

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 March 20, 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-257
Ind. No. 1053/12

Kammara Murray,
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about December 4, 2012,

Now, upon reading and filing the stipulation of the parties hereto, dated December 31, 2013, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:



257RK

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 March 20, 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-5997
Ind. No. 5104/97

John Lowe,
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of **resentence** of the Supreme Court, New York County, rendered on or about June 16, 2010,

Now, upon reading and filing the stipulation of the parties hereto, dated November 15, 2013, 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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 March 20, 2014.

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

-----X
Teresa Zebrowski,
Plaintiff-Appellant,

-against-

M-848X
Index No. 306077/11

528 West Owners Corp., et al.,
Defendants-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about April 9, 2013,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" February 19, 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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 March 20, 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-258
Ind. No. 4859/11

Raja-Alexa Ahluwalia,
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about August 27, 2013,

Now, upon reading and filing the stipulation of the parties hereto, dated January 14, 2014, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:



257RK

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 March 20, 2014.

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

-----X
Debra Todres,
Plaintiff-Respondent,

-against-

M-5976
Index No. 350006/11

Andrew Freifeld,
Defendant-Appellant.
-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about November 18, 2013,

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

Now, upon reading and filing the papers with respect to the motion including the correspondence and affirmation from counsel for defendant-appellant Bruce A. Yerman, Esq. dated December 2, 2013, and due deliberation having been had thereon,

It is ordered that the motion is withdrawn in accordance with the aforesaid correspondence and affirmation.

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 March 20, 2014.

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

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

Motor Vehicle Accident Indemnification Corporation,
Petitioner-Respondent,

-against-

American Country Insurance Company,
Respondent-Appellant.
-----X

M-836
Index No. 452014/12

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about June 6, 2013,

Now, upon reading and filing the stipulation of the parties hereto, dated February 14, 2014, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected for the April 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 March 20, 2014.

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

-----X
Solco Plumbing Supply, Inc.,
Plaintiff,

-against-

M-974
Index No. 106217/07

Scott Yaffe, Esq., etc., et al.,
Defendants,

Highland Insurance Co.,
Defendant-Appellant,

John Rusin, et al.,
Defendants-Respondents,

Leila Rusin,
Cross-Claim Defendant,

George Shinas, et al.,
Cross-Claim Defendants-Respondents.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about April 22, 2011,

Now, upon reading and filing the stipulation of the parties hereto, dated February 20, 2014, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected for the May 2013 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 March 20, 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 a Proceeding for
Custody and/or Visitation Under
Article 6 of the Family Court Act.

John Paul L.,
Petitioner-Respondent,

-against-

M-4704
Docket No. V-42879/10

Cindy S.,
Respondent.

Andrew Baer, Esq., Attorney for
the Child Jonias S.-L.,
Appellant.

-----X
Petitioner-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, 2013, 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, Larry S. Bachner, Esq., 153-01 Jamaica Avenue, Suite 201, Jamaica, NY 11432, Telephone No. 917-378-0176, 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. (See M-4707, 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 March 20, 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 a Proceeding for
Custody and/or Visitation Under
Article 6 of the Family Court Act.

John Paul L.,
Petitioner-Respondent,

-against-

M-4707
Docket No. V-42879/10

Cindy S.,
Respondent.

Andrew Baer, Esq., Attorney for
the Child Jonias S.-L.,
Appellant.

-----X
Jay Flemma, Esq., court attorney for the subject child, having moved on the child's behalf leave to prosecute, as a poor person, the appeal from an order of the Family Court, New York County, entered on or about April 30, 2013, 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, NY 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 State of New York from

funds available therefor¹ **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.** (See M-4704, decided simultaneously herewith.)

ENTER:



CLERK

¹Service 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 March 20, 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-5577
Ind. No. 2893/11

Darron Gladden,
Defendant-Appellant.

-----X

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 September 6, 2013, 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 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 ten reproduced copies of such brief, together with the original record, with 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.

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 March 20, 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-4778
Ind. No. 1485/12

Alston R. James, also known as
Alston Ramardo James
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about August 23, 2012, and for leave to prosecute the appeal as a poor person on the original record and upon a reproduced appellant's brief, and for assignment of 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 to the extent of deeming the moving papers a timely filed notice of appeal, 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 10 reproduced copies of such brief, together with the original record, with 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.

