

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

M89273
E/sl

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

2008-01056, 2008-06994

DECISION & ORDER ON MOTION

Leyla Aslanova, et al., appellants,
v Irina Karban, etc., et al., defendants,
Lutheran Medical Center, respondent.

(Index No. 16248/05)


Motion by the respondent to dismiss appeals from an order of the Supreme Court, Kings County, dated November 13, 2007, and a judgment of the same court entered January 29, 2008, for failure to comply with a decision and order on motion of this court dated April 24, 2009, directing the appellants to strike stated portions of the appellants' appendix and the appellants' brief on the ground that they contain or refer to matter de hors the record, on or before May 26, 2009.

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 motion is granted and the appeals are dismissed, without costs or disbursements, for failure to comply with the decision and order on motion of this court dated April 24, 2009, directing the appellants to strike stated portions of the their appendix and their brief on the ground that they contain or refer to matter de hors the record, on or before May 26, 2009.

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

ENTER:


James Edward Pelzer
Clerk of the Court

July 14, 2009

ASLANOVA v KARBAN