

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

M91262
E/sl

ROBERT A. SPOLZINO, J.P.
MARK C. DILLON
HOWARD MILLER
DANIEL D. ANGIOLILLO, JJ.

2008-08064, 2009-06672

DECISION & ORDER ON MOTION

Baptist Home of Brooklyn, New York,
respondent-appellant, v Monica
Schott, appellant-respondent.

(Index No. 3621/05)

Motion by the appellant-respondent to enlarge the time to perfect an appeal from an order of the Supreme Court, Dutchess County, dated June 16, 2008, and an appeal and cross appeal from a judgment dated July 3, 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 it is further,


ORDERED that the appellant-respondent's time to perfect the appeal is enlarged until September 9, 2009, and the joint record or appendix on the 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 no further enlargement of time shall be granted; and it is further,

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

SPOLZINO, J.P., DILLON, MILLER and ANGIOLILLO, JJ., concur.

ENTER:


James Edward Pelzer
Clerk of the Court

August 26, 2009

BAPTIST HOME OF BROOKLYN, NEW YORK v SCHOTT