

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

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S/sl

MARK C. DILLON, J.P.  
JOSEPH COVELLO  
DANIEL D. ANGIOLILLO  
LEONARD B. AUSTIN, JJ.

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2009-02375

ORDER TO SHOW CAUSE

Otto Carchi, et al., plaintiffs-respondents,  
v Christian Jean-Phillips, et al., defendants-  
respondents, Home Depot U.S.A., Inc.,  
appellant.

(Index No. 23059/06)

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The defendant Home Depot U.S.A., Inc., having appealed to this court from an order of the Supreme Court, Queens County, dated January 27, 2009, and this court having noticed the matter for a CAMP conference, and, counsel for the plaintiffs having failed to appear at the conference without excuse.

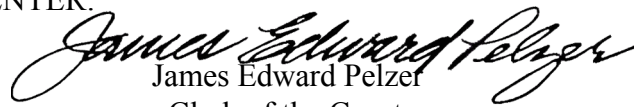
Now, on the court's own motion, it is

ORDERED that counsel for the respective parties show cause why an order should or should not be made and entered imposing such sanctions upon counsel for the plaintiffs as the court may deem appropriate pursuant to 22 NYCRR 670.4(b)(2), by filing an affirmation or affidavit on that issue in the office of the Clerk of this court and serving one copy of the same on all parties to the action on or before September 4, 2009; and it is further,

ORDERED that the Clerk of this court, or his designee, is directed to serve a copy of this order to show cause upon counsel for all parties by regular mail.

DILLON, J.P., COVELLO, ANGIOLILLO and AUSTIN, JJ., concur.

ENTER:

  
James Edward Pelzer  
Clerk of the Court

August 17, 2009

CARCHI v JEAN-PHILLIPS