

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

M249052
E/rr

CHERYL E. CHAMBERS, J.P.
SANDRA L. SGROI
JOSEPH J. MALTESE
FRANCESCA E. CONNOLLY, JJ.

2018-01614

DECISION & ORDER ON MOTION

Manuel Nieves, plaintiff-respondent,
v Monte S. Lipman, et al., defendants-respondents,
Robertson Construction, Inc., et al., defendants third-
party plaintiffs-appellants, Robertson Constructing, Inc.,
defendant second third-party plaintiff-appellant;
Carlos Plastering, Inc., third-party defendant-respondent;
Centro Construction, LLC, second third-party defendant-
respondent.

(Index No. 64994/14)

2018-01621

Manuel Nieves, respondent-appellant,
v Monte S. Lipman, et al., defendants-respondents,
Robertson Construction, Inc., et al., defendants third-
party plaintiffs-appellants-respondents, Robertson
Constructing, Inc., defendant second third-party
plaintiff-appellant-respondent; Carlos Plastering, Inc.,
third-party defendant-respondent; Centro Construction,
LLC, second third-party defendant-respondent.

(Index No. 64994/14)

Motion by Robertson Construction, Inc., Robertson Contracting, Inc., and Bryan Robertson to stay the trial in the above-entitled action pending hearing and determination of an appeal from an order of the Supreme Court, Westchester County, dated December 29, 2017, and an appeal and cross appeal from an order of the same court also dated December 29, 2017, and to consolidate the appeals and cross appeal.

April 20, 2018

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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 stay the trial is denied; and it is further,

ORDERED that the branch of the motion which is to consolidate the appeals and cross appeal is denied as unnecessary as the appeal under Appellate Division Docket No. 2018-01614 may be consolidated with the appeal and cross appeal under Appellate Division Docket No. 2018-01621 as of right (*see* 22 NYCRR 670.7[c][1]).

CHAMBERS, J.P., SGROI, MALTESE 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