

At a term of the Appellate Term of the Supreme Court  
of the State of New York for the 9<sup>th</sup> & 10<sup>th</sup> Judicial Districts

JAN 23 2009

-----X  
JOHN MCFADDEN,

Respondent-Appellant,

-against-

ELENA SASSOWER,

Appellant-Respondent.  
-----X

CLERK'S ORDER

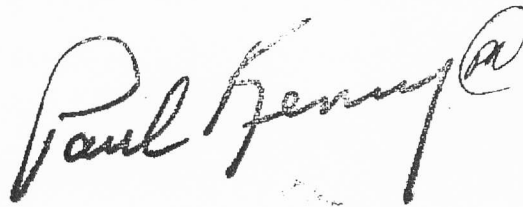
2008-01433 W C

Lower Court #  
SP 1502/07

The above named appellant-respondent and respondent-appellant having appealed to this court from an **ORDER** of the **CITY COURT, WHITE PLAINS, WESTCHESTER COUNTY** entered on **OCTOBER 11, 2007**, and the **APPELLANT-RESPONDENT** having moved this court by **written application** dated **JANUARY 15, 2009** to **ENLARGE TIME TO FILE AN APPELLANT'S REPLY BRIEF** and said application having been duly considered;

Now, on reading the application and no papers having been filed in opposition thereto, and due deliberation having been had thereon, it is,

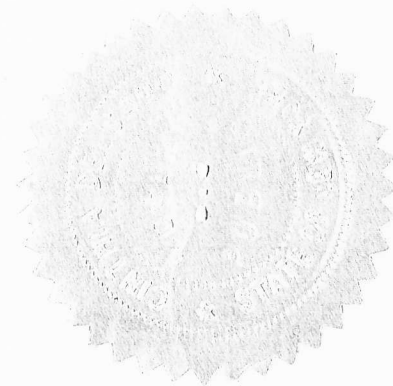
ORDERED that the application is granted, and appellant-respondent shall cause said brief to be served and filed by March 9, 2009.



PAUL KENNY  
CHIEF CLERK  
Appellate Term

EX B-2

AFFIDAVIT OF SERVICE



STATE OF NEW YORK )  
COUNTY OF NEW YORK ) ss.:

RICHARD P. SIMMONDS, being duly sworn, deposes and says:

I am not a party to the action, am over 18 years of age, and reside in Teaneck, New Jersey.

On February 2, 2009, I served the within:

Appellant's Reply Brief - #2008-1428-WC  
[Appeal #2: Judge Hansbury's January 29, 2008 Decision & Order]

upon: LEONARD A. SCLAFANI, ESQ.  
Two Wall Street, 5<sup>th</sup> Floor  
New York, New York 10005

by depositing same in a post-paid properly-addressed envelope, in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State, at the above address furnished by him.

*Richard P. Simmonds*  
RICHARD P. SIMMONDS

Sworn to before me this  
2<sup>nd</sup> day of February 2009

*[Signature]*  
\_\_\_\_\_  
Notary Public

CINTHIA DELGADO  
Notary Public - State of New York  
NO. 01DE6178862  
Qualified in New York County  
Cert. Filed in Queens County  
Commission Expires 12/10/2011