

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

M72622
E/sl

ROBERT A. SPOLZINO, J.P.
ROBERT A. LIFSON
THOMAS A. DICKERSON
CHERYL E. CHAMBERS, JJ.

2007-08818

DECISION & ORDER ON MOTION

Kimber Mfg., Inc., plaintiff-respondent-appellant,
v Rudy Hanzus, et al., defendants-respondents,
Thomas Pesick, et al., defendants third-party
plaintiffs-appellants-respondents; Equity Share
II Associates, third-party defendant-respondent-
appellant.

(Index No. 04-3614)

Motion by Kimber Mfg., Inc., to enlarge the time to serve and file an answering brief, including its points of argument on the cross appeal (*see* 22 NYCRR 670.8[c][3]), on an appeal and cross appeals from an order of the Supreme Court, Westchester County, entered August 16, 2007.

Upon the papers filed in support of the motion and no papers having been filed in opposition or in relation thereto, it is

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

ORDERED that time of Kimber Mfg., Inc., to serve and file an answering brief, including the points of argument on the cross appeal (*see* 22 NYCRR 670.8[c][3]), is enlarged until July 8, 2008, and the answering brief of Kimber Mfg., Inc., must be served and filed on or before that date.

SPOLZINO, J.P., LIFSON, DICKERSON and CHAMBERS, JJ., concur.

ENTER:


James Edward Pelzer
Clerk of the Court

July 2, 2008

KIMBER MFG., INC. v HANZUS