

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

M89975
E/sl

REINALDO E. RIVERA, J.P.
RANDALL T. ENG
JOHN M. LEVENTHAL
L. PRISCILLA HALL, JJ.

2009-00661, 2009-06168

DECISION & ORDER ON MOTION

Theresa Shea, etc., et al., appellants,
v American Tobacco Company, et al.,
respondents.
(Appeal No. 1)

Justin Tomasino, etc., et al., appellants,
v American Tobacco Company, et al.,
respondents.
(Appeal No. 2)

(Index Nos. 8938/03, 27182/97)

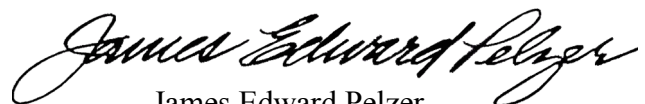
Motion by the appellants to consolidate appeals from two orders of the Supreme Court, Nassau County, entered December 18, 2008, and June 10, 2009, respectively.

Upon the papers filed in support of the motion and no papers having been filed in opposition or in relation thereto, it is

ORDERED that the motion is granted, and the parties shall file ten copies of the record or appendix on appeal and their respective briefs.

RIVERA, J.P., ENG, LEVENTHAL and HALL, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

July 27, 2009

SHEA v AMERICAN TOBACCO COMPANY