

THE FOLLOWING MOTION ORDERS
WERE ENTERED AND FILED ON
NOVEMBER 13, 2008

Lippman, P.J., Tom, Mazzarelli, Andrias, Saxe, JJ.

M-5006 Dawson v Thwaites Terrace House Owners Corp.

Appeal, previously perfected for the December 2008 Term, withdrawn.

Lippman, P.J., Mazzarelli, Gonzalez, Sweeny, Acosta, JJ.

M-2092 Rubin v Port Authority of New York and New Jersey

M-2234

Motions for reargument deemed withdrawn.

Lippman, P.J., Mazzarelli, Williams, Buckley, Renwick, JJ.

M-4077 Denaro v Tabaddor

Appeal dismissed.

Lippman, P.J., Mazzarelli, Williams, Buckley, Renwick, JJ.

M-4637 Fink-Hagy v Hagy

Appeal dismissed.

Lippman, P.J., Saxe, Friedman, Sweeny, Acosta, JJ.

M-4551 In the Matter of Laungani v Donovan

Appeal dismissed.

Lippman, P.J., Andrias, Saxe, Sweeny, DeGrasse, JJ.

M-4568 Hinton v Cushman & Wakefield, Inc.

(And a third-party action)

Appeal dismissed.

Lippman, P.J., Mazzarelli, Williams, Buckley, Renwick, JJ.

M-4710 Schorsch v Moses & Singer LLP

Appeal dismissed unless perfected for the February 2009
Term, as indicated.

Lippman, P.J., Saxe, Friedman, Sweeny, Acosta, JJ.

M-4377 Siagha v David Katz & Associates, LLP

M-4693

Appeal dismissed unless perfected for the February 2009
Term, as indicated. Cross motion granted to extent indicated.

Lippman, P.J., Mazzarelli, Williams, Buckley, Renwick, JJ.

M-4617 People v Sparber, Daniel, also known as Sparber,
Deniel

Leave to prosecute appeal as a poor person granted,
as indicated.

Lippman, P.J., Mazzarelli, Williams, Buckley, Renwick, JJ.

M-4729 People v Nunez, Starlin

Notice of appeal deemed timely filed; leave to prosecute appeal as a poor person denied, with leave to renew, as indicated.

Lippman, P.J., Saxe, Friedman, Sweeny, Acosta, JJ.

M-4224 People v Finchum, David

Enlargement of time in which to file notice of appeal and other relief denied, as indicated.

Lippman, P.J., Saxe, Friedman, Sweeny, Acosta, JJ.

M-4577 People v Shadid, Aziz

Enlargement of time in which to file notice of appeal and other relief denied, as indicated.

Lippman, P.J., Mazzarelli, Williams, Buckley, Renwick, JJ.

M-4737 People v Rosario, Edwin

Enlargement of time in which to file notice of appeal and other relief denied, as indicated.

Lippman, P.J., Gonzalez, Sweeny, Catterson, JJ.

M-4356 Fabiano v Philip Morris Inc.

Leave to appeal to the Court of Appeals denied.

Lippman, P.J., Mazzarelli, Buckley, McGuire, DeGrasse, JJ.

M-4403 Sanatass v Consolidated Investing Company, Inc.;
Consolidated Investing Company, Inc. v Chroma Copy
International, Inc.
(And another action)

Stay of trial granted on condition appeal perfected
for the February 2009 Term.

Tom, J.P., Nardelli, Sweeny, McGuire, DeGrasse, JJ.

M-4748 People v Martinez, Francisco, also known as
Torge, Felix, also known as Jorge,
Felix, also known as Munoz, Felix

Appeal deemed withdrawn.

Tom, J.P., Saxe, Williams, Catterson, Moskowitz, JJ.

M-4810 In the Matter of Yovino v The New York City Civil
Service Commission

Enlargement of time to perfect appeal denied; appeal
dismissed.

Tom, J.P., Nardelli, Sweeny, McGuire, DeGrasse, JJ.

M-4716 People v Campbell, Rohan

Notice of appeal deemed timely filed; leave to
prosecute appeal as a poor person granted, as indicated.

Tom, J.P., Nardelli, Sweeny, McGuire, DeGrasse, JJ.

M-4822 People v Lewis, Craig

Leave to prosecute appeal as a poor person granted,
as indicated.

Tom, J.P., Saxe, Williams, Catterson, Moskowitz, JJ.

M-4712 Khoury v Khoury

Time to perfect appeal enlarged to the February 2009
Term.

Tom, J.P., Saxe, Williams, Catterson, Moskowitz, JJ.

M-4645 People v Rodriguez, Jovanny

Enlargement of record on appeal granted to extent
indicated; time to perfect appeal enlarged to the March 2009
Term. Motion otherwise denied.

Tom, J.P., Saxe, Williams, Catterson, Moskowitz, JJ.

