

**Nanette Basden v Liberty Lines Transit, Inc., the County of  
Westchester, & Brice Barney**

Motion No: 2022-02153

Slip Opinion No: 2022 NYSlipOp 68554(U)

Decided on July 12, 2022

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. Cynthia S. Kern,  
Angela M. Mazzairelli  
Ellen Gesmer  
Jeffrey K. Oing  
Peter H. Moulton,

Justice Presiding,

Justices.

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Nanette Basden,  
Plaintiff-Appellant-Respondent,  
-against-

Motion No. 2022-02153  
Index No. 22051/13E  
Case Nos. 2021-04808  
2021-04809

Liberty Lines Transit, Inc., The County of  
Westchester, and Brice Barney,  
Defendants-Respondents-Appellants.

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Appeals and cross appeals having been taken to this Court from an amended order of the Supreme Court, Bronx County entered on or about April 12, 2021 (Case No. 2021-04808), and from a judgment, same court, entered on or about October 15, 2021 (Case No. 2021-04809),

And defendants-respondents-appellants having moved to (1) vacate the dismissal of their appeal from the April 12, 2021 amended order and deem defendants' appeal from the amended order to be subsumed within defendant's timely appeal from the October 15, 2021 judgment, or (2) in the alternative, to vacate the dismissal of the appeal from the amended order and enlarge the time in which to perfect said appeal to July 21, 2022, the date to which this Court has enlarged defendants' deadline to perfect their appeal from the judgment, or (3) in the alternative, to deem defendants' appeal from the amended order to be withdrawn,

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 of defendants' cross appeal taken from the April 12, 2021 amended order, reinstating said cross appeal, and extending defendants' time in which to perfect the cross appeals taken from the amended order (Case No. 2021-04808) and from the judgment (Case No. 2021-04809) to the November 2022 Term of this Court. *Sua sponte*, plaintiff's time in which to perfect her appeals from the amended order (Case No. 2021-04808) and from the judgment (Case No. 2021-04809) is extended to said November 2022 Term.

ENTERED: July 12, 2022



Susanna Molina Rojas  
Clerk of the Court