

INFORMATION STATEMENT
 Caption (use short title) _____
 Docket Number(s): 08-4873-cv Bernstein, et al.
 Motion for: Extension of Time v
 Appellate Division First Department Disciplinary Committee, et al.

Set forth below, in concise, complete statement of relief sought:
 Appellant seeks a reasonable Extension of time requesting minimum of 30 days from July 10, 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 could not be surgically removed due to size and position and where they have now proscribed Flomax in efforts to pass or move the stone prior to surgery. Plaintiff has been unable to work or focus on these matters since diagnosis due to extreme pain, as of May 24th, additional Narcotics were prescribed for the Kidney Stone above and beyond those necessary for the ongoing facial reconstructive surgeries. The estimated time to recovery is a minimum of 3-4 weeks if able to pass or 4-6 weeks if surgery becomes necessary.

Eliot I. Bernstein Supreme Court of NY Appellate Division First Dept DDC
 Plaintiff Defendant
 Appellant/Petitioner Appellee/Respondent

MOVING ATTORNEY: Eliot I. Bernstein
 [name of attorney, with firm, address, phone number and e-mail]
 2753 NW 34th St
 Boca Raton, FL 33434
 (561) 246-8688
 iviewit@iviewit.tv

OPPOSING ATTORNEY [Name]: NYAG et al.
 [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 _____

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: July 10, 2009

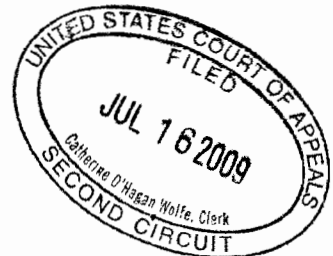
Has service been effected? Yes No
 [Attach proof of service]

ORDER

Before: Ralph K. Winter, Circuit Judge

IT IS HEREBY ORDERED that Appellant's motion for an extension of time until August 10, 2009 to file a reply brief is GRANTED; However, the case should be calendared in the normal course of business. Any further application must be made to the panel assigned to hear the panel.

FOR THE COURT:
 Catherine O'Hagan Wolfe, Clerk
 by Judy Pisanont
 Judy Pisanont, Motions Staff Attorney



JUL 16 2009

Date