

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 November 20, 2014.

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

-----X
Samantha Serrano,
Plaintiff-Appellant,

-against-

M-4666X
Index No. 305848/12

Fofana Moyabi and Timothy Moses,
Defendants-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about March 13, 2014,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" September 16, 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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 November 20, 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-4739
Ind. No. 3938/08

Tony Clanton,
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about June 18, 2009,

Now, upon reading and filing the stipulation of the parties hereto, dated February 8, 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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 November 20, 2014.

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

-----X
Gisela Rodriguez and Angel V.
Rodriguez,
Plaintiffs-Appellants,

-against-

M-4782X
Index No. 158269/12

Bovis Lend Lease LMB, Inc., et al.,
Defendants-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about February 2, 2014 (mot. seq. no. 002),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" September 18, 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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 November 20, 2014.

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

-----X
Freddie Otero,
Plaintiff-Appellant,

-against-

M-4784X
Index No. 309147/09

Mainstream Property Holding, LLC,
et al.,
Defendants-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about September 12, 2013,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" September 22, 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 November 20, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
Richard T. Andrias
David Friedman, Justices.

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

-against-

M-4814
Case No. 49180C/10

Djibril Cisse,
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, Bronx County, rendered on or about January 13, 2012,

Now, upon reading and filing the stipulation of the parties hereto, dated February 8, 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 November 20, 2014.

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

-----X
Erik Perry,
Plaintiff-Respondent,

-against-

M-4820X
Index No. 302572/12

New York City Housing Authority,
Defendant-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about March 13, 2014,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" September 16, 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 November 20, 2014.

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

-----X
Gramercy Distressed Opportunity Fund
Ltd. and Gramercy Distressed Debt
Master Fund,
Plaintiffs-Respondents,

-against-

M-4821X
Index No. 652756/12

Arpeni Pratama Ocean Line Investment
B.V. and PT Arpeni Pratama Ocean Line
TBK,
Defendants-Appellants.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about September 19, 2013 (mot. seq. no. 003),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" September 22, 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 November 20, 2014.

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

-----X
PNY Technologies, Inc., et al.,
Petitioners-Appellants,

-against-

M-4823X
Index No. 652302/13

KPMG LLP,
Respondent-Respondent.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about November 15, 2013,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" September 22, 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 November 20, 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-5000
Ind. No. 1316/12

Rodney Bennett,
Defendant-Appellant.

-----X

An appeal having been taken from the judgment of the Supreme Court, New York County, rendered on or about March 12, 2013,

Now, upon reading and filing the stipulation of the parties hereto, dated September 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 November 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-5001
Ind. No. 3017/11

Charles Graham,
Defendant-Appellant.

-----X

An appeal having been taken from the judgment of the Supreme Court, New York County, rendered on or about May 16, 2012,

Now, upon reading and filing the stipulation of the parties hereto, dated September 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 November 20, 2014.

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

-----X
Richard L. Kramer,
Plaintiff-Respondent-Appellant,

-against-

M-4781X
Index No. 303573/13

Tivia Kramer,
Defendant-Appellant-Respondent.

-----X

An appeal and cross appeal having been taken from an order of the Supreme Court, New York County, entered on or about September 23, 2013 (mot. seq. no. 004),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" September 22, 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 November 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

Destiny Marie M.,

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

M-4433
Docket No. NN-42719/13

- - - - -

Administration for Children's Services,
Petitioner-Respondent,

Phillip F.,
Respondent-Appellant.

- - - - -

Seymour W. James, Jr., Esq.,
The Legal Aid Society,
Juvenile Rights Division,
Attorney for the Child.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from an Order of Fact-Finding of the Family Court, New York County, entered on or about July 18, 2014 and an Order of Disposition of said Court, entered on or about July 30, 2014, 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, Lewis S. Calderon, Esq., 153-01 Jamaica Avenue, Suite 201, Jamaica, NY 11432, Telephone No.

(718) 883-1560, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor;¹ **within 30 days (FCS 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 the 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 November 20, 2014.

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

-----X
Slam Brands, Inc.,
Plaintiff-Respondent,

-against-

M-4667X
Index No. 653444/11

Wells Fargo Trade Capital Services,
Inc.,
Defendant-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about March 12, 2014 (mot. seq. nos. 005, 006), and said appeal having been perfected,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" September 16, 2014, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected for the September 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 November 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 Custody/Visitation
Proceeding Under Article 6 of the
Family Court Act.

Mohammed Z. G.,
Petitioner-Appellant,

M-4728
Docket No. V-27505-06/13

-against-

Mairead P. M.,
Respondent-Respondent.

