

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in in the County of New York on May 8, 2008.

Present: Hon. David B. Saxe, Justice Presiding,
Luis A. Gonzalez
Eugene Nardelli
James M. McGuire, Justices.

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Golden Gate Yacht Club,
Plaintiff-Respondent,

-against-

M-1965 & M-2105
Index No. 602446/07

Societe Nautique De Geneve,
Defendant-Appellant,

Club Nautico Espanol De Vela,
Intervenor-Defendant.

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An appeal having been taken from the order of the Supreme Court, New York County, entered on or about March 18, 2008 (mot. seq. no. 006),

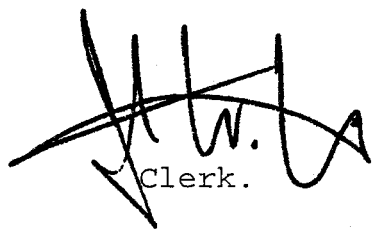
And defendant-appellant having moved for a stay of compliance and related relief including a preference in the hearing of the aforesaid appeal (M-1965),

And plaintiff-respondent having cross-moved to dismiss the aforesaid appeal, for costs and attorney's fees, and for related relief (M-2105),

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

It is ordered that the motion is denied. The cross motion is denied without prejudice to plaintiff addressing the issues in their respondent's brief.

ENTER:


Clerk.