

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

M88657
E/sl

STEVEN W. FISHER, J.P.
HOWARD MILLER
DANIEL D. ANGIOLILLO
L. PRISCILLA HALL, JJ.

2008-06410, 2008-08123

DECISION & ORDER ON MOTION

Scott Webster, et al., appellants,
v James Murray, et al., defendants,
Rita Ross, respondent.

(Index No. 874/07)

Motion by the appellants to strike the respondent's brief or stated portions of the respondent's brief on appeals from an order of the Supreme Court, Putnam County, dated June 18, 2008, and a judgment of the same court entered July 17, 2008, and to enlarge the time to serve and file a reply brief. Application by the appellants pursuant to 22 NYCRR 670.8(d)(2) to enlarge the time to serve and file a reply brief.

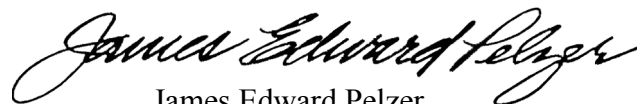
Upon the papers filed in support of the motion and the papers filed in opposition thereto, and upon the application, it is

ORDERED that the branch of the motion which is to strike the respondent's brief or stated portions of the respondent's brief is held in abeyance and referred to the panel of Justices hearing the appeal for determination upon the argument or submission thereof; and it is further,

ORDERED that the branch of the motion which is to enlarge the time to serve and file a reply brief and the application to enlarge the time to serve and file a reply brief are granted and the time to serve and file a reply brief is enlarged until July 6, 2009, and the reply brief must be served and filed on or before that date.

FISHER, J.P., MILLER, ANGIOLILLO and HALL, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

June 25, 2009

WEBSTER v MURRAY