

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

M246741  
E/rr

WILLIAM F. MASTRO, J.P.  
JOHN M. LEVENTHAL  
BETSY BARROS  
VALERIE BRATHWAITE NELSON, JJ.

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2018-00942

DECISION & ORDER ON MOTION

Kevin McCarthy, et al., respondents,  
v City of New York, et al., appellants.

(Index No. 62071/15)


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Motion by the appellants to stay the trial in the above-entitled action pending hearing and determination of an appeal from an order of the Supreme Court, Westchester County, dated December 18, 2017.

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 the trial in the above-entitled action is stayed pending hearing and determination of the appeal.

MASTRO, J.P., LEVENTHAL, BARROS and BRATHWAITE NELSON, JJ., concur.

ENTER:   
Aprilanne Agostino  
Clerk of the Court

February 28, 2018

McCARTHY v CITY OF NEW YORK