

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2011.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
Richard T. Andrias
David B. Saxe, Justices.

-----X
Anne Hynes, et al.,

Plaintiffs-Respondents,

-against-

M-3312X
Index No. 105142/08

New York Transit Authority,

Defendant-Appellant.
-----X

An appeal having been taken from the judgment of the Supreme Court, New York County, entered on or about October 1, 2010,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" July 15, 2011, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2011.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
Richard T. Andrias
David B. Saxe, Justices.

-----X
Nadine Bess,

Plaintiff-Respondent

-against-

M-3313X
Index No. 117460/08

Ikea New York LLC, et al.,

Defendants-Appellants
-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about March 18, 2011,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" July 19, 2011, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2011.

Present - Hon. Luis A. Gonzalez, Justice Presiding,
Peter Tom
Angela M. Mazzairelli
Richard T. Andrias
David B. Saxe, Justices.

-----X
Abre Rosner,

Plaintiff-Appellant,

-aganist-

Azile Foods Corporation, etc.,

Defendant-Respondent.
-----X

M-3363X
Index No. 103541/09

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about February 8, 2011,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" July 20, 2011, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2011.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
Richard T. Andrias
David B. Saxe, Justices.

-----X
The People of the State of New York,
Respondent,

-against-

M-3125
Ind. No. 1702/11

David Boutron,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about May 26, 2011, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Steven Banks, Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2011.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
Richard T. Andrias
David B. Saxe, Justices.

-----X
The People of the State of New York,
Respondent,

-against-

M-3126
Ind. No. 2438/10

Loquan Bruzzley,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about June 16, 2011, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Robert S. Dean, Esq., Center for Appellate Litigation, 74 Trinity Place, 11th Floor, New York, New York 10006, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2011.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
Richard T. Andrias
David B. Saxe, Justices.

-----X
The People of the State of New York,
Respondent,

-against-

M-3129
Ind. No. 6299/10

Eduardo Guzman,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about May 25, 2011, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Steven Banks, Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2011.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
Richard T. Andrias
David B. Saxe, Justices.

-----X
The People of the State of New York,
Respondent,

-against-

M-3130
Ind. No. 6379/09

Asif Jabin,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about March 21, 2011, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Steven Banks, Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2011.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
Richard T. Andrias
David B. Saxe, Justices.

-----X
The People of the State of New York,
Respondent,

-against-

M-3132
Ind. No. 3716/10

Geneva Nelson,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about April 12, 2011, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Steven Banks, Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2011.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
Richard T. Andrias
David B. Saxe, Justices.

-----X
The People of the State of New York,
Respondent,

-against-

M-3133
Ind. Nos. 2908/10
3733/10

Dwight Pitman,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about June 2, 2011, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Steven Banks, Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2011.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
Richard T. Andrias
David B. Saxe, Justices.

-----X
The People of the State of New York,
Respondent,

-against-

M-3134
Ind. No. 4665/10

Ernan Ramirez,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about June 1, 2011, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Steven Banks, Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2011.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
Richard T. Andrias
David B. Saxe, Justices.

-----X
The People of the State of New York,
Respondent,

-against-

M-3135
Ind. No. 5072/09

Jose Ramos,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about May 25, 2011, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Steven Banks, Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2011.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
Richard T. Andrias
David B. Saxe, Justices.

-----X
The People of the State of New York,
Respondent,

-against-

M-3136
Ind. No. 4431/10

Xavier Santos,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about May 10, 2011, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Steven Banks, Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2011.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
Richard T. Andrias
David B. Saxe, Justices.

-----X
The People of the State of New York,
Respondent,

-against-

M-3139
Ind. No. 3156/10

Bobby Wallace,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about June 2, 2011, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Steven Banks, Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2011.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
Richard T. Andrias
David B. Saxe, Justices.

-----X
The People of the State of New York,
Respondent,

-against-

M-3140
Ind. No. 4959/10

Eric Wolfe,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about May 25, 2011, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Steven Banks, Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2011.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
Richard T. Andrias
David B. Saxe, Justices.

-----X
The People of the State of New York,
Respondent,

-against-

M-3141
Ind. No. 357/11

Joe Yarborough,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about May 31, 2011, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Steven Banks, Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2011.

Present - Hon. Peter Tom, Justice Presiding,
David B. Saxe
James M. Catterson
Karla Moskowitz
Rolando T. Acosta, Justices.

