

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

M91299  
E/sl

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

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2009-00027

DECISION & ORDER ON MOTION

Alfred Shasha, respondent,  
v Patricia Gillard, appellant.

(Index No. 05-15928)

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Motion by the respondent to enlarge the time to serve and file a brief on an appeal from an order of the Supreme Court, Westchester County, dated November 21, 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 on the court's own motion, the notice of appeal from the order dated November 21, 2008, is deemed to be a notice of appeal from a judgment of the same court dated December 3, 2008 (*see* CPLR 5512); and it is further,


ORDERED that on or before September 9, 2009, the appellant shall serve and file a supplemental record containing the judgment dated December 3, 2008; and it is further,

ORDERED that the motion is granted and the respondent's time to serve and file a brief is enlarged until September 16, 2009, and the 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.

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

ENTER:



James Edward Pelzer  
Clerk of the Court

August 27, 2009

SHASHA v GILLARD