

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

M92463
E/sl

PETER B. SKELOS, J.P.
DANIEL D. ANGIOLILLO
RUTH C. BALKIN
ARIEL E. BELEN, JJ.

2009-05168, 2009-08573

DECISION & ORDER ON MOTION

Cheryl A. Isaacs, respondent,
v Mark P. Isaacs, appellant.

(Index No. 202356/08)

Motion by the appellant on appeals from two orders of the Supreme Court, Nassau County, entered April 22, 2009, and August 13, 2009, respectively, in effect, for summary reversal of stated portions of the order entered April 22, 2009, and to stay all proceedings in the above-entitled action as well as enforcement of stated portions of the order entered August 13, 2009, pending hearing and determination of the appeals. Separate motion by the appellant to consolidate the appeals and for a preference in the calendaring of the appeals. Cross motion by the respondent to impose a sanction upon the appellant and for an award of an attorney's fee.

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

ORDERED that the motion, in effect, for summary reversal of stated portions of the order entered April 22, 2009, and to stay all proceedings in the above-entitled action as well as enforcement of stated portions of the order entered August 13, 2009, pending hearing and determination of the appeals is denied; and it is further,

ORDERED that the branch of motion which is to consolidate the appeals is granted to extent that appeals will be calendared together and argued or submitted on same day, and that branch is otherwise denied; and it is further,

ORDERED that the branch of the motion which is for a preference in the calendaring of the appeals is granted and the appeals will be calendared expeditiously after all briefs have been filed in connection with the appeal from the order entered August 13, 2009; and it is further,

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ORDERED that the appellant shall perfect the appeal from the order entered August 13, 2009, on or before October 30, 2009; and it is further,

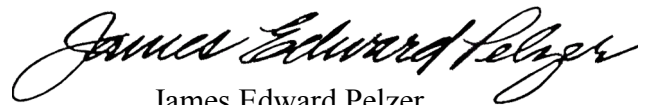
ORDERED that the respondent shall serve and file a brief in connection with the appeal from the order entered August 13, 2009, if any, on or before November 30, 2009; and it is further,

ORDERED that the appellant shall serve and file a reply brief in connection with the appeal from the order entered August 13, 2009, if any, on or before December 11, 2009; and it is further,

ORDERED that the cross motion is denied.

SKELOS, J.P., ANGIOLILLO, BALKIN and BELEN, JJ., concur.

ENTER:

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

James Edward Pelzer
Clerk of the Court