

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

M262842
E/mm

LEONARD B. AUSTIN, J.P.
JOHN M. LEVENTHAL
SHERI S. ROMAN
ROBERT J. MILLER, JJ.

2018-13207

DECISION & ORDER ON MOTION

In the Matter of Progressive Mountain
Insurance Company, appellant,
v Eliseo Arevalo, et al., respondents,

(Index No. 604591/18)

Motion by the appellant to stay a certain arbitration proceeding pending hearing and determination of an appeal from an order of the Supreme Court, Nassau County, entered October 18, 2018. Separate motion by the respondent GEICO General Insurance Company to dismiss the appeal on the ground that the order is not an appealable paper.

Upon the papers filed in support of the motion to stay a certain arbitration proceeding and no papers having been filed in opposition or in relation thereto, and upon the papers filed in support of the motion to dismiss the appeal and the papers filed in opposition thereto, it is

ORDERED that the appellant's motion is denied; and it is further,

ORDERED that the respondents' motion is held in abeyance and referred to the panel of Justices hearing the appeal for determination upon the argument or submission thereof.

AUSTIN, J.P., LEVENTHAL, ROMAN and MILLER, JJ., concur.

ENTER:



Aprilanne Agostino
Clerk of the Court

May 24, 2019

MATTER OF PROGRESSIVE MOUNTAIN INSURANCE COMPANY v AREVALO