

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

M86279  
E/cb

WILLIAM F. MASTRO, J.P.  
MARK C. DILLON  
FRED T. SANTUCCI  
RUTH C. BALKIN, JJ.

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2008-06196, 2009-01624, 2009-01625,  
2009-01626

DECISION & ORDER ON MOTION

Craig Miller, respondent, v Cruise Fantasies,  
Ltd., et al., appellants.  
(Appeal No. 1)

Craig Miller, appellant, v Cruise Fantasies,  
Ltd., et al., respondents.  
(Appeal Nos. 2, 3, 4)

(Index No. 07-5683)

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Motion by Cruise Fantasies, Ltd., and Lois Brodie Brooks, inter alia, to direct that appeals from two orders of the Supreme Court, Westchester County, dated May 23, 2008, and January 29, 2009, a decision of the same court dated January 8, 2009, and a judgment of the same court dated January 29, 2009, be perfected on the same day and to calendar them together, or to enlarge the time to perfect the appeal from the order dated May 23, 2008, and for an award of attorney's fees, costs, and disbursements.

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

ORDERED that on the court's own motion, the appeal from the decision dated January 8, 2009 (Appellate Division Docket No. 2009-01624), is dismissed, without costs or disbursements, on the ground that no appeal lies from a decision (*see Schicchi v J.A. Green Constr. Co.*, 100 AD2d 509); and it is further,

ORDERED that the branch of the motion which is to calendar the appeals together is denied with leave to renew when the appeals are perfected; and it is further,

May 7, 2009

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ORDERED that the branch of the motion which is to enlarge the time to perfect the appeal from the order dated May 23, 2008 (Appellate Division Docket No. 2008-06196), is granted to the extent that the time to perfect that appeal is enlarged until August 5, 2009, and the record or appendix on the appeal and the appellants' brief must be served and filed on or before that date; and it is further,

ORDERED that the motion is otherwise denied.

MASTRO, J.P., DILLON, SANTUCCI and BALKIN, JJ., concur.

ENTER:

A handwritten signature in cursive script that reads "James Edward Pelzer".

James Edward Pelzer  
Clerk of the Court