

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

M244371  
E/rr

ALAN D. SCHEINKMAN, P.J.  
WILLIAM F. MASTRO  
REINALDO E. RIVERA  
MARK C. DILLON  
RUTH C. BALKIN, JJ.

---

2018-00178

ORDER TO SHOW CAUSE

In the Matter of Fran Stemmler, et al., petitioners,  
v Axel Spring and Brake, Inc., et al., respondents.

(Index No. 705661/17)

---

Appeal from an order of the Supreme Court, Queens County, dated November 1, 2017.

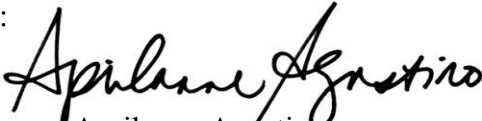
On the Court's own motion, it is

ORDERED that the parties are directed to show cause before this Court why an order should or should not be made and entered dismissing the appeal from the order dated November 1, 2017, in the above-entitled action on the ground that the description of the appealing parties as "the above named defendants" contained in the notice of appeal filed by Daniel Tanon, Esq., does not properly designate the parties taking the appeal (*see* CPLR 5515[1]), by each filing an affirmation or affidavit on that issue in the office of the Clerk of this Court and serving one copy of the same on each other on or before February 8, 2018, or, if Fran Stemmler and Lorraine Parente, the parties represented by Daniel Tanon, Esq., be so advised, to make a motion to correct the notice of appeal to reflect that they are proper party appellants (*see Matter of Tagliaferri*, 1 NY3d 605; CPLR 2001), on or before February 8, 2018; and it is further,

ORDERED that the Clerk of this Court, or her designee, is directed to serve a copy of this order to show cause upon the parties by regular mail.

SCHEINKMAN, P.J., MASTRO, RIVERA, DILLON and BALKIN, JJ., concur.

ENTER:

  
Aprilanne Agostino  
Clerk of the Court

January 18, 2018

MATTER OF STEMMLER v AXEL SPRING AND BRAKE, INC.