

**UNITED STATES COURT OF APPEALS
FOR THE
SECOND CIRCUIT**

At a Stated Term of the United States Court of Appeals for the Second Circuit, held at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, in the City of New York, on the 15th day of October, two thousand ten.

Before: Gerard E. Lynch,
Circuit Judge.

ER & JR Pub, Inc., DBA LI Cafe,

Plaintiff - Appellant,

v.

The Town of Babylon, New York, by and through the
Town Board of the Town of Babylon, New York,

Defendant - Appellee.

ORDER

Docket No. 10-4080

IT IS HEREBY ORDERED that the motion by Appellant ER & JR Pub, Inc. for a stay pending appeal of the September 17, 2010 order of the Honorable Joanna Seybert of the District Court for the Eastern District of New York in Docket No. 02-cv-6025 is DENIED.

FOR THE COURT,
Catherine O'Hagan Wolfe,
Clerk


A circular seal of the United States Court of Appeals for the Second Circuit is stamped over the signature. The seal contains the text "UNITED STATES", "SECOND CIRCUIT", and "COURT OF APPEALS" around a central emblem.

Joy Fallek, Administrative Attorney

A True Copy

Catherine O'Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit


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