

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

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M/cb

MARK C. DILLON, J.P.
ANITA R. FLORIO
RUTH C. BALKIN
LEONARD B. AUSTIN, JJ.

2009-00711, 2009-00717

DECISION & ORDER ON MOTION

Lawrence C. Nusbaum, appellant,
v Susan Nusbaum, respondent.

(Index No. 07-12602)

Appeals by Lawrence C. Nusbaum from two orders of the Supreme Court, Westchester County, entered January 13, 2009, and January 15, 2009, respectively. By order to show cause dated March 31, 2009, the parties or their attorneys were directed to show cause why an order should or should not be made and entered dismissing the appeals in the above-entitled proceeding for failure to comply with a scheduling order dated February 18, 2009, issued pursuant to 22 NYCRR 670.4(a)(2).

Now on the court's own motion, and the papers filed in relation thereto, it is

ORDERED that the appeals are dismissed, without costs or disbursements, for failure to comply with a scheduling order dated February 18, 2009, issued pursuant to 22 NYCRR 670.4(a)(2).

DILLON, J.P., FLORIO, BALKIN and AUSTIN, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

May 1, 2009

NUSBAUM v NUSBAUM