

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

M87422
E/sl

PETER B. SKELOS, J.P.
DANIEL D. ANGIOLILLO
CHERYL E. CHAMBERS
PLUMMER E. LOTT, JJ.

2008-11121

DECISION & ORDER ON MOTION

Daylay Egg Farm, Inc., respondent,
v A & W Egg Company, Inc., appellant.
(Action No. 1)

A & W Egg Company, Inc., appellant,
v Daylay Egg Farm, Inc., respondent.
(Action No. 2)

(Index Nos. 10883/07, 10310/07)

Motion by the appellant, in effect, to stay enforcement of an order of the Supreme Court, Nassau County, dated October 30, 2008, pending determination of a motion for renewal and reargument pending in Supreme Court, Nassau County, and to enlarge the time to perfect the appeal.

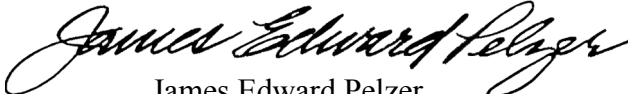
Upon the papers filed in support of the motion and the papers filed in opposition thereto, it is

ORDERED that the branch of the motion which is, in effect, to stay enforcement of the order dated October 30, 2008, is denied; and it is further,

ORDERED that the branch of the motion which is to enlarge the time to perfect the appeal is granted, the appellant's time to perfect the appeal is enlarged until August 3, 2009, and the record or appendix on the appeal and the appellant's brief must be served and filed on or before that date.

SKELOS, J.P., ANGIOLILLO, CHAMBERS and LOTT, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

June 2, 2009

DAYLAY EGG FARM, INC. v A & W EGG COMPANY, INC.