-----x
Natarry Management Corp., Aldo
Properties III, LLC and 100 First
Avenue Aldo Associates LLC,

Plaintiffs,

-against-

M-2630
Index No. 107180/08

QBE Specialty Insurance, Ltd.,
Anthoni Niwelt and Jolanda Niwelt,

Defendants.
-----x

Plaintiffs having moved, pursuant to CPLR 5704, for review of an order to show cause, said relief having been denied by the order of a Justice of this Court dated June 1, 2011,

Now, upon reading and filing the papers with respect to the motion, and the stipulation of the parties dated June 8, 2011 and June 9, 2011, respectively, and due deliberation having been had thereon,

It is ordered that the motion and appeal are deemed withdrawn, the underlying action having been settled.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2011.

Present - Hon. Peter Tom, Justice Presiding,
David B. Saxe
James M. Catterson
Karla Moskowitz
Rolando T. Acosta, Justices.

-----x
1840 Concourse Associates,

Plaintiff-Appellant,

-against-

M-2549
Index No. 602551/09

Praetorian Insurance Company, etc.,

Defendant-Respondent.
-----x

Defendant-respondent having moved for dismissal of the appeal from the order of the Supreme Court, New York County, entered on or about December 7, 2010, for failure to timely perfect,

Now, upon reading and filing the papers with respect to the motion, and the correspondence dated June 7, 2011 from Abrams, Gorelick, Friedman, & Jacobson, P.C. (Michael E. Gorelick, of counsel), and due deliberation having been had thereon,

It is ordered that the motion is deemed withdrawn in accordance with the aforesaid correspondence.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2011.

PRESENT: Hon. Peter Tom, Justice Presiding,
David B. Saxe
James M. Catterson
Karla Moskowitz
Rolando T. Acosta, Justices.

-----X
Vasile M.,
Petitioner-Respondent,

-against-

Liliana V.,
Respondent-Appellant.

M-2413
Docket Nos. V-27007-10/11A
V-08322/11
V-30651-10/11A+B

-----X

Respondent having moved for leave to appeal to this Court from a temporary order of visitation issued by the Family Court, Bronx County, entered on or about May 11, 2011, for a stay of proceedings pending hearing and determination of the aforesaid appeal and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is denied in its entirety.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2011.

PRESENT: Hon. Peter Tom, Justice Presiding,
David B. Saxe
Rolando T. Acosta
Helen E. Freedman
Sheila Abdus-Salaam, Justices.

-----X
IDT Corporation,
Plaintiff-Appellant,

-against-

M-3050
Index No. 603710/04

Morgan Stanley Dean Witter & Co.,
et al.,
Defendants-Respondents.
-----X

Plaintiff-appellant having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on May 31, 2011 (Appeal No. 5196),

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is denied.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2011.

PRESENT: Hon. Peter Tom, Justice Presiding,
David Friedman
Rolando T. Acosta
Nelson S. Román, Justices.

-----X

Magwitch, L.L.C.,
Plaintiff-Appellant,

-against-

M-2823
Index No. 600238/08

Pusser's Inc., etc., et al.,
Defendants-Appellants.

-----X

Plaintiff-appellant having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on May 12, 2011 (Appeal No. 3087), and for leave to supplement the record on appeal,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion for leave to appeal to the Court of Appeals is denied. So much of the motion seeking leave to supplement the record on appeal is dismissed as moot.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2011.

PRESENT - Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
John W. Sweeny, Jr.
Karla Moskowitz
Dianne T. Renwick, Justices.

-----X
In the Matter of

Katherine O., also known as
Kathryn O.,
Matthew O.,
Samantha O., and
Victoria O.,

Dependent Children Under 18 Years
of Age Alleged to be Abused and/or
Neglected Under Article 10 of the
Family Court Act.

- - - - -
Administration for Children's Services,
Petitioner-Respondent,

M-710
Docket Nos.
NA-3691/05
NA-3692/05
NA-3693/05
NA-3694/05

Nancy O.,
Respondent-Appellant,

Kenneth O.,
Respondent-Appellant,

Merlene R.,
Respondent.

- - - - -
Ellen Winter Mendelson, Esq.,
Attorney for Children
Katherine O., also known as
Kathryn O. and Victoria O.,

John Marafino, Esq.,
Attorney for Child Matthew O.,

Samuel Dulberg, Esq.,
Attorney for Child Samantha O.

