

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

M91282  
E/sl

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

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2009-01101

DECISION & ORDER ON MOTION

Rick A. Schwab, respondent,  
v Beth Ann Phillips, defendant;  
Peter J. Mollo, etc., nonparty-appellant.

(Index No. 10944/05)

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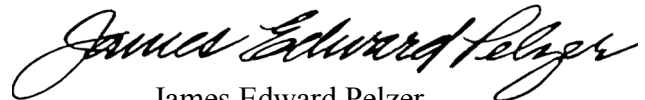
Motion by the appellant to enlarge the time to perfect an appeal from an order of the Supreme Court, Kings County, dated January 28, 2009.

Upon the papers filed in support of the motion and the papers filed in opposition thereto, it is

ORDERED that the motion is granted and the appellant's time to perfect the appeal is enlarged until October 26, 2009, and the record or appendix on the appeal and the appellant's brief must be served and filed on or before that date.

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

ENTER:



James Edward Pelzer  
Clerk of the Court

August 27, 2009

SCHWAB v PHILLIPS