

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

M79472
E/sl

WILLIAM F. MASTRO, J.P.
STEVEN W. FISHER
FRED T. SANTUCCI
JOSEPH COVELLO, JJ.

2008-04349

DECISION & ORDER ON MOTION

Man Choi Chiu, et al., respondents-appellants,
v Winston Chiu, etc., et al., appellants-respondents.

(Index No. 21170/02)

Motion by the respondents-appellants, inter alia, to strike stated portions of the appellants-respondents' brief and the joint record on an appeal and cross appeal from an amended judgment of the Supreme Court, Queens County, dated April 18, 2008, and to enlarge their time to serve and file an answering brief, including their points of argument on the cross appeal (*see* 22 NYCRR 670.8[c][3]).

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

ORDERED that the branch of the motion which is to enlarge the time to serve and file an answering brief, including the points of argument on the cross appeal (*see* 22 NYCRR 670.8[c][3]), is granted, and the respondents-appellants shall serve and file their answering brief on or before January 5, 2009; and it is further,

ORDERED that the remainder of the motion is held in abeyance and referred to the panel of Justices hearing the appeal for determination upon the argument or submission thereof.

MASTRO, J.P., FISHER, SANTUCCI and COVELLO, JJ., concur.

ENTER:


James Edward Pelzer
Clerk of the Court

December 5, 2008

MAN CHOI CHIU v CHIU