

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 December 16, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

-----X
Major League Soccer, L.L.C.,
Plaintiff-Respondent,

-against-

Federal Insurance Company,
Defendant-Appellant.

M-5478X
Index No. 652639/13

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about May 21, 2014,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" October 29, 2014, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 December 16, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

-----X

Jose Paulino, et al.,
Plaintiffs-Respondents,

-against-

M-5480X
Index No. 301599/10

580 8th Avenue Realty Co., LLC, Dry
New York, Inc.,
Defendants-Appellants,

Fadesa Construction Corp.,
Defendant.

-----X

Appeals having been taken from the order of the Supreme Court, Bronx County, entered on or about May 2, 2014,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" October 29, 2014, and due deliberation having been had thereon,

It is ordered that the appeals are withdrawn in accordance with the aforesaid stipulation.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 December 16, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
David Friedman
John W. Sweeny, Jr., Justices.

-----X

Alvar Lam,
Plaintiff-Respondent,

-against-

M-5481X
Index No. 22376/12E

Luis Bonilla and Carly Auto Corp.,
Defendants-Appellants.

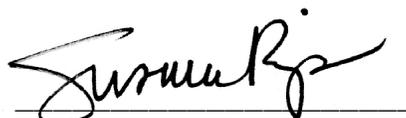
-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about July 10, 2014,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" October 30, 2014, and due deliberation having been had thereon,

It is ordered that the appeal is 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 December 16, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

-----X
Hahn & Hessen LLP,
Plaintiff-Respondent,

-against-

M-5482X
Index No. 603122/08

Ian Peck, etc,
Defendant,

Art Capital Group, LLC, et al.,
Defendants-Appellants.

(And another action)
-----X

Appeals having been taken from the order of the Supreme Court, New York County, entered on or about November 29, 2013 (mot. seq. no. 012) and from the judgment of said Court entered on or about April 1, 2014,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" October 29, 2014, and due deliberation having been had thereon,

It is ordered that the appeals are 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 December 16, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

-----X

Marcos E. Ramirez,
Plaintiff-Appellant,

-against-

M-5484X
Index No. 309139/12

Tremayne T. Williams,
Defendant-Respondent.

-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about February 21, 2014,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" October 30, 2014, and due deliberation having been had thereon,

It is ordered that the appeal is 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 December 16, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

-----X
Jacqueline Hill-Figaro,
Plaintiff-Respondent,

-against-

James Figaro,
Defendant-Appellant.
-----X

M-5603X
Index No. 3374/13

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about July 9, 2014,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" November 5, 2014, and due deliberation having been had thereon,

It is ordered that the appeal is 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 December 16, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
David Friedman
John W. Sweeny, Jr., Justices.

-----X

Robert Barnett,
Plaintiff-Respondent,

-against-

M-5621X
Index No. 303455/10

Marcee Rae Smith,
Defendant-Appellant.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about January 22, 2014,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" November 7, 2014, and due deliberation having been had thereon,

It is ordered that the appeal is 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 December 16, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

-----X
TC Ravenswood, LLC,
Plaintiff-Respondent,

-against-

M-5622X
Index No. 400759/11

National Union Fire Insurance Company
of Pittsburgh, et al.,
Defendants,

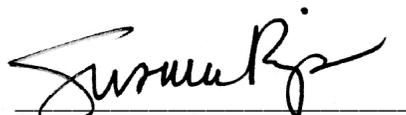
Factory Mutual Insurance Company,
Defendant-Appellant.
-----X

Appeals having been taken from the orders of the Supreme Court, New York County, entered on or about May 2, 2014 (mot. seq. nos. 023-024), January 27, 2014 (mot. seq. no. 016) and June 2, 2014 (mot. seq. nos. 016-017) respectively,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" November 7, 2014, and due deliberation having been had thereon,

It is ordered that the appeals are 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 December 16, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
David Friedman
John W. Sweeny, Jr., Justices.

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

-against-

M-5685
Ind. No. 47/12

Arlester Saxon,
Defendant-Appellant.

