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

M92394
E/sl

PETER B. SKELOS, J.P.
FRED T. SANTUCCI
ARIEL E. BELEN
L. PRISCILLA HALL, JJ.

2008-06410, 2008-08123 DECISION & ORDER ON MOTION

Scott Webster, et al., appellants,
v James Murray, et al., defendants,
Rita Ross, respondent.

(Index No. 874/07)

Motion by the appellants for leave to file exhibits to the reply brief on appeals from an order of the Supreme Court, Putnam County, dated June 18, 2008, and a judgment of the same court entered July 17, 2008, and that this motion, as well as the branch of their prior motion which was to strike the respondent's brief or stated portions of the respondent's brief, which was held in abeyance and referred to the panel of Justices hearing the appeal for determination upon the argument or submission thereof, be decided prior to oral argument of the appeals.

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 for leave to file exhibits to the reply brief is held in abeyance and referred to the panel of Justices hearing the appeal for determination upon the argument or submission thereof; and it is further,

ORDERED that the motion is otherwise denied.

SKELOS, J.P., SANTUCCI, BELEN and HALL, JJ., concur.

ENTER:

James Edward Pelzer
Clerk of the Court

September 24, 2009