

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

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S/sl

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2009-01580

ORDER ON APPLICATION

Carlos Tapia, appellant-respondent, v Mario  
Genovesi & Sons, Inc., etc., respondent-appellant,  
Reale Masonry Contractors, Inc., et al., respondents.

(Index No. 07-5550)

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Application by the appellant-respondent pursuant to 22 NYCRR 670.8(d)(2) to enlarge the time to perfect an appeal from an order of the Supreme Court, Westchester County, dated December 17, 2008, and cross application by the respondent-appellant for the same relief.

ORDERED that the application and cross application are granted; and it is further,

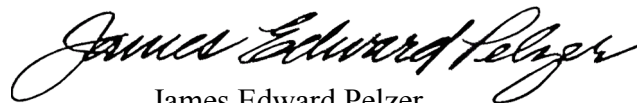
ORDERED that the appellant-respondent's time to perfect the appeal is enlarged until October 2, 2009, and the joint record or appendix on appeal (*see* 22 NYCRR 670.8[c][1]) and the appellant-respondent's brief must be served and filed on or before that date; and it is further,

ORDERED that the respondent-appellant shall serve and file its answering brief, including its points of argument on the cross appeal, on or before November 9, 2009 (*see* 22 NYCRR 670.8[c][3]); and it is further,

ORDERED that the respondent's brief shall be served and filed on or before December 14, 2009; and it is further,

ORDERED that the reply briefs of the appellant-respondent and the respondent-appellant shall be served and filed on or before December 29, 2009.

ENTER:



James Edward Pelzer  
Clerk of the Court

August 4, 2009

TAPIA v MARIO GENOVESI & SONS, INC.