

**THE FOLLOWING MOTION ORDERS**  
**WERE ENTERED AND FILED ON**  
**JUNE 18, 2009**

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

M-2621X     Lexington Insurance Company as subrogee of Flatiron  
Leasing Partners, LLC v C&K Taxi Inc.

M-2622X     Hong v 384 Grand Street Housing Development Fund  
Company, Inc. - Mo - Si - Kee - Tam - Cohen - Low - He

M-2632X     Robinson v Janel Management Corporation - KLCH  
Associates, LLC

M-2665X     Pernesiglio v Mr. Deli, Inc.

Appeals withdrawn.

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

M-2670     Munsch v 205-209 East 57<sup>th</sup> Street Associates LLC - Five  
Star Electric Corp.

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Term, withdrawn.

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

M-868

M-2646     Schimmel v Pfizer Inc.

Appeal withdrawn (M-2646); motion to dismiss appeal  
deemed withdrawn (M-868).

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

M-2538 Brengel v Park Ave Plaza Company  
(And a third-party action)  
Park Ave Plaza Company v P.J. Air Conditioning Corp. -  
P.J. Mechanical Corp.

Motion deemed withdrawn.

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

M-2648 People v Martinez, Francisco

Upon the Court's own motion, counsel substituted.

Gonzalez, P.J., Mazzarelli, Sweeny, McGuire, DeGrasse, JJ.

M-2403 Udoh v Inwood Gardens, Inc.

Time to perfect appeal enlarged to the October 2009  
Term, as indicated; motion otherwise denied.

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

M-2463 Reyes v 2328 Uniave Corp. - Ortiz  
(And a third-party action)

Time to perfect appeal enlarged to the October 2009  
Term.

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

M-1945 In the Matter of K., Jasmine Mae, also known as  
C., Jasmine - The Children's Aid Society

Appeal dismissed.

Tom, J.P., Friedman, Nardelli, Buckley, Abdus-Salaam, JJ.

M-2324 People v Howard, Mark

Appeal deemed withdrawn.

Tom, J.P., Friedman, Nardelli, Buckley, Abdus-Salaam, JJ.

M-2474 In the Matter of R., Cooper K.W. v R., Linda

Leave to prosecute appeal as a poor person denied; stay denied, as indicated.

Tom, J.P., Andrias, Buckley, DeGrasse, JJ.

M-2368 Dhanraj v The New York City Police Department

Reargument denied.

Tom, J.P., Friedman, Nardelli, Buckley, Abdus-Salaam, JJ.

M-1928 Garcia-Martinez v The City of New York - 1873 Amsterdam Realty Corp.

Appeals consolidated; time to perfect same enlarged to the October 2009 Term, as indicated.

Tom, J.P., Friedman, Catterson, Moskowitz, Richter, JJ.

M-2399 Echostar Satellite, L.L.C. v ESPN, Inc.

Stay denied.

Tom, J.P., Friedman, Catterson, Moskowitz, Richter, JJ.

M-2338      Acevedo v New York City Housing Authority - Gilston  
Electrical Contracting Corporation  
(And a third-party action)

Stay of trial denied; interim relief granted by order  
of a Justice of this Court, dated May 14, 2009, vacated.

Tom, J.P., Nardelli, Catterson, Renwick, Richter, JJ.

M-1794      In the Matter of W., Allen Jerome and W., Tyric Robert  
- The Salvation Army Social Services of Greater New  
York

Matter remanded for a reconstruction hearing, as  
indicated. Time to perfect appeal enlarged to the October 2009  
Term.

Tom, J.P., Nardelli, Catterson, Renwick, Richter, JJ.

M-2436      Martino v Southbridge Towers, Inc.

Notice of appeal deemed served and petitioner directed  
to file amended pre-argument statement; time to perfect appeal  
enlarged to the November 2009 Term, as indicated.

Mazzarelli, J.P., Sweeny, DeGrasse, Freedman, Abdus-Salaam, JJ.

