

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 21, 2018.

PRESENT: Hon. David Friedman, Justice Presiding,
Judith J. Gische
Barbara R. Kapnick
Marcy L. Kahn
Jeffrey K. Oing, Justices.

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Mutual Benefits Offshore Fund, Ltd.,
Plaintiff-Respondent,

-against-

Mark Zeltser, Emanuel Zelster and
Interel Corporation, et al.,
Defendants-Appellants,

M-4439
M-4562
Index No. 650438/09

Joseph Kay,
Defendant,

Kayley Investments, Ltd.,
Non-Party Appellant.

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Appeals having been taken from orders of the Supreme Court, New York County, entered on or about January 18, 2018 and March 28, 2018,

And defendants-appellants having moved to adjourn the aforesaid appeals and for an enlargement of time to perfect same to the December 2018 Term (M-4439),

And plaintiff-respondent having cross-moved to dismiss the appeals, or in the alternative, to lift the stay on the aforesaid orders (M-4562),

Now, upon reading and filing the papers with respect to the motion and cross motion, and due deliberation having been had thereon,

It is ordered that the motion to adjourn the appeals and for an enlargement of time to perfect same for the December 2018 Term is granted as per the interim relief granted by an order of a

(M-4439/M-4562)

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September 21, 2018

Justice of this Court on September 14, 2018 (M-4439). The cross motion to dismiss the appeals and to lift the stay is granted unless the appeals are perfected for said December 2018 Term (M-4562).

ENTERED:


CLERK