

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

M244363
E/rr

MARK C. DILLON, J.P.
JOHN M. LEVENTHAL
SYLVIA O. HINDS-RADIX
HECTOR D. LASALLE, JJ.

2017-09227

DECISION & ORDER ON MOTION

Daniel S. Perlman, respondent,
v Ivy May Johnson, appellant,
et al., defendant.

(Index No. 14292/15)

Motion by the respondent on an appeal from an order of the Supreme Court, Kings County, dated July 19, 2017, to vacate a stay granted by a decision and order on motion of this Court dated October 27, 2017, for failure to comply with so much of that decision and order on motion as conditioned the stay upon the perfection of the appeal on or before November 27, 2017. Motion by the appellant, in effect, to amend so much of the decision and order on motion of this Court dated October 27, 2017, as conditioned the stay upon the perfection of the appeal on or before November 27, 2017.

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

ORDERED that the respondent's motion is denied; and it is further,

ORDERED that the appellant's motion is granted and the decretal paragraphs of the decision and order on motion of this Court dated October 27, 2017, are amended by deleting therefrom the date "November 27, 2017," and substituting therefor the date "February 8, 2018."

DILLON, J.P., LEVENTHAL, HINDS-RADIX and LASALLE, JJ., concur.

ENTER:



Aprilanne Agostino
Clerk of the Court

January 8, 2018

PERLMAN v JOHNSON