

MOTION INFORMATION STATEMENT

Caption [use short title] \_\_\_\_\_

Docket Number(s): 08-4873-cv Bernstein, et al.  
 v  
 Appellate Division First Department Disciplinary  
 Committee, et al.

Motion for: Extension of Time

Appellant seeks a reasonable Extension of time requesting min of 7 days from May 13, 2009 the current due date for filing Reply briefs to all of the Opposition Briefs. Appellant has previously been informed that he may file Reply briefs to all the Defendants at the same time. The general basis for the extension request is Appellant's involvement in related proceedings in the SDNY Bankruptcy Court of Judge Martin Glenn involving named Defendant Silicon Graphics, Inc, who was named in the AC filed in the US District Court of the Southern District before Judge Shira Scheindlin which is the matter on appeal to this Court. In addition to the time and involvement in the related Bankruptcy proceeding presenting further myriad layers of conflict Appellant Bernstein also references his ongoing medical treatment plan filed with this Court as a basis for the Extension request and respectfully prays that such request be granted.

MOVING PARTY: Elliot I. Bernstein OPPOSING PARTY: Supreme Court of NY Appellate Division First Dept DDC  
 Plaintiff  Defendant  
 Appellant/Petitioner  Appellee/Respondent

MOVING ATTORNEY: Elliot I. Bernstein OPPOSING ATTORNEY [Name]: NYAG et al.  
 [name of attorney, with firm, address, phone number and e-mail] [name of attorney, with firm, address, phone number and e-mail]  
2753 NW 34th St  
Boca Raton, FL 33434  
(561) 245-8588  
mewit@ivewit.tv

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 \_\_\_\_\_

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:  
 \_\_\_\_\_  
 \_\_\_\_\_

Signature of Moving Attorney:  Date: May 07, 2009

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

**ORDER**

IT IS HEREBY ORDERED that Appellant Bernstein's motion for an extension of time to file a Reply brief is GRANTED. A Reply brief may be filed on or before May 27, 2009.

11 2009  
 \_\_\_\_\_  
 Date

FOR THE COURT:  
 Catherine O'Hagan Wolfe, Clerk  
 by Joy Fallick  
 Joy Fallick, Administrative Attorney