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 March 20, 2014.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
Richard T. Andrias
David B. Saxe
Rosalyn H. Richter
Darcel D. Clark, Justices.

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

-against-

M-5821
Ind. No. 5351/10

Charles Brown, also known as Charlie
Brown,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about December 19, 2012, 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, pursuant to CPLR 1101(a), setting forth the amount and sources to pay the fee of trial counsel, Kyle Watters, Esq., and to post the \$10,000 bail in the Supreme Court, the disposition thereof, and an explanation as to why similar funds are not available to prosecute the 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 March 20, 2014.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
Richard T. Andrias
David B. Saxe
Rosalyn H. Richter
Darcel D. Clark, Justices.

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

Respondent,

-against-

M-5899

Ind. No. 3814/09

Anonymous,

Defendant-Appellant.

-----X

Defendant-appellant having moved for an order granting movant anonymity in connection with an appeal from a judgment of the Supreme Court, New York County, rendered on or about February 2, 2011, designating the case as *People v Anonymous*, and sealing the record on appeal, including the minutes of the proceedings and the appellate briefs and motions, and for other 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 the case is so designated and the record on appeal, brief(s) and related matter are sealed. Sua sponte, the time to perfect the appeal is enlarged to the September 2014 Term. The Clerk is directed to calendar the appeal under *People v Anonymous*.

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 March 20, 2014.

Present: Hon. Peter Tom, Justice Presiding,
David Friedman
Rolando T. Acosta
Karla Moskowitz
Judith J. Gische, Justices.

-----X
Peter A. Wright, as Parent of Nicole
Wright,
Plaintiff-Appellant,

M-5639
Index No. 401901/12

-against-

New York City Board of Education &
Jean McKeon, as Principal, P.S. #197,
Defendants-Respondents.

-----X

A defective appeal having been taken from an order of the Supreme Court, New York County, having been entered on or about September 3, 2013,

And plaintiff having moved for leave to prosecute, as a poor person, the aforesaid appeal, 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, insofar as it seeks leave to appeal to this Court is denied as unnecessary. (See CPLR 5501). So much of the motion which seeks poor person relief and 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 March 20, 2014.

Present: Hon. Peter Tom, Justice Presiding,
David Friedman
Rolando T. Acosta
Richard T. Andrias
Rosalyn H. Richter, Justices.

-----X
John P. Bostany,
Plaintiff-Appellant-Respondent,

-against-

M-275

Index No. 602627/08

Trump Organization LLC and 40 Wall
Street LLC,
Defendants-Respondents-Appellants.

-----X

An appeal and cross appeal having been taken from an order of the Supreme Court, New York County, entered on or about December 10, 2013,

And plaintiff-appellant-respondent having moved for an order striking defendants' notice of 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 designating plaintiff's appeal noticed by a notice of appeal dated December 10, 2013 to be the direct appeal, and defendants' appeal to be the cross appeal with said notices treated as valid (CPLR 5520[c]), and the motion is otherwise 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 March 20, 2014.

PRESENT - Hon: Peter Tom, Justice Presiding,
David Friedman
Sallie Manzanet-Daniels
Judith J. Gische
Darcel D. Clark, Justices.

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

-against-

Joshua Nowrang also known as
Ramesh Ramhit also known as
Jushua Nowrang,
Defendant-Appellant.

M-750
M-752
Ind. No. 90152/05

-----X

An appeal having been taken from the judgment of the Supreme Court, Bronx County, rendered on or about January 10, 2008,

And the People having moved for an order enlarging the record on appeal by directing the court reporters to transcribe and provide to the parties and this Court minutes of the Huntley hearing, Molineux hearing, and the Court's preliminary instructions to the jury in connection with the aforesaid judgment, and adjourning the hearing of the appeal until the record is complete (M-750),

And defendant-appellant having moved for an order permitting appellant to file a supplemental appendix on appeal, a copy of which is enclosed in the motion jacket, as set forth in the moving papers (M-752)

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 by respondent People is granted to the extent of granting the People leave to submit a respondent's appendix and adjourning the appeal to the June 2014 Term, and otherwise denied (M-750). Defendant-appellant's motion is granted and defendant-appellant is directed to file the requisite number of copies of said supplemental appendix forthwith (M-752).

