

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

M77672
E/cb

A. GAIL PRUDENTI, P.J.
WILLIAM F. MASTRO
STEVEN W. FISHER
MARK C. DILLON, JJ.

2007-08958

DECISION & ORDER ON MOTION

Donald Reed, appellant, v Eugene Grossi,
etc., et al., respondents.

(Index No. 5612/03)

Motion by the respondents to strike the record and appellant's brief on an appeal from an order of the Supreme Court, Kings County, dated August 17, 2007, on the ground that they contain or refer to matter de hors 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; and it is further,

ORDERED that the respondents' time to serve and file a brief is enlarged until November 26, 2008, and the respondents' brief must be served and filed on or before that date.

PRUDENTI, P.J., MASTRO, FISHER and DILLON, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

October 27, 2008

REED v GROSSI