

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

M79500  
E/sl

WILLIAM F. MASTRO, J.P.  
HOWARD MILLER  
EDWARD D. CARNI  
WILLIAM E. McCARTHY, JJ.

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2008-02362, 2008-02363, 2008-04432

DECISION & ORDER ON MOTION

Craig Miller, appellant,  
v Cruise Fantasies, Ltd., et al., respondents.

(Index No. 5683/07)

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Motion by the appellant to consolidate appeals from two orders of the Supreme Court, Kings County, dated February 15, 2008, and February 19, 2008, respectively, and a judgment of the same court dated March 25, 2008, and to enlarge the time to perfect the appeals. Cross motion by the respondents, inter alia, to strike stated portions of the appellant's affidavit filed in support of the motion, and to impose a sanction upon the appellant and for an award of costs and an attorney's fee.

Upon the papers filed in support of the motion and the cross motion, and the papers filed in opposition thereto, it is

ORDERED that the branch of the motion 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]); and it is further,

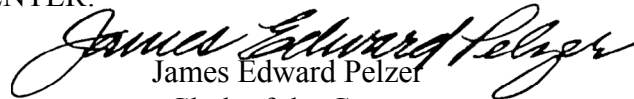
ORDERED that the branch of the motion which is to enlarge the time to perfect the appeals is granted, the appellant's time to perfect the appeals is enlarged until January 5, 2009, and the record or appendix on the appeals and the appellant's brief must be served and filed on or before that date; and it is further,

ORDERED that no further enlargement of time shall be granted; and it is further,

ORDERED that the cross motion is denied.

MASTRO, J.P., MILLER, CARNI and McCARTHY, JJ., concur.

ENTER:

  
James Edward Pelzer  
Clerk of the Court

December 5, 2008

MILLER v CRUISE FANTASIES, LTD.