

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

M86463  
E/cb

ROBERT A. SPOLZINO, J.P.  
DANIEL D. ANGIOLILLO  
JOHN M. LEVENTHAL  
PLUMMER E. LOTT, JJ.

---

2008-07487

DECISION & ORDER ON MOTION  
Motion to Dismiss Appeal

George Benetos, et al., appellants,  
v Mark S. Bershad, respondent.

(Index No. 10774/06)

---

Motion by the respondent to dismiss an appeal from a judgment of the Supreme Court, Nassau County, dated July 19, 2008, for failure to timely perfect.

Upon the papers filed in support of the motion and no papers having been filed in opposition or in relation thereto, it is

ORDERED that the motion is granted and the appeal is dismissed, without costs or disbursements, for failure to timely perfect in accordance with the rules of this court (*see* 22 NYCRR 670.8[e]).

SPOLZINO, J.P., ANGIOLILLO, LEVENTHAL and LOTT, JJ., concur.

ENTER:



James Edward Pelzer  
Clerk of the Court

May 12, 2009

BENETOS v BERSHAD