

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

M78814
E/sl

2008-02605

ORDER ON APPLICATION

David R. Caplan, appellant-respondent,
v Lawrence E. Tofel, et al., respondents-
appellants.

(Index No. 8694/07)

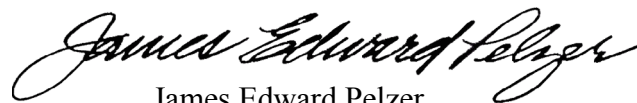
Application by the appellant-respondent pursuant to 22 NYCRR 670.8(d)(2) to enlarge the time to perfect an appeal and cross-appeal from an order of the Supreme Court, Dutchess County, dated February 22, 2008.

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

ORDERED that the appellant-respondent's time to perfect the appeal is enlarged until December 18, 2008, and the joint record on the appeal (*see* 22 NYCRR 670.8[c][1]) and the appellant-respondent's brief 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 this court (*see* 22 NYCRR 670.8[c][3]).

ENTER:



James Edward Pelzer
Clerk of the Court

November 20, 2008

CAPLAN v TOFEL