment.

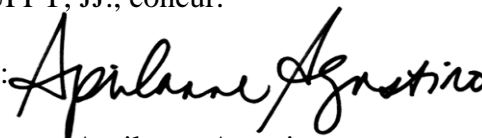
Upon the papers filed in support of the motion and the papers filed in opposition thereto, it is

ORDERED that the motion is granted to the extent that enforcement of the judgment and the release of the sum of \$162,000 from escrow held by Cynthia Costa-Trahan are stayed pending hearing and determination of the appeal and cross appeal on condition that the appellant-respondent (1) posts an undertaking with corporate surety in the office of the Clerk of the Supreme Court, Rockland County, in a sum of \$16,005.76, in terms that if the judgment appealed from, or any part of the judgment, is affirmed, the surety will indemnify the respondent-appellant, if it is ultimately determined that the respondent-appellant sustained a loss due to the stay and (2) perfects the appeal on or before February 7, 2018, and the motion is otherwise denied; and it is further,

ORDERED that in the event the appellant-respondent does not comply with the foregoing, the Court, on its own motion, may vacate the stay, without further notice, or the respondent-appellant may move to vacate the stay, on three days notice.

LEVENTHAL, J.P., CHAMBERS, MILLER and DUFFY, JJ., concur.

ENTER:



Aprilanne Agostino  
Clerk of the Court

January 8, 2018

MALONEY v PINE ISLAND CORP.