

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

M86891  
J/sl

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2008-05508

ORDER ON APPLICATION

De Paulis Holding Corp., respondent-appellant,  
v Albert Vitale, appellant-respondent.

(Index No. 100567/06)

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Application by the respondent-appellant pursuant to 22 NYCRR 670.8(d)(2) to enlarge the time to serve and file its answering brief on an appeal and cross appeal from an order of the Supreme Court, Richmond County, dated April 28, 2008.

ORDERED that the application is granted and the respondent-appellant's time to serve and file an answering brief is enlarged until June 3, 2009, and the respondent-appellant's brief, including the points of argument on the cross appeal (*see* 22 NYCRR 67.8[c][3]), must be served and filed on or before that date.

ENTER:



James Edward Pelzer  
Clerk of the Court

May 21, 2009

De PAULIS HOLDING CORP. v VITALE