

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

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LEONARD B. AUSTIN, J.P.
JEFFREY A. COHEN
ROBERT J. MILLER
JOSEPH J. MALTESE, JJ.

2017-11465

DECISION & ORDER ON MOTION

Timothy Fulton, respondent,
v John Kelly, et al., defendants,
Michael Cholowsky, appellant.

(Index No. 20501/10)

Motion by the appellant to stay the trial in the above-entitled action pending hearing and determination of an appeal from an order of the Supreme Court, Queens County, entered September 11, 2017.

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

ORDERED that the motion is denied.

AUSTIN, J.P., COHEN, MILLER and MALTESE, JJ., concur.

ENTER:



Aprilanne Agostino
Clerk of the Court

March 30, 2018

FULTON v KELLY