

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

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E/afa

JOHN M. LEVENTHAL, J.P.
SYLVIA O. HINDS-RADIX
BETSY BARROS
FRANCESCA E. CONNOLLY, JJ.

2017-07920

DECISION & ORDER ON MOTION

Valerie P. Burgess, etc., plaintiff-respondent,
v City of New York, et al., defendants-respondents,
United Rentals, Inc., et al., appellants.

(Index No. 24259/11)

Motion by the appellant, in effect, to stay enforcement of an order of the Supreme Court, Kings County, dated May 16, 2017, pending hearing and determination of an appeal therefrom. Separate motion by the appellant to enlarge the time to perfect the appeal and to enlarge the record to include to include a certain order of the same court dated January 17, 2017. Cross motion by the respondent to dismiss the appeal for failure to timely perfect.

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

ORDERED that the motion, in effect, to stay enforcement of the order dated May 16, 2017, and the branch of the motion which is to enlarge the record are denied; and it is further,

ORDERED that the branch of the motion which is to enlarge the time to perfect the appeal is granted, the appellant's time to perfect the appeal is enlarged until April 9, 2018, and the record or appendix on the appeal and the appellant's brief shall be served and filed on or before that date; and it is further,

ORDERED that the cross motion is denied.

LEVENTHAL, J.P., HINDS-RADIX, BARROS and CONNOLLY, JJ., concur.

ENTER:



Aprilanne Agostino
Clerk of the Court

March 8, 2018

BURGESS v CITY OF NEW YORK