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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 February 19, 2009.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
John T. Buckley
Rolando T. Acosta
Dianne T. Renwick
Leland G. DeGrasse, Justices.

-----x
Susan Charney,

Plaintiff,

-against-

M-158
Index No. 24517/88

Judith Herskowitz,

Defendant,

North Jersey Trading Corp., et al.,

Defendants.
-----x

An order of this Court having been entered on September 2, 2008 (M-3603), dismissing defendant Judith Herskowitz's appeal from the order of the Supreme Court, New York County, entered on or about August 1, 2007,

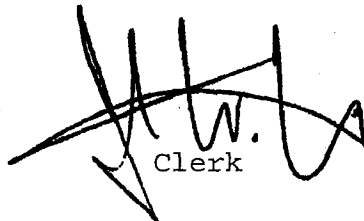
And an order of this Court having been entered on December 9, 2008 (M-4771), denying defendant Judith Herskowitz's motion for vacature of the order dismissing the aforesaid appeal and for reinstatement of said appeal,

And defendant Judith Herskowitz having now moved in the nature of reargument,

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 denied.

ENTER:


Clerk