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 March 20, 2014.

PRESENT: Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
Leland DeGrasse
Roslyn H. Richter, Justice.

-----X

ACE Securities Corp., etc.,
Plaintiff-Respondent,

-against-

M-322
Index No. 650980/12

DB Structured Products, Inc.,
Defendant-Appellant.

- - - - -

The Securities Industry and
Financial Markets Association,
The Association of Mortgage
Investors, Professor Robert
T. Miller and Mortgage Bankers
Association,
Amici Curiae.

-----X

Plaintiff-respondent having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on December 19, 2013 (Appeal No. 11384 & M-5893/M-6111/M-6133),

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 March 20, 2014.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Richard T. Andrias
Leland G. DeGrasse
Rosalyn H. Richter, Justices.

-----X
Miranda Ganaj and Krenar Ganaj,
Plaintiffs-Appellants,

-against-

New York City Health and Hospitals Corporation,
Defendant-Respondent.

M-792
M-899
Index No. 303203/08

-----X

Plaintiffs-appellants having moved for an enlargement of time to perfect the appeal from the judgment of the Supreme Court, Bronx County, entered on or about March 25, 2013 (M-792),

And defendant-respondent having cross-moved for an order dismissing the appeal (M-899),

Now, upon reading and filing the papers with respect to the motion and cross 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 September 2014 Term (M-792). The cross motion to dismiss the appeal is dismissed as untimely made (M-899).

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 March 20, 2014.

PRESENT - Hon: Angela M. Mazzairelli, Justice Presiding,
John W. Sweeny, Jr.
Dianne T. Renwick
Helen E. Freedman
Judith J. Gische, Justices.

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

-against-

M-487
Index Nos. 6201/08
5968/09

Anthony Lindsey, also known as
Anthony Lindsay,
Defendant-Appellant.

-----X

An appeal having been taken from the judgment of the Supreme Court, New York County, rendered on or about October 17, 2011,

And an order of this Court having been entered on March 7, 2013 (M-400) granting defendant-appellant leave to file a pro se supplemental brief for the September 2013 Term,

And defendant-appellant having moved for an order granting him an enlargement of time to submit his pro se supplemental brief, and for other 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 to the extent of directing defendant to serve and file 8 copies of his pro se supplemental brief on or before July 7, 2014 for the September 2014 Term, to which Term the appeal is adjourned. The Clerk of the Court is directed to forward to the Warden at the State correctional facility wherein defendant is incarcerated a transcript of the minutes relating to defendant's appeal, said transcript to be made available to appellant and returned by appellant to this Court when submitting the pro se supplemental brief hereto. The appeal will not be heard unless and until all material furnished to appellant has been returned. The motion to the extent it seeks other relief including but not limited to precurement of pretrial transcripts, new appellate counsel, and consolidation of the instant appeal with another purported proceeding is otherwise 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 March 20, 2014.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
David B. Saxe
Sallie Manzanet-Daniels
Paul G. Feinman, Justice.

-----X

In re Louise Neathway,
Petitioner,

-against-

M-6729
Index No. 1260/12

Hon. Daniel FitzGerald, et al.,
Respondents.

-----X

Petitioner having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on December 12, 2013 (Appeal No. 11331/M-5174),

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 March 20, 2014.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Richard T. Andrias
Leland G. DeGrasse
Rosalyn H. Richter, Justices.

-----X
276-8 Pizza Corp., doing business as
John's Pizzeria,
Plaintiff-Respondent,

-against-

M-582
Index No. 21951/13E

Lisa Free, also known as
Lisa Castellotti,
Defendant-Appellant.

-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about January 27, 2014,

And defendant-appellant having moved for an order staying all proceedings 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 granted only to the extent of modifying the preliminary injunction imposed by the aforesaid order appealed insofar as to limit its application to the operation of any pizzeria and/or restaurant by defendant-appellant in Bronx County, pending hearing and determination of the appeal, and otherwise 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 March 20, 2014.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
Karla Moskowitz
Sallie Manzanet-Daniels
Judith J. Gische, Justice.

