

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

M88144
E/cb

PETER B. SKELOS, J.P.
DANIEL D. ANGIOLILLO
RUTH C. BALKIN
ARIEL E. BELEN, JJ.

2008-06287

DECISION & ORDER ON MOTION

715 Ocean Parkway Owners Corporation,
appellant-respondent, v Seymour Klagsbrun,
respondent-appellant.

(Index No. 42081/03)

Motion by the respondent-appellant to supplement the record on an appeal and cross appeal from a judgment of the Supreme Court, Kings County, dated May 28, 2008, to include a certain letter dated May 28, 2008, and, in effect, to enlarge the time to serve and file an answering brief including his points of argument on the cross appeal (*see* 22 NYCRR 670.8[c][3]).

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 to supplement the record is denied; and it is further,

ORDERED that the branch of the motion which is to enlarge the time to serve and file the answering brief is granted, and the answering brief including the points of argument on the cross appeal (*see* 22 NYCRR 670.8[c][3]), shall be served and filed on or before July 17, 2009; and it is further,

ORDERED that no further enlargement of time shall be granted.

SKELOS, J.P., ANGIOLILLO, BALKIN and BELEN, JJ., concur.

ENTER:


James Edward Pelzer
Clerk of the Court

June 17, 2009

715 OCEAN PARKWAY OWNERS CORPORATION v KLAGSBRUN