

At a term of the Appellate Term of the Supreme Court
of the State of New York for the 9th & 10th Judicial Districts

7094

FRANCIS A. NICOLAI, P.J.
DENISE F. MOLIA
ANGELA G. IANNACCI, JJ.

FEB 23 2010

DECEMBER 16, 2009 TERM
2008-01427 W C

-----X
JOHN McFADDEN,

Respondent,

-against-

Lower Court #
SP-651/89

DORIS L. SASSOWER,

Tenant,

-and-

ELENA SASSOWER,

Appellant.
-----X

The above named appellant having appealed to this court from an **ORDER, FINAL JUDGMENT and WARRANT** of the **CITY COURT, CITY OF WHITE PLAINS, WESTCHESTER COUNTY** dated and entered on **JULY 3, 2008, JULY 21, 2008 and JULY 21, 2008** respectively, and the said appeals having been **argued by APPELLANT IN PERSON** and **argued by LEONARD A. SCLAFANI, ESQ.** counsel for the respondent and due deliberation having been had thereon; it is hereby,

ORDERED AND ADJUDGED that the appeals from the order dated July 3, 2008 and the warrant are dismissed; and it is further,

ORDERED AND ADJUDGED that the final judgment is reversed without costs, the order dated September 18, 1989 denying the tenants' motion to dismiss the March 27, 1989 petition, and the order dated July 3, 2008 granting the landlord's motion for summary judgment are vacated, the landlord's motion for summary judgment is denied, and the tenants' motion to dismiss the March 27, 1989 petition is granted.


Molia and Iannacci, JJ., concur.

Nicolai, P.J., taking no part.

ELENA SASSOWER
c/o KARMEL
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NEW YORK, NEW YORK 10028

ENTER:

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PAUL KENNY
CHIEF CLERK
APPELLATE TERM

EX N-2