

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

M90537  
E/sl

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

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2009-05757, 2009-05758

DECISION & ORDER ON MOTION

Jose Castillo, respondent,  
v 62-25 30<sup>th</sup> Avenue Realty, LLC, et al.,  
appellants.

(Index No. 27819/02)

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Motion by the respondent on appeals from an order of the Supreme Court, Queens County, dated February 24, 2009, and a judgment of the same court entered May 15, 2009, to compel the appellants to serve and file a supplemental record containing certain documents, and to enlarge his time to serve and file a brief.

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

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

ORDERED that on or before August 28, 2009, the appellants shall serve and file a supplemental record containing the following documents:

- (1) letter dated November 18, 2008, from Alan M. Freidman, with attached proposed judgment, structured settlement report by Creative Capital, Inc., and bill of costs material;
- (2) conformed order to show cause of the Supreme Court, Queens County, dated November 20, 2008, and affirmation of Sim Shapiro dated November 21, 2008;
- (3) affirmation of Alan M. Freidman dated December 2, 2008;
- (4) reply affirmation of Sim Shapiro dated January 5, 2009, with attached "Itemized

August 7, 2009

CASTILLO v 62-25 30<sup>TH</sup> AVENUE REALTY, LLC

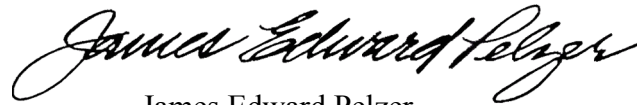
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Verdict Sheet"; and  
(5) proposed judgment of the appellants and accompanying cover letter of Kimberly A. Carpenter dated April 7, 2009; and it is further,

ORDERED that the respondent's time to serve and file a brief is enlarged until September 29, 2009, and the respondent's brief must be served and filed on or before that date.

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

ENTER:

A handwritten signature in black ink, reading "James Edward Pelzer". The signature is written in a cursive, flowing style.

James Edward Pelzer  
Clerk of the Court