-----X
Hartford Underwriting Insurance Company,
Plaintiff-Respondent-Appellant,

-against-

Greenman-Pederson, Inc., et al.,
Defendants-Respondents,

M-6708
Index No. 602069/09

The Port Authority of New York
& New Jersey, et al.,
Defendants-Appellants-Respondents,

Koch Skanska USA, et al.,
Defendants.

-----X

Defendants-appellants-respondents having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on November 26, 2013 (Appeal Nos. 11160, 11161 & 11162),

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 March 20, 2014.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
Karla Moskowitz
Sallie Manzanet-Daniels
Judith J. Gische, Justice.

-----X

Ilona Orsos,
Plaintiff-Appellant,

-against-

M-348
Index No. 309754/09

Hudson Transit Corp., et al.,
Defendants-Respondents.

-----X

Plaintiffs-appellants having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on November 26, 2013 (Appeal No. 11157),

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 March 20, 2014.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
Dianne T. Renwick
Richard T. Andrias
Karla Moskowitz, Justices.

-----x
In the Matter of

Davontay Peter H., also known as
Davontay H.,

A Dependent Child Under 18 Years of
Age Pursuant to § 384-b of the Social
Services Law on the State of New York.

- - - - -
St. Dominic's Home, et al.,
Petitioners-Respondents,

M-6213
Docket No. B-4371/10

Makeba H.,
Respondent-Appellant.

- - - - -
Michael Moorman, Esq.,
Lawyers for Children, Inc.,
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 May 28, 2013,

And respondent-appellant having moved for a reconstruction hearing of the minutes held on December 17, 2012 in Family Court, New York County, in Part 11 held before Hon. Clark Richardson, and for an enlargement of time to allow reconstruction of said minutes,

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 remanding the matter to Family Court, New York County, for reconstruction of the proceedings held before Hon. Clark Richardson on December 17, 2012, as expeditiously as possible. Appellant's counsel is directed to serve a copy of this order upon the Clerk of the Family Court, New York County, within 10

days of the date of entry hereof, and the Clerk is directed to have the minutes of the proceeding transcribed and delivered to appellant's counsel for inclusion in the record on appeal within 30 days of the conclusion of said reconstruction. The motion to the extent it seeks an enlargement of time, is granted to the extent of enlarging the time to perfect the appeal to the October 2014 Term, with leave to seek further enlargements of time to perfect if so advised.

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 March 20, 2014.

PRESENT: Hon. David Friedman, Justice Presiding,
Helen E. Freedman
Roslyn H. Richter
Paul G. Feinman
Judith J. Gische, Justice.

-----X

In re Catapult Learning, LLC,
Petitioner-Respondent,

-against-

M-6102
Index No. 109158/11

New York City Department of Education,
Respondent-Appellant.

-----X

Respondent-appellant having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on September 24, 2013 (Appeal No. 10553),

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 March 20, 2014.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Rolando T. Acosta
Richard T. Andrias
David B. Saxe, Justices.

-----X

In the Matter of a Family Offense Proceeding Under Article 8 of the Family Court Act.

- - - - -
Ramona A. A.,
Petitioner-Respondent,

M-2684 DC #3
M-3006A
Docket No. O-15008/10

-against-

Juan M. N.,
Respondent-Appellant.

-----X

Respondent-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 May 13, 2010, and for assignment of counsel, a free copy of the transcript, and 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, NY 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 therefor¹ **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) directing

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

appellant to perfect this appeal **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.** The order of this Court entered on August 17, 2010 (M-3006) is hereby recalled and vacated. Motion M-2684/DC #3 is deemed withdrawn 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 March 20, 2014.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Karla Moskowitz
Rosalyn H. Richter
Judith J. Gische, Justices.

-----X
In the Matter of a Proceeding for
Support Under Article 4 of the
Family Court Act.

Desiree G., M-219
Petitioner-Respondent, Docket No. F-26648/04/13C

-against-

Earl J. B.,
Respondent-Appellant.

-----X
Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal deemed to be from orders of the Family Court, Bronx County, entered on or about November 15, 2013 and November 22, 2013, respectively, 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) 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 therefor¹ **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 for the transfer of the record from the Family Court to this Court. **The Clerk of the**

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

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.** The motion, to the extent it seeks assignment of counsel, is denied.

