

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

M71550
E/sl

ROBERT A. SPOLZINO, J.P.
DAVID S. RITTER
THOMAS A. DICKERSON
JOHN M. LEVENTHAL, JJ.

2007-05371

DECISION & ORDER ON MOTION

Edgar Gluck, et al., appellants,
v Chevre Liady Nusach Hoary, et al.,
respondents.

(Index No. 07-320)

Motion by the respondent Chevre Liady Nusach Hoary to strike the appellants' reply brief on an appeal from an order of the Supreme Court, Rockland County, dated April 30, 2007, on the ground that "it relies on evidence expressly excluded from the record".

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

ORDERED that the motion is denied.

SPOLZINO, J.P., RITTER, DICKERSON and LEVENTHAL, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

June 9, 2008

GLUCK v CHEVRE LIADY NUSACH HOARY