

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

M90513  
E/sl

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

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2008-11146

DECISION & ORDER ON MOTION

Rock City Sound, Inc., appellant-respondent,  
v Bashian & Farber, LLP, et al., respondents-  
appellants.

(Index No. 4525/08)

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Motion by the respondents-appellants to strike the joint record on an appeal and cross-appeal from an order of the Supreme Court, Dutchess County, dated October 24, 2008, or to direct the appellant-respondent to serve and file a supplemental joint record. Application by the appellant-respondent to impose a sanction upon the respondents-appellants.

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

ORDERED that the motion is denied without prejudice to the respondents-appellants serving and filing a supplemental joint record containing an order of the Supreme Court, Dutchess County, dated January 16, 2009, on or before August 21, 2009; and it is further,

ORDERED that the application is denied.

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

ENTER:



James Edward Pelzer  
Clerk of the Court

August 7, 2009

ROCK CITY SOUND, INC. v BASHIAN & FARBER, LLP