

SUPREME COURT OF THE STATE OF NEW YORK
APPELLATE DIVISION : SECOND JUDICIAL DEPARTMENT

1854C
C/hd

MYRIAM J. ALTMAN, J.P.
EDWARD J. HART
WILLIAM D. FRIEDMANN
GABRIEL M. KRAUSMAN, JJ.

94-06242

DECISION & ORDER ON MOTION

Valley Savings Bank, appellant, v
William H. Rose, et al., defendants,
Doris L. Sassower, P.C., respondent.

Motion by the respondent on an appeal from an order of the Supreme Court, Westchester County, entered April 25, 1994, for (1) a stay of enforcement of the decision and order on motion of the court dated January 25, 1996, pending the outcome of the respondent's motion for injunctive relief in her Federal civil rights action against this court; (2) the recusal of this court from any and all adjudication herein and transfer of this appeal to another Judicial Department; (3) reargument and renewal of the appellant's motion and the respondent's cross motion which resulted in the decision and order on motion of this court dated January 25, 1996, and, upon reargument and renewal, dismissing the appeal for the reasons set forth in the respondent's cross motion, and in the event the forgoing relief is denied, granting the appellant's motion for a sine die extension of time to perfect its appeal subject to the outcome of its first mortgage foreclosure action, pending in the Supreme Court, Westchester County, under Index No. 16024/94, (4) an enlargement of time to serve and file a respondent's brief, and (5) \$100 motion costs.

Upon the papers filed in support of the motion and the papers filed in opposition or relation thereto, it is

ORDERED that the motion is granted to the extent that the respondent's time to serve and file a brief is enlarged up to and including April 1, 1996; and it is further,

March 21, 1996

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ORDERED that the motion is otherwise denied; and it is further,

ORDERED that no further enlargement of time shall be granted to the respondent.

ALTMAN, J.P., HART, FRIEDMANN and KRAUSMAN, JJ., concur.

ENTER:

Martin H. Brownstein
Clerk