

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

M244842
E/jr

L. PRISCILLA HALL, J.P.
JEFFREY A. COHEN
BETSY BARROS
LINDA CHRISTOPHER, JJ.

2017-04270

DECISION & ORDER ON MOTION

Diego Nieto, appellant-respondent,
v L.C. Driggs Corporation, respondent-
appellant.

(Index No. 6714/09)

Renewed motion by the appellant-respondent to stay all proceedings in the above-entitled action, including the trial, pending hearing and determination of an appeal and cross appeal from an order of the Supreme Court, Kings County, dated February 22, 2017, to enlarge the record to include a certain document, to strike stated portions of the record, and to enlarge the time to serve and file a reply brief. Application by the appellant-respondent pursuant to 22 NYCRR 670.8(d)(2) to enlarge the time to serve and file a reply brief.

Upon the papers filed in support of the motion and the papers filed in opposition thereto, and upon the papers filed in support of the application and no papers having been filed in opposition or in relation thereto, it is

ORDERED that the branch of the motion which is to enlarge the appellant-respondent's time to serve and file a reply brief and the application for that relief are granted, the appellant-respondent's time to serve and file a reply brief is enlarged until January 30, 2018, and the reply brief shall be served and filed on or before that date; and it is further,

ORDERED that the motion is otherwise denied.

HALL, J.P., COHEN, BARROS and CHRISTOPHER, JJ., concur.

ENTER:



Aprilanne Agostino
Clerk of the Court

January 16, 2018

NIETO v L.C. DRIGGS CORPORATION