

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

M245731  
E/sl

REINALDO E. RIVERA, J.P.  
ROBERT J. MILLER  
SYLVIA O. HINDS-RADIX  
JOSEPH J. MALTESE, JJ.

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2017-12778

DECISION & ORDER ON MOTION

In the Matter of Kent Waterfront Associates, LLC,  
et al., appellants, et al., petitioner, v National Union  
Fire Insurance Company of Pittsburgh, P.A.,  
respondent.

(Index No. 521349/17)

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Motion by the appellants to stay an arbitration proceeding between the parties, pending hearing and determination of an appeal from an order of the Supreme Court, Kings County, dated November 17, 2017. Separate motion by the respondent, inter alia, to compel the appellants and the petitioner to participate in arbitration.

Upon the papers filed in support of the motions and the papers filed in opposition or in relation thereto, it is


ORDERED that the appellants' motion is granted and the arbitration proceeding between the parties is stayed pending hearing and determination of the appeal on condition that the appeal is perfected on or before March 7, 2018; and it is further,

ORDERED that in the event the appeal is not perfected on or before March 7, 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; and it is further,

ORDERED that the respondent's motion is denied.

RIVERA, J.P., MILLER, HINDS-RADIX and MALTESE, JJ., concur.

ENTER:

  
Aprilanne Agostino  
Clerk of the Court

February 5, 2018

MATTER OF KENT WATERFRONT ASSOCIATES, LLC v NATIONAL UNION FIRE  
INSURANCE COMPANY OF PITTSBURGH, P.A.