M-2001      McInerney v McInerney

Motion and appeal deemed withdrawn.

Mazzarelli, J.P., Andrias, Nardelli, DeGrasse, Abdus-Salaam, JJ.

M-2448 Federated Retail Holdings, Inc. v Weatherley 39<sup>th</sup>  
Street, LLC, successor to John S. Weatherley - Thomas  
A. Weatherley doing business as Weatherley Realty

Stay denied.

Mazzarelli, J.P., Andrias, Nardelli, DeGrasse, Abdus-Salaam, JJ.

M-2572 Gateway Demolition Corp. v Lumbermen's Mutual Casualty  
Company, also known as Lumbermen's Mutual Casualty  
Corporation

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

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

M-1681 DDJ Management, LLC v Rhone Group L.L.C.  
(And another action)

Leave to appeal to the Court of Appeals denied.

Mazzarelli, J.P., Sweeny, Nardelli, Freedman, Richter, JJ.

M-1618 People v Momplaisir, Eddy

Leave to file pro se supplemental brief granted for the  
September 2009 Term, to which Term appeal adjourned; motion  
otherwise denied.

Andrias, J.P., Catterson, Renwick, DeGrasse, Freedman, JJ.

M-1384 Mann v Broadway Management of Apthorp LLC

Motion and appeal deemed withdrawn.

Andrias, J.P., Catterson, Renwick, DeGrasse, Freedman, JJ.

M-926 Cupelli v Lawrence Hospital

Dismissal of appeal denied.

Andrias, J.P., Buckley, Moskowitz, DeGrasse, Richter, JJ.

M-2090 Funt v Human Resources Administration of the City of  
New York

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

Andrias, J.P., Buckley, Moskowitz, DeGrasse, Richter, JJ.

M-2186 [DC #41] In the Matter of R., Kendra C. - Abbott House  
Family Services

Upon the Court's own motion and upon papers filed, time  
to perfect appeal enlarged to the October 2009 Term.

Andrias, J.P., Buckley, Moskowitz, DeGrasse, Richter, JJ.

M-2200 [DC #50] In the Matter of K., Nahajah Lituarrah Lavern -  
Leake and Watts Services, Inc.

Upon the Court's own motion and upon papers filed, time  
to perfect appeal enlarged to the October 2009 Term.

Andrias, J.P., Catterson, Renwick, DeGrasse, JJ.

M-2477 Elite Technology NY Inc. v Thomas, also known as  
Abraham

Time to perfect appeal enlarged to the October 2009  
Term.

Andrias, J.P., Catterson, Renwick, DeGrasse, Freedman, JJ.

M-2318 Genza v Richardson

Time to perfect appeal enlarged to the October 2009  
Term.

Andrias, J.P., Catterson, Renwick, DeGrasse, Freedman, JJ.

M-2457 Grogan v Gamber Corporation, doing business as Milford  
Plaza Hotel

Appeals consolidated; appellants directed to perfect  
same for the October 2009 Term.

Friedman, J.P., Catterson, Moskowitz, Acosta, JJ.

M-38 Espinosa v Azure Holdings II, LP  
M-226 (And a third-party action)

Reargument or other relief denied.

Friedman, J.P., Moskowitz, Acosta, Freedman, JJ.

M-1941 Kiss Construction NY, Inc. v Rutgers Casualty Insurance  
M-2133 Company

Reargument or other relief denied (M-1941); cross-  
motion denied (M-2133) without prejudice to seeking said relief  
in Supreme Court.

Andrias, J.

M-1957 People v Florio, Dominick

Leave to appeal to this Court denied.

**The following order was entered and filed on June 16, 2009:**

Gonzalez, P.J., Sweeny, Buckley, Renwick, Freedman, JJ.

M-2483 Vyapar Capital Market Partners LLC v ICAP Management  
Services Ltd. - Evans

Vacatur and/or modification of temporary restraining  
order granted to the extent of continuing relief afforded by  
order of a Justice of this Court, dated May 26, 2009, as  
indicated.