

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

M87164  
J/cb

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2008-08798

ORDER ON APPLICATION

Joseph Kraker, et al., respondents-appellants,  
v Consolidated Edison Company of New York,  
defendant third-party plaintiff second third-party  
plaintiff third third-party defendant-appellant-  
respondent; Welsbach Electric Corp., third-party  
defendant; City of New York, Inc., second third-  
party defendant-respondent; Aerolife, etc., third  
third-party defendant, Associates Leasing, Inc.,  
et al., third third-party defendant-respondent;

(Index No. 30592/01)

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Application by the respondents-appellants pursuant to 22 NYCRR 670.8(d)(2) to enlarge the time to serve and file a brief on an appeal and cross appeal from an order of the Supreme Court, Queens County, entered August 18, 2008.

ORDERED that the application is granted and the respondents-appellants' time to serve and file a brief is enlarged until June 15, 2009, and the respondents-appellants' 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; and it is further,

ORDERED that the respondents' briefs, including a brief of the respondent City of New York responding to the cross appeal, shall be served and filed on or before July 20, 2009; and it is further,

ORDERED that the appellant-respondent shall serve and file its reply brief on or before August 24, 2009, and the respondents-appellants shall serve and file their reply brief on or before September 9, 2009.

ENTER:



James Edward Pelzer  
Clerk of the Court

May 29, 2009

KRAKER v CONSOLIDATED EDISON COMPANY OF NEW YORK