

SHORT FORM ORDER

SUPREME COURT - STATE OF NEW YORK - NASSAU COUNTY

Present:

HON. ANTHONY L. PARGA

Justice

-----X PART 15
 PHYLLIS GANGEL and ALAN GANGEL,
 Plaintiffs.

INDEX NO. 3239/03
 [ACTION NO. 1]

-against-

MOTION DATE: 1/25/06
 SEQUENCE NO. 006, 007, 008

BANCKER CONSTRUCTION CORP.,
 VERIZON NEW YORK INC., OCEANSIDE
 UNION FREE SCHOOL DISTRICT and
 TOWN OF HEMPSTEAD,

Defendants.

-----X
 VERIZON NEW YORK, INC.,

Third-Party Plaintiff,

-against-

SIDNEY B. BOWNE & SON, LLP.,

Third-Party Defendant.

-----X
 PHYLLIS GANGEL AND ALAN GANGEL,

Plaintiffs,

-against-

INDEX NO. 11354/04
 [ACTION NO. 2]

SIDNEY B. BOWE & SON, LLP., and
 CHESTER C. KELSEY,

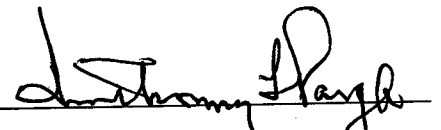
Defendants.

-----X

Notice of Motion, Affs. & Exs.....	<u>1</u>
2- Notices of Cross-Motion, Affs & Exs.....	<u>2-3</u>
2-Affirmations In Opposition & Exs.....	<u>4-5</u>
2-Reply Affirmations & Exs.....	<u>6</u>

Upon the foregoing papers it is ordered that the motion by plaintiffs for an order consolidation the two actions and the two cross-motions by defendant/third-party plaintiff Verizon for consolidation of the two actions and the cross-motion by third-party defendant Sidney B. Bowne & Son, LLP, for an order severing the third-party action against it, are denied as moot, the motions and cross-motions having been withdrawn.

Dated: March 24, 2006.


Anthony L. Parga, J.S.C.

ENTERED

APR 03 2006

**NASSAU COUNTY
COUNTY CLERK'S OFFICE**