

THE FOLLOWING MOTION ORDERS  
WERE ENTERED AND FILED ON  
FEBRUARY 3, 2009

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

M-5           The Bank of New York Trustee Under The Pooling and  
              Servicing Agreement Series 1995L c/o GMAC Mortgage  
              Corporation 3451 Hammond Avenue, Waterloo, IA 50704  
              v White - Estate of Reid

              Appeal deemed withdrawn.

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

M-359X       Yvette Fry, Inc. v Testaccio  
              (And another action)

M-366X       McCullough v Jai Mata Di Ltd.

M-367X       Ruiz v Breton

M-368X       CMG Vending Enterprises, Inc. v 17 John Rest. Corp.,  
              doing business as John Street Bar & Grill

M-369X       Mason v No. 5 Times Square Development LLC - A&L  
              Recycling, Inc.

M-370X       Nahar v Belvedere Houses Incorporated

              Appeals withdrawn.

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

M-303        Reynoso v A&F Cab Corp.

              Appeal, previously perfected for the February 2009  
Term, withdrawn.

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

M-304 In the Matter of Clemons v Hernandez

Appeal, previously perfected for the February 2009 Term, withdrawn.

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

M-382 Gattuso v New York City Transit Authority

Appeal, previously perfected for the February 2009 Term, withdrawn.

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

M-131 In the Matter of Wyatt v Inner City Broadcasting Corporation

Motion deemed withdrawn; appeal adjourned to April 2009 Term.

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

M-111 People v Bennett, Raymond

M-112 People v Capers, Henry

M-115 People v Cruz, David

M-116 People v Gordon, Mario

Leave to prosecute appeals as poor persons granted, as indicated.

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

M-117 People v Horsford, Alford

M-119 People v Morgan, Shoshanna

M-120 People v Ortiz, Elminio

M-121 People v Pantoja, George

M-122 People v Pao, Li-Chieh

M-123 People v Simms, Julius

M-124 People v Smith, Leron, also known as Smith, L.

M-125 People v Wilson, Tyrone

M-130 People v Vickers, Jasmine

M-133 People v Smith, Damon, also known as Smith, Damon A.

Leave to prosecute appeals as poor persons granted,  
as indicated.

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

M-6032 Lamarca v The Great Atlantic and Pacific Tea Company,  
Inc., doing business as A&P, The Food Emporium and  
Waldbaum's

Leave to appeal to the Court of Appeals denied.

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

M-6131 R&R Capital LLC v Merritt

Reargument or other relief denied.

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

M-5386 People v Calderon, Ricardo

Reargument or other relief denied.

Lippman, P.J., Sweeny, Catterson, Acosta, Renwick, JJ.

M-6113 In re Bradford v New York City Department of Correction

Reargument or other relief denied.

Lippman, P.J., Sweeny, Catterson, Acosta, Renwick, JJ.

M-5785 In re Elias v Kelly

Reargument or other relief denied.

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

M-5657 Toolsie v New York City Transit Authority

Reargument or other relief denied.

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

M-4480 Santorini Equities v Picarra

M-4676

Leave to appeal from the Appellate Term granted, as indicated; respondent's use and occupancy obligation continued and cross motion otherwise denied.

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

M-6012 DeMartino v Metropolitan Life Insurance Company

Reargument/renewal denied; Clerk directed to file moving papers under seal.

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

M-49 Morrison v Dunn

Reargument denied.

Tom, J.P., Saxe, McGuire, Moskowitz, Freedman, JJ.

M-70 TMB Communications v Preefer  
(And a third-party action)

Stay of trial granted.

Tom, J.P., Saxe, McGuire, Moskowitz, Freedman, JJ.

M-6146 Donnelly v The Treeline Companies, doing business  
as Treeline Management and Treeline Boro Hall, LLC  
- Commercial Building Maintenance Corp.  
(And third-party actions)

Leave to file supplemental record on appeal granted,  
as indicated.

Tom, J.P., Saxe, McGuire, Freedman, JJ.

M-6138 Long v Sowade

Time to perfect appeal enlarged to the May 2009 Term;  
stay previously granted by order of this Court entered March 11,  
2008 (M-302) continued.

Mazzarelli, J.P., Moskowitz, Renwick, Freedman, JJ.

M-24 People v Vellon, Nouchie

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

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

M-4982 People v Santiago, Enrique

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

Mazzarelli, J.P., Moskowitz, Renwick, Freedman, JJ.

M-29 People v Garcia, Sergio

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

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

M-6122 In the Matter of L., Ernestine v New York City  
Administration for Children's Services

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

Mazzarelli, J.P., Catterson, Renwick, Freedman, JJ.

