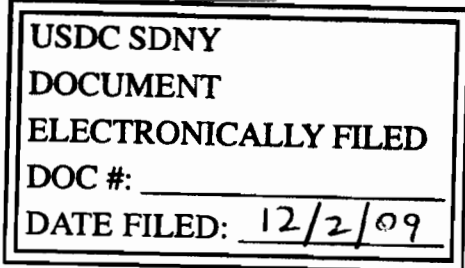


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
:
D'ARRIGO BROS. CO. OF NEW YORK, INC., :
:
Plaintiff, :
:
-v- :
:
GARDEN STATE PRODUCE CO., INC. and :
GARY T. FERRUGGIA, :
:
Defendants. :
-----X

09 Civ. 4185 (DLC)

ORDER



DENISE COTE, District Judge:

Pursuant to an Order of October 16, 2009, plaintiff's motion for summary judgment was to be filed by December 2, 2009, with defendant's opposition papers to be submitted by January 8, 2010 and plaintiff's reply papers, if any, to be submitted by January 15, 2010. On December 1, plaintiff wrote a letter requesting that the time to file his summary judgment motion be extended until January 15, 2010. Accordingly, it is hereby

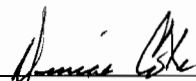
ORDERED that plaintiff's motion for summary judgment be submitted by **January 15, 2010**. The defendant's opposition papers must be submitted by **February 12, 2010**, and plaintiff's reply papers, if any, must be submitted by **February 19, 2010**. This being the second extension, there shall be no further extension of the January 15, 2010 date.

IT IS FURTHER ORDERED that when filing any papers with the Court, the parties shall provide a courtesy copy to Chambers by sending them to this Court's Pro Se Office, Room 230, United States Courthouse, 500 Pearl Street, New York, New York 10007.

IT IS FURTHER ORDERED that failure to comply with any of the terms of this Order may constitute grounds for the denial of requested relief, dismissal of the action, the entry of judgment by default, or such other action as may be just in the circumstances.

SO ORDERED:

Dated: New York, New York
December 2, 2009



DENISE COTE
United States District Judge