

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK: IAS PART 20

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In the Matter of the Application of

JOSEPH V. TOAL, as President of the
Sergeants Benevolent Association, Inc., and
the SERGEANTS BENEVOLENT ASSOCIATION, INC.,

Petitioners, Index No. 130993/93

For a Judgment Pursuant to Article 78 Decision and Order
of the Civil Practice Law and Rules

-against-

MALCOLM D. MacDONALD, as Chair of the New
York City Board of Collective Bargaining,
THE BOARD OF COLLECTIVE BARGAINING OF THE
NEW YORK CITY OFFICE OF COLLECTIVE BARGAINING,
RAYMOND KELLY, as Police Commissioner of the
City of New York, THE NEW YORK CITY POLICE
DEPARTMENT, THE NEW YORK CITY OFFICE OF
LABOR RELATIONS and THE CITY OF NEW YORK.

Respondents.

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In the Matter of the Application of

TONY GARVEY, as President and on Behalf
of the Lieutenants Benevolent Association,

Petitioners, Index No. 130985/93

For a Judgment Pursuant to Article 78
of the Civil Practice Law and Rules

-against-

MALCOLM D. MacDONALD, as Chair of the New
York City Board of Collective Bargaining,
THE BOARD OF COLLECTIVE BARGAINING OF THE
NEW YORK CITY OFFICE OF COLLECTIVE
BARGAINING, RAYMOND KELLY, as Police
Commissioner of the City of New York,
THE NEW YORK CITY POLICE DEPARTMENT,
THE NEW YORK CITY OFFICE OF LABOR
RELATIONS and THE CITY OF NEW YORK.

Respondents.

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JOAN B. LOBIS, J.S.C.

All of the parties in the above captioned Article 78 proceedings have entered into a stipulation consenting to the consolidation of the proceedings and to the transfer of the proceedings to the First Department on the ground that they present a substantial evidence question. Based on the stipulation of the parties and the court's review of the file,

IT IS HEREBY ORDERED that the-above captioned proceedings are consolidated and the consolidated action shall bear the following caption and Index Number:

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

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JOSEPH V. TOAL, as President of the
Sergeants Benevolent Association, Inc.,
the SERGEANTS BENEVOLENT ASSOCIATION, INC.,
TONY GARVEY, as President and on Behalf
of the Lieutenants Benevolent Association,

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MALCOLM D. MacDONALD, as Chair of the New
York City Board of Collective Bargaining,
THE BOARD OF COLLECTIVE BARGAINING OF THE
NEW YORK CITY OFFICE OF COLLECTIVE
BARGAINING, RAYMOND KELLY, as Police
Commissioner of the City of New York,
THE NEW YORK CITY POLICE DEPARTMENT,
THE NEW YORK CITY OFFICE OF LABOR
RELATIONS and THE CITY OF NEW YORK.

Respondents.

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AND IT IS FURTHER ORDERED that the pleadings in the proceedings hereby consolidated shall stand as the pleadings in the consolidated action;

AND IT IS FURTHER ORDERED that upon service on the clerk of this court of this order with notice of entry, the clerk shall consolidate the papers in the proceeding hereby consolidated and shall mark his or her records to reflect the consolidation;

AND IT IS FURTHER ORDERED that a copy of this order with notice of entry shall also be served upon the clerk of the Trial Support Office (Room 158), who is hereby directed to mark his or her records to reflect the consolidation;

AND IT IS FURTHER ORDERED that this consolidated proceeding is hereby transferred to the Appellate Division, First Department, pursuant to CPLR §§ 7803(4) and 7804(g) upon compliance with the rules.

This constitutes the decision and order of the court.

Dated February 15, 1994

J. S . C