

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

M246883  
E/rr

LEONARD B. AUSTIN, J.P.  
SHERI S. ROMAN  
ROBERT J. MILLER  
FRANCESCA E. CONNOLLY, JJ.

---

2015-10744, 2016-04084

DECISION & ORDER ON MOTION

Eugene Kverel, et al., respondents, v Town of Southampton, et al., defendants, Philip Silverman, appellant.

(Index No. 5226/15)

---

2018-01432

Eugene Kverel, et al., respondents,  
v Philip Silverman, appellant.

(Index No. 5226/15)

---

Motion by the respondents to dismiss appeals from two orders of the Supreme Court, Suffolk County, dated August 25, 2015, and March 1, 2016, respectively, on the ground that they were rendered academic by an order of the same court dated December 11, 2017. Cross motion by the appellant to stay all proceedings in the above-entitled action, pending hearing and determination of appeals from the three orders, and to calendar the appeals from the orders dated August 25, 2015, and March 1, 2016, together with the appeal from the order dated December 11, 2017.

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

ORDERED that the motion is held in abeyance and referred to the panel of Justices hearing the appeals for determination upon the argument or submission thereof; and it is further,

ORDERED that the branch of the cross motion which is to stay all proceedings in the above-entitled action is denied; and it is further,

March 2, 2018

KVEREL v TOWN OF SOUTHAMPTON

Page 1.

ORDERED that the branch of the cross motion which is to calendar the appeals together is granted, and the appeals will be calendared together and will be argued or submitted on the same date.

AUSTIN, J.P., ROMAN, MILLER and CONNOLLY, JJ., concur.

ENTER:

A handwritten signature in black ink that reads "Aprilanne Agostino". The signature is written in a cursive, flowing style.

Aprilanne Agostino  
Clerk of the Court