Cassandra Celestin, Esq.,
Children's Law Center,
Attorney for the Children.

-----X
Respondent-respondent having moved for leave to respond, as a poor person, to the appeal from the order of the Family Court, Bronx County, entered on or about June 13, 2014, 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, Lewis S. Calderon, Esq., 153-01 Jamaica Avenue, Suite 201, Jamaica, NY 11432, Telephone No. (718) 883-1560, as counsel for purposes of responding to the appeal; (2) permitting movant to respond to the appeal upon a reproduced

respondent's brief, on condition that one copy of such brief be served upon the attorney for petitioner-appellant and 8 copies thereof are filed with this Court.

ENTER:

A handwritten signature in black ink, appearing to read "Susan R. Jones". The signature is written in a cursive style with a prominent 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 November 20, 2014.

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

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

-against-

M-4660
Ind. No. 544/13

Adamou Arbi,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County (Zweibel, J.), entered on or about August 14, 2014, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the appeal, and for related relief,

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

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

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

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 November 20, 2014.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
Angela M. Mazzairelli
Sallie Manzanet-Daniels
Judith J. Gische
Darcel D. Clark, Justices.

-----x
Michael Robinson,

Plaintiff-Appellant,

-against-

M-4927
Index No. 6839/07

1528 White Plains Realty, Inc., et al.,

Defendants-Respondents.
-----x

Consolidated appeals having been taken to this Court from an order of the Supreme Court, Bronx County, entered on or about August 16, 2014, and from an order of the said Court and Justice, entered on or about November 6, 2013, respectively,

And plaintiff-appellant having moved for an enlargement of time to perfect 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 enlarging the time to perfect the consolidated appeals 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 November 20, 2014.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
Angela M. Mazzarelli
Sallie Manzanet-Daniels
Judith J. Gische
Darcel D. Clark, Justices.

-----x
Marie Dennehy, et al.,
Plaintiffs-Respondents/Respondents,

-against-

M-5216
Index No. 800349/11

Alan B. Copperman, M.D.,
Defendant-Appellant,

Reproductive Medicine Associates of
New York, LLP, et al.,
Defendants-Appellants.
-----x

Separate appeals having been taken to this Court from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about December 12, 2013 (entered as a judgment on or about January 14, 2014), and the appeal taken by defendants-appellants, Reproductive Medicine Associates of New York, LLP, et al., having been perfected,

And defendant-appellant Alan B. Copperman, M.D. having moved for an enlargement of time to perfect his 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 of defendant-appellant, Alan B. Copperman, M.D., to perfect his appeal to the March 2015 Term, to which Term the perfected appeal of Reproductive Medicine Associates of New York, LLP, et al., is adjourned. The Clerk is directed to calendar the appeals for hearing together on the same day in said 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 November 20, 2014.

PRESENT: Hon. Peter Tom, Justice Presiding,
John W. Sweeny, Jr.
Dianne T. Renwick
Richard T. Andrias
Darcel D. Clark, Justices.

-----X
The People of the State of New York
ex rel. Kenneth Harris,
Petitioner-Appellant,

-against-

M-4607
Index No. 400511/14

Warden, Antonio Cuin Jr., M.D.C.,
Respondents-Respondents.

-----X

Petitioner-appellant, pro se, having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, entered on or about May 7, 2014, which dismissed a habeas corpus proceeding, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for other relief,

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

It is ordered that said motion is granted to the extent of permitting the appeal to be heard on the original record and upon a reproduced appellant's brief, on condition that appellant serve one copy of such brief upon the attorney for respondent and file ten copies of such brief, together with the original record, with this Court. Appellant is permitted to dispense with payment of the required fee for the subpoena and 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 November 20, 2014.

PRESENT: Hon. Peter Tom, Justice Presiding,
John W. Sweeny, Jr.
Richard T. Andrias
Darcel D. Clark, Justices.

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

-against-

M-4548
Ind. No. 1198/87

Charles Sanders,

Defendant.

-----X

Defendant-appellant, pro se, having moved for an enlargement of time in which to file a notice of appeal from a judgment of the Supreme Court, Bronx County, rendered on or about December 15, 1988, for leave to prosecute said appeal as a poor person, 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.

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 November 20, 2014.

PRESENT: Hon. Peter Tom, Justice Presiding,
John W. Sweeny, Jr.
Richard T. Andrias
Darcel D. Clark, Justice.

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

-against-

M-4564
Ind. No. 1434/13

James Bellamy,
Defendant-Appellant.

