

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

M71868
E/sl

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

2007-10725

DECISION & ORDER ON MOTION

Rita Katanova, appellant,
v Eastern Metalworks, Inc., et al., defendants
third-party plaintiffs-respondents; Nikolay
N. Katavov, third-party defendant-respondent.

(Index No. 18852/99)

Motion by the respondents to dismiss an appeal from a judgment of the Supreme Court, Queens County, entered November 5, 2007, inter alia, on the ground that “th[e] appeal . . . seeks to improperly appeal from a non-appealable order”. Application by the appellant pursuant to 22 NYCRR 670.8(d)(2) to enlarge the time to perfect the appeal.

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

ORDERED that the motion is denied; and it is further,

ORDERED that the application is granted and the appellant’s time to perfect the appeal is enlarged until July 16, 2008, and the record or appendix on the appeal and the appellant’s brief must be served and filed on or before that date.

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

ENTER:


James Edward Pelzer
Clerk of the Court

June 13, 2008

KATANOVA v EASTERN METALWORKS, INC.