M-4833 People ex rel. D., Barbara v D., Francis;
D., Francis v D., Barbara

Preliminary appellate injunction denied.

Tom, J.P., Mazzairelli, Saxe, Nardelli, Buckley, JJ.

M-1415 People v Bowman, Edward

Leave to file pro se supplemental brief granted
for the March 2009 Term, to which Term appeal adjourned.

Tom, J.P., Mazzarelli, Saxe, Nardelli, Buckley, JJ.

M-4903 People v Jackson, John

Reargument denied.

Tom, J.P., Andrias, Sweeny, McGuire, JJ.

M-3859 Founders Insurance Company Limited v Everest National
Insurance Company

Leave to hold petitioner-respondent and their attorneys
in contempt denied, as indicated.

Tom, J.P., Gonzalez, Sweeny, Catterson, Moskowitz, JJ.

M-3084 Biton, also known as Redford v Turco

M-3701

Vacatur of order and other relief denied; appeal
dismissed; discharge of appellate counsel and other relief
denied, as indicated.

Tom, J.P., Gonzalez, Sweeny, Catterson, Moskowitz, JJ.

M-3498 Biton, also known as Redford v Aloft Corporate

M-3499 Travel, Inc.

M-3500

M-3567

M-4235

M-4390

Plaintiffs' respective motions deemed for reargument of
the order of this Court entered August 12, 2008
(M-3087/M-3144) and, as such, motions denied, as indicated;
cross motion granted only to extent indicated.

Tom, J.P., Gonzalez, Sweeny, Catterson, Moskowitz, JJ.

M-2794 Biton, also known as Redford v State Farm
M-3083 Insurance Company
M-3396
M-3400
M-3501
M-3502
M-3503
M-3565
M-3722
M-4553

Enlargement of time to perfect appeal from order entered on August 3, 2007 denied; appeal dismissed (M-2794); enlargement of time to perfect all appeals and other relief denied (M-3083); leave to withdraw as plaintiffs-appellants' counsel granted; stay granted and other relief denied, as indicated (M-3396); appeals from orders entered on January 14, 2005 and February 7, 2008 dismissed (M-3400); enlargement of record on appeal denied (M-3501); motion to dismiss Willmer H. Grier as counsel for plaintiff Biton dismissed (M-3502); dismissal of Gil Armani, Esq., as counsel for plaintiff Biton denied (M-3503); production of evidence denied (M-3565); enlargement of record(s) on appeal denied (M-3722 & M-4553).

Tom, J.P., Saxe, Sweeny, Catterson, DeGrasse, JJ.

M-5048 Picchione v Sweet Construction Corp. - First Lexington
M-5049 Corporation - Rudin Management Co., Inc. - Discovery
Communications, Inc. - Hartford Insurance Co. -
ARC Electric Construction Co.

Appeal and cross appeals adjourned to the January 2009 Term, as indicated (M-5048). Stay of trial granted (M-5049).

Tom, J.P., Mazzarelli, Saxe, Nardelli, Buckley, JJ.

M-4682 Dominion Financial Corp. v Asset Indemnity Brokerage Corp.

Stay of all proceedings, including trial, denied.

Mazzarelli, J.P., Andrias, Nardelli, Buckley, Freedman, JJ.

M-4547 Blue Cross of California, Inc., as subrogee of Panciarelo v American International Underwriters Corporation; the Robert Plan of New York

Appeal dismissed.

Mazzarelli, J.P., Catterson, McGuire, Acosta, Renwick, JJ.

M-4511 In the Matter of S., Greta v The Administration for Children's Services - Bronx; In the Matter of S., Greta v S. Alex and C., Leilani and the Administration for Children's Services - Leake & Watts Services - Legal Aid Society

Enlargement of time to perfect appeals denied; appeals dismissed.

Mazzarelli, J.P., Friedman, Nardelli, Williams, Freedman, JJ.

M-4407 People ex rel. Tritto, Guido v Warden

Appeal dismissed.

Mazzarelli, J.P., Buckley, Acosta, Renwick, DeGrasse, JJ.

M-4793 People v Atkins, Keith

Leave to prosecute appeal as a poor person denied,
with leave to renew, as indicated.

Mazzarelli, J.P., Catterson, McGuire, Acosta, Renwick, JJ.

M-4496 People v Huggins, Henry

Enlargement of time to file a notice of appeal and
other relief denied.

Mazzarelli, J.P., Buckley, Acosta, Renwick, DeGrasse, JJ.

M-4984 Trump Plaza Owners, Inc. v Weitzner

Stay and other relief denied.

Mazzarelli, J.P., Catterson, McGuire, Acosta, Renwick, JJ.

M-4396 People v Garcia, David

M-4769

Leave to prosecute appeal as a poor person granted to
the extent indicated; dismissal of appeal denied, as indicated.
(See M-4291, decided simultaneously herewith.)

