

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

M246470
E/afa

CHERYL E. CHAMBERS, J.P.
JEFFREY A. COHEN
JOSEPH J. MALTESE
BETSY BARROS, JJ.

2017-01684

DECISION & ORDER ON MOTION

Ralph Keppler, et al., plaintiffs-respondents,
v Theresa Kiel, etc., et al., appellants, Lawrence
Garnier, et al., defendants-respondents.

(Index No. 603255/16)

2018-00194

Ralph Keppler, et al., plaintiffs-respondents,
v Theresa Kiel, etc., et al., appellants, Lawrence
Garnier, et al., defendants-respondents.

(Index No. 603255/16)

Motion by the appellants on appeals from two orders of the Supreme Court, Nassau County, entered December 12, 2016, and October 19, 2017, respectively, inter alia, to preclude the plaintiffs-respondents from “having or using” certain business records, in effect, for summary reversal, to enlarge the time to perfect the appeal from the order entered December 12, 2016, and to consolidate the appeals.

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

ORDERED that the branch of the motion which is to enlarge the time to perfect the appeal from the order entered December 12, 2016, is denied; and it is further,

ORDERED that on the Court’s own motion, the appeals from the order entered December 12, 2016, are dismissed, without costs or disbursements, for failure to timely perfect in accordance with the rules of this Court (*see* 22 NYCRR 670.8[e]); and it is further,

February 23, 2018

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ORDERED that the branch of the motion which is to consolidate the appeals is denied as academic; and it is further,

ORDERED that the motion is otherwise denied

CHAMBERS, J.P., COHEN, MALTESE and BARROS, JJ., concur.

ENTER:

A handwritten signature in black ink that reads "Aprilanne Agostino". The signature is written in a cursive, flowing style.

Aprilanne Agostino
Clerk of the Court