

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

M90874
S/sl

2009-02188

ORDER ON APPLICATION

Ben Wilder, respondent-appellant,
v May Department Stores Company,
appellant-respondent.

(Index No. 8577/02)

Application by the appellant-respondent pursuant to 22 NYCRR 670.8(d)(2) to enlarge the time to perfect an appeal and cross appeal from an order of the Supreme Court, Queens County, dated January 22, 2009.

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

ORDERED that the appellant-respondent's time to perfect the appeal is enlarged until November 16, 2009, and the joint record or appendix on appeal (*see* 22 NYCRR 670.8[c][1]) and the appellant-respondent's brief must be served and filed on or before that date; and it is further,

ORDERED that the respondent-appellant shall serve and file his answering brief, including his points of argument on the cross appeal, in accordance with the rules of this court (*see* 22 NYCRR 670.8[c][3]).

ENTER:



James Edward Pelzer
Clerk of the Court

August 17, 2009

WILDER v MAY DEPARTMENT STORES COMPANY