-----X

Appeals having been taken to this Court from the orders of the Family Court, Bronx County, entered on or about January 8, 2010 and June 7, 2010, respectively,

And respondents-appellants having jointly moved for an enlargement of time in which to perfect the aforesaid appeals,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is denied, as moot, the appeals having already been jointly perfected. (See M-2900 & M-3357, decided simultaneously herewith.)

ENTER:

A handwritten signature in black ink, appearing to read "Susan R. Jones", written over a horizontal line.

CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2011.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta, Justices.

-----X

In the Matter of

Katherine O., also known as
Kathryn O.,
Matthew O.,
Samantha O., and
Victoria O.,

Dependent Children Under 18 Years
of Age Alleged to be Abused and/or
Neglected Under Article 10 of the
Family Court Act.

- - - - -
Administration for Children's Services, Docket Nos. NA-3691/05
Petitioner-Respondent, NA-3692/05
Nancy O., NA-3693/05
Respondent-Appellant, NA-3694/05

Kenneth O.,
Respondent-Appellant,

Merlene R.,
Respondent.

- - - - -
Ellen Winter Mendelson, Esq.,
Attorney for Children
Katherine O., also known as
Kathryn O. and Victoria O.,

John Marafino, Esq.,
Attorney for Child Matthew O.,

Samuel Dulberg, Esq.,
Attorney for Child Samantha O.

-----X

Appeals having been taken from the orders of the Family Court, Bronx County, entered on or about January 8, 2010 and June 7, 2010, respectively, and said appeals having been perfected,

And attorney for the children Katherine O., also known as Kathryn O., and Victoria O., Ellen Winter Mendelson, Esq., having moved for an order to be assigned as attorney to respond to the aforesaid appeals,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Ellen Winter Mendelson, Esq., 800 Grand Concourse Front #2, Bronx, NY 10451-3003, Telephone No. (718) 684-5838, Cell Phone No. (914) 525-1934, as attorney for purposes of responding to the appeals (See M-710 and M-3357, decided simultaneously herewith).

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2011.

Present - Hon. David B. Saxe, Justice Presiding,
James M. Catterson
Karla Moskowitz
Dianne T. Renwick
Leland G. DeGrasse, Justices.

-----x
In the Matter of

Katherine O., also known as
Kathryn O.,
Matthew O.,
Samantha O., and
Victoria O.,

Dependent Children Under 18 Years
of Age Alleged to be Abused and/or
Neglected Under Article 10 of the
Family Court Act.

- - - - -
Administration for Children's Services,
Petitioner-Respondent,

M-3357
Docket Nos.
NA-3691/05
NA-3692/05
NA-3693/05
NA-3694/05

Nancy O.,
Respondent-Appellant,

Kenneth O.,
Respondent-Appellant,

Merlene R.,
Respondent.

- - - - -
Ellen Winter Mendelson, Esq.,
Attorney for Children
Katherine O., also known as
Kathryn O. and Victoria O.,

John Marafino, Esq.,
Attorney for Child Matthew O.,

Samuel Dulberg, Esq.,
Attorney for Child Samantha O.

-----x

Appeals having been taken to this Court from the orders of the Family Court, Bronx County, entered on or about January 8, 2010 and June 7, 2010, respectively, and said appeals having been perfected,

And Wendy J. Claffee, Esq., Family Court attorney for the subject child Matthew O., having moved for an order to be relieved as attorney for the subject child and to substitute other counsel to respond to the appeal,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of assigning, pursuant to Article 18b of the County Law and § 1120 of the Family Court Act, John J. Marafino, Esq., 9 West Prospect Avenue, Suite 409, Mount Vernon, New York 10550, Telephone No. (914) 663-1500, as attorney for the subject child for purposes of responding to the appeal. (See M-710 and M-2900, decided simultaneously herewith.)

ENTER:



A handwritten signature in black ink, appearing to read "Susan R. Jones", is written over a horizontal line. The signature is cursive and stylized.

CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2011.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta, Justices.

-----X
In the Matter of

Isaac Howard M.,
Jaheim Terrance S.,

M-2673

Docket Nos. B24283-84/08

Dependent Children Under 14 Years
of Age Pursuant to §384-b of the
Social Services Law of the State
of New York.

- - - - -
Jewish Child Care Association,
et al.,
Petitioners-Respondents,

Fatima M.,
Respondent-Appellant.

