

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

M71864
E/sl

DAVID S. RITTER, J.P.
HOWARD MILLER
MARK C. DILLON
WILLIAM E. McCARTHY, JJ.

2008-02566

DECISION & ORDER ON MOTION

In the Matter of Board of Education of Yonkers
Public Schools, petitioner, v New York State
Division of Human Rights, et al., respondents.

(Index No. 07-9754)

Motion by the respondents to dismiss a proceeding pursuant to CPLR article 78 which was transferred to this court by order of the Supreme Court, Westchester County, entered October 17, 2007, for failure to timely perfect. Cross motion by the petitioner to enlarge the time to perfect the proceeding.

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

ORDERED that the cross motion is granted, the petitioner's time to perfect the proceeding is enlarged until August 12, 2008, and the petitioner's record or appendix and brief must be served and filed on or before that date; and it is further,

ORDERED that the motion is denied.

RITTER, J.P., MILLER, DILLON and McCARTHY, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

June 13, 2008

MATTER OF BOARD OF EDUCATION OF YONKERS PUBLIC SCHOOLS v NEW YORK
STATE DIVISION OF HUMAN RIGHTS