ENTER:

A handwritten signature in black ink, appearing to read "Susan R. Jones". The signature is written in a cursive style with a large initial "S".

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 March 20, 2014.

PRESENT : Hon. Rolando T. Acosta, Justice Presiding,
Dianne T. Renwick
Karla Moskowitz
Helen E. Freedman
Paul G. Feinman, Justices.

-----X
Art Issue Editions Inc., et al.,
Plaintiffs-Respondents,

-against-

M-748
Index No. 157281/12

Anne Moss and Kenneth Moss,
Defendants-Appellants.
-----X

Appeals having been taken from the orders of the Supreme Court, New York County, entered on or about November 7, 2013 and January 17, 2014 respectively,

And defendants-appellants having moved for consolidation of the aforesaid appeals, and for a stay of the orders pending hearing and determination of the consolidated 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 appellant to prosecute the appeals upon 9 copies of one record and of one set of appellant's points covering the appeals. The motion to the extent it seeks a stay 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 March 20, 2014.

PRESENT : Hon. Rolando T. Acosta, Justice Presiding,
Dianne T. Renwick
Karla Moskowitz
Helen E. Freedman
Paul G. Feinman, Justices.

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

-against-

M-834
Ind. No. 2261/09

Jamel Brown and John Raye,
Defendants-Appellants.

-----X

Appeals having been taken from the judgments of the Supreme Court, New York County, rendered on or about July 7, 2011 and June 30, 2011, respectively, and said appeals having been perfected,

And respondent People having moved for consolidation of the perfected appeals, and for an adjournment of said 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 respondents to file a single respondent's brief. The consolidated appeals are adjourned to the September 2014 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 March 20, 2014.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,
Dianne T. Renwick
Richard T. Andrias
David B. Saxe
Sallie Manzanet-Daniels, Justice.

-----X
Errol McDonald,
Plaintiff-Respondent-Appellant,

-against-

M-6350
Index No. 150975/12

Edelman & Edelman, P.C., et al.,
Defendants-Appellants-Respondents.

-----X

Plaintiff-respondent-appellant having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on November 12, 2013 (Appeal No. 11031),

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

P.M ORDERS
FOR MARCH
20, 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 March 20, 2014.

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

-----X
In the Matter of a Paternity Proceeding
Under Article 5 of the Family Court Act.

- - - - -
Jennifer W.,
Petitioner-Respondent,

M-3395

Docket No. P-28599/08

-against-

Dwayne P.-E.,
Respondent-Appellant.

- - - - -
In the Matter of a Support Proceeding
Under Article 4 of the Family Court Act.

- - - - -
Jennifer W.,
Petitioner-Respondent,

Docket No. F-28599/08

-against-

Dwayne P.-E.,
Respondent-Appellant.

- - - - -
In the Matter of a Family Offense
Proceeding Under Article 8 of the
Family Court Act.

- - - - -
Dwayne P.-E.,
Petitioner-Appellant,

Docket Nos. O-30206/09
O-29600/09

-against-

Jennifer W.,
Respondent-Respondent.

-----X

An appeal having been taken to this Court from (1) the Order of Filiation of the Family Court, Bronx County, entered on or about June 17, 2009 (Docket No. P-28599/08); the order of said Court entered on or about July 8, 2009 (Docket No. F-28599/00); and the orders of said Court entered on or about February 3, 2010 (Docket Nos. O-30206/09; O-29600/09), respectively,

And appellant having renewed the motion moved for leave to prosecute the appeal as a poor person, 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 therefor¹ **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

¹Service 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 March 20, 2014.

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

-----x
In Re: East 51st Street Crane Collapse Litigation Index No. 769000/08

Jean Squeri,
Plaintiff,

-against-

M-6178

East 51st Street Development Company, LLC,
Defendant-Appellant,

Index No. 103802/09

Kennelly Development Company, LLC,
et al.,
Defendants.

(And a third-party action)

American Bankers Insurance Company of Florida, etc., et al.,
Plaintiffs,

-against-

Reliance Construction Ltd., doing business as RCG Group, Inc., et al.,
Defendants,

Index No. 100754/09

-and-

Langan Engineering & Environmental Services, Inc.,
Defendant-Respondent.

