

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

M247866
E/rr

JOHN M. LEVENTHAL, J.P.
ROBERT J. MILLER
COLLEEN D. DUFFY
HECTOR D. LASALLE, JJ.

2016-06273, 2017-00680

DECISION & ORDER ON MOTION

Tamar Gerendash, et al., appellants,
v City of New York, et al., defendants,
Diane Costello, respondent.

(Index No. 21785/12)

2017-12603

Tamar Gerendash, et al., appellants,
v City of New York, defendant, Kings
County Public Administrator, et al.,
respondents.

(Index No. 21785/12)

Motion by the appellants for a preference in the calendaring of appeals from three orders of the Supreme Court, Kings County, dated February 19, 2016, September 16, 2016, and November 2, 2017, respectively, and to calendar the appeals from the orders dated February 19, 2016, and September 16, 2016, together with the appeal from the order dated November 2, 2017. Cross motion by the respondents on the appeal from the order dated November 2, 2017, to dismiss that appeal on the ground that the record is inadequate.

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

ORDERED that the motion is granted and the appeals will be calendared expeditiously; and it is further,

March 23, 2018

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ORDERED that the cross motion is denied on condition that on or before April 12, 2018, the appellant serve and file a supplemental record containing Exhibits D, E, F, G, H, I, J, K and L annexed to the affirmation of Henry L. Liaz dated January 30, 2017, Exhibits D, E, F, G, H, I and J annexed to the affirmation of Lester Herzog dated September 6, 2017, and it is further,

ORDERED that on the Court's own motion, the time for the respondent to serve and file a brief on the appeal from the order dated November 2, 2017, is enlarged until May 14, 2018, and the brief shall be served and filed on or before that date.

LEVENTHAL, J.P., MILLER, DUFFY 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