- - - - -
Israel P. Inyama, Esq.,
Attorney for the Children.

-----X

An appeal having been taken from the order of the Family Court, New York County, entered on or about April 27, 2010,

And attorney for the children, Elizabeth Posse, Esq., having moved on the childrens' behalf for leave to respond, as poor persons, to the aforesaid appeal, for the assignment of counsel, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Israel P. Inyama, Esq., 244 Fifth Avenue, Suite 2582, New York, NY 10001, Telephone No. (646) 595-9090, as attorney for purposes of responding to the appeal; (2) permitting movants to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for petitioner-appellant and 8 copies thereof are filed with this Court. Sua sponte, the appeal is adjourned to the December 2011 Term.

ENTER:

A handwritten signature in black ink, appearing to read "Susan R. Jones", written in a cursive style.

CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2011.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta, Justices.

-----X
The People of the State of New York,
Respondent,

-against-

Alberto Polanco,
Defendant-Appellant.

M-2394
Ind. Nos. 5431N/03
8560/00

-----X

An appeal having been taken from the judgment of the Supreme Court, New York County, rendered on or about May 25, 2005,

And defendant having moved for an order relieving assigned counsel, Andrea Risoli, Esq., and substituting other counsel on the appeal or, in the alternative, granting summary reversal and a new trial, and an enlargement of time in which to perfect the appeal, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

Ordered that the motion is granted only to the extent of enlarging the time in which to perfect the appeal to the December 2011 Term, and the motion is otherwise denied.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2011.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta, Justices.

-----X

Joshua Klarsfeld,

Plaintiff-Appellant,

-against-

M-2752

Index No. 309320/09

Christina Klarsfeld,

Defendant-Respondent.

-----X

An appeal having been taken from the order of the Supreme Court (Integrated Domestic Violence Part), New York County, entered on or about May 13, 2011,

And plaintiff-appellant having moved for leave to appeal to this Court from the orders of the Supreme Court, (Integrated Domestic Violence Part), New York County, dated May 6, 2011 and May 17, 2011, for a stay of the aforesaid order of said Court entered on or about May 13, 2011, and for other relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

Ordered that the motion is denied in all respects.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2011.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta, Justices.

-----X

Rosemarie Santiesteban and Althea
Aaron, on behalf of themselves and
94-102 Hamilton Place H.D.F.C.,
Plaintiffs-Respondents,

M-2786
Index No. 102125/10

-against-

William Crowder, et al.,
Defendants-Appellants.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about July 7, 2010,

And plaintiffs-respondents having moved for an order enlarging the record on appeal to include the affirmation of David N. Slarskey, Esq., and the affidavit of Althea Aaron (Exhibits A & B to the Slarskey affirmation submitted in support of the instant motion),

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

Ordered that the motion is granted to the extent of allowing plaintiffs-respondents to serve and file 9 copies of a supplemental record on appeal containing the aforesaid documents appearing as Exhibits A & B to the Slarskey affirmation in support of the instant motion on or before October 5, 2011 for the November 2011 Term, to which Term the appeal is adjourned, with costs to abide the appeal.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2011.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta, Justices.

-----X
In the Matter of a Paternity Proceeding
Under Article 5 of the Family Court Act.

David G.,
Petitioner-Appellant,

M-2866
Docket No. P17829/09

-against-

Maribel G.,
Respondent-Respondent.

Louis S. Calderon, Esq.,
Attorney for the Child Maribal C.

-----X
An appeal having been taken from the order of the Family Court, New York County, entered on or about July 22, 2010,

And attorney for the child, Gary Schultz, Esq., having moved for an order to be relieved as said attorney to substitute other counsel to respond to the appeal,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of relieving movant as attorney for the child and substituting, pursuant to Article 18b of the County Law and § 1120 of the

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Louis S. Calderon, Esq., 153-01 Jamaica Avenue, Jamaica, NY 11432, Telephone No. (718) 553-1560 as attorney for purposes of responding to the appeal. Sua sponte, the appeal is adjourned to the November 2011 Term.

ENTER:

A handwritten signature in black ink, appearing to read "Susan R. Jones", written in a cursive style.

CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2011.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Rolando T. Acosta
Dianne T. Renwick
Leland G. DeGrasse, Justices.

-----X

In the Matter of

Galina Vlasova,

Plaintiff,

-against-

The City of New York,

Defendant.

