

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

M244705  
E/rr

RUTH C. BALKIN, J.P.  
LEONARD B. AUSTIN  
SHERI S. ROMAN  
SANDRA L. SGROI, JJ.

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2016-03336

DECISION & ORDER ON MOTION

Frederick M. Cioffi, et al., respondents-appellants,  
v S.M. Foods, Inc., et al., defendants third-party  
plaintiffs-respondents, Atlanta Foods International,  
et al., defendants-respondents, Russell McCall's, Inc.,  
defendant-appellant; Village of Tuckahoe, et al.,  
third-party defendants-appellants-respondents.

(Index No. 55391/11)

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Motion by defendants third-party plaintiffs-respondents and defendant-respondent Ryder Truck Rental, Inc., to enlarge the time to serve and file a brief on appeals and a cross appeal from an order of the Supreme Court, Westchester County, dated April 4, 2016. Cross motion by the third-party defendants-appellants-respondents to deem abandoned all opposition to their appeal and to preclude any party from filing opposition to their appeal.

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

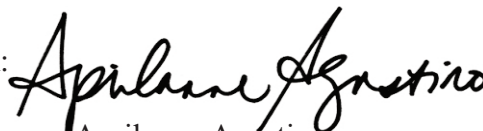
ORDERED that the motion is granted, the movants' time to serve and file a brief is enlarged until January 22, 2018, and the movants' brief shall be served and filed on or before that date; and it is further,

ORDERED that no further enlargements of time shall be granted; and it is further,

ORDERED that the cross motion is denied.

BALKIN, J.P., AUSTIN, ROMAN and SGROI, JJ., concur.

ENTER:

  
Aprilanne Agostino  
Clerk of the Court

January 17, 2018

CIOFFI v S.M. FOODS, INC.