

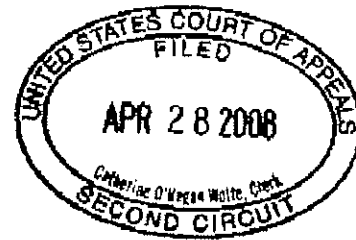
S.D.N.Y. - N.Y.C.  
08-cv-1000  
Holwell, J.

United States Court of Appeals  
FOR THE  
SECOND CIRCUIT

At a stated term of the United States Court of Appeals for the Second Circuit, held at the Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, in the City of New York, on the 29th day of April, two thousand eight,

Present:

Hon. Chester J. Straub,  
Hon. Rosemary S. Pooler,  
Hon. Sonia Sotomayor,  
*Circuit Judges.*



New York State Restaurant Association,

*Plaintiff-Appellant,*

v.

08-1892-cv

New York City Board of Health, *et al.*,

*Defendants-Appellees.*

Appellant, through counsel, moves for a stay pending appeal of enforcement of New York City Health Code § 81.50, including the imposition of monetary fines for violation of the section. Upon due consideration, it is hereby ORDERED that the motion is DENIED. This denial is specifically conditioned upon the representation of Defendants-Appellees in their letter to the Court, dated April 29, 2008 that the existing "no fines" period will be extended to July 18, 2008. It is further ORDERED that the appeal is expedited. The Appellant's brief is due May 7, 2008. The Appellees' brief is due May 15, 2008. Any reply brief must be filed by May 19, 2008. No extensions to the briefing schedule will be granted except for good cause shown to the merits panel. The appeal will be calendared for the panel sitting during the week of June 9, 2008.

FOR THE COURT:  
Catherine O'Hagan Wolfe, Clerk

By: *Lucille Carr*