

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

M245773
E/rr

RUTH C. BALKIN, J.P.
CHERYL E. CHAMBERS
COLLEEN D. DUFFY
HECTOR D. LASALLE, JJ.

2018-00576

DECISION & ORDER ON MOTION

Concerned Citizens for the Hudson Valley,
et al., appellants, v Town of Goshen, et al.,
respondents.

(Index No. 9517/17)

Motion by the petitioners for leave to appeal to this Court from an order to show cause of the Supreme Court, Orange County, dated January 4, 2018, and to stay the respondent Merlin Entertainments Group US Holdings, Inc., from engaging in clear cutting activities at the project site that is the subject of the underlying article 78 proceeding, pending hearing and determination of the appeal.

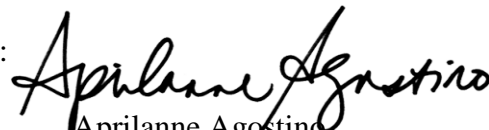
Upon the papers filed in support of the motion and the papers filed in opposition thereto, it is

ORDERED that the motion is granted; and it is further,

ORDERED that the respondent Merlin Entertainments Group US Holdings, Inc., is stayed from engaging in clear cutting activities at the project site that is the subject of the underlying article 78 proceeding, either pending hearing and determination of the appeal or determination by the Supreme Court, Orange County, of the motion that was initiated by the order to show cause dated January 4, 2018, whichever occurs first.

BALKIN, J.P., CHAMBERS, DUFFY and LASALLE, JJ., concur.

ENTER:


Aprilanne Agostino
Clerk of the Court

February 6, 2018

CONCERNED CITIZENS FOR THE HUDSON VALLEY v TOWN OF GOSHEN