(And other actions)

 In Re: East 51st Street Crane Collapse Litigation

 Index No. 769000/08

Richard Antonietello, et al.,
 Plaintiffs,

-against-

East 51st Street Development Company, LLC,
 Defendant-Appellant,
 Index No. 102024/09

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

 (And a third-party action)

Ascot Properties LLC,
 Plaintiff,

-against-

East 51st Street Development Company, LLC,
 Defendant-Appellant,
 Index No. 106378/09

Reliance Construction Group, et al.,
 Defendants.

 (And a third-party action)

Katia Azouaoui,
 Plaintiff,

-against-

East 51st Street Development Company, LLC,
 Defendant-Appellant,
 Index No. 108716/10

Reliance Constructions Group, et al.,
 Defendants.

 (And a third-party action)

 In Re: East 51st Street Crane Collapse Litigation

 Index No. 769000/08

Jennifer Battistello, et al.,
 Plaintiffs,

-against-

East 51st Street Development Company, LLC,
 Defendant-Appellant,
 Index No. 111409/08

Kennelly Development LLC, et al.,
 Defendants.

 (And a third-party action)

Sherry Olan Berner,
 Plaintiff,

-against-

East 51st Street Development Company, LLC,
 Defendant-Appellant,
 Index No. 107621/09

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

 (And a third-party action)

Bruce Bernstein, et al.,
 Plaintiffs,

-against-

East 51st Street Development Company, LLC,
 Defendant-Appellant,
 Index No. 103498/09

Kennelly Development LLC, et al.,
 Defendants.

 (And a third-party action)

 In Re: East 51st Street Crane Collapse Litigation

 Index No. 769000/08

Jhon Gallego,
 Plaintiff,

-against-

East 51st Street Development Company, LLC,
 Defendant-Appellant,
 Index No. 402179/08

Joy Contractors, Inc., et al.,
 Defendants.

 (And a third-party action)

Chris Garcia,
 Plaintiff,

-against-

The City of New York, et al.,
 Defendants,
 Index No. 111879/09

East 51st Street Development Company, LLC,
 Defendant-Appellant

 (And a third-party action)

Greater New York Mutual Insurance Company, as subrogee of KBL 51st Street Limited Partnership, etc.,
 Plaintiff,

-against-

East 51st Street Development Company, LLC,
 Defendant-Appellant,
 Index No. 116350/08

Reliance Construction, Ltd., doing business as RCG Group, Ltd., et al.,
 Defendants.

 (And other actions)

 In Re: East 51st Street Crane Collapse Litigation

 Index No. 769000/08

Rebecca Kerrs, et al.,
 Plaintiffs,

-against-

East 51st Street Development Company, LLC,
 Defendant-Appellant,
 Index No. 104591/09

Reliance Construction Limited,
 et al.,
 Defendants.

 (And a third-party action)

John D. La Greco, etc., et al.,
 Plaintiffs,

-against-

East 51st Street Development Company, LLC,
 Defendant-Appellant,
 Index No. 107527/09

Kennelly Development LLC, et al.,
 Defendants.

 (And a third-party action)

Colette E. Landers,
 Plaintiff,

-against-

Ascot Properties, LLC,
 Defendants,
 Index No. 106048/09

East 51st Street Development Company, LLC,
 Defendant-Appellant.

 (And a third-party action)

- - - - -
 In Re: East 51st Street Crane Collapse Litigation
 - - - - -
 Index No. 769000/08

Yu Ting Li, also known as Kelly Li,
 et al.,
 Plaintiffs,

-against-

Index No. 114710/10

East 51st Street Development Company,
 LLC,
 Defendant-Appellant,

Kennelly Development LLC, et al.,
 Defendants.

- - - - -
 (And a third-party action)
 - - - - -

Eleni Papaioannou, et al.,
 Plaintiffs,

-against-

Index No. 104777/09

Reliance Construction Group, et al.,
 Defendants,

East 51st Street Development Company,
 LLC,
 Defendant-Appellant.

