

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

M248047
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MARK C. DILLON, J.P.
JOHN M. LEVENTHAL
SYLVIA O. HINDS-RADIX
HECTOR D. LASALLE, JJ.

2017-09227

DECISION & ORDER ON MOTION

Daniel S. Perlman, respondent,
v Ivy May Johnson, appellant,
et al., defendant.

(Index No. 14292/15)

Motion by the respondent on an appeal from an order of the Supreme Court, Kings County, dated July 19, 2017, to vacate a stay granted by a decision and order on motion of this Court dated October 27, 2017, as amended January 8, 2018, for failure to comply with so much of that decision and order on motion as conditioned the stay upon the perfection of the appeal on or before February 8, 2018. Motion by Heslop & Kalba, LLP, for leave to withdraw as counsel for the appellant.

Upon the papers filed in support of the motion by the respondent and no papers having been filed in opposition or in relation thereto, and upon the papers filed in support of the motion by Heslop & Kalba, LLP, and the papers filed in opposition thereto, it is

ORDERED that the respondent's motion is denied; and it is further,

ORDERED that the motion by Heslop & Kalba, LLP, is granted and on or before April 11, 2018, Heslop & Kalba, LLP, shall serve its client by one of the methods specified in CPLR 2103(c), with a copy of this decision and order on motion and shall file proof of such service with the Clerk of this Court; and it is further,

ORDERED that no further proceedings shall be taken against the appellant, without leave of the Court, until the expiration of 30 days after service upon her of a copy of this decision and order on motion; and it is further,

ORDERED that on the Court's own motion, the decretal paragraphs of the decision and order on motion of this Court dated October 27, 2017, as amended January 8, 2018, are amended

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by deleting therefrom the date “February 8, 2018,” and substituting therefor the date “June 11, 2018,” and the appellant’s time to perfect the appeal is enlarged until June 11, 2018.

DILLON, J.P., LEVENTHAL, HINDS-RADIX and LASALLE, JJ., concur.

ENTER:

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

Aprilanne Agostino
Clerk of the Court