

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

M90568
S/sl

2007-02649

ORDER ON APPLICATION

Judith Stein, et al., respondents,
v Warren McDowell, et al., appellants,
et al., defendant.

(Index No. 5336-01)

ORDERED that the order on application of this court dated July 29, 2009, is recalled and vacated and the following order on application is substituted therefor:

Application by the appellant *Warren McDowell* pursuant to 22 NYCRR 670.8(d)(2) to enlarge the time to perfect an appeal from an order and judgment (one paper) of the Supreme Court, Suffolk County, dated February 23, 2007.

ORDERED that the application is granted and *Warren McDowell's* time to perfect his appeal is enlarged until September 21, 2009, and the record or appendix on the appeal and *Warren McDowell's* brief must be served and filed on or before that date.

ENTER:



James Edward Pelzer
Clerk of the Court

August 10, 2009

STEIN v McDOWELL