-----X

Defendant-appellant, pro se, having moved for an order dismissing the indictment related to the above-captioned matter and to be afforded the opportunity to testify before the Grand Jury pursuant to CPL 210.20 [1][c], 210.35[4], 190.50[5] and 180.10 under Bronx County Indictment No. 1434/13, 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 dismissed for lack of jurisdiction, no appeal being extant.

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 November 20, 2014.

Present - Hon. Peter Tom, Justice Presiding,
David Friedman
Richard T. Andrias
Paul G. Feinman
Barbara R. Kapnick, Justices.

-----x
Nancy Cruz,

Plaintiff-Respondent,

-against-

M-4920
Index No. 24402/06

Bronx Lebanon Hospital Center,

Defendant-Appellant.
-----x

Defendant-appellant having moved for an enlargement of time to perfect the consolidated appeals from the order of the Supreme Court, Bronx County, entered on or about May 16, 2013, and from the judgment of said Court and Justice entered on or about August 6, 2013, respectively,

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 consolidated appeals 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 November 20, 2014.

Present - Hon. Peter Tom, Justice Presiding,
David Friedman
Richard T. Andrias
Paul G. Feinman
Barbara R. Kapnick, Justices.

-----x

URS Corporation, et al.,
Plaintiffs-Appellants,

-against-

M-5211
Index No. 653952/12

Hudson Specialty Insurance Company,
Defendant-Respondent,

-and-

Zurich American Insurance Company,
et al.,
Defendants.

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

-----x

Plaintiffs-appellants having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, New York County, entered on or about January 24, 2014 (mot. seq. no. 004),

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

It is ordered the motion is granted to the extent of enlarging the time to perfect the appeal to the April 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 November 20, 2014.

PRESENT: Hon. Peter Tom, Justice Presiding,
David Friedman
David B. Saxe
Darcel D. Clark
Barbara R. Kapnick, Justices.

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

-against-

M-4334
Ind. No. 3038/96

Trevor Burns,
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on May 31, 2005 (Appeal No. 6194), unanimously affirming a judgment of the Supreme Court, New York County (George B. Daniels, J.), rendered on September 9, 1997,

And defendant-appellant having moved, in the nature of a writ of error coram nobis, for a review of his claim of ineffective assistance of appellate counsel, and for related relief,

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

It is ordered that said application 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 November 20, 2014.

PRESENT: Hon. Peter Tom, Justice Presiding,
Karla Moskowitz
Leland G. DeGrasse
Rosalyn H. Richter
Barbara R. Kapnick, Justices.

-----X

AXA Equitable Life Insurance Company,
Plaintiff-Appellant,

-against-

M-3310
Index No. 106360/11

Ronald Malen, D.M.D.,
Defendant-Respondent.

-----X

Plaintiff-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 May 29, 2014 (Appeal No. 12608),

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 November 20, 2014.

PRESENT - Hon. Peter Tom, Justice Presiding,
Karla Moskowitz
Sallie Manzanet-Daniels
Paul G. Feinman
Judith J. Gische, Justices.

-----X
Amy Kantor doing business as Worth
Street Veterinary Hospital, etc.,
Plaintiff-Appellant,

-against-

75 Worth Street, LLC, et al.,
Defendants-Respondents.

M-3722
M-3940
Index No. 600811/09

-----X

Plaintiff-appellant having moved for reargument of or, in the alternative, leave to appeal to the Court of Appeals from the decision and order of this Court entered on June 24, 2014 (Appeal No. 12882/12882A-B-C-D) [M-3722],

And defendants-respondents having cross-moved for reconsideration of the aforesaid decision and order [M-3940],

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 and cross motion are 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 November 20, 2014.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Karla Moskowitz
Rosalyn H. Richter
Paul G. Feinman, Justices.

-----X
H. Patrick Barklay,
Plaintiff-Appellant,

-against-

M-4691
Index No. 402340/10

Odell H. Etim, et al.,
Defendants-Respondents.

-----X

Plaintiff-appellant pro se having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, New York County, entered on or about December 13, 2012 (mot. seq. no. 003), and for leave to prosecute the appeal as a poor person, and for leave to have the appeal heard on the original record and upon a handwritten appellant's brief, and for other relief,

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

It is ordered that said motion is granted to the extent of permitting the appeal to be heard on the original record and upon a handwritten appellant's brief, on condition that appellant serves one copy of such brief upon the attorney for defendants-respondents and file 8 copies of such brief, together with the original record, with this Court. Appellant is permitted to dispense with payment of the required fee for the subpoena and filing of the record. The time to perfect the appeal is enlarged to the May 2015 Term. The motion, to the extent it seeks to submit a reduced number of briefs, 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 November 20, 2014.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
Karla Moskowitz
Sallie Manzanet-Daniels
Darcel D. Clark, Justices.

