

THE FOLLOWING MOTION ORDERS  
WERE ENTERED AND FILED ON  
FEBRUARY 5, 2009

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

- M-436X      The Hispanic Society of America v The American Numismatic Society, Inc.
- M-437X      Weiss v Trilobite LLC - Sky Management Corp.
- M-438X      Utica Mutual Insurance Company as subrogee of Super Textiles Co., Inc., also known as Dana Imports, Inc. v Silk Safari, Inc.
- M-439X      Admiral Indemnity as subrogee of The Gatsby Condominium v Onetti
- M-440X      Jensen v Columbia University College of Physicians and Surgeons
- M-486X      Enable Growth Partners, LP v Composite Technology Corporation
- M-487X      CVT Prepaid Solutions, Inc. v Kare Distribution, Inc.
- M-488X      Swenvest Corporation v Wener
- M-489X      In the Matter of C.G. Jung Institute of New York v C.G. Jung Foundation for Analytical Psychology, Inc.
- Appeals withdrawn.

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

- M-461      Ke v Metropolitan Transportation Authority
- Appeal, previously perfected for the February 2009 Term, withdrawn.

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

M-465 Friedman, also known as Howsam v Madison 40 Associates,  
L.P. - GP 275 Madison LLC. - RFR Realty LLC.

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withdrawn.

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

M-155 Herbert v Bovis Lend Lease LMB, Inc.  
(And other actions)

Appeal and cross appeals withdrawn.

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

M-235 People v Abrue, Carlos, also known as Abreu, Carlos

M-237 People v Alicea, Jonathan

M-241 People v Carter, Anderson

M-245 People v Delvecchio, Dominick

M-243 People v Gonzalez, Carlos

M-246 People v Joshua, Joseph

M-247 People v Orr, Donald

M-248 People v Rivera, David

M-249 People v Rodriguez, Mario, also known as Rodriguez,  
Mario A.

M-250 People v Rodriguez, Sergio

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

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

M-251 People v Vega, John

M-252 People v Villalobos, Jimmy

M-253 People v Wright, James

M-240 People v Burton, Terrance

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

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

M-5937 Mittman v Netherland Gardens Corp.

Motion deemed withdrawn.

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

M-4613 People v Benston, Maurice

Motion withdrawn.

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

M-5633 R.P. Brennan General Contractors & Builders, Inc. v  
CPS 1 Realty LP

Leave to appeal to this Court granted, as indicated; stay continued on condition defendant-appellant perfects the appeal and any related appeal from the decision made November 10, 2008 and "so ordered" December 18, 2008 for the June 2009 Term, as indicated. Motion otherwise denied.

Lippman, P.J., Gonzalez, Nardelli, Acosta, DeGrasse, JJ.

M-4585A In the Matter of F., Isaiah, F., Isis - Administration  
for Children's Services

Counsel substituted.

Tom, J.P., Mazzairelli, Gonzalez, Nardelli, Renwick, JJ.

M-6024 In the Matter of Jenkins v New York City Housing  
Authority

Appeal dismissed.

Tom, J.P., Mazzairelli, Gonzalez, Nardelli, Renwick, JJ.

M-5846 Pizarro v St. Barnabas Medical Center

Appeal dismissed (See M-5655/M-5845, decided  
simultaneously herewith.)

Tom, J.P., Andrias, Nardelli, Catterson, Moskowitz, JJ.

M-5655

M-5845 Pizarro v St. Barnabas Medical Center

Appeal dismissed (See M-5846, decided simultaneously  
herewith.)

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

M-74 People v Jimenez, Ramon

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

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

M-75 People v Rodriguez, Jose

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-6172 People v Sierra, Wilfredo, also known as Milanese, Mario

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

Tom, J.P., Saxe, Friedman, Gonzalez, McGuire, JJ.

M-4776 546-552 West 146<sup>th</sup> Street LLC v Arfa

Reargument or other relief denied.

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

M-3250 People v Gill, Anthony, also known as Goodlitt, Anthony

Writ of error coram nobis denied.

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

M-36 Cassidy v Lexreal Associates Limited Partnership -  
Slattery Skanska, Inc.  
(And a third-party action)

Preference denied.

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

M-104 Betancourt v New York City Transit Authority

Time to perfect consolidated appeals enlarged to the  
May 2009 Term.

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

M-4068A In the Matter of M., Kadija Tempie, also known as M.,  
Kadijah - Edwin Gould Services for Children and  
Families

Counsel substituted.

Tom, J.P., Gonzalez, Moskowitz, Freedman, JJ.

M-5599

M-5653 Local 798 Realty Corp. v 152 West Condominium -  
152 Union Realty, Inc.

Reargument or other relief denied.

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

M-6087 People v Watts, Andrew

Appeal dismissed.

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

M-5587A In the Matter of G., Taliya and C., Elyon Jr. -  
Administration for Children's Services

Leave to prosecute appeal as a poor person granted, as  
indicated; the order of this Court entered on January 8, 2009  
(M-5587) recalled and vacated.

Mazzarelli, J.P., Saxe, Friedman, Acosta, DeGrasse, JJ.

M-5480 In the Matter of C., Felix v G., Naima

Leave to appeal to this Court and related relief denied.

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

M-5694 Lu v Spinelli

Reargument or other relief denied.

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

M-6019 Adventure Trails, Inc. v Leading the Way Tours, Inc.

Reargument denied.

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

M-55 Saliche v Hunts Point Peninsula Associates, L.P.

M-129 The City of New York v Dexter Properties, LLC

M-6175 Kaplan v Lucille Roberts Health Clubs Inc., also known as Lucille Roberts Health Spa, Inc.

Time to perfect appeals enlarged to the June 2009 Term.

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

M-5995 Admiral Insurance Company & Ryder Construction, Inc. v Northland Insurance Company

Appeal dismissed.

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

M-6181 People v Ortiz, Carlos, also known as Otero, Osvaldo  
Time to perfect appeal enlarged to the May 2009 Term.

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

M-6094 Diaz v New York City Health and Hospitals Corporation  
Reargument or other relief denied.

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

M-118 People v Mayak, Nimma  
Leave to prosecute appeal as a poor person denied, with  
leave to renew, as indicated.

Saxe, J.P., Buckley, Renwick, DeGrasse, Freedman, JJ.

M-5117 In the Matter of Martin Ozer,  
a disbarred attorney:  
Petition for reinstatement granted to the extent of  
referring the matter to the Committee to designate a Hearing  
Panel to conduct a hearing, as indicated. No opinion. All  
concur.

The following orders were entered and filed on February 3, 2009:

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

M-452 Sgambati v Ball Construction, Inc. - 100 Duffy LLC  
(And a third-party action)

Appeal, previously perfected for the March 2009 Term,  
withdrawn (See M-204, decided simultaneously herewith.)

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

M-204 Sgambati v Ball Construction, Inc. - 100 Duffy LLC  
(And a third-party action)

Motion and appeal withdrawn (See M-452, decided  
simultaneously herewith.)

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

M-145 Citibank, N.A. v Angst, Inc. - McNamara

Leave to strike reply brief granted, as indicated;  
appeal adjourned to the March 2009 Term, to which Term Clerk  
directed to calendar appeal for hearing.

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

M-178 Greaves v Obayashi Corporation  
(And a third-party action)

Stay of trial granted.

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