

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

M91258  
E/sl

FRED T. SANTUCCI, J.P.  
HOWARD MILLER  
RUTH C. BALKIN  
LEONARD B. AUSTIN, JJ.

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2008-06917

DECISION & ORDER ON MOTION

Performance Construction Corp., appellant,  
v Huntington Building, LLC, et al., defendants,  
Corcoran Marble & Monument Co., Inc.,  
et al., respondents.

(Index No. 3225-08)

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Motion by the respondent Corcoran Marble & Monument Co., Inc., to enlarge the time to serve and file a brief on an appeal from an order of the Supreme Court, Suffolk County, dated June 10, 2008.

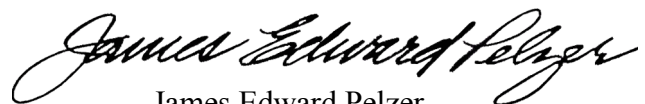
Upon the papers filed in support of the motion and no papers having been filed in opposition or in relation thereto, it is

ORDERED that the motion is granted and the time of the respondent Corcoran Marble & Monument Co., Inc., to serve and file a brief is enlarged until September 24, 2009, and the brief of the respondent Corcoran Marble & Monument Co., Inc., must be served and filed on or before that date; and it is further,

ORDERED that no further enlargement of time shall be granted.

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

ENTER:



James Edward Pelzer  
Clerk of the Court

August 26, 2009

PERFORMANCE CONSTRUCTION CORP. v HUNTINGTON BUILDING, LLC