

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

M86949  
E/cb

STEVEN W. FISHER, J.P.  
HOWARD MILLER  
JOHN M. LEVENTHAL  
PLUMMER E. LOTT, JJ.

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2009-00264

DECISION & ORDER ON MOTION

New York Telephone Company, plaintiff,  
v Supervisor of Town of North Hempstead,  
et al., defendants third-party plaintiffs-appellants;  
County of Nassau, et al., third-party defendants-  
respondents.

(Index No. 12192/98)

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Separate motions by (1) Verizon New York, Inc., f/k/a New York Telephone Company, Long Island Water Corporation, and KeySpan Gas East Corporation, d/b/a National Grid, (2) Glenwood-Glen Head Garbage District and Syosset Sanitation District, and (3) Nassau Suffolk School Boards Association for leave to file amici curiae briefs on an appeal from an order of the Supreme Court, Nassau County, entered December 1, 2008.

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 motions are granted; and it is further,

ORDERED that the amici curiae briefs must be served on the parties, and nine copies filed in this court on or before June 4, 2009; and it is further,

ORDERED that no oral argument by the amici curiae shall be permitted; and it is further,

May 21, 2009

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OF TOWN OF NORTH HEMPSTEAD

ORDERED that the parties, if they be so advised, may file reply briefs to the amici curiae briefs within 10 days after service upon them of the amicus curiae brief.

FISHER, J.P., MILLER, LEVENTHAL 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