

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

M79872
E/cb

2008-05855

ORDER ON APPLICATION

Melvin Benjamin, et al., respondents,
v James Noto, appellant.

(Index No. 9343/06)

Application by the appellant pursuant to 22 NYCRR 670.8(d)(2) to enlarge the time to perfect an appeal from an order of the Supreme Court, Suffolk County, dated March 13, 2008.

ORDERED that the application is granted and the appellant's time to perfect the appeal is enlarged until January 20, 2009, and the record or appendix on the appeal and the appellant's brief must be served and filed on or before that date.

ENTER:



James Edward Pelzer
Clerk of the Court

December 12, 2008

BENJAMIN v NOTO