

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

M247038  
E/afa

MARK C. DILLON, J.P.  
RUTH C. BALKIN  
ROBERT J. MILLER  
HECTOR D. LASALLE, JJ.

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2016-05378

DECISION & ORDER ON MOTION

Zvi Katz, appellant, v Nissan Mangel,  
et al., respondents.

(Index No. 4207/13)

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Motion by the respondents to dismiss an appeal from an order of the Supreme Court, Kings County, dated April 15, 2016, for failure to comply with a decision and order on motion of this Court dated November 28, 2017, or, in the alternative, to enlarge the time to serve and file a brief. Separate motion by the appellant, inter alia, to extend the appellant's time to comply with the decision and order on motion of this Court dated November 28, 2017.

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

ORDERED that the branch of the respondents' motion which is to dismiss the appeal is denied; and it is further,

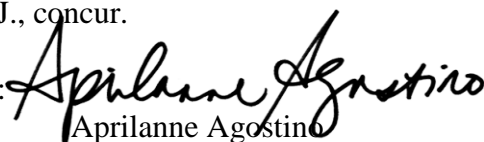
ORDERED that the branch of the respondents' motion which is to enlarge the time to serve and file a brief is granted, the respondents' time to serve and file a brief is enlarged until April 27, 2018, and the respondents' brief shall be served and filed on or before that date; and it is further,

ORDERED that the branch of the appellant's motion which is to to extend the appellant's time to comply with the decision and order on motion of this Court dated November 28, 2017, is granted and on or before March 28, 2017, the appellant serve and file a replacement record which does not include documents containing handwritten notations; and it is further,

ORDERED that the appellant's motion is otherwise denied.

DILLON, J.P., BALKIN, MILLER and LASALLE, JJ., concur.

ENTER:

  
Aprilanne Agostino  
Clerk of the Court

March 6, 2018

KATZ v MANGEL