

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

M88199  
E/sl

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

---

2008-08672

DECISION & ORDER ON MOTION

Steven Kinzelberg, appellant,  
v Design Quest, Ltd., et al., respondents.

(Index No. 3783/07)

---

Motion by the respondent Richard Rubens to dismiss an appeal from an order of the Supreme Court, Nassau County, entered May 14, 2008, on the ground that the record on appeal is inadequate, and to impose a sanction upon the appellant. Cross motion by the appellant to impose a sanction upon the respondents pursuant to 22 NYCRR 130-1.1 and for an attorney's fee and an award of costs.

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

ORDERED that the motion and cross motion are denied; and it is further,

ORDERED that the respondents' time to serve and file a brief is enlarged until July 20, 2009, and the respondents brief must be served and filed on or before that date; 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 19, 2009

KINZELBERG v DESIGN QUEST, LTD.