

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

M247436
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WILLIAM F. MASTRO, J.P.
MARK C. DILLON
JOSEPH J. MALTESE
HECTOR D. LASALLE, JJ.

2017-06803

DECISION & ORDER ON MOTION

Luciano Bonanni, et al., respondents-appellants,
v Horizons Investors Corp., appellants-respondents,
et al., defendants.

(Index No. 17029/05)

Motion by the appellants-respondents on an appeal and a cross appeal from a judgment of the Supreme Court, Suffolk County, entered May 10, 2017, to enlarge the time to perfect the appeal and to direct the respondents-appellants to pay one-half of the cost of the joint record. Cross motion by the respondents-appellants to direct the appellants-respondents to post an undertaking. Separate motion by the respondents-appellants to disqualify the appellants-respondents' appellate counsel.

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

ORDERED that the branch of the appellants-respondents' motion which is to enlarge the time to perfect the appeal is granted, the appellants-respondents' time to perfect the appeal is enlarged until May 14, 2018, and the joint record or appendix on appeal (*see* 22 NYCRR 670.8[c][1]) and the appellants-respondents' brief shall be served and filed on or before that date; and it is further,

ORDERED that the respondents-appellants shall serve and file their answering brief, including their points of argument on the cross appeal, in accordance with the rules of this Court (*see* 22 NYCRR 670.8[c][3]); and it is further,

ORDERED that the branch of the appellants-respondents' motion which is to direct the respondents-appellants to pay one-half of the cost of the joint record is denied as premature; and it is further,

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ORDERED that the cross motion is denied; and it is further,

ORDERED that the respondents-appellants' motion is denied.

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

ENTER:

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

Aprilanne Agostino
Clerk of the Court