



Robert S. Dean, Esq., Center for Appellate Litigation, 74 Trinity Place, 11th Floor, New York, New York 10006, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:

  
CLERK



Richard M. Greenberg, Esq., Office of the Appellate Defender, 11 Park Place, Room 1601, New York, New York 10007, Telephone No. 212-402-4100, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:

  
CLERK



Steven Banks, Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:

  
CLERK



Steven Banks, Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

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CLERK



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Robert S. Dean, Esq., Center for Appellate Litigation, 74 Trinity Place, 11th Floor, New York, New York 10006, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 7, 2012.

Present - Hon. Luis A. Gonzalez, Presiding Justice,  
David Friedman  
Dianne T. Renwick  
Sallie Manzanet-Daniels  
Nelson S. Román, Justices.

-----x

In the Matter of a Proceeding for  
Custody and/or Visitation Under  
Article 6 of the Family Court Act.

- - - - -  
Kevin McK.,  
Petitioner-Respondent,

M-2242  
Docket Nos. V-1438/08  
V-15245/07

-against-

Elizabeth A. E.,  
Respondent-Appellant.

- - - - -  
Colleen Samuels, Esq.,  
Attorney for the Child.

-----x

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from a Final Order of Custody and Visitation of the Family Court, New York County, entered on or about April 10, 2012, and for assignment of counsel, a free copy of the transcript, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is denied, with leave to renew upon submission of a detailed notarized affidavit, pursuant to CPLR 1101(a), setting forth, in detail, the amount and sources of her income and listing her property with its value, her income tax returns filed for the years 2010 and 2011, and the specific information as to the source of funds used by respondent to pay her monthly rent.

ENTER:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 7, 2012.

Present - Hon. Peter Tom, Justice Presiding,  
Richard T. Andrias  
John W. Sweeny, Jr.  
Leland G. DeGrasse  
Nelson S. Román, Justices.

-----x  
The People of the State of New York,  
Respondent,

-against-

M-5119  
Ind. No. 3856/00

Jorge Astacio,  
Defendant-Appellant.

-----x

An appeal having been taken to this Court from the order of the Supreme Court, Bronx County, entered on or about July 26, 2001,

And by release order of the aforesaid Court dated August 14, 2001, defendant having been released upon the posting of bail pending appeal,

And respondent the People having moved for dismissal of the aforesaid appeal for failure to timely prosecute,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is denied. Sua sponte, pursuant to 722 of the County Law, David K. Bertan, Esq., 888 Grand Concourse, Suite 1N, Bronx, New York 10451, Telephone No. 718-742-1688, is assigned as counsel for defendant-appellant to investigate the current circumstances and to perfect the appeal or take any other appropriate action, if so advised. The aforesaid release order dated August 14, 2001 is continued upon the same terms and conditions pending further order of this Court.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 7, 2012.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,  
Richard T. Andrias  
David Friedman  
John W. Sweeny, Jr.  
James M. Catterson, Justices.

-----x  
Neil Reese and Gladys Reese,  
Plaintiffs,

-against-

110 Church LLC, 120 Church Street Corp.  
and Zar Realty Management Corp.,  
Defendants-Respondents,

M-2417  
Index No. 16763/04

Lionshead 110 Development, LLC,  
Monarch Real Estate Management, LLC  
and World-Wide Holdings Corp.,  
Defendants-Appellants,

Marson Contracting Co., Inc.,  
Defendant-Respondent.

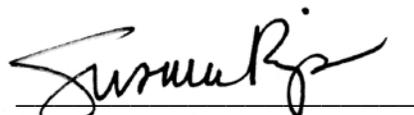
- - - - -  
[And third-party actions]

-----x  
Defendants-respondents 110 Church LLC, et al. having moved for dismissal of the appeal taken from the order of the Supreme Court, Bronx County, entered on or about January 19, 2012,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is denied.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 7, 2012.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
Richard T. Andrias  
David Friedman  
John W. Sweeny, Jr.  
James M. Catterson, Justices.

-----X  
The People of the State of New York,  
Respondent,

-against-

M-2588  
Ind. No. 5455/07

Sergio Rodriguez,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of **resentence** of the Supreme Court, New York County, rendered on or about May 23, 2012, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts of the stenographic minutes of **resentence**. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Robert S. Dean, Esq., Center for Appellate Litigation, 74 Trinity Place, 11<sup>th</sup> Floor, New York, New York 10006, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 7, 2012.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,  
Richard T. Andrias  
David Friedman  
John W. Sweeny, Jr.  
James M. Catterson, Justices.

-----X

In the Matter of

Joshua J.P.,

A Child Under the Age of Eighteen Years  
Alleged to be Neglected.

- - - - -

Commissioner of Social Services of the  
City of New York,  
Petitioner-Respondent,

M-2759  
Docket No. NN 51774/11

Deborah P.,  
Respondent-Appellant.

- - - - -

Steven Banks, Esq., The Legal Aid  
Society, Juvenile Rights Division,  
Attorney for the Child.

-----X

Respondent-appellant Deborah P. having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, New York County, entered on or about May 7, 2012, and for assignment of counsel, a free copy of the transcript, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Randall Carmel, Esq., 53 Jackson Avenue, Syosset, NY 11791, Telephone No. (516) 921-8800, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from

funds available therefor<sup>1</sup> **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTER:



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CLERK

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<sup>1</sup>Service of appellant's brief upon respondent(s) shall include assigned counsel's copy of the transcript.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 7, 2012.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,  
Richard T. Andrias  
David Friedman  
John W. Sweeny, Jr.  
James M. Catterson, Justices.

