

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

M88951
E/sl

ANITA R. FLORIO, J.P.
HOWARD MILLER
JOHN M. LEVENTHAL
PLUMMER E. LOTT, JJ.

2009-00533

DECISION & ORDER ON MOTION

George Yung Liu, respondent,
v Jing Hong Song, appellant.

(Index No. 841/01)

Motion by the respondent to dismiss an appeal from an order of the Supreme Court, Orange County, dated December 3, 2008, on the ground that the appellant “waived her right to appeal . . . by accepting . . . the benefits of the [o]rder” dated December 3, 2008. Application by the appellant pursuant to 22 NYCRR 670.8(d)(2) to enlarge the time to perfect the appeal.

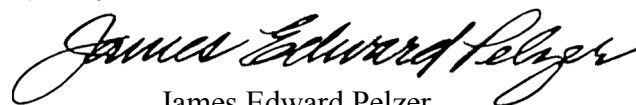
Upon the papers filed in support of the motion and the papers filed in opposition thereto, and upon the application, it is

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

ORDERED that the application is granted and the appellant’s time to perfect the appeal is enlarged until August 24, 2009, and the record or appendix on the appeal and the appellant’s brief must be served and filed on or before that date.

FLORIO, J.P., MILLER, LEVENTHAL and LOTT, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

July 14, 2009

LIU v JING HONG SONG