

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

M91366  
E/sl

STEVEN W. FISHER, J.P.  
MARK C. DILLON  
JOSEPH COVELLO  
RANDALL T. ENG, JJ.

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2008-11639, 2009-07163

DECISION & ORDER ON MOTION

Elizabeth Kelleher, appellant,  
v Sheila Properties, Inc., et al., respondents.  
(Appeal No. 1)

Sheila Properties, Inc., respondent-appellant,  
v A Real Good Plumber, Inc., et al., defendants,  
Elizabeth Kelleher, appellant-respondent.  
(Appeal No. 2)

(Index Nos. 1103/06, 4599/08)

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Motion by Elizabeth Kelleher to consolidate an appeal from an order of the Supreme Court, Kings County, dated November 13, 2008, with an appeal and cross appeal from an order of the same court dated June 1, 2009, and to enlarge the time to perfect the appeal from the order dated November 13, 2008.

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

ORDERED that the motion is granted; and it is further,

ORDERED that the parties shall file 10 copies of the joint record or appendix(es) on appeal and the parties' briefs; and it is further,

ORDERED that the Elizabeth Kelleher's time to perfect the appeal from the order dated November 13, 2008 (Appellate Division Docket No. 2008-11639), is enlarged until September 17, 2009, and the record or appendix and the appellant's brief must be served and filed on or before that date; and it is further,

August 28, 2009

KELLEHER v SHEILA PROPERTIES, INC.

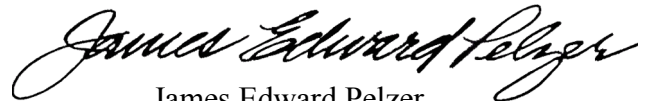
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ORDERED that no further enlargement of time shall be granted; and it is further,

ORDERED that Sheila Properties, Inc., shall serve and file its answering brief, including its points of argument on the cross appeal, in accordance with the rules of the court (*see* 22 NYCRR 670.8[c][3]).

FISHER, J.P., DILLON, COVELLO and ENG, JJ., concur.

ENTER:

A handwritten signature in black ink, reading "James Edward Pelzer". The signature is written in a cursive style with a large, sweeping initial "J".

James Edward Pelzer  
Clerk of the Court