

MOTION INFORMATION STATEMENT

Caption [use short title]

Docket Number(s): 08-4873-cv

Bernstein, et al.

v

Motion for: Extension of Time

Appellate Division First Department Disciplinary Committee, et al.

Set forth below precise, complete statement of relief sought:

Appellant seeks a reasonable Extension of time requesting minimum of 14 days from May 26, 2009 the current due date for filing Reply briefs to all of the Opposition Briefs due to a diagnosis of Kidney Stones on May 24, 2009 which must be surgically removed due to size and position. For the previous 7 seven days Plaintiff has been unable to work or focus on these matters due to extreme pain, as of May 24th, additional Narcotics were prescribed for the Kidney Stones above and beyond those necessary for facial reconstructive surgeries pain. The estimated time to recovery from surgery is two weeks.

MOVING PARTY: Eliot I. Bernstein

OPPOSING PARTY: Supreme Court of NY Appellate Division First Dept DDC

- Plaintiff Defendant
 Appellant/Petitioner Appellee/Respondent

MOVING ATTORNEY: Eliot I. Bernstein

OPPOSING ATTORNEY [Name]: NYAG et al.

[name of attorney, with firm, address, phone number and e-mail]
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[name of attorney, with firm, address, phone number and e-mail]

Court-Judge/Agency appealed from: US District Court - Southern District of New York

Please check appropriate boxes:

Has consent of opposing counsel:

- A. been sought? Yes No
B. been obtained? Yes No

Is oral argument requested? Yes No
(requests for oral argument will not necessarily be granted)

Has argument date of appeal been set? Yes No

If yes, enter date _____

Signature of Moving Attorney

Date: May 26, 2009

FOR EMERGENCY MOTIONS, MOTIONS FOR STAYS AND INJUNCTIONS PENDING APPEAL:

Has request for relief been made below? Yes No

Has this relief been previously sought in this Court? Yes No

Requested return date and explanation of emergency:

ASAP

Has service been effected? Yes No
[Attach proof of service]

ORDER

IT IS HEREBY ORDERED THAT the motion is GRANTED DENIED.

FOR THE COURT:

CATHERINE O'HAGAN WOLFE, Clerk of Court

Date: _____

By: _____

ANTI-VIRUS CERTIFICATION FORM

See Second Circuit Interim Local Rule 25(a)6.

CASE NAME: _____

DOCKET NUMBER: _____

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