

SUPREME COURT OF THE STATE OF NEW YORK  
Appellate Division, Fourth Judicial Department

MOTION NO. 721/07  
DOCKET NO. CA 06-03704

PRESENT: GORSKI, J.P., SMITH, CENTRA, LUNN, AND FAHEY, JJ.

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IN THE MATTER OF WAL-MART STORES, INC. AND WAL-MART STORES EAST,  
L.P., PETITIONERS-RESPONDENTS,

V

STATE OF NEW YORK, EXECUTIVE DEPARTMENT, DIVISION OF HUMAN  
RIGHTS, RESPONDENT-APPELLANT.

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Petitioners having moved for leave to appeal to the Court of Appeals from the order of this Court entered June 8, 2007,

Now, upon reading and filing the affirmation of Joel L. Finger dated July 19, 2007, the notice of motion with proof of service thereof, the opposing affirmation of Michael K. Swirsky dated July 24, 2007, and due deliberation having been had thereon,

**It is hereby ORDERED** that the motion be, and the same hereby is, denied.

Entered: September 28, 2007

JOANN M. WAHL, Clerk