

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

M89981
E/sl

REINALDO E. RIVERA, J.P.
RANDALL T. ENG
JOHN M. LEVENTHAL
L. PRISCILLA HALL, JJ.

2008-09316

DECISION & ORDER ON MOTION

Aleah Holland, et al., respondents,
v W.M. Realty Management, Inc., appellant.

(Index No. 28601/05)

Motion by the appellant to hold in abeyance an appeal from an order of the Supreme Court, Kings County, dated July 17, 2008, pending determination of two related appeals docketed under Appellate Division Docket Nos. 2007-11704 and 2008-06434, or to enlarge the time to perfect the appeal from the order dated July 17, 2008.

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


ORDERED that the branch of the motion which is to hold the appeal in abeyance is denied as academic in light of the determination of the related appeals (*see Holland v W.M. Realty Management, Inc.*, ___ AD3d ___ [2d Dept July 14, 2009]); and it is further,

ORDERED that the branch of the motion which is granted and the appellant's time to perfect the appeal is enlarged until August 31, 2009, and the record or appendix on the appeal and the appellant's brief must be served and filed on or before that date; and it is further,

ORDERED that no further enlargement of time shall be granted.

RIVERA, J.P., ENG, LEVENTHAL and HALL, JJ., concur.

ENTER:


James Edward Pelzer
Clerk of the Court

July 27, 2009

HOLLAND v W.M. REALTY MANAGEMENT, INC.