

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

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WILLIAM F. MASTRO, J.P.
REINALDO E. RIVERA
THOMAS A. DICKERSON
PLUMMER E. LOTT, JJ.

2008-04909, 2008-04910, 2008-10833

DECISION & ORDER ON MOTION

J. J. Cassone Bakery, Inc., respondent,
v Neri's Land Improvement, LLC, et al.,
appellants, et al., defendant.

(Index No. 07-2299)

2008-00282

Neri's Land Improvement, LLC, et al.,
appellants, v J. J. Cassone Bakery, Inc.,
respondent.

(Index No. 06-22775)

Motion by the respondent to dismiss appeals from three orders of the Supreme Court, Westchester County, entered April 9, 2008, April 14, 2008, and October 29, 2008, respectively, on the ground that the record on appeal is inadequate. Cross motion by the appellants to calendar the above appeals together with an appeal from an order of the same court entered December 11, 2007 (Appellate Division Docket No. 2008-00282).

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 denied; and it is further,

May 7, 2009

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ORDERED that the cross motion is granted and the appeals will be calendared together and will be argued or submitted on the same day.

MASTRO, J.P., RIVERA, DICKERSON and LOTT, JJ., concur.

ENTER:

A handwritten signature in black ink, reading "James Edward Pelzer". The signature is written in a cursive style with a large, looping initial "J".

James Edward Pelzer
Clerk of the Court