

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

M76560  
S/sl

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2008-03118

ORDER ON APPLICATION

Brian Leary, plaintiff-respondent,  
v Bufftech et al., defendants, Brooklyn  
Fence Distributors, Inc., defendant second-  
third-party plaintiff-appellant; John Kenny,  
et al., second-third-party defendants-respondents  
(and another third-party action).

(Index No. 35765/04)

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Application by the appellant pursuant to 22 NYCRR 670.8(d)(2) to enlarge the time to perfect an appeal from an order of the Supreme Court, Kings County, dated February 26, 2008.

ORDERED that the application is granted and the appellant's time to perfect the appeal is enlarged until October 29, 2008, and the record or appendix on the appeal and the appellant's brief must be served and filed on or before that date.

ENTER:



James Edward Pelzer  
Clerk of the Court

October 1, 2008

LEARY v BUFFTECH