

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

M246091
E/afa

REINALDO E. RIVERA, J.P.
ROBERT J. MILLER
SYLVIA O. HINDS-RADIX
JOSEPH J. MALTESE, JJ.

2017-00434

DECISION & ORDER ON MOTION

Bank of New York Mellon, etc., respondent,
v Jeffrey H. Wallberg, et al., appellants, et al.,
defendant.

(Index No. 69846/12)

Motion by the respondent to dismiss an appeal from a judgment of the Supreme Court, Westchester County, entered November 18, 2016, for failure to timely perfect. Cross motion by the appellants to enlarge the time to perfect the appeal.

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 cross motion and no papers having been filed in opposition or in relation thereto, it is

ORDERED that the cross motion is granted, the appellants' time to perfect the appeal is enlarged until March 16, 2018, and the record or appendix on the appeal and the appellants' brief shall be served and filed on or before that date; and it is further,

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

ORDERED that the motion is denied.

RIVERA, J.P., MILLER, HINDS-RADIX and MALTESE, JJ., concur.

ENTER:



Aprilanne Agostino
Clerk of the Court

February 14, 2018

BANK OF NEW YORK MELLON v WALLBERG