

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

M79483  
E/sl

PETER B. SKELOS, J.P.  
HOWARD MILLER  
EDWARD D. CARNI  
WILLIAM E. McCARTHY, JJ.

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2008-03701

DECISION & ORDER ON MOTION

In the Matter of Formica Construction, Inc.,  
et al., respondents, v Jonathan Mintz, etc., et al.,  
appellants.

(Index No. 80357/07)

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Motion by the respondents on an appeal from an order of the Supreme Court, Richmond County, dated March 17, 2008, to enlarge the record to include two documents and to enlarge the time to serve and file a brief.

Upon the papers filed in support of the motion and no papers having been filed in opposition or in relation thereto, it is

ORDERED that the branch of the motion which is to enlarge the record is denied; and it is further,

ORDERED that the branch of the motion which is to enlarge the time to serve and file a brief is granted, the respondents' time to serve and file a brief is enlarged until December 19, 2008, and the respondents' brief must be served and filed on or before that date.

SKELOS, J.P., MILLER, CARNI and McCARTHY, JJ., concur.

ENTER:

  
James Edward Pelzer  
Clerk of the Court

December 8, 2008

MATTER OF FORMICA CONSTRUCTION, INC. v MINTZ