

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

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

2017-05291, 2017-06245

DECISION & ORDER ON MOTION

Graeme A. Chambers , respondent,
v Mortgage Enterprise, Ltd., et al., appellants.

(Index No. 600435/14)

Motion by the respondent for leave to serve and file a supplemental record containing certain material on appeals from an order of the Supreme Court, Nassau County, entered April 19, 2017, and a judgment of the same court entered May 23, 2017, to correct the record, to enlarge the time to serve and file a brief, and to enlarge the appellants' time to serve and file a reply brief.

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

ORDERED that the branch of the motion which is for leave to serve and file a supplemental record is granted, and on or before April 4, 2018, the respondent shall serve and file a supplemental record containing the affirmation in opposition to the motion which was determined by the order entered April 19, 2017, with annexed exhibits; and it is further,

ORDERED that the branch of the motion which is to correct the record is granted to the extent that on or before April 4, 2018, the appellant shall remove the following trial exhibits from the copies of the record filed with the Clerk of the Court and replace those trial exhibits with trial exhibits in the form in which they were before the Supreme Court: Plaintiff's Exhibit Nos. 7, 15, 19, 24, 39, and 40 and Defendants' Trial Exhibit Nos. C, D1, D2, E, F, and I; and it is further,

ORDERED that the branch of the motion which is to enlarge the respondent's time to serve and file a brief is granted, the respondent's time to serve and file a brief is enlarged until May 4, 2018, and the respondent's brief shall be served and filed on or before that date; and it is further,

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ORDERED that the branch of the motion which is to enlarge the appellant's time to serve and file a reply brief is denied as premature; and it is further,

ORDERED that the motion is otherwise denied.

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