-----X

An appeal having been taken from the judgment of the Supreme Court, New York County, rendered on or about March 19, 2012,

Now, upon reading and filing the stipulation of the parties hereto, dated November 7, 2014, and due deliberation having been had thereon,

It is ordered that the appeal is 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 December 16, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

-----X
Athena Wilson,
Plaintiff-Appellant,

-against-

M-5771X
Index No. 100351/11

Frank Velez, et al.,
Defendants-Respondents.
-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about April 8, 2014 (mot. seq. no. 002),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" November 14, 2014, and due deliberation having been had thereon,

It is ordered that the appeal is 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 December 16, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

-----X
Harch International Limited, etc.,
Plaintiff-Appellant-Respondent,

-against-

M-5799X
Index No. 601312/05

Harch Capital Management, Inc., etc.,
Defendant-Respondent-Appellant,

Harch CLO I Limited, etc., et al.,
Defendants.

-----X

Appeals having been taken from the orders of the Supreme Court, New York County, entered on or about February 15, 2013, September 11, 2011 and September 26, 2011, respectively,

Now, after pre-argument conference, and upon reading and filing the stipulation of the parties hereto, dated November 17, 2014, and due deliberation having been had thereon,

It is ordered that the appeals are 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 December 16, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

-----X
Gili Haberberg, et al.,
Plaintiffs-Appellants,

-against-

G.F.A. Advanced Systems Ltd., et al.,
Defendants-Respondents.
-----X

M-3976
Index No. 156940/14

A purported appeal having been taken from an Order to Show Cause of the Supreme Court, New York County, entered on or about July 22, 2014,

And plaintiffs-appellants having moved for certain relief with respect to the aforesaid Order to Show Cause entered on or about July 22, 2014, and related relief,

Now, upon reading and filing the stipulation of the parties hereto, dated September 23, 2014, and due deliberation having been had thereon,

It is ordered that the motion and the purported appeal are 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 December 16, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

-----X
Ryan S. Klarberg,
Plaintiff-Respondent-Appellant,

-against-

M-5602X
Index No. 160509/13

Victoria Grossman,
Defendant-Appellant-Respondent,

The Amber Avalon Corp., etc., et al.,
Defendants.

-----X

An appeal and cross appeal having been taken from the order of the Supreme Court, New York County, entered on or about July 3, 2014,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" November 3, 2014, and due deliberation having been had thereon,

It is ordered that the appeal and cross appeal are 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 December 16, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

-----X
Efraim Shurka,
Plaintiff

-against-

M-5476
Index No. 304584/08

Jane Shurka,
Defendant-Respondent,

-against-

Esther Zernitsky,
Third-Party Plaintiff-Appellant.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about January 2, 2013,

Now, upon reading and filing the stipulation of the parties hereto, dated October 29, 2014, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected for the June 2014 Term, is 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 December 16, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

-----X
Monique Jones, et al.,
Plaintiffs-Respondents,

-against-

M-4268
Index No. 302139/08

Herbert Henriquez, Fairmont Funding Ltd.,
Fairmont Capital LLC, The Fairmont Group,
LLC,
Defendants-Appellants.
-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about February 28, 2014,

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

Now, upon reading and filing the stipulation of the parties hereto, dated September 3, 2014, and due deliberation having been had thereon,

It is ordered that the motion is 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 December 16, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

-----X

Preeta Lokenauth,
Plaintiff-Respondent,

-against-

M-4345
Index No. 108729/09

The Mount Sinai Hospital, etc.,
Defendant,

-and-

Aramark Management Services Limited
Partnership,
Defendant-Appellant.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about July 8, 2014 (mot. seq. nos. 003/004),

And defendant-appellant having moved for an order staying the trial pending hearing and determination of the aforesaid appeal,

Now, upon reading and filing the stipulation of the parties hereto, dated October 2, 2014, and due deliberation having been had thereon,

It is ordered that the motion is 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 December 16, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

-----X
Macy's, Inc., Macy's Merchandising Group,
Inc.,
Plaintiffs-Respondents-Appellants,

-against-

M-4446
Index No. 650197/12

J.C. Penney Corporation, Inc.,
Defendant-Appellant-Respondent.
-----X

An appeal and cross appeal having been taken from the order of the Supreme Court, New York County, entered on or about April 15, 2013 and June 11, 2013 respectively,

And both parties having moved for preference in the hearing of the aforesaid appeals,

Now, upon reading and filing the correspondence of Miller Wrubel (Martin D. Edel, of Counsel), dated September 18, 2014, and due deliberation having been had thereon,

It is ordered that the motion is 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 December 16, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

-----X
Paul Hsu, Cathy Huang,
Plaintiffs-Appellants,

-against-

Liu & Shields LLP, et al.,
Defendants-Respondents.

