

Supreme Court of the State of New York
Appellate Division: Second Judicial Department

M78885
S/sl

2008-06625, 2008-10112

ORDER ON APPLICATION

Mt. Hawley Insurance Company, respondent,
v Lexington Insurance Company, et al., appellants.
(Appeal No. 1)

Mt. Hawley Insurance Company, plaintiff-
respondent, v Lexington Insurance Company,
et al., appellants, J.A.N. Construction Corporation,
defendant-respondent.
(Appeal No. 2)

(Index No. 07-4661)

Application by the appellant Lexington Insurance Company on appeals from two orders of the Supreme Court, Westchester County, dated June 18, 2008, and October 2, 2008, respectively, pursuant to 22 NYCRR 670.8(d)(2) to enlarge the time to perfect the appeals from the order dated June 18, 2008, and to consolidate the appeals.

ORDERED that the branch of the application which is to enlarge time is granted and the appellants' time to perfect the appeals from the order dated June 18, 2008, is enlarged until April 20, 2009, and the record or appendix on the appeals and the appellants' respective briefs must be served and filed on or before that date; and it is further,

ORDERED that the branch of the application which is to consolidate the appeals is denied as unnecessary as the appeals may be consolidated as of right (*see* 22 NYCRR 670.7[c][1]).

ENTER:



James Edward Pelzer
Clerk of the Court

November 24, 2008

MT. HAWLEY INSURANCE COMPANY v LEXINGTON INSURANCE COMPANY