-----X  
In the Matter of Application for the Custody and Guardianship of

Blair St. Clair B., II, also known as  
Blair B., Jr.,  
Nakiah Jada B., also known as  
Nakia Jada B., also known as  
Nakia B., and  
Natasha Denise B., also known as  
Natasha B.,

Children Under 18 Years of Age  
Pursuant to §384-b of the Social Services Law of the State of New York.

M-2765  
Docket Nos. B6111-13/10

- - - - -  
Leake & Watts Services, Inc.,  
et al.,  
Petitioners-Respondents,

Montricia Denise C., also known as  
Montricia B.,  
Respondent-Appellant.

- - - - -  
Andrew Rossmer, Esq.,  
Attorney for the Children.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from the orders of the Family Court, Bronx County, entered on or about April 12, 2012, and for assignment of counsel, a free copy of the transcript, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and

§1120 of the Family Court Act, Julian A. Hertz, Esq., 15 Sherwood Drive, Larchmont, New York 10538, Telephone No. 914-834-5461, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor<sup>1</sup> **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTER:



CLERK

---

<sup>1</sup>Service of appellant's brief upon respondent(s) shall include assigned counsel's copy of the transcript.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 7, 2012.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,  
Richard T. Andrias  
David Friedman  
John W. Sweeny, Jr.  
James M. Catterson, Justices.

-----X

In the Matter of

Carlos B.,  
Jhaona R.,  
Karina L., and  
Jose D. L.,

Children Alleged to have been Neglected and/or Abused Under Article 10 of the Family Court Act.

- - - - -

New York City Administration for Children's Services, et al.,  
Petitioners-Respondents,

M-2802  
Docket Nos. NA32520-23/10

Israel R.,  
Respondent-Appellant.

- - - - -

Steven Banks, Esq., The Legal Aid Society, Juvenile Rights Division,  
Attorney for the Children.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from an Order of Fact Finding of the Family Court, Bronx County, entered on or about March 2, 2012, and from the Order of Disposition of the same Court and Judge entered on or about April 3, 2012, and for assignment of counsel, a free copy of the transcript, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Andrew Baer, Esq., 299 Broadway, Suite 1415, New York, New York 10007, Telephone No. 212-233-0318,

as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor<sup>1</sup> **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTER:



CLERK

---

<sup>1</sup>Service of appellant's brief upon respondent(s) shall include assigned counsel's copy of the transcript.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 7, 2012.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
Richard T. Andrias  
David Friedman  
John W. Sweeny, Jr.  
James M. Catterson, Justices.

-----X  
The People of the State of New York,  
Respondent,

-against-

M-2741  
Ind. No. 30215/11

Daniel Baisley,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County (Daniel McCullough, J.) entered on or about May 23, 2012, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the appeal, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

Ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The Clerk of the Supreme Court shall expeditiously have made and file with the criminal court (CPL 460.70) two transcripts of the stenographic minutes of the SORA hearing and any other proceedings before Justice McCullough as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, Steven Banks, Esq., without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Steven Banks, Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 7, 2012.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,  
Richard T. Andrias  
David Friedman  
John W. Sweeny, Jr.  
James M. Catterson, Justices.

-----X  
In the Matter of a Proceeding for  
Custody and/or Visitation Under  
Article 6 of the Family Court Act.

-----  
Erika H.,  
Petitioner-Appellant,

**M-2754**  
Docket Nos. V14601-5/10B

-against-

Dwaine Philmore St. E. L.,  
Respondent-Respondent.

-----  
Mary Clarke, Esq.,  
Attorney for the Child.

-----X

Respondent-respondent having moved for leave to respond, as a poor person, to the appeal from the order of the Family Court, New York County, entered on or about April 30, 2012, and for assignment of counsel, a free copy of the transcript, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Elisa Barnes, Esq., 419 Park Avenue, 18<sup>th</sup> Floor, New York, NY 10016, Telephone No. (212) 693-2330, as counsel for purposes of responding to the appeal; (2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for petitioner-appellant and 8 copies thereof are filed with this Court.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 7, 2012.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,  
Richard T. Andrias  
David Friedman  
John W. Sweeny, Jr.  
James M. Catterson, Justices.

-----X  
The People of the State of New York,

Respondent,

-against-

Israel Feliciano,

Defendant-Appellant.  
-----X

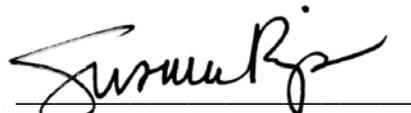
M-2703  
Ind. Nos. 1097/08  
14077C/08

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, Bronx County, rendered on or about November 10, 2010, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is denied, with leave to renew upon defendant's submission of a detailed notarized affidavit, in compliance with CPLR 1101(a), setting forth the terms of defendant's retainer agreement with trial counsel, Lynn Calvacca, Esq., the amount and sources of funds for trial counsel's fee and an explanation as to why similar funds are not available to prosecute this appeal. (The application shall include an affidavit of the source[s] of all funds utilized by defendant.)

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 7, 2012.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
Richard T. Andrias  
David Friedman  
John W. Sweeny, Jr.  
James M. Catterson, Justices.

