

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

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E/sl

ROBERT A. SPOLZINO, J.P.
FRED T. SANTUCCI
RANDALL T. ENG
JOHN M. LEVENTHAL, JJ.

2007-10268

DECISION & ORDER ON MOTION

Joshua D. Rogowsky, et al., appellants,
v Peter McGarry, respondent.

(Index No. 4519-07)

Motion by the respondent on an appeal from an order of the Supreme Court, Suffolk County, dated September 20, 2007, to strike the record on appeal as inadequate or to direct the appellants to serve and file a supplemental record, and to enlarge his time to serve and file a brief.

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


ORDERED that the branch of the motion which is to strike the record on appeal as inadequate or to direct the appellants to serve and file a supplemental record is denied; and it is further,

ORDERED that the branch of the motion which is to enlarge the respondent's time to serve and file a brief is granted, the respondent's time to serve and file a brief is enlarged until July 16, 2008, and the respondent's brief must be served and filed on or before that date; and it is further,

ORDERED that the appellants' time to serve and file a reply brief is enlarged until August 7, 2008, and the reply brief, if any, must be served and filed on or before that date.

SPOLZINO, J.P., SANTUCCI, ENG and LEVENTHAL, JJ., concur.

ENTER:


James Edward Pelzer
Clerk of the Court

June 5, 2008

ROGOWSKY v McGARRY