

**Paula Genna v Oleg Klemper, D.D.S., Cent. Park S. Dental
Care & Babak Robert Ghalili, D.M.D.**

Motion No: 992 1284

Slip Opinion No: 2020 NYSlipOp 74495(U)

Decided on November 10, 2020

Appellate Division, First Department, Motion Decision

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Judiciary Law § 431.

This motion is uncorrected and is not subject to publication in the
Official Reports.

Supreme Court of the State of New York
Appellate Division, First Judicial Department

Present – Hon. Sallie Manzanet-Daniels,
Judith J. Gische
Angela M. Mazzarelli
Troy K. Webber
Ellen Gesmer,

Justice Presiding,

Justices.

Paula Genna,
Plaintiff-Appellant,

-against-

Motion Nos. **992**
1284
Index No. 100530/16
Case No. 2019-03366

Oleg Klemper, D.D.S., Central Park South
Dental Care and Babak Robert Ghalili,
D.M.D.,
Defendants-Respondents.

An appeal having been taken from two orders of the Supreme Court, New York County, entered on or about March 08, 2018,

And plaintiff-appellant having moved, pro se, to modify, vacate and change a prior order of this Court entered on January 16, 2020 (M-8810), to extend the time to file a supplemental appendix, and to impose sanctions against counsel for defendants-respondents (M-992),

And defendant-respondent Babak Robert Ghalili, D.M.D. having cross moved to strike plaintiff's appendix and dismiss the appeal based on plaintiff-appellant's failure to comply with the aforementioned order of this Court, or in the alternative, for an extension of time to file a respondent's brief (M-1284),

Now, upon reading and filing the papers with respect to the motion and cross motion, and due deliberation having been had thereon,

It is ordered that plaintiff-appellant's motion is granted to the extent of extending the time to file a supplemental appendix, as set forth in this Court's January 16, 2020 order (M-8810), to the April 2021 Term, and adjourning this appeal to that Term (M-992), and

It is further ordered that defendant's cross motion to strike and dismiss the appeal is denied, with leave to renew on the condition plaintiff-appellant fails to comply with the terms of this order (M-1284).

ENTERED: November 10, 2020

A handwritten signature in black ink, appearing to read "Susanna M. Rojas". The signature is fluid and cursive, with the first name "Susanna" and the last name "Rojas" being clearly legible.

Susanna Molina Rojas
Clerk of the Court