-----X

An order of this Court having been entered on May 26, 2011 (M-1540) granting defendant's motion and dismissing plaintiff's appeal from the order of the Supreme Court, New York County entered on or about April 21, 2010,

And plaintiff having moved for an order vacating the aforesaid order of this Court,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

Ordered that the motion is denied.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2011.

Present - Hon. Richard T. Andrias, Justice Presiding,
David Friedman
James M. Catterson
Dianne T. Renwick
Leland G. DeGrasse, Justices.

-----x
Financial Guaranty Insurance Company,

Plaintiff-Respondent-Appellant,

-against-

M-1986
Index No. 650736/09

Countrywide Home Loans, Inc., et al.,

Defendants-Appellants-Respondents.
-----x

An appeal and cross appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about June 17, 2010,

And the parties having jointly moved for an enlargement of time to perfect the appeal and cross appeal,

Now, upon reading and filing the papers with respect to the motion, and the correspondence from Goodwin Proctor, LLP (Jeffrey A. Simes, of counsel), and due deliberation having been had thereon,

It is ordered that the motion is deemed withdrawn in accordance with the aforesaid correspondence.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2011.

Present - Hon. Richard T. Andrias, Justice Presiding,
David Friedman
Dianne T. Renwick
Leland G. DeGrasse
Sheila Abdus-Salaam, Justices.

-----x
In the Matter of the Application of
SP 141 E 334 LLC,
Petitioner-Appellant,

For a Judgment Pursuant to Article 78
of the CPLR,

M-1492
Index No. 111227/10

-against-

New York State Department of Housing
and Community Renewal, et al.,
Respondents-Respondents.

-----x
An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about January 6, 2011,

And petitioner-appellant having moved for a stay of enforcement of the order pending hearing and determination of the aforesaid appeal,

Now, upon reading and filing the papers with respect to the motion, and the stipulation of the parties dated May 31, 2011, and due deliberation having been had thereon,

It is ordered that the motion is deemed withdrawn in accordance with the aforesaid stipulation.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2011.

Present - Hon. Richard T. Andrias, Justice Presiding,
John W. Sweeny, Jr.
Karla Moskowitz
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----x
Argenis Camacho,
Plaintiff,

-against-

Hunts Point Terminal Produce
Cooperative Association, Inc., et al.,
Defendants-Respondent,

M-1799
Index No. 302906/08

-and-

A&J Produce Corp.,
Defendant-Appellant.

-----x
Defendant-respondent Hunts Point Terminal Produce Cooperative Association, Inc. having moved for dismissal of the appeal from the order of the Supreme Court, Bronx County, entered on or about January 31, 2011,

Now, upon reading and filing the papers with respect to the motion, and the correspondence from The Law Office of Lori D. Fishman (Louis H. Liotti, of counsel) and Abrams, Gorelick, Friedman, & Jacobson, P.C. (Stephen DiSiervi, of counsel), and due deliberation having been had thereon,

It is ordered that the motion and appeal are deemed withdrawn in accordance with the aforesaid correspondence.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2011.

Present - Hon. Richard T. Andrias, Justice Presiding,
John W. Sweeny, Jr.
Dianne T. Renwick
Helen E. Freedman
Sallie Manzanet-Daniels, Justices.

-----x

Ronald Roell,
Plaintiff-Appellant,

-against-

M-2353

M-2548

Velez Organization TCL Contractors,
Inc., et al.,
Defendants-Respondents.

Index No. 111919/06

- - - - -
[And a third-party action]

-----x

An appeal having been taken to this Court by plaintiff from the order of the Supreme Court, New York County, entered on or about April 21, 2010 (mot. seq. nos. 004, 005, 006),

And defendant/third-party plaintiff-respondent the "Velez" defendants (M-2548) and defendant/third-party defendant-respondent Calcedo Construction Corp. (M-2353) having separately moved for dismissal of the aforesaid appeal,

Now, upon reading and filing the papers with respect to the motions, and the correspondence dated June 9, 2011 from Kazmierczuk & McGrath (John P. McGrath, of counsel), counsel for plaintiff-appellant and due deliberation having been had thereon,

It is ordered that the appeal is deemed withdrawn in accordance with the aforesaid correspondence, and the motions are denied as moot.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2011.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,
David B. Saxe
John W. Sweeny, Jr.
Karla Moskowitz
Leland G. DeGrasse, Justices.

