

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

M248665  
E/rr

MARK C. DILLON, J.P.  
ROBERT J. MILLER  
SYLVIA O. HINDS-RADIX  
HECTOR D. LASALLE, JJ.

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2017-01304

DECISION & ORDER ON MOTION

William F. Schimoler, et al., appellants,  
v Phyllis Newman, etc., et al., respondents,  
et al., defendants.  
(Action No. 1)

Phyllis Newman, etc., et al., respondents,  
v William F. Schimoler, et al., appellants.  
(Action No. 2)

(File Nos. 2269E/13, 2269D/13)

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Motion by the respondents on an appeal from an order of the Surrogate's Court, Kings County, dated December 22, 2016, for leave to renew and reargue their prior motion to enlarge the time to serve and file a brief, which was determined by decision and order on motion of this Court dated January 19, 2018.

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

ORDERED that the motion is denied.

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

ENTER:



Aprilanne Agostino  
Clerk of the Court

April 12, 2018

SCHIMOLER v NEWMAN