

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

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REINALDO E. RIVERA, J.P.
DANIEL D. ANGIOLILLO
EDWARD D. CARNI
RANDALL T. ENG, JJ.

2008-08326

DECISION & ORDER ON MOTION

Josif Uvaydov, appellant,
v Victoria Wexley, respondent.

(Index No. 23425/99)

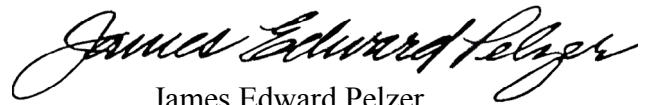
Appeal by Josif Uvaydov from an order of the Supreme Court, Queens County, dated July 29, 2008. By order to show cause dated November 5, 2008, the parties or their attorneys were directed to show cause before this court why an order should or should not be made and entered dismissing the appeal in the above-entitled proceeding for failure to comply with a scheduling order dated September 18, 2008, issued pursuant to 22 NYCRR 670.4(a)(2).

Now, on the court's own motion, the papers filed in response to the order to show cause, and upon the perfection of the appeal, it is

ORDERED that the motion is denied.

RIVERA, J.P., ANGIOLILLO, CARNI and ENG, JJ., concur.

ENTER:


James Edward Pelzer
Clerk of the Court

November 28, 2008

UVAYDOV v WEXLEY