

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

M245936
E/afa

LEONARD B. AUSTIN, J.P.
SHERI S. ROMAN
SANDRA L. SGROI
FRANCESCA E. CONNOLLY, JJ.

2017-08403

DECISION & ORDER ON MOTION

Semyon Vays, et al., appellants-respondents,
v James D. Luntz, etc., respondent-appellant.

(Index No. 504069/16)

Motion by the appellants-respondents to stay all proceedings in the above-entitled action pending hearing and determination of an appeal and cross appeal from an order of the Supreme Court, Kings County, dated June 16, 2017. Application by the appellants-respondents pursuant to 22 NYCRR 670.8(d)(2) to enlarge the time to perfect the appeal.

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

ORDERED that the motion is denied; and it is further,

ORDERED that the application is granted, the time to perfect the appeal is enlarged until April 10, 2018, and the joint record or appendix on appeal (*see* 22 NYCRR 670.8[c][1]) and the appellants-respondents' brief shall be served and filed on or before that date; and it is further,

ORDERED that the respondent-appellant shall serve and file his answering brief, including the points of argument on the cross appeal (*see* 22 NYCRR 670.8[c][3]), in accordance with the rules of this Court.

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

ENTER:



Aprilanne Agostino
Clerk of the Court

February 9, 2018

VAYS v LUNTZ