M-4560
Index No. 400781/12

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about February 8, 2013, and said appeal having been perfected,

And defendants-respondents having moved for an order striking certain portions of plaintiffs-appellants' reply brief, and related relief,

Now, upon reading and filing the stipulation of the parties hereto, dated September 16, 2014, and due deliberation having been had thereon,

It is ordered that the motion is 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 December 16, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

-----X
In the Matter of the Application of

Inwood Terrace, Inc.,
Petitioner-Respondent,

For a Judgment Pursuant to Article 78
of the CPLR,

-against-

M-4445
Index No. 158495/12

New York State Division of Human Rights,
et al.,
Respondents-Petitioners.

-----X

An Article 78 proceeding having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, New York County, entered on or about August 8, 2013, to review a determination of respondents,

And respondent-petitioner New York State Division of Human Rights having moved for an enlargement of time to perfect the aforesaid proceeding,

Now, upon reading and filing the stipulation of the parties hereto, dated September 17, 2014, and due deliberation having been had thereon,

It is ordered that the motion and proceeding are 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 December 16, 2014.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
 Peter Tom
 Angela M. Mazzarelli
 David Friedman
 John W. Sweeny, Jr., Justices.

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

Respondent,

-against-

Freddy Lasso,

Defendant-Appellant.
-----X

M-5178
DC #4
Ind. No. 9665/94

An appeal having been taken to this Court by defendant from the judgment of resentence of the Supreme Court, New York County, rendered on or about December 8, 2006,

And said appeal not having been brought on for argument pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on October 23, 2014, pursuant to Rule 600.12(c) of said Rules of Practice, and there being no response thereto,

Now, upon the Court's own motion,

It is ordered that the aforesaid appeal is dismissed.

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 December 16, 2014.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

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

Respondent,

-against-

M-5182
DC #8
Ind. No. 1215/09

Paul Danza,

Defendant-Appellant.
-----X

An appeal having been taken to this Court by defendant from judgments of the Supreme Court, New York County, rendered on or about July 29, 2010 and September 21, 2010,

And said appeal not having been brought on for argument pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on October 23, 2014, pursuant to Rule 600.12(c) of said Rules of Practice, and there being no response thereto,

Now, upon the Court's own motion,

It is ordered that the aforesaid appeal is dismissed.

ENTER:


CLERK

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

Seymour W. James, Jr., 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

Seymour W. James, Jr., 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

Seymour W. James, Jr., 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

Seymour W. James, Jr., 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

Seymour W. James, Jr., 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 December 16, 2014.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
 Peter Tom
 Angela M. Mazzarelli
 David Friedman
 John W. Sweeny, Jr., Justices.

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

Respondent,

-against-

M-5402
Ind. No. 5110/13

Joseph Solivan,

Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about September 3, 2014, 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) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. 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.

Seymour W. James, Jr., 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

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 December 16, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
David Friedman
John W. Sweeny, Jr., Justices.

-----X
Madison 96th Associates, LLC,
Plaintiff

-against-

17 East Owners Corp.,
Defendant.

M-2975
Index Nos. 601386/03
591089/05
590585/07
590113/08

(And other third-party actions)

Madison 96th Associates, LLC,
Third Third-Party
Plaintiff-Respondent,

-against-

QBE Insurance Corporation,
Third Third-Party
Defendant-Appellant.

