

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

M89154  
E/sl

STEVEN W. FISHER, J.P.  
THOMAS A. DICKERSON  
ARIEL E. BELEN  
CHERYL E. CHAMBERS, JJ.

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2008-06236

DECISION & ORDER ON MOTION

In the Matter of Board of Commissioners  
of Great Neck Park District of Town of  
North Hempstead, respondent-appellant,  
v Kings Point Heights, LLC, appellant-respondent.

(Index No. 5483/01)

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Motion by the appellant-respondent to enlarge the time to perfect an appeal from a judgment of the Supreme Court, Nassau County, dated February 5, 2008.

Upon the papers filed in support of the motion and no papers having been filed in opposition or in relation thereto, it is


ORDERED that the application is granted and the appellant-respondent's time to perfect the appeal is enlarged until September 15, 2009, and the joint record or appendix on the appeal and the brief of the appellant-respondent must be served and filed on or before that date; and it is further,

ORDERED that no further enlargement of time shall be granted; and it is further,

ORDERED that the respondent-appellant shall serve and file its answering brief, including its points of argument on the cross appeal, in accordance with the rules of the court (*see* 22 NYCRR 670.8[c][3]).

FISHER, J.P., DICKERSON, BELEN and CHAMBERS, JJ., concur.

ENTER:

  
James Edward Pelzer  
Clerk of the Court

July 14, 2009

MATTER OF BOARD OF COMMISSIONERS OF GREAT NECK PARK DISTRICT OF  
TOWN OF NORTH HEMPSTEAD v KINGS POINT HEIGHTS, LLC