-----X
Laurene Yu,
Petitioner-Appellant,

M-4285

For a Judgment Pursuant to Article 78 Index No. 100143/14
of the Civil Practice Law and Rules,

-against-

City of New York, et al.,
Respondents-Respondents.
-----X

Petitioner having moved for leave to file a late notice of appeal from the judgment of the Supreme Court, New York County, entered on or about July 15, 2014, and for leave to prosecute the appeal as a poor person, 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 as unnecessary, there being no proof submitted regarding the date of service on petitioner of the aforesaid judgment with notice of entry (See, CPLR 5513), and otherwise poor person relief is denied with leave to renew upon submission by petitioner of a detailed notarized affidavit, pursuant to CPLR 1101(A) setting forth in detail petitioner's financial circumstances, including but not limited to petitioner's assets and liabilities.

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 November 20, 2014.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Karla Moskowitz
Rosalyn H. Richter
Paul G. Feinman, Justices.

-----x
In the Matter of the Application of
Peter Falotico,
Petitioner-Respondent,

For the Appointment of a Special
Guardian Pursuant to Article 81 of
the Mental Hygiene Law for

M-5161
Index No. 500099/13

Michael F.,
An Incapacitated Person.

Mary DiPaola, et al.,
Appellants.

-----x
Appellants having moved for an enlargement of time to perfect the appeal from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about November 25, 2013,

Now, upon reading and filing the papers with respect to the motion, and the stipulation of the parties dated November 18, 2014, and due deliberation having been had thereon,

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

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 20, 2014.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Karla Moskowitz
Rosalyn H. Richter
Paul G. Feinman, Justices.

-----x
Eric Haubenstock,

Petitioner-Respondent,

-against-

M-4993

Index No. 651892/13

City of New York, et al.,

Respondents-Appellants.
-----x

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about June 18, 2014,

And petitioner-respondent having moved for expedited hearing of the appeal, for vacatur of an automatic stay pending hearing and determination 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 denied. Sua sponte, respondents-appellants are directed to perfect the appeal on or before January 5, 2015 for 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 November 20, 2014.

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

-----X
Noah H. Silverman,

Plaintiff-Respondent,

-against-

M-4491
Index No. 107586/11

Mary Jo D'Arco,

Defendant-Appellant.
-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about August 13, 2014,

And defendant-appellant having moved for relief in the nature of a preliminary appellate injunction restoring her possession of a rent stabilized apartment, pending hearing and determination of the aforesaid appeal,

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

It is ordered that the motion is denied.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 20, 2014.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
Leland G. DeGrasse
Darcel D. Clark, Justices.

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

-against-

M-4975
Ind. No. 3191/12

Juan Gonzalez,
Defendant-Appellant.

-----X

An order of this Court having been entered on March 5, 2013 (M-303), inter alia, granting defendant's motion 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 13, 2012, under Indictment No. 3191/12, and assigning counsel therefor,

And defendant-appellant having moved for an order amending the notice of appeal and the aforementioned order to include a SORA order of the same Court, entered on or about December 13, 2012, under New York County Indictment No. 3191/12,

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

It is ordered that said motion is granted to the extent of amending defendant's notice of appeal and the aforementioned order of assignment to include the aforesaid judgment rendered on or about December 13, 2012, under Indictment No. 3191/12 and the aforesaid SORA order of the same Court, entered on or about December 13, 2012, under New York County Indictment No. 3191/12, both under Indictment No. 3191/12, and extending the poor person relief previously granted to cover same.

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 November 20, 2014.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
John W. Sweeny, Jr.
Dianne T. Renwick, Justices.

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

-against-

M-3652
Ind. No. 3024/03

Edgar Ortega,
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on January 17, 2008 (Appeal Nos. 2550 & 2550A), unanimously affirming a judgment of the Supreme Court, New York County (Gregory Carro, J.), rendered on November 3, 2005,

And defendant-appellant having moved, in the nature of a writ of error coram nobis, for a review of his claim of ineffective assistance of appellate counsel, and for related relief,

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

It is ordered that said application 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 November 20, 2014.

PRESENT: Hon. David Friedman, Justice Presiding,
Rolando T. Acosta
David B. Saxe
Judith J. Gische
Barbara R. Kapnick, Justices.