-----X
An appeal having been taken from the judgment of the Supreme Court, New York County, entered on or about April 22, 2013,

And third third-party defendant-appellant QBE Insurance Corporation having moved for reargument of the decision and order of this Court entered on May 8, 2014 (Appeal Nos. 12432/12433), or in the alternative, leave to appeal to the Court of Appeals, and related relief,

Now, upon reading and filing the stipulation of the parties hereto, dated July 25, 2014, and due deliberation having been had thereon,

It is ordered that the motion is 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 December 16, 2014.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
Rosalyn H. Richter
Darcel D. Clark, Justices.

-----x

The People of the State of New York,

Respondent,

-against-

M-2723

Ind. Nos. 5373/05

Michael Toliver, also known as Michel
Toliver,

2638/07

Defendant-Appellant.

-----x

An appeal having been taken to this Court from judgments of the Supreme Court, New York County, rendered on or about May 15, 2007,

And an order of this Court having been entered on April 15, 2014 (M-147), inter alia, substituting Richard M. Greenberg, Esq., as counsel to prosecute the appeal,

And defendant-appellant having moved for an order relieving Richard M. Greenberg, Esq., as counsel on the appeal, and to substitute other counsel to prosecute 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 December 16, 2014.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
Karla Moskowitz
Leland G. DeGrasse
Sallie Manzanet-Daniels
Barbara R. Kapnick, Justices.

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

-against-

M-2071
Ind. No. 3517/12

Anthony Mitchell,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from a judgment of the Supreme Court, New York County, rendered on or about March 5, 2014, for leave to prosecute the appeal as a poor person 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 deeming the notice of appeal as timely filed and 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) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. 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.

Paul Angioletti, Esq., 38 Forest Road, Staten Island, NY 10304, Telephone No. 718-351-5244, 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 December 16, 2014.

Present - Hon. David Friedman, Justice Presiding,
Rolando T. Acosta
David B. Saxe
Paul G. Feinman
Judith J. Gische, Justices.

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

Respondent,

-against-

M-2124

Ind. No. 4806/12

Adan Torres,

Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about November 26, 2013, 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) one transcript of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. 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.

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

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 December 16, 2014.

Present - Hon. Rolando T. Acosta, Justice Presiding,
Rosalyn H. Richter
Sallie Manzanet-Daniels
Paul G. Feinman
Judith J. Gische, Justices.

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

Lawrence C.,
Petitioner-Respondent,

-against-

M-3896
Docket Nos. V-12847/48/07
V-12847/48/07G
V-12847/48/07I
V-12747/48/07J

Anthea P.,
Respondent-Appellant,

Carol L. Kahn, Esq.,
Attorney for the Child.

-----x
An appeal having been taken to this Court from the order of the Family Court, New York County, entered on or about February 5, 2013,

And assigned counsel for respondent-appellant, Steven N. Feinman, Esq., having moved for leave to withdraw the appeal and to be relieved as counsel,

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, assigned appellate counsel is relieved and the appeal is withdrawn.

ENTER:


CLERK

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

BEFORE: Hon. Peter Tom
Justice of the Appellate Division

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

M-4447
Ind. No. 4270/06

-against-

Ramiel Harris,

CERTIFICATE
DENYING LEAVE

Defendant.
-----X

I, Peter Tom, 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 August 14, 2014 is hereby denied.



Hon. Peter Tom
Associate Justice

Dated: November 5, 2014
New York, New York

ENTERED DEC 16 2014

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

BEFORE: Hon. Hon. Angela M. Mazzarelli,
Justice of the Appellate Division

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

M-4850
Ind. No.1960/10

-against-

CERTIFICATE
GRANTING LEAVE

Frank Furino,
Defendant-Appellant.
-----X

I, Angela M. Mazzarelli, a Justice of the Appellate Division, First Judicial Department, do hereby certify that in the proceedings herein questions of law or fact are involved which ought to be reviewed by the Appellate Division, First Judicial Department, and, pursuant to Section 460.15 of the Criminal Procedure Law, permission is hereby granted to the above-named defendant to appeal to the Appellate Division, First Judicial Department, from the orders of the Supreme Court, New York County, entered on or about May 2, 2014 and June 24, 2014.¹

Dated: DEC 11 2014
New York, New York

ENTERED

DEC 16 2014



Hon. Angela M. Mazzarelli
Associate Justice

NOTICE: Within 15 days from the date hereon, an appeal must be taken, and this certificate must be filed with the notice of appeal. An appeal is taken by filing, in the Clerk's office of the criminal court in which the order sought to be appealed was rendered, a written notice in duplicate that appellant appeals to the Appellate Division, First Judicial Department (Section 460.10, subd. 4, CPL), together with proof that another copy of the notice of appeal has been served upon opposing counsel. The appeal (or consolidated appeals; see footnote) must be argued within 120 days from the date of the notice of appeal, unless the time to perfect the appeal(s) is enlarged by the court or a justice thereof.

