

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

M90398
E/sl

STEVEN W. FISHER, J.P.
THOMAS A. DICKERSON
RANDALL T. ENG
ARIEL E. BELEN, JJ.

2008-10114

DECISION & ORDER ON MOTION

Christopher Nesterczuk, et al., plaintiffs,
v Goldin Management, Inc., et al., appellants-
respondents, Alisa Construction Co., Inc.,
respondent-appellant, et al., defendant
(and a third-party action).

(Index No. 23746/04)

Motion by the appellants-respondents to enlarge the time to perfect an appeal and cross appeal from a judgment of the Supreme Court, Kings County, entered September 18, 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 it is further,


ORDERED that the appellants-respondents' time to perfect the appeal is enlarged until August 28, 2009, and the joint record or appendix on the appeal (*see* 22 NYCRR 670.8[c][1]) and the appellants-respondents' 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; and it is further,

ORDERED that the respondent-appellant shall serve and file the answering brief, including the points of argument on the cross appeal, on or before October 28, 2009 (*see* 22 NYCRR 670.8[c][3]).

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

ENTER:


James Edward Pelzer
Clerk of the Court

August 4, 2009

NESTERCZUK v GOLDIN MANAGEMENT, INC.