

THE FOLLOWING MOTION ORDERS
WERE ENTERED AND FILED ON
SEPTEMBER 2, 2008

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

- M-3690X Russell Bedford Stefanou Mirchandani LLP
v 20 West 37th Street Owners, LLC
- M-3692X Ruvolo & DiMaria, Inc. v 19th Street Associates LLC
- M-3693X Robison v Ohnell
- M-3694X Power Del Valle, LLP v Trademark &
Patent Counselors of America, P.C.
- M-3695X The Board of Managers of the Bradhurst
Condominium v Moore
- M-3697X Cipriani 200, LLC v 200 Fifth Avenue Owner LLC
- M-3699X Ace Packing Co., Inc. v Campbell
Solberg Associates, Inc.
- M-3763X Sagecrest II, LLC v ACG Credit Company, LLC
(And another action)
- M-3764X Everest Special Situations Fund, L.P.
v Asiamart, Inc.

Appeals withdrawn.

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

- M-3711 Paulino v The City of New York
- Appeal and cross appeal withdrawn.

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

M-3762X Gross v Empire Healthchoice Assurance, Inc.

Appeals and cross appeals withdrawn.

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

M-3743 In the Matter of Mazzocchi Wrecking, Inc.
v Department of Housing Preservation and
Development of the City of New York

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Term, withdrawn.

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

M-3616 Rosenbaum v Atlas & Design Contractors, Inc.

Motion deemed withdrawn.

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

M-3374 People v Keitt, Devin

Motion deemed withdrawn.

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

M-3377 People v Underwood, Terrance

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

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

M-3450 People v Olivo, Pedro

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

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

M-3519 People v Arvelo, Alfredo

Leave to prosecute appeal as a poor person and related relief granted; Clerk of the Supreme Court shall expeditiously have made and filed with the criminal court two transcripts of the SORA hearing and other proceedings, as indicated.

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

M-3408 People v Pina, Mesias, also known as Cruz, Angel

M-3410 People v Do, Thanh

M-3412 People v Clark, Christopher, also known as
Cruz, Angel

M-3413 People v Landsman, Ann

M-3419 People v Luckey, Ronald

M-3444 People v Shin, Yeong Sook

Leave to prosecute appeals as poor persons denied, with leave to renew, as indicated.

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

M-3341 People v Johnson, Kamar

Extension of time to file notice of appeal and other relief denied.

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

M-3309 C., Tremaine v M., Nicola

Leave to respond to appeal as a poor person denied, with leave to renew, as indicated; appeal adjourned to the January 2009 Term.

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

M-3308 Riskin v Pam Vic Enterprises, Ltd., also known as Pam-Vic Enterprises, Ltd., also known as PAMVIC Enterprises, Ltd.

M-3339 Wiesel v 310 East 46 LLC

M-3397 Klein-Bullock v North Shore University Hospital at Forest Hills - Klein - Estate of Klein

M-3442 In the Matter of M., Shirley, also known as C-M., Cherly, and M., Melanie, also known as C-M., Melanie - The Administration for Children's Services

M-3513 Dembele v Cambisaca

Time to perfect appeals enlarged to the December 2008 Term.

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

M-3298 Charlie v Guerrero

M-3335

Time to perfect appeal enlarged to the December 2008 Term, as indicated; dismissal of appeal denied.

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

M-3560 Rosenthal v Cahan

Time to perfect appeal enlarged to the January 2009
Term.

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

M-3613 Owens v The City of New York – Henry

Time to perfect appeal enlarged to the January 2009
Term.

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

M-3378 Pomahac v Trizechahn 1065 Avenue of the Americas, LLC.
– American Building Maintenance Co.
(And a third-party action)

Time to perfect appeal and cross appeal enlarged to the
January 2009 Term, as indicated.

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

M-3489 Sotomayor, individually as assignee of the Rights of
H-T Capital, Inc. and derivatively on behalf of
T-1 Holdings, LLC v Medifast, Inc., formerly
Healthrite, Inc.

Appeals and cross appeals consolidated; time to perfect
same enlarged to the March 2009 Term, as indicated.

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

M-3366 Garcia v Defex

Direct appeal deemed withdrawn; cross appeal by plaintiff deemed direct appeal; plaintiff directed to perfect same for the December 2008 Term, as indicated.

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

M-3529 Van Deventer v CS SCF Management Limited
– Credit Suisse First Boston

Appeals from order entered on or about July 5, 2007 deemed subsumed in appeal from judgment entered on or about February 26, 2008; defendants-appellants CS SCF Management Limited, et al. directed to perfect appeal(s) and file a supplemental record for the December 2008 Term, as indicated.

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

M-3360 People v Hayes, George

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

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

M-3516 People v Anonymous

Sealing and related relief granted, as indicated.

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

M-3458 In the Matter of Kotick v Shvachko
 - Estate of Kotick

Stay denied; interim relief granted by order of a Justice of this Court, dated July 14, 2008, vacated.

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

M-3118 In the Matter of Lin v Gammerman

Stay of trial and other relief denied; proceeding dismissed; interim relief granted by order of a Justice of this Court, dated June 19, 2008, vacated.

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

M-3344 In the Matter of G., Mildred S. v G., Mark
 (And another action)

Poor person relief previously granted by order of this Court entered on November 20, 2007 (M-4411) extended to cover all appeals; appeal from order entered August 2, 2007 dismissed as superceded by appeal from order entered September 4, 2007, which counsel is directed to perfect for the December 2008 Term; consolidation of appeals denied.

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

M-3717 Savannah T&T Co., Inc. v Force One Express, Inc.

Time to perfect appeal enlarged to the December 2008 Term, as indicated.

