

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

M90454
S/sl

ROBERT A. SPOLZINO, J.P.
STEVEN W. FISHER
HOWARD MILLER
PLUMMER E. LOTT, JJ.

2009-02179

DECISION & ORDER ON MOTION

Gail Santiago Daraio, appellant,
v Leonard Schiffman, etc., et al., respondents.

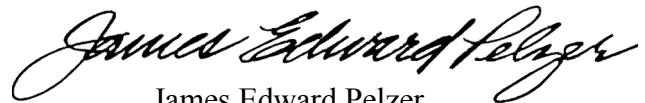
(Index No. 27856/04)

On the court's own motion, it is

ORDERED that so much of a decision and order on motion of this court, entitled "In the Matter of the Dismissal of Causes for Failure to Perfect - July 2009 Calendar", dated July 31, 2009, as dismissed an appeal from an order of the Supreme Court, Queens County, dated November 26, 2008, pursuant to 22 NYCRR 670.8(e) for failure to timely perfect, is recalled and vacated, and the appeal is reinstated.

SPOLZINO, J.P., FISHER, MILLER and LOTT, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

August 5, 2009

DARAIO v SCHIFFMAN