

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

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E/sl

STEVEN W. FISHER, J.P.
ANITA R. FLORIO
EDWARD D. CARNI
CHERYL E. CHAMBERS, JJ.

2008-00647

DECISION & ORDER ON MOTION

Susan Boglia, appellant, v Edward C.
Greenberg, et al., respondents.

(Index No. 14069/05)

Motion by the appellant to strike stated portions of the respondents' brief on an appeal from an order of the Supreme Court, Nassau County, entered December 27, 2007, and to enlarge the time to serve and file a reply brief.

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


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

ORDERED that the material starting on the bottom of page 15 with the words "Plaintiff also filed" through the end of that page and all of the material on page 16 is stricken, and on or before December 16, 2008, the respondents shall delete or remove that material from the copies of the briefs filed with the Clerk of the court or serve and file a replacement brief that does not contain the stricken material; and it is further,

ORDERED that the appellant's time to serve and file a reply brief is enlarged until January 15, 2009, and the reply brief must be served and filed on or before that date.

FISHER, J.P., FLORIO, CARNI and CHAMBERS, JJ., concur.

ENTER:


James Edward Pelzer
Clerk of the Court

December 2, 2008

BOGLIA v GREENBERG