

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

M92407
E/sl

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

2009-00267

DECISION & ORDER ON MOTION

Philip Katz, et al., appellants,
v East 13th Street Tifereth Place, LLC,
et al., respondents.

(Index No. 21229/08)

Motion by Katz & Rychik, P.C., the attorney for the respondent East 13th Street Tifereth Place, LLC, for leave to withdraw as counsel on an appeal from an order of the Supreme Court, Kings County, dated November 18, 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 Katz & Rychik, P.C., is relieved from representing the respondent East 13th Street Tifereth Place, LLC, with respect to the instant appeal; and it is further,

ORDERED that on or before October 8, 2009, Katz & Rychik, P.C., is directed to serve its client by one of the methods specified in CPLR 2103(c), with a copy of this decision and order on motion 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 respondent East 13th Street Tifereth Place, LLC, without leave of the court, until the expiration of 30 days after service upon it of a copy of this decision and order on motion; and it is further,

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ORDERED that the time of the respondent East 13th Street Tifereth Place, LLC to serve and file a brief is enlarged until November 23, 2009, and the brief must be served and filed on or before that date.

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

ENTER:

A handwritten signature in black ink, reading "James Edward Pelzer". The signature is written in a cursive, flowing style.

James Edward Pelzer
Clerk of the Court