-----X  
Elizabeth Frances Kerrigan,  
as Executrix of the Estate of  
Thomas Connelly, Decedent,  
Plaintiff-Appellant,

-against-

M-2725  
Index No. 109042/04

TDX Construction Corporation,  
et al.,  
Defendants-Respondents.

-----X  
(And other actions)  
-----X

Plaintiff-appellant having moved for an enlargement of time in which to perfect the appeal from an order of the Supreme Court, New York County, entered on or about September 23, 2011,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the November 2012 Term.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 7, 2012.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,  
Richard T. Andrias  
David Friedman  
John W. Sweeny, Jr.  
James M. Catterson, Justices.

-----x  
Lori A. Fazzolari,

Plaintiff-Appellant,

-against-

City of New York,

Defendant-Respondent.  
-----x

M-2824  
Index No. 102157/06

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, New York County, entered on or about September 21, 2011,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the November 2012 Term.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 7, 2012.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
Richard T. Andrias  
David Friedman  
John W. Sweeny, Jr.  
James M. Catterson, Justices.

-----X  
Bruce Lindenman and Jane Lindenman,  
Plaintiffs-Respondents,

-against-

M-2813  
Index No. 109292/97

David Kreitzer, Individually,  
doing business as and/or as  
partner in Kreitzer & Vogelman,  
Defendant-Appellant,

-and-

Donald H. Vogelman, Leonard S.  
Shoob, Kreitzer & Vogelman, et al.,  
Defendants.

-----X

Defendant-appellant David Kreitzer having moved for an enlargement of time in which to perfect the appeal from an order of the Supreme Court, New York County, entered on or about September 16, 2011,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the November 2012 Term.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 7, 2012.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
Richard T. Andrias  
David Friedman  
John W. Sweeny, Jr.  
James M. Catterson, Justices.

-----X  
Liberty Architectural Products, Inc.  
and Aspen Specialty Insurance,  
Plaintiffs-Respondents-Appellants,

-against-

M-2776  
Index No. 111731/08

A-Tech Restoration, Inc.,  
Defendant-Appellant-Respondent,

American Safety Casualty Insurance Co.,  
Defendants-Respondents-Respondents.

-----X  
A-Tech Restoration, Inc.,  
Third-Party Plaintiff-Appellant-  
Respondent,

-against-

Third-Party  
Index No. 591059/08

Hanson & Ryan, Inc.,  
Third-Party Defendant-Appellant-  
Respondent,

-against-

Fairmont Insurance Brokers, Ltd.,  
Third-Party Defendant-Respondent-  
Respondent.

-----X

Appeals and a cross appeal having been taken from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about August 16, 2011,

And third-party plaintiff-appellant-respondent, A-Tech Restoration, Inc., having moved for an enlargement of time in which to perfect its appeal,

And an order of this Court having been entered on June 14, 2012 (M-2255), sua sponte consolidating the direct appeals of A-Tech Restoration, Inc. and Hanson & Ryan, Inc. and granting an enlargement of time in which to perfect the aforesaid appeals and cross appeal to the November 2012 Term,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is denied as unnecessary, said relief having been granted by the order of this Court entered on June 14, 2012 (M-2255).

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 7, 2012.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
Richard T. Andrias  
David Friedman  
John W. Sweeny, Jr.  
James M. Catterson, Justices.

-----X  
Flora Perez,  
Plaintiff-Respondent,

-against-

M-2750

M-2758

Index No. 13297/07

New York City Health and Hospital Corp.,  
Defendant-Respondent,

Rehabilitation Equipment, Inc.,  
doing business as Rehabco,  
Defendant-Appellant.

-----X  
Rehabilitation Equipment,  
Inc., doing business as Rehabco,  
Third-Party Plaintiff-Appellant,

-against-

Family Care Services, Visiting Nurse Service of New York and Carmen Matos,  
Third-Party Defendants-Appellants.

-----X

Third-party defendants-appellants having moved for an enlargement of time in which to perfect their appeal from the order of the Supreme Court, Bronx County, entered on or about August 4, 2011 (M-2750),

And defendant/third-party plaintiff Rehabilitation Equipment, Inc., doing business as Rehabco, having moved for an enlargement of time in which to perfect its appeal from so much of the aforesaid order denying its motion for summary judgment dismissing the complaint against it (M-2758),

Now, upon reading and filing the papers with respect to the motions, and due deliberation having been had thereon,

It is ordered that the motions are granted to the extent of enlarging the time in which to perfect the appeals to the November 2012 Term (M-2750/M-2758).

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 7, 2012.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
Richard T. Andrias  
David Friedman  
John W. Sweeny, Jr.  
James M. Catterson, Justices.

-----X  
Christopher Pannone,  
Plaintiff-Appellant,

-against-

M-2768  
Index No. 107932/04

Daniel P. Silberstein, Esq.,  
Defendant-Respondent,

Edward G. Delli Paoli, Esq.,  
Defendant.

-----X

Plaintiff-appellant having moved for an enlargement of time in which to perfect the appeal from the judgment of the Supreme Court, New York County, entered on or about August 4, 2011,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the December 2012 Term.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 7, 2012.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,  
Richard T. Andrias  
David Friedman  
John W. Sweeny, Jr.  
James M. Catterson, Justices.

