

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

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E/sl

ROBERT A. SPOLZINO, J.P.
FRED T. SANTUCCI
RANDALL T. ENG
ARIEL E. BELEN, JJ.

2008-08672

DECISION & ORDER ON MOTION

Steven Kinzelberg, appellant,
v Design Quest, Ltd., et al., respondents.

(Index No. 3783/07)

Motion by the appellant to strike the brief of the respondent Richard Rubens on an appeal from an order of the Supreme Court, Nassau County, entered May 14, 2008, on the ground, inter alia, that it contains matter dehors the record, to enlarge the time to serve and file a reply brief, and for an award of costs.

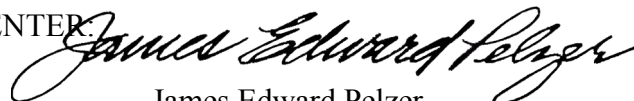
Upon the papers filed in support of the motion and the papers filed in opposition thereto, it is

ORDERED that the branch of the motion which is to enlarge the time to serve and file a reply brief is granted, the time to serve and file a reply brief is enlarged until September 14, 2009, and the reply brief must be served and filed on or before that date; and it is further,

ORDERED that the motion is otherwise denied.

SPOLZINO, J.P., SANTUCCI, ENG and BELEN, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

September 2, 2009

KINZELBERG v DESIGN QUEST, LTD.