¹ In the event defendant has an existing (direct) appeal from a judgment, such appeal shall be consolidated with the appeal from the aforesaid order; and any poor person relief granted with respect to the appeal from the judgment shall be extended to cover the appeals so consolidated.

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

BEFORE: Hon. John W. Sweeny, Jr.
Justice of the Appellate Division

-----x

The People of the State of New York,

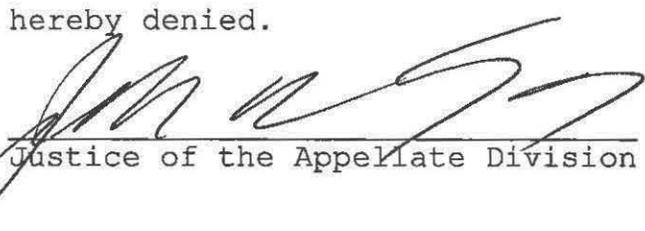
-against-

Anelin Peyreyra, a/k/a Junior Polanco
Defendant.

M- 4054
Ind. Nos. 6014/03
3399/03
ORDER DENYING LEAVE
UPON REARGUMENT

-----X

I, John W. Sweeny, Jr., a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application made by the above-named defendant for reargument of the order of a Justice of this Court (M-3016), entered on July 9, 2013, which denied his motion for a certificate pursuant to Criminal Procedure Law, section 460.15, and no question of law or fact having been misapprehended or overlooked, permission to reargue the denial of leave to appeal from the order of the Supreme Court, New York County, entered on or about April 18, 2013 (Analisa Torres, Jr.) is hereby denied.


Justice of the Appellate Division

Dated: November 19, 2014
New York, New York

ENTERED: DEC 16 2014

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

BEFORE: Hon. John W. Sweeny, Jr.
Justice of the Appellate Division

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

M-5187
Ind. No. 1320/12

-against-

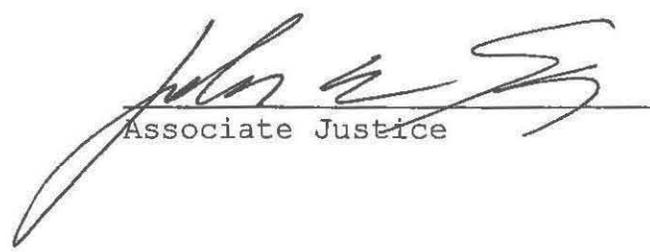
CERTIFICATE
DENYING LEAVE

Juan Honorio,

Defendant.

-----X

I, John W. Sweeny, Jr., 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 September 16, 2014 (Bruce Allen, J.) is hereby denied.


Associate Justice

Dated: November 18, 2014
New York, New York

ENTERED: **DEC 16 2014**

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

BEFORE: Hon. Rolando T. Acosta
Justice of the Appellate Division

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

M - 4763
Ind. No. 486/93

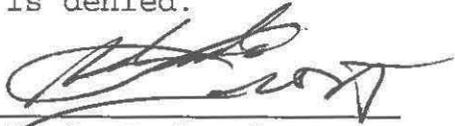
-against-

CERTIFICATE
DENYING LEAVE

Clive Cohen,

Defendant.

-----X
I, Rolando T. Acosta, 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 orders of the Supreme Court, Bronx County, entered on or about July 21, 2014 is denied.



Hon. Rolando T. Acosta
Associate Justice

Dated: October 30, 2014
New York, New York

ENTERED: DEC 16 2014

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- 4718
Ind. No. 1905/2011

-against-

CERTIFICATE
DENYING LEAVE

Lazarus Roseboro,

Defendant.