-----x  
Alicia Rutledge,

Plaintiff-Respondent,

-against-

M-2770  
Index No. 101196/05

New York City Transit Authority,

Defendant-Appellant.  
-----x

Defendant-appellant having moved for an enlargement of time to perfect the appeal from the judgment of the Supreme Court, New York County, entered on or about August 19, 2011,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the December 2012 Term.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 7, 2012.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,  
Richard T. Andrias  
David Friedman  
John W. Sweeny, Jr.  
James M. Catterson, Justices.

-----X  
Herbert Moreira-Brown,  
Plaintiff-Appellant,

-against-

M-2782  
Index No. 26490/99

The City of New York, New York City  
Police Department and New York City  
Police Detective Raymond Rivera,  
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, Bronx County, entered on or about March 25, 2011,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to on or before October 1, 2012 for the December 2012 Term.

ENTER:



\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 7, 2012.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
David Friedman  
James M. Catterson  
Dianne T. Renwick  
Leland G. DeGrasse, Justices.

-----X  
In the Matter of the Application of  
Luis Jiminez, M-2610  
Petitioner, M-2643  
Index No. 400351/11  
For a Judgment Pursuant to Article 78  
of the CPLR,

-against-

H.P.D. Section 8,  
Respondent.

-----X  
An Article 78 proceeding to review a determination of respondent having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, New York County, entered on or about June 8, 2011,

And an order of this Court having been entered September 8, 2011 (M-3369), granting petitioner leave to prosecute the aforesaid proceeding as a poor person and a stay of eviction pending hearing and determination of said proceeding,

And an order of this Court having been entered on January 5, 2012 (M-5107), granting petitioner an enlargement of time to perfect the appeal and continuing the aforesaid stay of eviction on condition the proceeding was perfected for the May 2012 Term,

And petitioner having moved for a further enlargement of time in which to perfect the aforesaid proceeding and to reinstate the stay afforded him by the order of this Court entered on September 8, 2011 (M-3369) [M-2610],

And respondent agency having moved for vacatur of so much of the order of this Court entered on September 8, 2011 (M-3369) granting a stay of eviction pending hearing and determination of the aforesaid proceeding and for related relief [M-2643],

Now, upon reading and filing the papers with respect to the motions, and due deliberation having been had thereon,

It is ordered that the motion (M-2610) is granted to the extent of enlarging the time in which to perfect the aforesaid proceeding to the December 2012 Term, with no further enlargements to be granted, and otherwise denied. So much of the motion which seeks vacatur of the stay of eviction afforded petitioner by the order of this Court entered September 8, 2011 (M-2643) is granted accordingly.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 7, 2012.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,  
Richard T. Andrias  
David Friedman  
John W. Sweeny, Jr.  
James M. Catterson, Justices.

-----X  
In the Matter of

Ariel S.,  
Richard S.,  
Jamie S., and  
Xavier V.,

Children Under the Age of 18 Years  
Pursuant to §384-b of the Social Services  
Law of the State of New York.

- - - - -  
Administration for Children's Services,  
Petitioner-Respondent,

M-2939  
Docket Nos.  
NN-10173-76/08  
B-34398/10

Yesenia L.,  
Respondent-Appellant,

Ariel S.,  
Respondent.

- - - - -  
David Eskin, Esq.,  
Attorney for the Children.

-----X  
An appeal having been taken from the order of the Family Court, Bronx County, entered on or about June 20, 2012,

And respondent-appellant mother having moved for a stay of the aforesaid order pending hearing and determination of the appeal,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of continuing the relief granted by a Justice of this Court on June 21, 2012 on the same terms pending hearing and determination of the appeal on condition the appeal is perfected on or before October 1, 2012 for the December 2012 Term.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 7, 2012.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,  
David Friedman  
John W. Sweeny, Jr.  
Sallie Manzanet-Daniels  
Nelson S. Román, Justices.

-----X  
R&L Realty Associates,  
Petitioner-Respondent,

-against-

205 West 103 Owners Corp.,  
Respondent-Appellant.

M-2457  
Index No. 104662/11

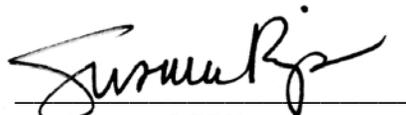
-----X

Petitioner-respondent having moved for dismissal of the appeal taken from the order and judgment of the Supreme Court, New York County, entered on or about June 16, 2011, and said appeal having been heard,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is denied. (See Appeal No. 7950, decided simultaneously herewith)

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 7, 2012.

PRESENT - Hon. Rolando T. Acosta, Justice Presiding,  
Dianne T. Renwick  
Leland G. DeGrasse  
Helen E. Freedman  
Rosalyn H. Richter, Justices.

-----X

In the Matter of a Proceeding for Support under Article 4 of the Family Court Act.

- - - - -

Gouchlyn L.,  
Petitioner-Appellant,

**M-2938**  
Docket No. F35956-11/11A

-against-

Kurt K.,  
Respondent-Respondent.

- - - - -

Steven Banks, Esq.,  
Attorney for the Child.

