

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

M247427
E/rr

WILLIAM F. MASTRO, J.P.
MARK C. DILLON
JOSEPH J. MALTESE
HECTOR D. LASALLE, JJ.

2017-04242

DECISION & ORDER ON MOTION

In the Matter of Ann L. Nowak, appellant,
v Town of Southampton, et al., respondents.

(Index No. 376/16)

Motion by the respondents Town of Southampton and Town of Southampton Zoning Board of Appeals to dismiss an appeal from a judgment of the Supreme Court, Suffolk County, dated February 2, 2017, on the ground that the record is inadequate and does not comply with the rules of this Court. Application by the respondents Town of Southampton and Town of Southampton Zoning Board of Appeals, and separate application by the respondents Insource East Properties, Inc., Joseph Giannini and Maureen Giannini, pursuant to 22 NYCRR 670.8(d)(2) to enlarge the time to serve and file their respective briefs.

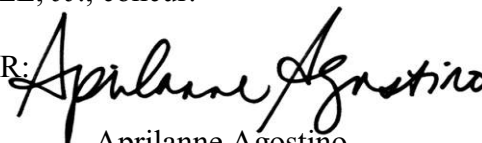
Upon the papers filed in support of the motion and the papers filed in opposition and in relation thereto, and upon the papers filed in support of the applications and no papers having been filed in opposition or in relation thereto, it is

ORDERED that the motion is denied on condition that on or before April 30, 2018, the appellant serve and file a replacement record that complies with the CPLR (*see* CPLR 5526) and rules of this Court (*see* 22 NYCRR 670.10.2) and a replacement brief that contains appropriate references to the replacement record; and it is further,

ORDERED that the applications are granted, the respondents' time to serve and file their respective briefs is enlarged until June 14, 2018, and the respondents' respective briefs shall be served and filed on or before that date.

MASTRO, J.P., DILLON, MALTESE and LASALLE, JJ., concur.

ENTER:



Aprilanne Agostino
Clerk of the Court

March 15, 2018

MATTER OF NOWAK v TOWN OF SOUTHAMPTON