

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

M78038
E/sl

REINALDO E. RIVERA, J.P.
ROBERT A. LIFSON
RANDALL T. ENG
CHERYL E. CHAMBERS, JJ.

2008-05065

DECISION & ORDER ON MOTION

In the Matter of John Adams, et al., appellants,
v Zoning Board of Appeals of Town of East
Fishkill, et al., respondents.

(Index No. 7806/07)

Motion by Corbally, Gartland and Rappleyea, LLP, the attorneys for the respondent Lillian Cay-Fields, for leave to withdraw as counsel on an appeal from a judgment of the Supreme Court, Dutchess County, dated May 15, 2008, and to enlarge her time to serve and file a brief. Application by the respondents Zoning Board of Appeals of the Town of East Fishkill and the Town Board of East Fishkill pursuant to 22 NYCRR 670.8(d)(2) to enlarge their time to serve and file a brief.

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

ORDERED that the branch of the motion which is for leave to withdraw as counsel is granted, and Corbally, Gartland and Rappleyea, LLP, is relieved from representing the respondent Lillian Cay-Fields with respect to the instant appeal; and it is further,

ORDERED that on or before November 17, 2008, Corbally, Gartland and Rappleyea, LLP, is directed to serve its client by one of the methods specified in CPLR 2103(c), with a copy of this decision and order on motion and shall file proof of such service with the Clerk of this court; and it is further,

ORDERED that no further proceedings shall be taken against the respondent Lillian Cay-Fields, without leave of the court, until the expiration of 30 days after service upon her of a copy of this decision and order on motion; and it is further,

November 3, 2008

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ORDERED that the branch of the motion which is to enlarge the time to serve and file a brief and the application are granted, the respondents' time to serve and file their briefs is enlarged until January 16, 2009, and the respondents' briefs must be served and filed on or before that date; and it is further,

ORDERED that no further enlargement of time shall be granted.

RIVERA, J.P., LIFSON, ENG and CHAMBERS, JJ., concur.

ENTER:


James Edward Pelzer
Clerk of the Court