

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

M246994
E/afa

MARK C. DILLON, J.P.
SANDRA L. SGROI
BETSY BARROS
LINDA CHRISTOPHER, JJ.

2017-11442

DECISION & ORDER ON MOTION

A. D., etc., respondent,
v Best Prep Academy, Inc., appellant.

(Index No. 7973/14)

Motion by Best Prep Academy, Inc., pursuant to CPLR 2001 to amend a notice of appeal from an order of the Supreme Court, Queens County, entered August 31, 2017, to reflect that it is the proper party appellant, and to stay all proceedings in the above-entitled action 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 branch of the motion which is to amend the notice of appeal is granted, and the notice of appeal is amended to reflect that Best Prep Academy, Inc., is the proper party appellant (*see Matter of Tagliaferri, 1 NY3d 605; CPLR 2001*); and it is further,

ORDERED that the branch of the motion which is to stay all proceedings in the above-entitled action pending hearing and determination of the appeal is denied.

DILLON, J.P., SGROI, BARROS and CHRISTOPHER, JJ., concur.

ENTER:



Aprilanne Agostino
Clerk of the Court

March 6, 2018

D. v BEST PREP ACADEMY, INC.