

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

M244851

E/rr

REINALDO E. RIVERA, J.P.
ROBERT J. MILLER
VALERIE BRATHWAITE NELSON
ANGELA G. IANNACCI, JJ.

2017-09868

DECISION & ORDER ON MOTION

U.S. Bank National Association, etc.,
respondent, v Stuart Bienenstock, et al.,
appellants, et al., defendants.

(Index No. 1270/10)

Motion by the appellants on an appeal from an order of the Supreme Court, Nassau County, entered April 10, 2017, to stay enforcement of a judgment dated December 10, 2013, pending hearing and determination of an appeal from the order.


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

ORDERED that the motion is granted, and enforcement of the judgment dated December 10, 2013, is stayed pending hearing and determination of the appeal from the order entered April 10, 2017, on condition that the appeal is perfected on or before February 20, 2018; and it is further,

ORDERED that in the event the appeal is not perfected on or before February 20, 2018, the Court, on its own motion, may vacate the stay, without further notice, or the respondent may move to vacate the stay, on three days notice.

RIVERA, J.P., MILLER, BRATHWAITE NELSON and IANNACCI, JJ., concur.

ENTER:


Aprilanne Agostino
Clerk of the Court

January 18, 2018

U.S. BANK NATIONAL ASSOCIATION v BIENENSTOCK