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

Commissioner of Social Services of the
City of New York, on behalf of:

Valerie H.,
Petitioner-Appellant,

M-4082
Docket No.
F-33347/10/10B-C

-against-

Christian F.,
Respondent-Respondent.

-----X

Petitioner-appellant, pro se, having moved for leave to prosecute, as a poor person, the appeal from order of the Family Court, New York County, entered on or about May 30, 2013 and January 7, 2014, 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 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 November 20, 2014.

PRESENT - Hon. David Friedman, Justice Presiding,
Karla Moskowitz
Paul G. Feinman
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X
The People of the State of New York
ex rel. Roy Parker,
Petitioner-Appellant,

-against-

M-4473
Index No. 340126/14

Warden, NYC Department of Correction,
Respondent-Respondent.
-----X

Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, Bronx County, entered on or about March 31, 2013, which dismissed a habeas corpus proceeding, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for the 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 sua sponte, the appeal is dismissed, and the motion is denied as academic.

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 November 20, 2014.

PRESENT - Hon. David Friedman, Justice Presiding,
Karla Moskowitz
Paul G. Feinman
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X
Jamel King,

Plaintiff-Appellant,

-against-

M-4478
Claim No. 251381/11

RLS Clothing & Accessories Catalogue,

Defendant-Respondent.

-----X

Plaintiff-appellant pro se having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, Bronx County, entered on or about January 25, 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 sua sponte, the appeal is dismissed, and the motion is denied as academic.

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 November 20, 2014.

PRESENT: Hon. David Friedman, Justice Presiding,
Karla Moskowitz
Paul G. Feinman
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X

Deutsche Bank AG,
Plaintiff-Respondent,

-against-

M-4455
Index No. 651676/13

URBI, Desarollos Urbanos, S.A.B.,
de C.V., et al.,
Defendants-Appellants.

-----X

Plaintiff-respondent having moved for dismissal of the appeal taken from the judgment of the Supreme Court, New York County, entered on or about June 4, 2014, and said appeal having been perfected,

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 dismissing the appeal unless said appeal is perfected for the April 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 November 20, 2014.

Present - Hon. David Friedman, Justice Presiding,
Rolando T. Acosta
David B. Saxe
Sallie Manzanet-Daniels
Judith J. Gische, Justices.

-----X
In the Matter of the Application of
Isabel Videa,
Petitioner,

For a Judgment Pursuant to Article 78
of the Civil Practice Law and Rules,

M-4830
Index No. 400525/13

-against-

New York City Housing Authority,
Respondent.

-----X

An Article 78 proceeding to review a determination of respondent having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, New York County, entered on or about September 27, 2013,

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

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

It is ordered that the motion is granted to the extent of dismissing the aforesaid proceeding unless it is perfected for the April 2015 Term. Sua sponte, the time to perfect the proceeding is enlarged to said April 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 November 20, 2014.

PRESENT: Hon. David Friedman, Justice Presiding,
Karla Moskowitz
Paul G. Feinman
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X
Salim Diarrassouba, as Administrator
of the Estate of Massira Dirrassouba,
Deceased, Salim Diarrassouba,
individually and Mariam Keita,
individually as the mother of
Massira Diarrassouba,
Plaintiffs-Respondents,

M-4370
Index No. 155528/12

-against-

Rubenstein & Rynecki, Esqs.,
Defendant-Appellant.

-----X
Defendant-appellant having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, New York County, entered on or about May 24, 2013,

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 June 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 November 20, 2014.

Present - Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Karla Moskowitz
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----x
In Re Eliyahu, an infant.

- - - - -
David B. and Jennifer B.,
Petitioners-Appellants,

SURROGATE'S COURT

-against-

M-5418
File No. 0178/2010

Artur N.,
Respondent-Respondent.

-----x

An appeal having been taken to this Court from the order of the Surrogate's Court, New York County, entered on or about October 14, 2014,

And petitioners-appellants pro se having moved, on the subject child's behalf, for poor person relief, the assignment of Anne Reiniger, Esq., as counsel on the appeal, and for related relief,

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

It is ordered that the motion is denied, with leave to renew, on a motion by counsel appointed for the subject child from the order of said Court entered on or about December 31, 2012 (M-35, entered February 25, 2014). Movants are directed to serve a copy of this order, along with a copy of their papers on this motion, upon said counsel within 30 days of the date of entry hereof.

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 November 20, 2014.

Present - Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Karla Moskowitz
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----x

Julie Jackson,
Plaintiff-Respondent,

-against-

City of New York, et al.,
Defendants,

M-5210
Index No. 310041/09

-and-

Liberty Lines Transit, Inc., et al.,
Defendants-Appellants.

