

**Board of Mgrs. of the Spencer Condominium v 1 E. 62nd St.
Apt. 1A LLC**

Motion No: 2021-01642

Slip Opinion No: 2021 NYSlipOp 67816(U)

Decided on June 22, 2021

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. Dianne T. Renwick,
Barbara R. Kapnick
Lizbeth González
Tanya R. Kennedy,

Justice Presiding,

Justices.

Board of Managers of the Spencer
Condominium,
Plaintiff-Respondent,

Motion No. 2021-01642
Index No. 154149/12
Case No. 2021-00528

-against-

1 East 62nd Street Apt. 1A LLC,
Defendant-Appellant,

Elizabeth Hazan, et al.,
Defendants.

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about August 18, 2020,

And defendant-appellant having moved, pursuant to 22 NYCRR 1250.10(c), to vacate the dismissal of the appeal, and, upon vacatur, for an extension of time to perfect same, and to enlarge the record to include defendant's answer, dated and filed January 3, 2020 (NYSCEF Doc. No. 308), defendant's verified answer to amended complaint with counterclaims and crossclaims, dated and filed February 17, 2020 (NYSCEF Doc. No. 309), defendant's reply dated and filed February 20, 2020 (NYSCEF Doc. No. 311), and the stipulation dated February 24, 2020 and filed February 26, 2020; and to direct plaintiff to provide defendant with electronic copies of NYSCEF Doc. Nos. 298, 299, 300, 302, 303, and 304 filed in the Supreme Court action.,

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 vacating the dismissal and reinstating the aforesaid appeal, extending the time to perfect same to the October 2021 Term, enlarging the record on appeal to include the aforesaid documents requested by defendant-appellant and directing plaintiff to provide defendant with electronic copies of NYSCEF Doc. Nos. 298, 299, 300, 302,303, and 304 within 20 days of the date of this order.

ENTERED: June 22, 2021

A handwritten signature in black ink, appearing to read "Susanna M. Rojas". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Susanna Molina Rojas
Clerk of the Court