

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 30, 2010.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
David Friedman
James M. McGuire, Justices.

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Columbus 95th Street, LLC,
Petitioner-Appellant,

-against-

M-738
Index No. 113148/07

New York State Division of Housing
and Community Renewal,
Respondent-Respondent,

Columbus House Tenants Association,
et al.,
Intervenors-Respondents-
Respondents,

The Attorney General of the State of
New York,
Statutory Intervenor-Respondent-
Respondent.

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An appeal having been taken from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about December 4, 2009,

And petitioner-appellant having moved to stay enforcement of the aforesaid order and judgment (one paper) and all administrative hearings with respect thereto, pending hearing and determination of the aforesaid appeal;

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

It is ordered that the motion is granted to the extent of staying all proceedings with respect to rent adjustment at issue in appellant's petition, and at issue in *Matter of Highbridge House Ogden, et al. v DHCR*, N.Y. Co. Index No. 100845/08, on condition that the appeal is perfected on or before July 12, 2010 for the September 2010 Term. Upon failure to so perfect, an order vacating the stay may be entered ex parte, provided that respondent(s) serve a copy of this order upon appellant within 10 days after the date of entry hereof.

ENTER:


- Clerk