- - - - -
 (And a third-party action)
 - - - - -

William Rapetti, et al.,
 Plaintiffs,

-against-

Index No. 107688/08

East 51st Street Development Company,
 LLC,
 Defendant-Appellant,

Reliance Construction Group, et al.,
 Defendants.

- - - - -
 (And a third-party action)
 - - - - -

- - - - -
In Re: East 51st Street Crane
Collapse Litigation
- - - - -

Index No. 769000/08

Margaret R. Schorsch,
Plaintiff,

-against-

East 51st Street Development Company,
LLC,
Defendant-Appellant,

Index No. 108439/09

Reliance Construction Ltd., doing
business as RCG Group, Inc., et al.,
Defendants.

- - - - -
(And a third-party action)
- - - - -

Richard Solomon,
Plaintiff,

-against-

Kennelly Development Company, LLC,
et al.,
Defendants,

Index No. 114922/08

East 51st Street Development Company,
LLC,
Defendant-Appellant.

- - - - -
(And a third-party action)
- - - - -

Stonington Insurance Company as
subrogee of Fubar Partners, Inc.,
Trading as Fubar,
Plaintiff,

-against-

M-5040
Index No. 103604/09

East 51st Street Development Company,
LLC,
Defendant-Appellant,

Reliance Construction Ltd., doing
business as RCG Group, Ltd., et al.,
Defendants.

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

Appeals having been taken to this Court from the orders of the Supreme Court, New York County, entered in the above-captioned actions on or about January 17, 2012, January 18, 2012 and January 19, 2012, respectively,

And an order of this Court having been entered on March 26, 2013 (M-412), inter alia, consolidating the aforesaid appeals,

And defendant-respondent Langan Engineering & Environmental Services, Inc. having moved to strike the aforesaid consolidated appeals,

Now, upon reading and filing the papers with respect to the motion, and the stipulation of the parties East 51st Street Development Co., LLC and Langan Engineering & Environmental Services, Inc. filed February 18, 2014 and due deliberation having been had thereon,

It is ordered that the aforesaid motion and the aforesaid consolidated appeals are withdrawn pursuant to, and in accordance with, the aforesaid stipulation dated February 18, 2014.

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 March 20, 2014.

PRESENT - Hon. Peter Tom, Justice Presiding,
David Friedman
Richard T. Andrias
Helen E. Freedman
Darcel D. Clark, Justices.

-----X
In the Matter of a Proceeding for
Support Under Article 4 of the
Family Court Act.

Elba S.,
Petitioner-Respondent,

-against-

Sadrud-Din S.,
Respondent-Appellant.

M-6374
M-6434
Docket No. F-73300-12/12A

-----X

Appeals having been taken from the orders of the Family Court, Bronx County, entered on or about September 11, 2013 and October 8, 2013, respectively,

And an order of this court having been entered on December 12, 2013 (M-5154) denying respondent-appellant, inter alia, a stay of incarceration, and leave to prosecute, as a poor person, the appeals taken from the aforesaid orders, and related relief,

And respondent-appellant having moved for renewal/reargument of the aforesaid order of this Court (M-6434/M-6374),

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 (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Steven N. Feinman, Esq., One North Broadway Suite 412, White Plains, NY 10601, Telephone No. (914)949-8214, as counsel for purposes of prosecuting the appeals; (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 therefor¹ **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 these appeals, 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.** The motions are otherwise denied. (See M-6533 decided simultaneously herewith.)

ENTER:



CLERK

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

CORRECTED ORDER - April 23, 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 March 20, 2014.

PRESENT - Hon. Peter Tom, Justice Presiding,
David Friedman
Richard T. Andrias
Helen E. Freedman
Darcel D. Clark, Justices.

-----X
In the Matter of a Proceeding for
Support Under Article 4 of the
Family Court Act.

Elba S.,
Petitioner-Respondent,

-against-

Sadrud-Din S.,
Respondent-Appellant.

M-6533
Docket No. **F-7300-12/12A**

-----X
Appeals having been taken from the orders of the Family Court, Bronx County, entered on or about September 11, 2013 and October 8, 2013 respectively,

And petitioner-respondent having moved for leave to respond, as a poor person, for assignment of appellant counsel, a free copy of the transcript, the appeals from the aforesaid order,

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

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, Neal D. Futerfas, Esq., 50 Main Street Suite 1000, White Plains, NY 10606, Telephone No. (914)552-6076, 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. (See M-6374/M-6434 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 March 20, 2014.

