

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

M248480
E/afa

MARK C. DILLON, J.P.
SANDRA L. SGROI
ROBERT J. MILLER
VALERIE BRATHWAITE NELSON, JJ.

2018-02746

DECISION & ORDER ON MOTION

Danzig Fishman & Decea, respondent,
v Michael Hersh, appellant.

(Index No. 505070/14)

Motion by the appellant to stay all proceedings in the above-entitled action, including the trial, pending hearing and determination of an appeal from an order of the Supreme Court, Kings County, dated November 28, 2017.

Upon the papers filed in support of the motion and no papers having been filed in opposition or in relation thereto, it is

ORDERED that the motion is granted to the extent that the trial in the above-entitled action is stayed pending hearing and determination of the appeal on condition that the appeal is perfected on or before May 21, 2018, and the motion is otherwise denied; and it is further,

ORDERED that in the event the appeal is not perfected on or before May 21, 2018, the Court, on its own motion, may vacate the stay, without further notice, or the respondent may move to vacate the stay, on three days notice.

DILLON, J.P., SGROI, MILLER and BRATHWAITE NELSON, JJ., concur.

ENTER:



Aprilanne Agostino
Clerk of the Court

April 6, 2018

DANZIG FISHMAN & DECEA v HERSH