(And other actions)

-----x

An appeal having been taken to this Court from the order of the Supreme Court, Bronx County, entered on or about August 17, 2014, and said appeal having been perfected,

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

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

It is ordered that the motion is denied.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 20, 2014.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Richard T. Andrias
Karla Moskowitz
Sallie Manzanet-Daniels, Justices.

-----X
Mergent Services and John Bal,
Plaintiffs-Appellants,

-against-

Itex Corporation, et al.,
Defendants-Respondents.

M-4371
Index No. 601777/07

-----X

Plaintiff-appellant John Bal, pro se, having moved for leave to prosecute, as a poor person, the appeal from an order of the Supreme Court, New York County, entered on or about February 27, 2014 (mot. seq. no. 008), and for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for other relief,

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

It is ordered that said 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 November 20, 2014.

PRESENT - Hon. John W. Sweeny, Jr., Justice Presiding,
Karla Moskowitz
Leland G. DeGrasse
Judith J. Gische, Justices.

-----X
National Union Fire Insurance Company
of Pittsburgh, Pennsylvania, et al.,
Plaintiffs-Appellants,

Associated Electric & Gas Insurance
Services Limited,
Plaintiff,

M-4360
M-4574
Index Nos. 650515/10
400759/11

-against-

TransCanada Energy USA, Inc., et al.,
Defendants-Respondents.

TC Ravenswood, LLC,
Plaintiff-Respondent,

-against-

National Union Fire Insurance Company
of Pittsburgh, Pennsylvania, etc.,
et al.,
Defendants-Appellants,

Ace Ina Insurance, et al.,
Defendants.

-----X
National Union Fire Insurance Company of Pittsburgh,
Pennsylvania, et al. having moved for reargument of the
decision and order of this Court entered on July 31, 2014
(Appeal No. 11815N) [M-4360],

And TransCanada Energy USA, Inc. and TC Ravenswood, LLC
having cross-moved for an order awarding attorneys' fees and
costs (M-4574),

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 and the cross motion are denied. (See M-3874, 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 in the County of New York on November 20, 2014.

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

-----X
National Union Fire Insurance Company
of Pittsburgh, Pennsylvania, et al.,
Plaintiffs-Appellants,

Associated Electric and Gas Insurance
Services Limited,
Plaintiff,

M-3874
Index Nos. 650515/10
400759/11

-against-

TransCanada Energy USA, Inc., et al.,
Defendants-Respondents.

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

-against-

National Union Fire Insurance Company
of Pittsburgh, Pennsylvania, etc.,
et al.,
Defendants-Appellants,

Ace Ina Insurance, et al.,
Defendants.

-----X

An appeal having been taken from an order of the order of the Supreme Court, New York County, entered on or about August 19, 2013, and said appeal having been heard and decided (Appeal No. 11815N, July 31, 2014),

And plaintiffs-appellants having moved to stay the aforesaid order insofar as it relates to a certain May 14, 2010 letter, pending hearing and determination of their motion for reargument made with respect to the aforesaid decision and order of this Court (Appeal No. 11815N),

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

It is ordered that the motion is denied. (See M-4360/M-4574, decided simultaneously herewith.)

ENTER:

A handwritten signature in black ink, appearing to read "Susan R. Jones". The signature is written in a cursive, flowing 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 November 20, 2014.

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

-----X

Daniel Dial,
Defendant-Appellant,

-against-

M-3872
Index No. 102992/12

730 W. 183rd Street, LLC,
Plaintiff-Respondent.

-----X

Defendant-appellant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County, entered on or about April 23, 2014 (mot. seq. no. 005), for leave to have the appeal heard on the original record and upon a reproduced appellant's 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 extent of permitting the appeal to be heard on the original record and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the attorney for respondent and file 8 copies of such brief, together with the original record, with this Court. Appellant is permitted to dispense with payment of the required fee for the subpoena and filing of the record. The Clerk of the Supreme Court, New York County, is directed to have transcribed the minutes of the proceedings held therein, if any, for inclusion in the record on appeal, with a copy to appellant or appellant's counsel if any, the cost thereof to be charged against the City of New York from funds available therefor.

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 November 20, 2014.

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

-----X

Anthony Gordon, Martina Gordon,
Plaintiffs-Appellants,

-against-

M-4051
Index No. 103951/12

476 Broadway Realty Corp.,
Defendant-Respondent,

Board of Managers of 476 Broadway
Condominium,
Defendant,

"John Doe" and "Jane Doe",
Counterclaim Defendants.

