

Penny F. Hart v Thomas V. Cappa

Motion No: 2025-02551

Slip Opinion No: 2025 NY Slip Op 69777(U)

Decided on May 29, 2025

Appellate Division, First Department, Motion Decision

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Judiciary Law § 431.

This motion is uncorrected and is not subject to publication in the
Official Reports.

Supreme Court of the State of New York
Appellate Division, First Judicial Department

PRESENT Hon. Peter H. Moulton,
David Friedman
Barbara R. Kapnick
Saliann Scarpulla
Martin Shulman,

Justice Presiding,

Justices.

Penny F. Hart,
Plaintiff-Appellant,

-against-

Motion No. 2025-02551
Index No. 156732/16
Case No. 2025-00295

Thomas V. Cappa,
Defendant-Respondent.

An appeal having been taken to this Court from an order and judgment (one paper) of the Supreme Court, New York County, entered on or about December 26, 2024, and said appeal having been perfected,

And plaintiff-appellant having moved for an injunction pursuant to CPLR 5518, preventing the special referee from distributing proceeds of the sale of jointly held property by the parties, pending hearing and determination of the aforesaid appeal,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted.

ENTERED: May 29, 2025



Susanna Molina Rojas
Clerk of the Court