

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

M90510
E/sl

PETER B. SKELOS, J.P.
THOMAS A. DICKERSON
ARIEL E. BELEN
LEONARD B. AUSTIN, JJ.

2008-10689

DECISION & ORDER ON MOTION

Perry Lubov, appellant-respondent,
v Horing & Welikson, P.C., et al., respondents-
appellants.

(Index No. 15956/02)

Motion by the respondents-appellants on an appeal and cross appeal from a judgment of the Supreme Court, Nassau County, dated October 28, 2008, for leave to file their answering brief, including points of argument on the cross appeal (*see* 22 NYCRR 670.8[c][3]), based solely on a certain transcript excerpt without contributing to the cost of the joint record on appeal.

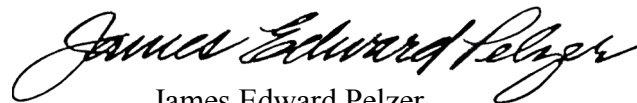
Upon the papers filed in support of the motion and the papers filed in opposition thereto, it is

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

ORDERED that the respondents-appellants shall file proof of payment of one half the cost of the joint record when filing their answering brief, including points of argument on the cross appeal (*see* 22 NYCRR 670.8[c][3]).

SKELOS, J.P., DICKERSON, BELEN and AUSTIN, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

August 7, 2009

LUBOV v HORING & WELIKSON, P.C.