

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

M86302  
E/cb

ANITA R. FLORIO, J.P.  
JOSEPH COVELLO  
RUTH C. BALKIN  
LEONARD B. AUSTIN, JJ.

---

2008-03502, 2008-06792

DECISION & ORDER ON MOTION

Griswold Special Care of New York, Inc.,  
respondent, v Executive Nurses Home Care,  
Inc., appellant.

(Index No. 17947/07)

---


Motion by the appellant on appeals from an order of the Supreme Court, Nassau County, entered April 3, 2008, and a judgment of the same court dated June 12, 2008, to deem a notice of appeal from the order to be a notice of appeal from a judgment of the same court dated April 9, 2008.

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

ORDERED that the motion is granted and the notice of appeal from the order is deemed to be a notice of appeal from the judgment dated April 9, 2008 (*see* CPLR 5512[a]).

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

ENTER:

  
James Edward Pelzer  
Clerk of the Court

May 7, 2009

GRISWOLD SPECIAL CARE OF NEW YORK, INC. v  
EXECUTIVE NURSES HOME CARE, INC.