-----X
I, 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 July 28, 2014, is hereby denied without prejudice to raise in direct appeal.



Associate Justice

Dated: New York, New York
November 19, 2014

ENTERED: DEC 16 2014

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

BEFORE: Hon. Richard T. Andrias,
Associate Justice

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

M-4363
Ind. Nos. 6172/08
6066/08

-against-

CERTIFICATE
DENYING LEAVE

Kerwin Johnson,

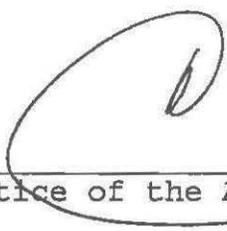
Defendant.

-----X
I, Richard T. Andrias, 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 Section 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, (Bonnie G. Wittner, J.), entered May 8, 2014, which denied defendant's motion pursuant to CPL 440.20, is hereby denied.

Dated: New York, New York
November 21, 2014

ENTERED

DEC 16 2014


Justice of the Appellate Division

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

BEFORE: Hon. Leland G. DeGrasse
Justice of the Appellate Division

-----X

The People of the State of New York,

M-4470
Ind. No. 5609/96

-against-

ORDER

Kevin Bussey,

Defendant.

-----X

I, Leland G. DeGrasse, a Justice of the Appellate Division, First Judicial Department, do hereby certify that the application made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, section 460.15, from the order of the Supreme Court, New York County, entered on or about October 28, 2013, is hereby deemed withdrawn.



Hon. Leland G. DeGrasse
Justice of the Appellate Division

Dated: New York, New York
November 14, 2014

ENTERED

DEC 16 2014

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

BEFORE: Hon. Leland G. DeGrasse
Justice of the Appellate Division

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

M-4721
Ind. No. 5253/82

-against-

CERTIFICATE
DENYING LEAVE

John Perez a/k/a John Velez,
Defendant.

-----X

I, Hon. Leland G. DeGrasse, 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 July 10, 2014, is hereby denied.

Dated: New York, New York
November 20, 2014



ENTERED

DEC 16 2014

Hon. Leland G. DeGrasse
Justice of the Appellate Division

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

BEFORE: Hon. Paul G. Feinman
Justice of the Appellate Division

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

M-4697
Ind. No. 4589/07

-against-

CERTIFICATE
DENYING LEAVE

Nouchie Vellon

Defendant.

-----X

I, Paul G. Feinman, 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 (Gregory Carro, J.), entered on or about June 25, 2014, is hereby denied.


Associate Justice

Dated: November 14, 2014
New York, New York

Entered: **DEC 16 2014**

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

BEFORE: Hon. Barbara R. Kapnick
Justice of the Appellate Division

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

-against-

Adolf Gutt

Defendant.

M-4751
Ind. No. 179/2005
CERTIFICATE
DENYING LEAVE

-----X
I, Barbara R. Kapnick, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon the application 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, dated August 7, 2014, is hereby denied.



Hon. Barbara R. Kapnick

Dated: November 20 2014
New York, New York

ENTERED: DEC 16 2014

P.M ORDERS
FOR
DECEMBER
16, 2014

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 December 16, 2014.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Leland G. DeGrasse
Sallie Manzanet-Daniels
Paul G. Feinman
Judith J. Gische, Justices.

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

-against-

M-5769
Ind. No. 3966/11

Alfredo Luna,

Defendant.
-----X

Defendant by motion denominated as seeking relief pursuant to CPLR §7803(3), having moved to vacate or suspend the order of Supreme Court, Bronx County, entered on or about November 17, 2014, and for related relief in connection with the above captioned criminal matter,

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 December 16, 2014.

Present: Hon. John W. Sweeny, Jr., Justice Presiding,
Richard T. Andrias
David B. Saxe
Leland G. DeGrasse
Judith J. Gische, Justices.

-----X
All State Flooring Distributors, L.P.,
Plaintiff-Appellant,

-against-

M-5881

Index No. 106037/11

MD Floors, LLC and Michael Savino,
Defendants-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about August 15, 2014, and said appeal having been perfected,

And defendants having moved for an order dismissing the aforesaid appeal or, in the alternative, extending the time to file a defendants-respondents' brief,

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 of adjourning the aforesaid perfected appeal to the March 2015 Term, and is otherwise denied.

