

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

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E/cb

PETER B. SKELOS, J.P.
STEVEN W. FISHER
ARIEL E. BELEN
PLUMMER E. LOTT, JJ.

2008-11267

DECISION & ORDER ON MOTION

Frank Cervera, appellant,
v Rossanna Bressler, respondent.

(Index No. 97-8683)

Motion by the respondent for leave to file a supplemental record on an appeal from an order of the Supreme Court, Westchester County, entered December 2, 2008, containing certain documents. Cross motion by the appellant to strike stated portions of the respondent's brief.

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

ORDERED that the motion is granted and on or before May 11, 2009, the respondent shall serve and file a supplemental record containing the following documents:

- (1) order of the Supreme Court, Westchester County, dated May 20, 2008;
- (2) order of the Supreme Court, Westchester County, dated June 10, 2008;
- (3) Appearance Detail of the Supreme Court, Westchester County, for Index No. 8683/1997;
- (4) the transcript of the proceedings on September 9, 2008;
- (5) order to show cause of the Supreme Court, Westchester County, dated May 24, 2007;
- (6) the appellant's affidavit dated May 21, 2007; and
- (7) letter from Faith G. Miller dated May 16, 2008; and it is further,

May 4, 2009

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ORDERED that the cross motion is denied.

SKELOS, J.P., FISHER, BELEN and LOTT, JJ., concur.

ENTER:

A handwritten signature in black ink, reading "James Edward Pelzer". The signature is written in a cursive, flowing style.

James Edward Pelzer
Clerk of the Court