Acosta, J.

M-4291 People v Garcia, David

Leave to appeal to this Court granted, as indicated.
(See M-4396 and M-4769, decided simultaneously herewith.)

Andrias, J.P., Nardelli, McGuire, Moskowitz, Renwick, JJ.

M-4222 People v Garcia, Carlos

Enlargement of time to file a notice of appeal and
other relief denied.

Andrias, J.P., Saxe, Gonzalez, Catterson, Acosta, JJ.

M-4762 People v Perez, Victor

Leave to prosecute appeal as a poor person denied, with
leave to renew, as indicated.

Andrias, J.P., Saxe, Sweeny, Moskowitz, DeGrasse, JJ.

M-3180 Goldstein - Ulmer v Winard

Record on appeal enlarged, as indicated; caption
amended; motion otherwise denied.

Andrias, J.P., Saxe, Gonzalez, Catterson, Acosta, JJ.

M-4661 In the Matter of G., Mildred S. v G., Mark;
In the Matter of G., Mark v G., Mildred S.

Time to perfect appeal enlarged to the February 2009
Term.

Saxe, J.P., Catterson, McGuire, Acosta, DeGrasse, JJ.

M-4354 Furs by Albert and Marc Kaufman, Inc. v Alexandrou, Ltd.; Bernstein Management Co., Inc. v Androu, Ltd.

Matter transferred to the Appellate Term of the Supreme Court, First Judicial Department, for disposition.

Tom, J.

M-3823 People v Estwick, Jermaine
Leave to appeal to this Court denied.

Tom, J.

M-3460 People v Davis, Wesley
Leave to appeal to this Court denied.

Andrias, J.

M-4465 People v Argentieri, Michael
Order of recognizance or to be admitted on bail denied.

Catterson, J.

M-1279 People v Kearse, Michael
Reconsideration denied.

Renwick, J.

M-4556 People v Hudson, Ronald
Order of recognizance or to be admitted on bail denied.

Renwick, J.

M-3076 In the Matter of C., Cornisa L. v W.-S., Elnora Syrena
Vacatur or stay of order of custody denied.

Tom, J.P., Friedman, Buckley, Acosta, Freedman, JJ.

M-3953 In the Matter of Kenneth A. Rosen
(admitted as Kenneth Alan Rosen),
an attorney and counselor-at-law:

Respondent publicly censured. Opinion Per Curiam.
All concur.

Mazzarelli, J.P., Buckley, Acosta, Renwick, DeGrasse, JJ.

M-3621 In the Matter of Wild Chang,
an attorney and counselor-at-law:

Respondent suspended from the practice of law for a
period of one year, effective the date hereof, and until further
order of this Court. Opinion Per Curiam. All concur.

The following orders were entered and filed on November 6, 2008:

Lippman, P.J., Mazzairelli, Buckley, McGuire, DeGrasse, JJ.

M-5186 Ford v The City of New York
(And a third-party action)

CPLR 5704(a) relief denied.

Tom, J.P., Saxe, Sweeny, Catterson, DeGrasse, JJ.

M-5089 Larabee v The Governor of the State of New York -
New York State Senate, New York State Assembly and
State of New York - Hon. Judith Kaye and The New York
State Unified Court System

Amicus curiae brief deemed filed, as indicated.

Tom, J.P., Andrias, Friedman, Catterson, Acosta, JJ.

M-5025 Ayoub v Ayoub

Reduction of pendente lite relief denied.

Tom, J.P., Mazzairelli, Saxe, Nardelli, Buckley, JJ.

M-5072 Gamiel v Curtis & Reiss-Curtis, P.C.
(And a third-party action)

Stay of trial vacated.

The following orders were entered and filed on November 7, 2008:

Lippman, P.J., Mazzarelli, Buckley, McGuire, DeGrasse, JJ.

M-5067 L.A. Wenger Contracting Co., Inc. v Kreisler Borg
 Florman General Construction Company, Inc.

Stay of trial denied.

Lippman, P.J., Mazzarelli, Friedman, Sweeny, Moskowitz, JJ.

M-4921 Bloomingdales, Inc. v The New York City Transit
 Authority
 (And other actions)

Motion to resettle prior order granted to the extent indicated. (See corrected order of this Court, dated November 7, 2008 [M-2975/M-3079/M-3096], issued simultaneously herewith.)

Tom, J.P., Saxe, Sweeny, Catterson, DeGrasse, JJ.

M-4841 110 Amity Associates, LLC v Grubb & Ellis New York,
 Inc.

Stay of trial granted on condition appeal perfected for the February 2009 Term.

The following order was entered and filed on November 10, 2008:

Saxe, J.P., Nardelli, Moskowitz, Renwick, Freedman, JJ.

M-4845 Carela v Pelham Realty, Inc. - Rincon

Stay of trial granted.