-----X

Appeals having been taken from the order of the Supreme Court, New York County, entered on or about May 21, 2014 (mot. seq. no. 003) and the amended order of said Court entered on or about July 2, 2014 (mot. seq. no. 004),

And defendant-respondent having moved to dismiss the appeals, or in the alternative, to direct plaintiffs-appellants to perfect their pending 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 to dismiss the appeals is granted unless appellants perfect their appeals on or before February 2, 2015 for the April 2015 Term; sua sponte, the aforesaid appeals are consolidated, plaintiffs are directed to prosecute the appeals upon 9 copies of one record and of one set of appellants' points covering the appeals.

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 November 20, 2014.

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

-----X

Terri Kornicki, etc., et al.,
Plaintiffs-Appellants,

-against-

M-3843

M-3991

Rubin Shur, etc.,
Defendant-Respondent.

Index No. 304097/10

-----X

Plaintiffs-appellants having moved for an enlargement of time in which to perfect the appeal taken from an order of the Supreme Court, Bronx County, entered on or about October 5, 2012,

And defendant-respondent having cross-moved to dismiss the appeal,

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 plaintiffs-appellants' motion is granted to the extent of enlarging the time to perfect the appeal to on or before February 2, 2015 for the April 2015 Term, with no further enlargements to be granted. Defendant-respondent's cross motion to dismiss the appeal is granted unless plaintiffs-appellants perfect the appeal for said April 2015 Term.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in in the County of New York on November 20, 2014.

Present: Hon. Diane T. Renwick, Justice Presiding,
David B. Saxe
Karla Moskowitz
Leland G. DeGrasse
Rosalyn H. Richter, Justices.

-----X

Terry S. Bienstock,
Petitioner-Respondent,

M-4304

-against-

Index No. 151811/14

Greycroft Partners, L.P.,
Respondent-Appellant.

-----X

Respondent-appellant having moved to stay enforcement of the order of the Supreme Court, New York County, entered on or about July 14, 2014, 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 pursuant to the terms and conditions of the stipulation of the parties, dated October 1, 2014 including, but not limited to, inter alia, that the \$900,000 undertaking posted by respondent-appellant remain in place pending hearing and determination of the appeal, and that respondent-appellant take no action to alter the amount of the undertaking pending hearing and determination of the aforesaid appeal without approval of this Court, and on further condition that the appeal be perfected on or before February 2, 2015 for the April 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 November 20, 2014.

Present - Hon. Dianne T. Renwick, Justice Presiding,
David B. Saxe
Karla Moskowitz
Leland G. DeGrasse
Rosalyn H. Richter, Justices.

-----X

Kathleen Kinsella, et al.,

Plaintiffs,

-against-

M-5381

Index No. 105289/10

Peter Bryant, et al.,

Defendants.

-----X

Defendants having moved, pursuant to CPLR 5704(a), for certain relief denied by a Justice of the Supreme Court, dated October 9, 2014,

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

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,

Respondent,

M-4700
Ind. No. 31755C/05

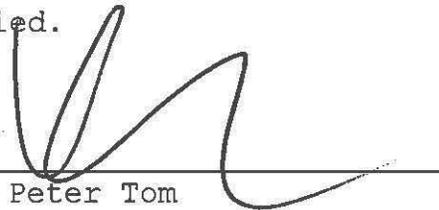
-against-

Njasang Nji,

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, Bronx County, entered on or about June 18, 2014 is hereby denied.



Hon. Peter Tom
Associate Justice

Dated: November 12, 2014
New York, New York

ENTERED

NOV 20 2014

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,

Respondent,

-against-

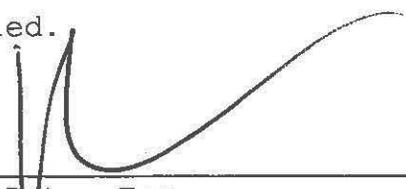
Jason Horsford,

Defendant.
-----X

M-4701
Ind. No. 3616/07

CERTIFICATE
DENYING LEAVE

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, Bronx County, entered on or about June 18, 2014 is hereby denied.



Hon. Peter Tom
Associate Justice

Dated: November 12, 2014
New York, New York

ENTERED

NOV 20 2014

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,

Respondent

M-354
Ind. No. 10676/97

-against-

CERTIFICATE
DENYING LEAVE

Juan Serrano

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 (Marcy Kahn, J.), entered on or about December 20, 2013, is hereby denied.