-----X

Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, New York County, entered on or about March 19, 2012, and for assignment of counsel, a free copy of the transcript, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

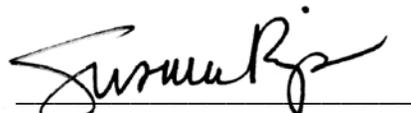
Ordered that the motion is granted only to the extent (1) of directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor<sup>1</sup> **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (2) permitting appellant to dispense with any fee

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<sup>1</sup>Service of appellant's brief upon respondent(s) shall include assigned counsel's copy of the transcript.

for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (3) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of receipt of the transcripts. **Respondent-appellant is directed to immediately serve a copy of this order upon the Clerk of the Family Court.** So much of the motion which seeks the assignment of counsel is denied.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 7, 2012.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,  
Dianne T. Renwick  
Leland G. DeGrasse  
Helen E. Freedman  
Rosalyn H. Richter, Justices.

-----X  
Rosabel Oquendo,  
Plaintiff-Appellant,

-against-

The City of New York,  
Defendant-Respondent.

M-2933  
Index No. 24564/05

-----X

Plaintiff-appellant having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, Bronx County, entered on or about July 7, 2011,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the November 2012 Term.

ENTER:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 7, 2012.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,  
Dianne T. Renwick  
Leland G. DeGrasse  
Helen E. Freedman  
Rosalyn H. Richter, Justices.

-----X  
Justina Kim,  
Petitioner-Appellant,

-against-

M-2801  
Index No. 103788/11

New York State Division of Human Rights and D.E. Shaw & Co., L.P.,  
Respondents-Respondents.

-----X

Petitioner-appellant having moved for an enlargement of time in which to perfect the appeal from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about August 16, 2011,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the December 2012 Term.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 7, 2012.

Present - Hon. Rolando T. Acosta, Justice Presiding,  
Dianne T. Renwick  
Leland G. DeGrasse  
Helen E. Freedman  
Rosalyn H. Richter, Justices.

-----x  
The Huff Alternative Fund, L.P.,  
et al.,  
Plaintiffs-Appellants,

-against-

Paul C. Kanavalos, et al.,  
Defendants-Respondents,

M-3008  
Index No. 650338/10

-against-

Circle Entertainment Inc., formerly  
known as FX Real Estate and  
Entertainment Inc.,  
Nominal Defendant-Respondent.

-----x

Plaintiffs-appellants having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, New York County, entered on or about May 26, 2011 (mot. seq. nos. 001-003),

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the December 2012 Term.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 7, 2012.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,  
Dianne T. Renwick  
Leland G. DeGrasse  
Helen E. Freedman  
Rosalyn H. Richter, Justices.

-----X  
IDT Corporation,  
Plaintiff-Appellant,

-against-

M-3352  
Index No. 603710/04

Morgan Stanley Dean Witter & Co.,  
and Morgan Stanley & Co., Inc.,  
Defendants-Respondents.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about April 4, 2012,

And defendants-respondents having moved for an order expediting the aforesaid appeal,

Now, upon reading and filing the papers with respect to said motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of directing plaintiff-appellant to perfect the appeal to on or before October 1, 2012 for the December 2012 Term.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 7, 2012.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,  
Dianne T. Renwick  
Leland G. DeGrasse  
Helen E. Freedman  
Rosalyn H. Richter, Justices.

-----X  
Victor Weingarten,  
Plaintiff-Respondent,

-against-

M-2955  
Index No. 102230/08E

S&R Medallion Corp., Shimon Wolkowicki,  
also known as Sam Wolkowicki,  
Rhoda Ryklin, and Jonathan Zuhovitzky,  
Defendants-Appellants,

-and-

David Beier,  
Defendant.

-----X

Defendants-appellants having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, New York County, entered on or about July 12, 2011 (mot. seq. no. 003),

Now, upon reading and filing the papers with respect to the motion, including the stipulation of the parties filed August 6, 2012, and due deliberation having been had thereon,

It is ordered that the motion is deemed withdrawn in accordance with the aforesaid stipulation.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 7, 2012.

Present : Hon. Rolando T. Acosta, Justice Presiding,  
Dianne T. Renwick  
Leland G. DeGrasse  
Helen E. Freedman  
Rosalyn H. Richter, Justices.

-----X  
Bovis Lend Lease (LMB), Inc.,

Plaintiff-Appellant-Respondent,

**M-3160**

Index No. 603243/09

-against-

Lower Manhattan Development Corporation,

Defendant-Respondent-Appellant.

-----X

An appeal and cross appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about May 10, 2011,

And plaintiff having taken an appeal to this Court from the order of the same Court, entered on or about April 6, 2012,

And plaintiff having moved for consolidation of all of the aforesaid appeals,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of permitting the respective parties to prosecute the consolidated appeals and cross appeal upon 9 copies of one record and of one set of appellant's points covering the appeals. Sua sponte, the time to perfect the consolidated appeals is enlarged to on or before October 1, 2012 for the December 2012 Term.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 7, 2012.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,  
Dianne T. Renwick  
Leland G. DeGrasse  
Helen E. Freedman  
Rosalyn H. Richter, Justices.

-----X  
In the Matter of the Application  
of the New York State Division of  
Human Rights and Angel Rivera,  
Petitioners,

For an Order and Judgment of M-2040  
Enforcement Pursuant to Section 298 Index No. 251082/11  
of the Executive Law on the Final  
Order on the Complaint of Angel Rivera,

-against-

Neighborhood Youth & Family Services,  
Respondent.

