

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

M87762
E/sl

2009-00465

ORDER ON APPLICATION


Noel Smith, plaintiff-respondent,
v Merrill Lynch & Co., Inc., appellant,
Fitzgerald & Fitzgerald, et al.,
defendants-respondents.

(Index No. 9299/04)

Application by the defendant-respondent Fitzgerald & Fitzgerald pursuant to 22 NYCRR 670.8(d)(2) to enlarge the time to serve and file a brief on an appeal from an order of the Supreme Court, Nassau County, entered November 26, 2008.

ORDERED that the application is granted and the time of the defendant-respondent Fitzgerald & Fitzgerald to serve and file a brief is enlarged until July 10, 2009, and the brief of the defendant-respondent Fitzgerald & Fitzgerald must be served and filed on or before that date.

ENTER:


James Edward Pelzer
Clerk of the Court

June 12, 2009

SMITH v MERRILL LYNCH & CO., INC.