Associate Justice

Dated: November 10, 2014
New York, New York

Entered: **NOV 20 2014**

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

BEFORE: Hon. Karla Moskowitz
Justice of the Appellate Division

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

M-4754
Ind. No. 1442/12

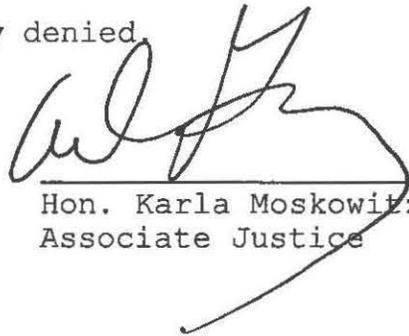
-against-

CERTIFICATE
DENYING RENEWAL

Ruben Sanabria,

Defendant.
-----X

I, Karla Moskowitz, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application 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 that 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 June 16, 2014, is hereby denied.



Hon. Karla Moskowitz
Associate Justice

Dated:  2014
New York, New York

ENTERED: **NOV 20 2014**

STATE OF NEW YORK
APPELLATE DIVISION: FIRST DEPARTMENT

BEFORE: Hon. Darcel D. Clark
Justice of the Appellate Division

-----X

The People of the State of New York,

-against-

Waheem Allah,
Defendant.

M-4985
Ind. No. 168/2012

ORDER DENYING
RECONSIDERATION OF MOTION
FOR ROR OR BAIL PENDING
APPEAL

-----X

An appeal having been taken to this Court by the above-named defendant from the judgment of the Supreme Court, New York County, rendered on July 8, 2103, and defendant having moved for reconsideration of a prior order entered November 19, 2013 (M-4563) which denied his motion, pursuant to CPL 460.50 and 530.50, for an order of recognizance or to be admitted to bail pending hearing and determination of the aforesaid appeal,

Now, upon reading and filing the notice of motion, with proof of due service thereof, and the papers filed in support of said motion, and further papers filed in relation thereto; and due deliberation having been had thereon,

It is ordered that the motion be and the same hereby is denied.

Dated: October 21, 2014
New York, New York


Justice of the Appellate Division

ENTERED: **NOV 20 2014**

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

BEFORE: Hon. Darcel D. Clark
Justice of the Appellate Division

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

M-4604
Ind. No. 6117/2002

-against-

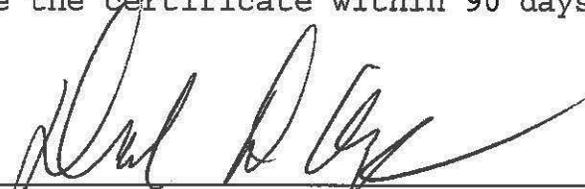
James Pettus,

Defendant.
-----X

The above-named defendant having moved for an extension of time to file a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15 for leave to appeal the order of Supreme Court, New York County, entered on or about, August 8, 2014,

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 defendant leave to file the certificate within 90 days from the date of entry hereof.



Justice of the Appellate Division

Dated: October 21, 2014
New York, New York

ENTERED:
NOV 20 2014

P.M ORDERS
FOR
NOVEMBER
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 November 20, 2014.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Karla Moskowitz
Rosalyn H. Richter
Paul G. Feinman, Justices.

-----X

In the Matter of the Application of
111 West 57th LH LLC and 111 West 57th
FE LLC,

Petitioners-Appellants,

M-4958

For an Order and Judgment Pursuant to Index No. 158192/14

Article 4, etc.,

-against-

The Board of Managers of the Windsor
Park Condominium, et al.,
Respondents-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about September 29, 2014,

And petitioners-appellants having moved to stay the aforesaid order pending hearing and disposition of the appeal,

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

Ordered that the motion is granted to the extent of continuing the interim relief granted by an order of a Justice of this Court, dated September 30, 2014, on the same terms and conditions, and on condition that said appeal is perfected on or before January 5, 2015 for 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 November 20, 2014.

Present: Hon. David Friedman, Justice Presiding,
Rolando T. Acosta
Karla Moskowitz
Rosalyn H. Richter
Darcel D. Clark, Justices.

-----X
The Board of Managers of 1255 Fifth
Condominium,
Plaintiff-Respondent,

M-5567
Index No.653512/2012E

-against-

Sandra Foschi,
Defendant-Appellant.

-----X

Defendant-appellant having moved pursuant to CPLR 5704 for certain relief denied by a Justice of Supreme Court, New York County, on or about November 18, 2014,

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

Ordered that the relief is denied without prejudice to renew and aforesaid motion in the event the November 18, 2014 hearing on the preliminary injunction is postponed for a substantial period of time.

ENTER:



CLERK