-----X

A proceeding pursuant to Executive Law 298 having been transferred to this Court by an order of the Supreme Court, Bronx County, entered on or about September 30, 2011, and said proceeding having been perfected,

And an order by a Justice of this Court dated April 19, 2012 having adjourned the aforesaid proceeding to the September 2012 Term,

And putative counsel for respondent Neighborhood Youth & Family Services having moved to adjourn the proceeding to the November 2012 Term, to be relieved as counsel, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of adjourning the proceeding to the December 2012 Term and otherwise denied, with leave to renew upon demonstration that counsel has served a copy of the moving papers upon respondent.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 7, 2012.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,  
Dianne T. Renwick  
Leland G. DeGrasse  
Helen E. Freedman  
Rosalyn H. Richter, Justices.

-----X  
Alexander Pereira,  
Plaintiff-Appellant,

-against-

M-2859  
Index No. 17575/97

The City of New York, et al.,  
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for an enlargement of time in which to perfect the appeal from an order of the Supreme Court, Bronx County, entered on or about September 13, 2011,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the January 2013 Term.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 7, 2012.

Present - Hon. Rolando T. Acosta, Justice Presiding,  
Dianne T. Renwick  
Leland G. DeGrasse  
Helen E. Freedman  
Rosalyn H. Richter, Justices.

-----X  
69 West 9 Owners Corp., et al.,

Plaintiffs-Respondents,

-against-

M-2879  
Index No. 106005/10

Admiral Indemnity Company,

Defendant-Appellant.  
-----X

Defendant-appellant having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, New York County, entered on or about May 24, 2011,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the January 2013 Term.

ENTER:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 7, 2012.

Present: Hon. Rolando T. Acosta, Justice Presiding,  
Dianne T. Renwick  
Leland G. DeGrasse  
Helen E. Freedman  
Rosalyn H. Richter, Justices.

-----X  
Allied Irish Banks, P.L.C., etc.,  
Plaintiff-Respondent,

-against-

**M-2856**

Index No. 652967/11

Young Men's Christian Association of  
Greenwich,  
Defendant-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about April 13, 2012, and said appeal having been perfected,

And defendant-appellant having moved for a stay of all proceedings pending hearing and determination of the appeal,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

Ordered that the motion is denied.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 7, 2012.

Present: Hon. Rolando T. Acosta, Justice Presiding,  
Dianne T. Renwick  
Leland G. DeGrasse  
Helen E. Freedman  
Rosalyn H. Richter, Justices.

-----X

Shari Popkin,

Plaintiff-Respondent-Appellant,

-against-

**M-3034**

Index No. 350021/08

Donald Fleischer,

Defendant-Appellant-Respondent.

-----X

An appeal and cross appeal having been taken from an order of the Supreme Court, New York County, entered on or about March 13, 2012 (mot. seq. nos. 001, 003),

And defendant-appellant-respondent having moved for a stay of enforcement of so much of the order of the special referee awarding maintenance and child support to plaintiff, pending hearing and determination of the aforesaid appeal,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

Ordered that the motion is denied.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 7, 2012.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,  
Dianne T. Renwick  
Leland G. DeGrasse  
Helen E. Freedman  
Rosalyn H. Richter, Justices.

-----X  
Anna Corrigan,

Plaintiff-Respondent,

-against-

M-2963

Index No. 104373/10

Porter Cab Corp. and MD Islam,  
Defendants-Respondents,

-and-

John Katsomaliaris and Sunday J.  
Oseni,

Defendants-Appellants.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about April 9, 2012, and said appeal having been perfected,

And defendants-appellants having moved for a stay of trial pending hearing and determination of the aforesaid appeal,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is denied.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 7, 2012.

Present: Hon. Rolando T. Acosta, Justice Presiding,  
Dianne T. Renwick  
Leland G. DeGrasse  
Helen E. Freedman  
Rosalyn H. Richter, Justices.

-----X  
Linda Spector, et al.,  
Plaintiffs-Respondents,

-against-

**M-2838**

Index No. 104607/07

Cushman & Wakefield, Inc., et al.,  
Defendants,

One Source Facility Services, Inc.,  
Defendant-Appellant,

Golden Plow LLC,  
Defendant.

- - - - -  
[And Third-Party Actions]  
-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about December 20, 2011,

And defendant having moved for an order staying all proceedings including trial in this matter pending hearing and determination of the aforesaid appeal, or for alternative relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

Ordered that the motion is denied, and the interim relief granted by a Justice of this Court on June 15, 2012 is vacated.

ENTER:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 7, 2012.

Present - Hon. Rolando T. Acosta, Justice Presiding,  
Dianne T. Renwick  
Leland G. DeGrasse  
Helen E. Freedman  
Rosalyn H. Richter, Justices.

-----x

Fundamental Long Term Care Holdings,  
LLC, et al.,

Plaintiffs-Appellants,

-against-

M-2864

Index No. 650332/11

Cammeby's Funding LLC, et al.,

Defendants-Respondents.

-----x

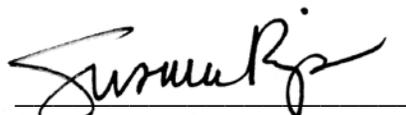
An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about June 18, 2012,

And plaintiff-appellant Fundamental Long Term Care Holdings LLC having moved, pursuant to CPLR 5519(c), for a stay of the aforesaid order which, inter alia, granted defendants discovery of, inter alia, certain plaintiffs audited financial data, pending hearing and determination of the aforesaid appeal,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted on condition that the appeal is perfected on or before October 1, 2012 for the December 2012 Term.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 7, 2012.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,  
Dianne T. Renwick  
Leland G. DeGrasse  
Helen E. Freedman  
Rosalyn H. Richter, Justices.