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

M-3583 People ex rel. Lewis, Herbert v Warden

M-3846 In the Matter of McAllan v The New York State
Department of Health

M-3869 In the Matter of Clemons v Hernandez

M-3873 Witt v Hill St. Commercial, LLC
(And a third-party action)

Time to perfect appeals enlarged to the December 2008
Term.

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

M-3792 Shibolet v Yerushalmi

Time to perfect appeal enlarged to the December 2008
Term, as indicated.

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

M-3796 Matthews v The City of New York

Time to perfect appeal enlarged to the January 2009
Term.

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

M-3897 Woodie v Azteca International Corporation

Time to perfect appeal enlarged to the January 2009
Term.

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

M-3637 Johnson v Family Support Systems Unlimited, Inc.
(And a third-party action)

Time to perfect appeal enlarged to the January 2009
Term.

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

M-3810 Owens v Stevenson Commons Associates, L.P.
– Mainco Elevator & Electrical Corp.

Appeal and cross appeal adjourned to the November 2008
Term.

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

M-3666 McGarry v CVP 1 LLC

Stay of trial granted.

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

M-3670 Morris v Cisse

Stay of trial granted.

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

M-3635 In the Matter of Castro v Department of Social
Services East End Job Center

Proceeding adjourned to the December 2008 Term;
petitioner directed to serve appellate brief upon New York State
Attorney General, as indicated.

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

M-3563 Larabee v Spitzer – New York State Senate

Appeals and cross appeals consolidated for hearing in the fourth week of the November 2008 Term, i.e. the week of November 17, 2008, for which week Clerk directed to calendar appeals and cross appeals, as indicated; motion otherwise denied.

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

M-3342 People v Marte, Victor

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

Saxe, J.P., Nardelli, Moskowitz, Acosta, DeGrasse, JJ.

M-3802 Ryan v Kellogg Partners Institutional Services

Stay denied.

Gonzalez, J.P., Williams, Catterson, Moskowitz, JJ.

M-3343 People v Darbasie, Steven

Extension of time to file pro se supplemental brief granted for the January 2009 Term, to which Term appeal adjourned, as indicated.

Lippman, P.J.

M-3075 People v Hayes, Sidney

Reargument denied.

Lippman, P.J.

M-3351 People v Muldrow, Frederick
Leave to appeal to this Court denied.

Moskowitz, J.

M-3549 In the Matter of S., Khaalid, T., Tina
and T., Triana – Administration for Children's Services
Stay denied.

DeGrasse, J.

M-3095 People v Shaw, Richard
Reargument and/or renewal denied.

DeGrasse, J.

M-3281 People v Stuart, Cal, also known as
Tierl, Carl Stuart
Leave to appeal to this Court denied.

DeGrasse, J.

M-3284 People v Freeman, Rodney
Leave to appeal to this Court denied.

DeGrasse, J.

M-3402 People v Dodell, Nathan, also known as
Hardy, Nathan

Leave to appeal to this Court denied.

DeGrasse, J.

M-3547 People v Saxon, Kevin

Leave to appeal to this Court denied.

DeGrasse, J.

M-3571 People v Bennett, Anthony, also known as
McClatchie, Fitzgerald

Leave to appeal to this Court denied.

DeGrasse, J.

M-3959 People v Urena, Carlos, also known as
Urena, Danilo

Leave to appeal to this Court denied.

Tom, J.P., Mazzairelli, Andrias, Saxe, Friedman, JJ.

M-2470 In the Matter of James H. Cohen
(admitted as James Harrison Cohen),
a disbarred attorney:

Reinstatement or alternative relief denied. No
opinion. All concur.

The following orders were entered and filed
on August 26, 2008:

Lippman, P.J., Andrias, Friedman, Renwick, DeGrasse, JJ.

M-3798 McMahan Securities Co., L.P. v Aviator
 Master Fund, Ltd.

Renewal, reargument or other relief denied.

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

M-3568 In the Matter of Kyle v Lebovits
M-3680

Appellant directed to file supplemental record on appeal on or before September 2, 2008, and motion otherwise denied (M-3568); leave to strike petitioner's brief denied, without prejudice to respondents addressing issue of counsel's appellate status on appeal (M-3680); appeal adjourned to the November 2008 Term.

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

M-3605 People v Weems, Kevin, also known as
 Banks, Jeffrey

Extension of time to file pro se supplemental brief granted for the December 2008 Term, to which Term appeal adjourned, as indicated.

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

M-3640 Chunn v New York City Housing Authority
 – American Security Systems, Inc.
 (And other actions)

Stay of proceedings, including trial, granted.

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

M-3652 People v Smith, Thomas

Leave to file pro se supplemental brief granted for the December 2008 Term, to which Term appeal adjourned, as indicated.

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

M-3654 People v Landy, Dan

Leave to file pro se supplemental brief granted for the December 2008 Term, to which Term consolidated appeals adjourned, as indicated.

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

M-3830 New York Foundation for Senior Citizens, Inc.
v Ackerman

Stay granted on condition appeal perfected for the December 2008 Term, as indicated. Leave to prosecute appeal as a poor person granted to the extent indicated; assignment of counsel denied.

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

M-3795 Silva v F.R. Real Estate Development Corp.;
F.R. Real Estate Development Corp. v Galaxy General
Contracting Corp.; Galaxy General Contracting Corp.
v Zurich Specialties London Ltd.

Movants directed to perfect all appeals for the December 2008 Term, to which Term perfected appeals adjourned, as indicated; Clerk directed to calendar all appeals herein for hearing together in said Term.

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

M-3749 Plotnicki v Duane Morris LLP

Time to perfect appeal and cross appeal enlarged to the
January 2009 Term.

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

M-3750 Duane Morris LLP v Astor Holdings, Inc.
(And a third-party action)

Time to perfect appeal and cross appeal enlarged to the
January 2009 Term.