ENTER:


CLERK

CORRECTED ORDER - December 17, 2014

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 December 16, 2014.

PRESENT - Hon. Peter Tom, Justice Presiding,
David Friedman
Dianne T. Renwick
Sallie Manzanet-Daniels, Justices.

-----X
The Receivers of Sabena SA,
Plaintiff-Respondent-Appellant,

-against-

M-5921
Index No. 653651/12

Deutsche Bank A.G., Deutsche Bank Trust
Company Americas,
Defendants-Appellants-Respondents.

- - - - -
Federal Reserve Bank of New York,
Amicus Curiae.
-----X

An appeal and cross appeal having been taken from the order of the Supreme Court, New York County, entered on or about July 7, 2014, and the direct appeal having been perfected,

And Federal Reserve Bank of New York having moved for leave to file an amicus curiae brief in connection with the aforesaid appeal and cross 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 granting Federal Reserve Bank of New York leave to file 9 copies of the proposed amicus curiae brief in the form attached to the moving papers forthwith.

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 December 16, 2014.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
Leland G. DeGrasse
Sallie Manzanet-Daniels, Justices.

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

-against-
Arthur Franklin,
Defendant-Appellant.

M-4536
Ind. Nos. 5749/09
3727/10

-----x

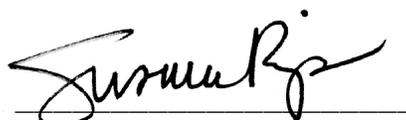
An appeal having been taken to this Court from the judgment of the Supreme Court, New York County, rendered on or about January 9, 2012,

And retained counsel for defendant-appellant having moved for an enlargement of time to perfect 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 enlarging the time to perfect the appeal to the March 2015 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 December 16, 2014.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
Leland G. DeGrasse
Sallie Manzanet-Daniels
Paul G. Feinman, Justices.

-----x
Pursuit Investment Management, LLC,
et al.,
Plaintiffs-Respondents/Respondents,

-against-

Alpha Beta Capital Partners, L.P.,
et al.,
Defendants,

M-5473
M-5955
Index No. 652457/13

Harris & Houghteling LLP,
Defendant-Appellant,

-and-

Claridge Associates, LLC, et al.,
Defendants-Appellants.

-----x

An appeal having been taken by defendants Claridge Associates, LLC, et al. from the order of the Supreme Court, New York County entered on or about June 10, 2014, and said appeal having been perfected,

And an appeal having been taken to this Court by Harris & Houghteling LLP from an order of said Court entered on or about September 9, 2014, and said appeal having been perfected,

And plaintiffs-respondents/respondents having moved for dismissal of the appeal from the order entered June 10, 2014, for a stay of the appeal taken by Harris & Houghteling LLP, for leave to strike both appeals from this Court's calendar, and for other relief (M-5473),

And defendant-appellant Lillian Schneider, as Personal Representative of the Estate of Leonard Schneider, joined by defendants-appellants Claridge Associates LLC, et al., having moved for an order substituting Lillian Schneider as a personal

representative of the Executor of the Estate of Leonard Schneider nunc pro tunc (M-5955),

Now, upon reading and filing the papers with respect to the motion and cross motion, including the so ordered stipulation of the parties dated December 4, 2014, and due deliberation having been had thereon,

It is ordered that the motion (M-5473) is denied, the cross motion (M-5955) is granted and Lillian Schneider is substituted as the Personal Representative of the Executor of the Estate of Leonard Schneider in place of and for Leonard Schneider nunc pro tunc, and the appellate caption is amended to conform with the so-ordered Stipulation dated December 4, 2014. The appeal taken by defendants Claridge Associates, et al. from the order entered on or about June 10, 2014 is maintained on this Court's calendar for the February 2015 Term [Cal. No. 1308], and the appeal taken by Harris & Houghteling LLP from the order entered on or about September 9, 2014, is maintained on this Court's calendar for the January 2015 Term [Cal. No. 2198] unless adjourned by the Court.

ENTER:



CLERK