

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

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WILLIAM F. MASTRO, J.P.
JEFFREY A. COHEN
FRANCESCA E. CONNOLLY
VALERIE BRATHWAITE NELSON, JJ.

2017-05466, 2017-06169

DECISION & ORDER ON MOTION

Paul Heubish, appellant, v Jorge Baez,
et al., respondents, et al., defendant.

(Index No. 3686/14)

Motion by the respondents to strike the appellant's appendix and to direct the appellant to serve and file a replacement appellant's appendix on appeals from a judgment of the Supreme Court, Nassau County, entered March 7, 2017, and an order of the same court dated March 20, 2017, and to enlarge the time to serve and file a brief.

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

ORDERED that the branch of the motion which is to strike the appellant's appendix and to direct the appellant to serve and file a replacement appellant's appendix is denied without prejudice to the respondents' serving and file a respondents' appendix; and it is further,

ORDERED that the branch of the motion which is to enlarge the respondents' time to serve and file a brief is granted, the respondents' time to serve and file a brief is enlarged until April 23, 2018, and the respondents' brief shall be served and filed on or before that date.

MASTRO, J.P., COHEN, CONNOLLY and BRATHWAITE NELSON, JJ., concur.

ENTER:



Aprilanne Agostino
Clerk of the Court

March 26, 2018

HEUBISH v BAEZ