

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

M88543
E/sl

ROBERT A. SPOLZINO, J.P.
PETER B. SKELOS
MARK C. DILLON
JOHN M. LEVENTHAL, JJ.

2009-02406

DECISION & ORDER ON MOTION

In the Matter of Home Depot U.S.A., Inc.,
et al., respondents, v Town Board of Town
of Southeast, et al., appellants.

(Index Nos. 07-11725, 07-23675)

Motion by the appellant Independent Sewage Works, Inc., in effect, to amend the decision and order on motion of this court dated May 21, 2009, which, inter alia, directed that appeals from an order and judgment of the Supreme Court, Westchester County, entered February 5, 2009, be perfected on or before July 6, 2009, and to extend the time to perfect the appeals.

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

ORDERED that the motion is granted, and the decision and order on motion of this court dated May 21, 2009, is amended by deleting the date "July 6, 2009," from the third decretal paragraph of the decision and order on motion of this court dated May 21, 2009, and substituting therefor the date "July 20, 2009."

SPOLZINO, J.P., SKELOS, DILLON and LEVENTHAL, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

June 24, 2009

MATTER OF HOME DEPORT U.S.A., INC. v TOWN BOARD OF TOWN
OF SOUTHEAST