-----X

Katan Group, LLC, individually and  
derivatively as a member of  
Refinery Management LLC,  
Plaintiff-Appellant,

Action No. 1  
M-3066

-against-

Index No. 650664/12

CPC Resources, Inc., et al.,  
Defendants-Respondents.

-----X

Katan Group, LLC, individually and  
derivatively as a member of  
Refinery Management LLC,  
Plaintiff-Appellant,

Action No. 2  
M-3067

-against-

Index No. 651450/12

CPC Resources, Inc., et al.,  
Defendants-Respondents.

-----X

Appeals having been taken to this Court from an order of the Supreme Court, New York County, entered on or about June 28, 2012 [Action No. 2], and an order from the same Court and Justice entered on or about July 2, 2012 [Action No. 1],

And plaintiff-appellant having moved for a stay of all proceedings, for preference in hearing the aforesaid appeals and for consolidation of said appeals [Action No. 1] (M-3066),

And plaintiff-appellant having moved separately for the same relief [Action No. 2] (M-3067),

Now, upon reading and filing the papers with respect to the motions, and due deliberation having been had thereon,

It is ordered that the motions are granted to the extent of permitting appellant to prosecute the aforesaid appeals in Action Nos. 1 and 2 upon 8 copies of one record and one set of appellant's points covering the appeals. To the extent a preference and expedited treatment of the appeals is sought, the motions are denied, with leave to renew upon perfection of the consolidated appeals. The motions are otherwise denied (M-3066/M-3067).

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 7, 2012.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,  
Dianne T. Renwick  
Leland G. DeGrasse  
Helen E. Freedman  
Rosalyn H. Richter, Justices.

-----X  
Wadsworth Ventura Associates 367 LLC,  
Petitioner-Landlord-Respondent,

-against-

M-3230  
Index No. 570204/10

Carmen Frias,  
Respondent-Tenant-Appellant,

New York City Department of Health and  
Mental Hygiene, et al.,  
Proposed Amici Curiae.

-----X

An order of this Court having been entered June 28, 2011 (M-1594) granting respondent-tenant-appellant leave to appeal to this Court from the order of the Appellate Term, New York County, entered on or about February 4, 2011, and said appeal having been perfected,

And the New York City Department of Health and Mental Hygiene, et al., having moved for leave to file a brief amici curiae in connection with the aforesaid appeal,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is denied.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 7, 2012.

Present - Hon. Rolando T. Acosta, Justice Presiding,  
Dianne T. Renwick  
Leland G. DeGrasse  
Helen E. Freedman  
Rosalyn H. Richter, Justices.

-----x  
Nemon Corp.,

Plaintiff-Appellant,

-against-

M-3060  
Index No. 114058/11

45-51 Avenue B, LLC,

Defendant-Respondent.  
-----x

An appeal having been taken by plaintiff from the order of the Supreme Court, New York County, entered on or about June 12, 2012,

And plaintiff-appellant having moved for a stay of cancellation of the notice of pendency filed with respect to the subject property and to stay release from escrow of the contract deposit pending hearing and determination of the aforesaid appeal,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of continuing the interim relief granted by order of a Justice of this Court dated July 2, 2012 on the same terms and conditions and upon further condition that the appeal be perfected on or before September 4, 2012 for the November 2012 Term.

ENTER:

  
CLERK

SUPREME COURT OF THE STATE OF NEW YORK  
APPELLATE DIVISION: FIRST DEPARTMENT

BEFORE: Hon. Dianne T. Renwick  
Associate Justice of the Appellate Division

-----X  
Kevin Davies,

Petitioner,

-against-

M-2623  
Index No. 114100/2011

New York City Department of Buildings,

Respondent.  
-----X

Respondent having moved for leave to appeal to this Court from the order of the Supreme Court, New York County, entered on or about May 8, 2012,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted.

  
\_\_\_\_\_  
Dianne T. Renwick  
Associate Justice

Dated: July 12, 2012  
New York, New York

Entered: **AUG 07 2012**

SUPREME COURT OF THE STATE OF NEW YORK  
APPELLATE DIVISION: FIRST DEPARTMENT

BEFORE: Hon. Dianne T. Renwick  
Associate Justice of the Appellate Division

-----X  
Kerry M. Ryan,

Petitioner,

-against-

M-2624  
Index No. 116328/2010

Robert D. LiMandri, as the Commissioner  
Of the New York City Department of  
Building,

Respondent.  
-----X

Respondent having moved for leave to appeal to this Court  
from the order of the Supreme Court, New York County, entered on  
or about May 8, 2012,

Now, upon reading and filing the papers with respect to the  
motion, and due deliberation having been had thereon,

It is ordered that the motion is granted.



