

Aphrodite Jewelry, Inc., respondent, v D&W Central Station Alarm Co., Inc., appellant.

98-05707

SUPREME COURT OF NEW YORK, APPELLATE DIVISION, SECOND DEPARTMENT

682 N.Y.S.2d 611; 1998 N.Y. App. Div. LEXIS 13235

**October 28, 1998, Submitted
December 7, 1998, Decided**

COUNSEL: [*1] Kirschenbaum & Kirschenbaum, P.C., Garden City, N.Y. (Kenneth Kirschenbaum of counsel), for appellant.

Preston & Wilkins, Richmond Hills, N.Y. (Gregory R. Preston of counsel), for respondent.

JUDGES: GUY JAMES MANGANO, P.J., DANIEL W. JOY, WILLIAM D. FRIEDMANN, GLORIA GOLDSTEIN, JJ. MANGANO, P.J., JOY, FRIEDMANN and GOLDSTEIN, JJ., concur.

OPINION

DECISION & ORDER ON MOTION

Motion by the appellant to stay all proceedings in the above-entitled action pending hearing and determination of an appeal from an order of the Supreme Court, Queens County, dated April 29, 1998.

Upon the papers filed in support of the motion and the papers filed in opposition thereto, it is

ORDERED that the motion is denied as academic in light of the determination of the appeal.

MANGANO, P.J., JOY, FRIEDMANN and GOLDSTEIN, JJ., concur.