

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

M88953  
E/cb

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

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2008-05982

DECISION & ORDER ON MOTION

In the Matter of Edgar Wolf Levy, deceased.  
Joel Corcos Levy, appellant; David C. Levy,  
respondent.

(File No. 689/03)

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Motion by the appellant for leave to serve and file a supplemental appendix on an appeal from a decree of the Surrogate's Court, Rockland County, dated May 16, 2008. Cross motion by the respondent for an award of \$2,900 as his costs and attorney's fee incurred to prepare a respondent's appendix.

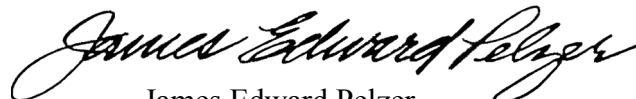
Upon the papers filed in support of the motion and the cross motion, and the papers filed in opposition thereto, it is

ORDERED that the motion is granted and on or before July 20, 2009, the appellant shall serve and file the supplemental appendix in the form submitted in connection with the motion; and it is further,

ORDERED that the cross motion is denied..

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

ENTER:



James Edward Pelzer  
Clerk of the Court

July 10, 2009

MATTER OF LEVY, DECEASED