

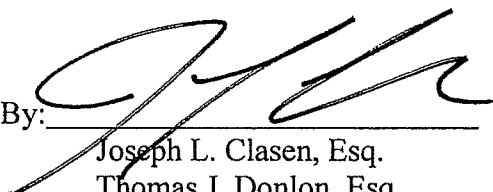
SUPREME COURT OF THE STATE OF NEW YORK
APPELLATE DIVISION: SECOND JUDICIAL DEPARTMENT

-----X
:
GYRODYNE COMPANY OF AMERICA, INC., :
:
Respondent, : Docket Nos.: 2010-08950
:
-against- : 2011-02295
:
THE STATE OF NEW YORK, : 2011-02298
:
Appellant. : **NOTICE OF ENTRY**
:
-----X

PLEASE TAKE NOTICE that the Decision & Order, a true copy of which is annexed
hereto, was entered on February 17, 2012.

Dated: New York, New York
February 21, 2012

ROBINSON & COLE LLP

By: 
Joseph L. Clasen, Esq.
Thomas J. Donlon, Esq.
Attorneys for Plaintiff
Gyrodyne Company of America, Inc.
885 Third Avenue, Suite 2800
New York, NY 10022
212-451-2900

TO:
Robert C. Weisz, Esq.
State of New York
Office of the Attorney General
120 Broadway, 25th Floor
New York, New York 10271
(212) 416-6325

Supreme Court of the State of New York
Appellate Division: Second Judicial Department

M133190
E/sl

PETER B. SKELOS, J.P.
RUTH C. BALKIN
JOHN M. LEVENTHAL
PLUMMER E. LOTT, JJ.

2010-08950, 2011-02295, 2011-02298

DECISION & ORDER ON MOTION

Gyrodyne Company of America, Inc., respondent,
v State of New York, appellant.

(Claim No. 112279)


Motion by the appellant for leave to reargue appeals from a judgment of the Court of Claims dated August 17, 2010, an order of the same court dated December 14, 2010, and a money judgment of the same court dated February 9, 2011, which were determined by decision and order of this Court dated November 22, 2011, or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court.

Upon the papers filed in support of the motion and the papers filed in opposition thereto, it is

ORDERED that the motion is denied, with \$100 costs.

SKELOS, J.P., BALKIN, LEVENTHAL and LOTT, JJ., concur.

ENTER:


Aprilanne Agostino
Clerk of the Court

February 17, 2012

GYRODYNE COMPANY OF AMERICA, INC. v STATE OF NEW YORK

SUPREME COURT OF THE STATE OF NEW YORK
APPELLATE DIVISION SECOND DEPARTMENT


| | | |
|------------------------------------|---|-----------------------------|
| ----- | | X |
| GYRODYNE COMPANY OF AMERICA, INC., | : | Docket Nos.: 2010-08950 |
| | : | 2011-02295 |
| | : | 2011-02298 |
| Respondent, | : | |
| | : | |
| -against- | : | AFFIDAVIT OF SERVICE |
| | : | |
| THE STATE OF NEW YORK, | : | |
| | : | |
| Appellant. | : | |
| ----- | | X |

STATE OF NEW YORK)
) ss.:
COUNTY OF NEW YORK)

Leigh Colihan, being duly sworn, deposes and says that deponent is not a party to the action, is over 18 years of age, and resides in Wilton, Connecticut.

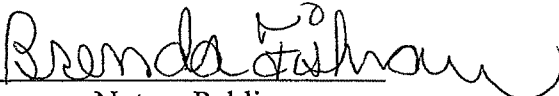
On February 21, 2012, I served a copy of the annexed **NOTICE OF ENTRY**, via Federal Express, addressed to:

Robert C. Weisz, Esq.
State of New York
Office of the Attorney General
120 Broadway, 25th Floor
New York, NY 10271



Leigh Colihan

Sworn to before me this
21st day of February 2012.



Notary Public

Brenda Fishman
Notary Public, State of New York
No. 01FIG042451
Qualified in Queens County
My Commission Expires 03-30-2014