

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

M90772  
E/sl

ANITA R. FLORIO, J.P.  
HOWARD MILLER  
RUTH C. BALKIN  
LEONARD B. AUSTIN, JJ.

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2008-05865, 2008-05866

DECISION & ORDER ON MOTION

Nick DiNozzi, appellant,  
v Anna DiNozzi, respondent.

(Index No. 74-07)

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Motion by the respondent to strike the appellant's brief on appeals from a decision of the Supreme Court, Suffolk County, dated May 20, 2008, and an order of the same court dated May 29, 2008, and to enlarge her 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 branch of the motion which is to strike the appellant's brief is denied; and it is further,

ORDERED that the branch of the motion which is to enlarge the respondent's time to serve and file a brief is granted, the respondent's time to serve and file a brief is enlarged until October 19, 2009, and the respondent's brief must be served and filed on or before that date.

FLORIO, J.P., MILLER, BALKIN and AUSTIN, JJ., concur.

ENTER:

  
James Edward Pelzer  
Clerk of the Court

August 13, 2009

DiNOZZI v DiNOZZI