

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

M78693  
E/sl

ROBERT A. LIFSON, J.P.  
WILLIAM E. McCARTHY  
THOMAS A. DICKERSON  
JOHN M. LEVENTHAL, JJ.

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2007-05775

DECISION & ORDER ON MOTION

Douglas Shindler, et al., respondents-appellants,  
v Arvin Warf, et al., respondents, Skwere Mosdos,  
Inc., et al., appellants-respondents.

(Index No. 17584/04)

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Separate motions by the appellants-respondents Skwere Mosdos, Inc., and Camp Bnos Skwere and the respondents-appellants, in effect, to vacate a decision and order on motion of this court dated February 8, 2008, granting applications for leave to withdraw appeals and a cross appeal from an order of the Supreme Court, Kings County, dated May 30, 2007, and to reinstate the appeals and cross appeal.

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

ORDERED that the motion is granted, the decision and order on motion of this court dated February 8, 2008, is recalled and vacated, and the appeals and cross appeal are reinstated; and it is further,

ORDERED that the time to perfect the appeals is enlarged until January 20, 2009, and the joint record or appendix on appeal (*see* 22 NYCRR 670.8[c][1]) and the appellants-respondents' briefs must be served and filed on or before that date; and it is further,

ORDERED that the respondents-appellants shall serve and file their answering brief, including their points of argument on the cross appeal, in accordance with the rules of the court (*see*

November 20, 2008

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22 NYCRR 670.8[c][3]);and it is further,

ORDERED that no further enlargement of time shall be granted.

LIFSON, J.P., McCARTHY, DICKERSON and LEVENTHAL, JJ., concur.

ENTER:

  
James Edward Pelzer  
Clerk of the Court