

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

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MARK C. DILLON, J.P.
JOSEPH COVELLO
DANIEL D. ANGIOLILLO
LEONARD B. AUSTIN, JJ.

2009-01404, 2009-03765

DECISION & ORDER ON MOTION

Walter Marshall, et al., respondents,
v Robert Marshall, et al., appellants.

(Index No. 11617/06)

Motion by the appellants to consolidate appeals from two orders of the Supreme Court, Queens County, entered December 30, 2008, and March 10, 2009, respectively.

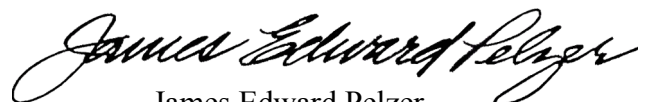
Upon the papers filed in support of the motion and no papers having been filed in opposition or in relation thereto, it is

ORDERED that the motion is 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 appellants' time to perfect the appeal from the order entered December 30, 2008 (Appellate Division Docket No. 2009-01404), is enlarged until October 7, 2009, and the record or appendix on the appeal and the appellants' brief must be served and filed on or before that date.

DILLON, J.P., COVELLO, ANGIOLILLO and AUSTIN, JJ., concur.

ENTER:



James Edward Pelzer
Clerk of the Court

August 18, 2009

MARSHALL v MARSHALL