

SCAN

SHORT FORM ORDER

SUPREME COURT - STATE OF NEW YORK

PRESENT:

HON. VICTOR M. ORT

Justice

TRIAL/IAS PART 37

In the Matter of the Application for a Stay of Arbitration of

ANTHONY PAOLERCIO and MICHAEL PAOLERCIO individually and d/b/a/ MICHAEL ANTHONY COMPANY

Petitioner

NASSAU COUNTY  
INDEX NO. 19905/94  
MOTION DATE:06/28/01  
MOTION SEQUENCE:005

-against-

D.J.A. ASSOCIATES, INC.,

Respondent

The following papers read on this motion:

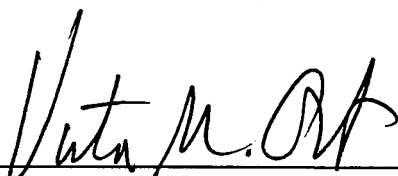
Motion to Renew and/or Re-Argue	1-9
Affirmation in Opposition to Motion to Renew and/or Reargue	10-14
Reply Affirmation	15-17

This is a motion for renewal and reargument of an application to confirm an arbitration award. By order dated October 13, 1998, Hon. Sandra Feuerstein vacated her prior order confirming the award. A prior motion for reargument of Justice Feuerstein's decision was denied by Justice Levitt.

The court notes that the arbitration award was subsequently confirmed by Justice Joseph in a separate proceeding and that an appeal from Justice Joseph's judgment is presently pending. Accordingly, on the court's own motion, this application is restored to this court's motion calendar for September 4, 2001, pending a decision by the Appellate Division on the appeal from Justice Joseph's judgment.

**SO ORDERED**

Dated: August 17, 2001

  
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Victor M. Ort, JSC

ENTER

**ENTERED**

AUG 23 2001

**NASSAU COUNTY  
COUNTY CLERK'S OFFICE**