

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

M248340
E/afa

JOHN M. LEVENTHAL, J.P.
SANDRA L. SGROI
HECTOR D. LASALLE
VALERIE BRATHWAITE NELSON, JJ.

2016-11544, 2018-00518, 2018-01235

DECISION & ORDER ON MOTION

James J. Loughlin, Jr., respondent-appellant,
v Mohsin Y. Meghji, appellant-respondent.

(Index No. 606517/14)

Motion by James J. Loughlin, Jr., on an appeal from an order of the Supreme Court, Nassau County, entered October 13, 2016, and appeals and cross appeals from a judgment and an amended judgment of the same court entered December 4, 2017, and December 21, 2017, respectively, to dismiss the appeal from the order on the ground that the right of direct appeal terminated upon entry of the amended judgment. Cross motion by Mohsin Y. Meghji to consolidate the appeals and cross appeals.

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

ORDERED that the motion is held in abeyance and referred to the panel of Justices hearing the appeals and cross appeals for determination upon the argument or submission thereof; and it is further,

ORDERED that the cross motion is granted, and on or before May 2, 2018, Mohsin Y. Meghji shall correct the covers of the record and the appellant's brief and reply brief filed in connection with the appeal from the order entered October 13, 2016, to reflect the proper caption for the appeals and cross appeals, serve and file a supplemental joint record containing the papers comprising the record on the appeals and cross appeals from the judgment entered December 4, 2017, and the amended judgment entered December 21, 2017, which are not contained in the record filed in connection with the appeal from the order, and serve and file a supplemental brief raising points of argument in connection with the appeals and cross appeals from the judgment and the amended judgment; and it is further,

April 4, 2018

LOUGHLIN v MEGHJI

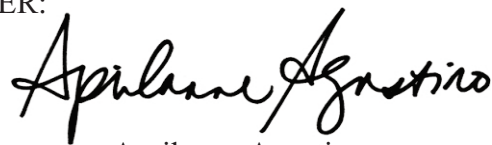
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ORDERED that on or before June 6, 2018, James J. Loughlin, Jr., shall serve and file supplemental brief raising points of argument in connection with the appeals and cross appeals from the judgment and the amended judgment and responding to the supplemental brief filed by Mohsin Y. Meghji, and correct the covers of the respondent's brief filed in connection with the appeal from the order entered October 13, 2016, to reflect the proper caption for the appeals and cross appeals; and it is further,

ORDERED that the parties may serve and file supplemental reply briefs in accordance with the rules of this Court (*see* 22 NYCRR 670.8[c][3]).

LEVENTHAL, J.P., SGROI, LASALLE and BRATHWAITE NELSON, 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