---

Dianne T. Renwick  
Associate Justice

Dated: July 12, 2012  
New York, New York

Entered: **AUG 07 2012**

SUPREME COURT OF THE STATE OF NEW YORK  
APPELLATE DIVISION: FIRST DEPARTMENT

BEFORE: Hon. Dianne T. Renwick  
Associate Justice of the Appellate Division

-----X  
Joseph M. Rizzuto, Jr.,

Petitioner,

-against-

M-2625  
Index No. 113418/2011

Robert D. LiMandri, as the Commissioner  
Of the New York City Department of  
Building,

Respondent.  
-----X

Respondent having moved for leave to appeal to this Court from the order of the Supreme Court, New York County, entered on or about May 8, 2012,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted.



\_\_\_\_\_  
Dianne T. Renwick  
Associate Justice

Dated: July 12, 2012  
New York, New York

Entered: **AUG 07 2012**

SUPREME COURT OF THE STATE OF NEW YORK  
APPELLATE DIVISION : FIRST JUDICIAL DEPARTMENT

BEFORE: Hon. Dianne T. Renwick  
Justice of the Appellate Division

-----X  
The People of the State of New York,

M-2634  
Ind. No. 3095/96

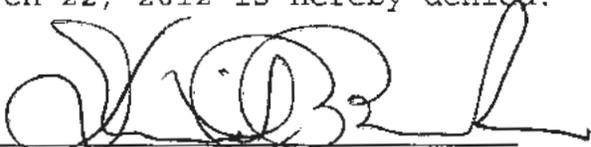
-against-

CERTIFICATE  
DENYING LEAVE

James Boutte,  
Defendant.

-----X

I, Hon. Dianne T. Renwick, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, entered on or about March 22, 2012 is hereby denied.

  
Associate Justice

Dated: July 12, 2012  
New York, New York

ENTERED: **AUG 07 2012**

PM ORDERS  
ENTERED ON  
AUGUST 7, 2012

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 7, 2012.

Present - Hon. Rolando T. Acosta, Justice Presiding,  
Dianne T. Renwick  
Leland G. DeGrasse  
Helen E. Freedman  
Rosalyn H. Richter, Justices.

-----X  
The People of the State of New York,  
Respondent,

-against-

M-3246  
Ind. No. 3696/07

Matthew Chacko,  
Defendant-Appellant.

-----X

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about November 3, 2011, and said appeal having been perfected,

And the Immigrant Defense Project having moved for leave to file a brief amicus curiae in connection with the aforesaid appeal,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted, and the amicus curiae brief submitted with the moving papers is deemed filed. Movant is directed to forthwith file an additional 9 copies of said brief with the Clerk of the Court.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 7, 2012.

Present - Hon. Rolando T. Acosta, Justice Presiding,  
Dianne T. Renwick  
Leland G. DeGrasse  
Helen E. Freedman  
Rosalyn H. Richter, Justices.

-----X  
Robert Romanoff, as beneficiary, and  
as co-Trustee, of the Sheryl  
Romanoff Retained Annuity Trust,  
etc.,

Plaintiff-Appellant,

M-3252

Index No. 650152/11

-against-

Gerald Romanoff, et al.,  
Defendants-Respondents.

-----X

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about June 25, 2012 (mot. seq. no. 002),

And plaintiff-appellant having moved for an relief in the nature of a preliminary appellate injunction pursuant to CPLR 5518 enjoining and/or restraining defendant-respondent Gerald Romanoff from withdrawing or otherwise encumbering any assets held by New Roads Realty Corp. or its subsidiary, pending hearing and determination of the appeal taken therefrom,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is denied.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 7, 2012.

Present: Hon. Rolando T. Acosta, Justice Presiding,  
Dianne T. Renwick  
Leland G. DeGrasse  
Helen E. Freedman  
Rosalyn H. Richter, Justices.

-----X  
Joseph Piazza,  
Plaintiff-Appellant-Respondent/  
Respondent,

-against-

**M-3361**

Index No. 110223/10

CRP/RAR III Parcel J., LP,  
Defendant-Respondent-Appellant/  
Respondent,

Bovis Lend Lease, Inc.,  
Defendant-Respondent-Appellant/  
Appellant.

-----X

An appeal and cross appeals having been taken from the order of the Supreme Court, New York County, entered on or about March 29, 2012, and plaintiff's direct appeal having been perfected,

And an appeal and cross appeals having been taken from the order of the Supreme Court, New York County, entered on or about June 5, 2012,

And defendants having moved for consolidation of all appeals, for an adjournment of the appeals, and for a stay of trial pending hearing and determination of said appeals and cross appeals,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of adjourning the perfected appeal from the order entered on or about March 29, 2012, to the November 2012 Term, and granting a stay of trial pending hearing and determination of the appeals and cross appeals on condition defendants perfect their cross appeals with respect to the aforesaid March 29, 2012 order on or before October 3, 2012 for said November 2012 Term, upon a

supplemental record containing their notice of cross appeal and relevant documents and on further condition that defendant Bovis Lend Lease, Inc. perfects its direct appeal from the order entered on or about June 5, 2012 on or before September 4, 2012 for said November 2012 Term upon a separate joint record, and otherwise denied. The Clerk is directed to calendar the aforesaid appeals and cross appeals for hearing together during said November 2012 Term if so perfected, and it is further,

Ordered that upon failure to fulfill any of the aforesaid conditions, an order vacating the stay of trial may be entered ex parte, provided plaintiff serves a copy of this order upon defendants within 10 days from the date of entry hereof. The attention of the parties is directed to 22 NYCRR § 600.11(d).

ENTER:

  
CLERK