

Matter of Charles Grunert v A.C. & S., Inc.

Motion No: 3141

Slip Opinion No: 2020 NYSlipOp 74496(U)

Decided on November 10, 2020

Appellate Division, First Department, Motion Decision

Published by [New York State Law Reporting Bureau](#) pursuant to
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, Justice Presiding,
Angela M. Mazzarelli
Anil C. Singh
Tanya R. Kennedy
Saliann Scarpulla, Justices.

In re: New York City Asbestos Litigation

Charles Grunert,
Plaintiff-Respondent,

-against-

Motion No. 3141
Index No. 114345/02
Case No. 2020-03894

A.C. and S., Inc., etc., et al.,
Defendants,

-and-

American Biltrite Inc.,
Defendant-Appellant.

Defendant-appellant having moved for leave to file a late notice of appeal and for extension of time to perfect an appeal taken from an order of the Supreme Court, New York County, entered on or about August 22, 2019,

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

It is ordered that the motion is granted to the extent of granting defendant-appellant leave to file a late notice of appeal pursuant to CPLR 5520(a) and deeming the instant motion as one seeking to vacate the dismissal of the appeal, and as such, vacating the dismissal, reinstating the appeal, and extending the time to perfect same to the April 2021 Term.

ENTERED: November 10, 2020



Susanna Molina Rojas
Clerk of the Court