

Gibson, Dunn & Crutcher LLP v D'Anna

Motion No: 2022-03618

Slip Opinion No: 2022 NY Slip Op 73885(U)

Decided on November 01, 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. Barbara R. Kapnick,
 Jeffrey K. Oing
 Peter H. Moulton
 Julio Rodriguez III
 John R. Higgitt,

Justice Presiding,

Justices.

Gibson, Dunn & Crutcher LLP,
Plaintiff-Appellant-Respondent,

Motion No. 2022-03618
Index No. 160471/16
Case No. 2021-04374

-against-

Joseph D’Anna, et al,
Defendants,

-and-

George Koukis,
Defendant-Respondent-Appellant.

An appeal and cross appeal having been taken to this Court from an order of the Supreme Court, New York County, entered on or about September 15, 2021, and plaintiff’s appeal having been perfected,

And defendant-respondent-appellant having moved for an extension of time in which to perfect his appeal, now denominated the cross appeal (see, 22 NYCRR 1250.9 [f][1][iii]), and for leave to supplement the record on appeal to include his Notice of Appeal, and related papers, attached as Exhibit B to the moving papers,

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, deemed to include a request to vacate the dismissal of the cross appeal, is granted, the dismissal vacated, the cross appeal reinstated, and the time in which to perfect the cross appeal is extended to the February 2023 Term of this Court, to which Term plaintiff’s perfected appeal is adjourned. Defendant-respondent-appellant is granted leave to supplement the record on appeal with Exhibit B as annexed to the moving papers.

ENTERED: November 01, 2022

A handwritten signature in black ink, appearing to read "Susanna Molina Rojas". The signature is fluid and cursive, with the first name "Susanna" being the most prominent.

Susanna Molina Rojas
Clerk of the Court