M-6141 In the Matter of the Liquidation of Union Indemnity  
Insurance Company of New York - The Superintendent  
of Insurance of the State of New York v Spira

Time to perfect appeal enlarged to the May 2009 Term.

Mazzarelli, J.P., Friedman, Gonzalez, Catterson, Renwick, JJ.

M-103 In the Matter of G., Isabella Star - Episcopal Social  
Services

Time to perfect respondent-appellant father's appeal  
enlarged to the May 2009 Term; time to perfect respondent-  
appellant mother's appeal enlarged to said May 2009 Term.  
Clerk directed to calendar appeals for hearing together in  
said May 2009 Term.

Mazzarelli, J.P., Moskowitz, Renwick, Freedman, JJ.

M-6147 Cherry v Horn

Time to perfect proceeding enlarged to the May 2009  
Term.

Mazzarelli, J.P., Friedman, Gonzalez, Catterson, Renwick, JJ.

M-165 Hanley v NYP Holdings, Inc., doing business as  
New York Post, The News Corporation, Ltd. -  
McClier Corporation - Hirani Engineering  
(And other actions)

Enlargement of record on appeal granted, as indicated.

Mazzarelli, J.P., Moskowitz, Renwick, Freedman, JJ.

M-5597 Seneca Insurance Company v J.M.D. All-Star Import  
Export, Inc.; Sarin v CNA Financial Corporation -  
National Fire Insurance Company of Hartford  
(And another action)

Respective appellants directed to perfect their  
appeals for the June 2009 Term; Clerk directed to calendar  
appeals for hearing together in said June 2009 Term.

Mazzarelli, J.P., Saxe, Catterson, DeGrasse, JJ.

M-6008 360 West 11<sup>th</sup> LLC v ACG Credit Company II, LLC  
Release of escrow and other alternative relief denied.

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

M-6124 Gleam Realty, Inc. v Tommy's Realty, Inc. - Rincon  
M-6140 (And a third-party action)

Time to perfect appeal of non-party appellant Rincon  
from order entered on October 28, 2008 enlarged to the September  
2009 Term; consolidation of appeals and other relief denied, as  
indicated; leave for non-party Mickens to intervene on appeal  
from order entered October 28, 2008 denied.

Mazzarelli, J.P., Friedman, Gonzalez, Catterson, Renwick, JJ.

M-262 Salomon v Angsten - Estate of Levine - Fink  
M-383 (And other actions)

Leave to withdraw as appellate counsel to appellants  
in *Salomon v Angsten* (Index No. 604063/00), and any other appeals  
taken by Fink granted, as indicated; perfected consolidated  
appeals adjourned to the June 2009 Term. Motion and cross motion  
otherwise denied.

Andrias, J.P., Nardelli, Catterson, Acosta, DeGrasse, JJ.

M-58            People v Isaac, Jahudi

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

Andrias, J.P., Nardelli, Catterson, Acosta, DeGrasse, JJ.

M-50            People v Torres, Jason

                  Leave to file pro se supplemental brief and other  
relief denied.

Andrias, J.P., Nardelli, Catterson, Acosta, DeGrasse, JJ.

M-6150         Stratakis v Ryjov

                  Dismissal of appeal denied, as indicated; appeal  
adjourned to the April 2009 Term.

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

M-6020         In the Matter of F., Margaret v D., Irwin

                  Time to perfect appeal enlarged to the May 2009 Term,  
as indicated.

Saxe, J.P., Friedman, Nardelli, Sweeny, DeGrasse, JJ.

M-6118         People v David, Rodney

                  Leave to prosecute appeal as a poor person granted to  
the extent indicated.

Friedman, J.P., Gonzalez, Buckley, Renwick, JJ.

M-136 SolidTrust Pay v Lacroix, also known as "Mann"

Preliminary appellate injunction denied.

Gonzalez, J.P., Buckley, Catterson, McGuire, Andrias, JJ.

M-6173 The People of the State of New York ex rel. Rubinsky on behalf of Moise v Horn

Leave to prosecute appeal as a poor person granted, as indicated; motion otherwise denied.

Gonzalez, J.P., Buckley, Moskowitz, Renwick, DeGrasse, JJ.

M-93 People v Moore, Kenneth, also known as Jackson, James

Leave to file pro se supplemental brief and other relief denied.

Gonzalez, J.P., Buckley, Catterson, McGuire, Acosta, JJ.

M-6145 Garnett v Strike Holdings, LLC

Time to perfect appeal enlarged to the June 2009 Term.

Gonzalez, J.

M-5963 People v Chen, Lei

Leave to appeal to this Court denied.