

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

M91616
S/sl

HOWARD MILLER, J.P.
CHERYL E. CHAMBERS
PLUMMER E. LOTT
SHERI S. ROMAN, JJ.

2008-10951

DECISION & ORDER ON MOTION

NYCTL 1998-2 Trust, etc., et al., respondents,
v Salem Realty, appellant, et al., defendants;
St. Marks Place Condominium, LLC, et al.,
intervenor-respondents.

(Index No. 13992/00)

Motion by Sol Mermelstein, the attorney for the intervenors-respondents, for leave to withdraw as counsel on an appeal from an order of the Supreme Court, Kings County, dated October 16, 2008.

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

ORDERED that the motion is granted, and Sol Mermelstein is relieved from representing the intervenors-respondents with respect to the instant appeal; and it is further,

ORDERED that on or before September 17, 2009, Sol Mermelstein is directed to serve his clients by one of the methods specified in CPLR 2103(c), with a copy of this decision and order and shall file proof of such service with the Clerk of this court; and it is further,

ORDERED that no further proceedings shall be taken against the intervenors-respondents, without leave of the court, until the expiration of 30 days after service upon them of a copy of this decision and order; and it is further,

ORDERED that the intervenors-respondents' time to serve and file a brief is extended until October 19, 2009, and the intervenors-respondents' brief shall be served and filed on or before that date; and it is further,

September 4, 2009


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ORDERED that no further enlargement of time shall be granted.

MILLER, J.P., CHAMBERS, LOTT and ROMAN, JJ., concur.

ENTER:

A handwritten signature in black ink, reading "James Edward Pelzer". The signature is written in a cursive style with a large, sweeping initial "J".

James Edward Pelzer
Clerk of the Court