

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

M249031  
E/afa

MARK C. DILLON, J.P.  
JOHN M. LEVENTHAL  
ROBERT J. MILLER  
COLLEEN D. DUFFY, JJ.

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2017-12179

DECISION & ORDER ON MOTION

U.S. Bank Trust, N.A., etc., respondent,  
v Robert B. Marcus, etc., et al., appellants.

(Index No. 30988/16)

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Motion by the respondent to dismiss an appeal from an order of the Supreme Court Rockland County, dated October 12, 2017, on the ground that no appeal lies from an order denying reargument.

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 held in abeyance and referred to the panel of Justices hearing the appeal for determination upon the argument or submission thereof.

DILLON, J.P., LEVENTHAL, MILLER and DUFFY, JJ., concur.

ENTER:



Aprilanne Agostino  
Clerk of the Court

April 20, 2018

U.S. BANK TRUST, N.A. v MARCUS