

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

M89738
E/sl

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

2008-11057

DECISION & ORDER ON MOTION

In the Matter of Lennie Hobenson, respondent,
Willie Hobenson, respondent-appellant,
v Milana Tarnavsky, appellant-respondent.

(Docket Nos. V-6885/01, V-8513/03)

Motion by Milana Tarnavsky on an appeal and cross appeal from an order of the Supreme Court, Kings County (IDV Part), dated November 3, 2008, to enlarge the record to include certain documents. Application by Milana Tarnavsky to dismiss the cross appeal on the ground that Willie Hobenson failed to pay her the sum of \$6,143.65 and file proof of payment with the court on or before June 16, 2009, in accordance with the decision and order on motion of this court dated June 3, 2009. Application by Milana Tarnavsky pursuant to 22 NYCRR 670.8(d)(2) to enlarge the time to perfect her appeal.

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

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

ORDERED that the application to dismiss the cross appeal is granted and the cross appeal is dismissed; and it is further,

ORDERED that the application to enlarge the time to perfect the appeal is granted and the time to perfect the appeal is enlarged until September 7, 2009, and the record or appendix on the appeal and Milana Tarnavsky's brief must be served and filed on or before that date; and it is further,

July 21, 2009

MATTER OF HOBENSON v TARNAVSKY

Page 1.

ORDERED that no further enlargement of time shall be granted.

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

ENTER:

A handwritten signature in black ink, reading "James Edward Pelzer". The signature is written in a cursive style with a large, sweeping initial "J".

James Edward Pelzer
Clerk of the Court