Present - Hon. Peter Tom, Justice Presiding,
David Friedman
John W. Sweeny, Jr.
David B. Saxe
Helen E. Freedman, Justices.

-----x
In the Matter of

Jermaine J.,

A Child Under 18 Years of Age Alleged
to be Neglected and/or Abused Under
Article 10 of the Family Court Act.

M-807
Docket No. N-26178/12

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

Howard J.,
Respondent-Appellant.

- - - - -
Steven Banks, Esq., The Legal Aid
Society, Juvenile Rights Division,
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 April 16, 2013, and said appeal having been perfected,

And Steven Banks, Esq., attorney for the subject child, having moved on the child's behalf for an order directing a reconstruction hearing of proceedings held before Hon. Clark V. Richardson in Family Court, New York County, on November 27, 2012, for an adjournment of the aforesaid 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 remanding this matter to the Family Court, Bronx County, for a reconstruction hearing concerning the aforesaid proceedings held in Family Court, New York County, as expeditiously as possible. Appellant's counsel is directed to serve a copy of this order upon the Clerk of the Family Court, Bronx County,

within 10 days from the date of entry hereof, and the Clerk is directed to have the minutes of the reconstruction proceedings transcribed and delivered to appellant's counsel for inclusion in the record within 30 days of the conclusion of said reconstruction.

The appeal is adjourned to the September 2014 Term, with leave to seek further adjournments, if necessary.

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 March 20, 2014.

Present - Hon. Rolando T. Acosta, Justice Presiding,
Dianne T. Renwick
Karla Moskowitz
Helen E. Freedman
Paul G. Feinman, Justices.

-----X
In the Matter of

Derick L.,

A Child Alleged to be Neglected
and/or Abuse Under Article 10 of
the Family Court Act.

- - - - -
Administration for Children's Services, M-841
Petitioner-Respondent, Docket No. NN-31802/12

Catherine W.,
Respondent-Appellant.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from orders of the Family Court, Bronx County, entered on or about August 21, 2013 and December 9, 2013, respectively, 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, Steven N. Feinman, Esq., One North Broadway, Suite 412, White Plains, NY 10601, Telephone No. 914-949-8214, 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 therefor¹ **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

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

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:

A handwritten signature in black ink, appearing to read "Susan R. Jones", written in a cursive style.

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 March 20, 2014.

Present - Hon. Peter Tom, Justice Presiding,
David Friedman
John W. Sweeny, Jr.
David B. Saxe
Helen E. Freedman, Justices.

-----x

Amy Kantor, doing business as Worth Street Veterinary Hospital, etc.,

Plaintiff-Appellant,

-against-

75 Worth Street, LLC and Jodi Richard,

Defendants-Respondents.

M-966
M-1056
Index No. 600811/09

-----x

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about February 26, 2013 (mot. seq. nos. 006-010), and said appeal having been perfected,

And plaintiff-appellant having moved for an order deeming the appeal from the order entered on or about February 26, 2013 (mot. seq. nos. 006-010) to be one from the judgment of said Court entered on or about February 21, 2014 (M-966),

And defendants-respondents having moved for an order dismissing the appeal in its entirety or, in the alternative, deeming plaintiff's appeal an appeal from "the entire trial", and precluding plaintiff-appellant from raising any additional issues other than those raised in appellant's brief, and for other relief (M-1056),

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

It is ordered that the motion (M-966) is granted to the extent of deeming the appeal from the order entered on or about February 26, 2013, a valid appeal from the judgment entered on or about February 21, 2014, and directing plaintiff-appellant to

file the requisite number of copies of a supplemental appendix containing said judgment entered on or about February 21, 2014 forthwith. The cross motion (M-1056) is granted to the extent of permitting defendant to file forthwith the requisite number of copies of a supplemental appendix containing relevant materials related to post-trial motion practice at its own expense, if so advised, and adjourning the appeal to the June 2014 Term. The motion is otherwise denied.

ENTER:


CLERK