

SUPREME COURT OF THE STATE OF NEW YORK — NEW YORK COUNTY

PRESENT: O. PETER SHERWOOD
Justice

PART 61

In the Matter of the Application of,
RAMESH BHATIA and REGENCY
HOTEL LLC.,

Petitioner,

-against

NEW YORK MERCHANTS PROTECTIVE
CO. INC.

Respondent.

INDEX NO. 600648/09

MOTION DATE April 22, 2009

MOTION SEQ. NO. _____

MOTION CAL. NO. _____

The following papers, numbered 1 to _____ were read on this motion _____

Notice of Motion/ Order to Show Cause — Affidavits — Exhibits _____

Answering Affidavits — Exhibits _____

Replying Affidavits _____

FILED
APR 28 2009
PAPERS NUMBER
COUNTY CLERK'S OFFICE
NEW YORK

Cross-Motion: Yes No

Upon the petitioner's oral application for a temporary stay of arbitration pending the determination of the petition to permanently stay arbitration and the Court having heard oral argument, it is hereby

ORDERED, that the application is granted and the arbitration is temporarily stayed pending the Court's determination of the petition for a permanent stay of arbitration; and it is further

ORDERED, that respondent's request to submit a sur-reply is granted and such sur-reply shall be served in hand no later than April 29, 2009; and it is further

ORDERED that a copy of this order shall be served upon the arbitrator within ten (10) days of this order.

Dated: 4/22/09

O. P. Sherwood
O. PETER SHERWOOD, J.S.C.

Check one: FINAL DISPOSITION NON-FINAL DISPOSITION

Check if appropriate: DO NOT POST

MOTION/CASE IS RESPECTFULLY REFERRED TO JUSTICE FOR THE FOLLOWING REASON(S):