-----X
The People of the State of New York,
Respondent,

-against-

M-1373
Ind. No. 5276/03

Latee Robinson,
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on May 27, 2008 (Appeal No. 3730), unanimously affirming a judgment of the Supreme Court, Bronx County (Robert Torres, J.), rendered on May 3, 2006,

And defendant-appellant having moved, in the nature of a writ of error coram nobis, for a review of his claim of ineffective assistance of appellate counsel, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that said application is denied.

ENTER:



CLERK

CORRECTED ORDER - October 12, 2011

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2011.

Present: Hon. Richard T. Andrias, Justice Presiding,
James M. Catterson
Karla Moskowitz
Nelson S. Román, Justices.

-----X
Scott Petersen, etc.,

Plaintiff-Appellant,

M-2704
Index No. 602901/09

-against-

Metropolitan Life Insurance Co.,

Defendant-Respondent.
-----X

Plaintiff-appellant having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on February 24, 2011 (Appeal No. 4367-4367A),

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is denied.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2011.

Present - Hon. David B. Saxe, Justice Presiding,
Rolando T. Acosta
Leland G. DeGrasse
Sheila Abdus-Salaam
Sallie Manzanet-Daniels, Justices.

-----X
Winona Brown,

Petitioner-Landlord-Respondent,

-against-

M-2338
Index No. 97888/08

SP 96-97 Street, LLC,

Respondent-Tenant-Appellant.
-----X

Respondent-tenant-appellant having moved for leave to appeal to this Court from the decision and order of the Appellate Term entered in the office of the Clerk of the Supreme Court, New York County, on or about March 7, 2011, for a stay of eviction pending hearing and determination of this motion, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and the stipulation of the parties dated May 19, 2011, and due deliberation having been had thereon,

It is ordered that the motion and appeal are deemed withdrawn in accordance with the aforesaid stipulation.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2011.

Present - Hon. David B. Saxe, Justice Presiding,
John W. Sweeny, Jr.
James M. Catterson
Helen E. Freedman
Sallie Manzanet-Daniels, Justices.

-----x

150 Broadway N.Y. Associates L.P.,
Plaintiff-Appellant-Respondent,

-against-

M-2294

Index No. 601950/09

Richard Shandell, et al.,
Defendants-Respondents,

Shoshana Bookson,
Defendant-Respondent-Appellant.

-----x

An appeal and cross appeal having been taken to this Court from the order of the Supreme Court, New York County entered on or about May 17, 2010 (mot. seq. nos. 001, 002, 003),

And plaintiff-appellant-respondent having moved for dismissal of the cross appeal for failure to timely perfect,

Now, upon reading and filing the papers with respect to the motion, and the correspondence from Avrom R. Vann, Esq., counsel for plaintiff-appellant-respondent, and due deliberation having been had thereon,

It is ordered that the motion is deemed withdrawn in accordance with the aforesaid correspondence.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2011.

PRESENT: Hon. David B. Saxe, Justice Presiding,
James M. Catterson
Rolando T. Acosta
Dianne T. Renwick
Leland G. DeGrasse, Justices.

-----X
Americon Construction Inc.,
Plaintiff-Respondent,

-against-

M-3270
Index No. 602577/09

Radu Physical Culture, et al.,
Defendants,

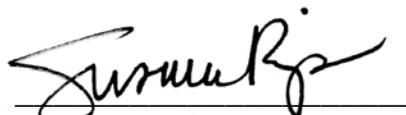
Plaza Accessory Owner LP,
Defendant-Appellant.
-----X

Plaintiff-respondent having moved to dismiss the appeal taken from the judgment of the Supreme Court, New York County, entered on or about March 4, 2011,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion to dismiss the appeal is granted unless the appeal is perfected for the January 2012 Term. Upon failure to so perfect, an order dismissing the appeal may be entered ex parte, provided plaintiff-respondent serve a copy of this order upon the appellant within ten days after the date of entry hereof.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2011.

PRESENT: Hon. David B. Saxe, Justice Presiding,
James M. Catterson
Karla Moskowitz
Dianne T. Renwick
Leland G. DeGrasse, Justices.

-----X
Nikiyah S. Blackman,
Plaintiff-Appellant,

-against-

M-3053
Index No. 101743/02

The Hit Factory, et al.,
Defendants-Respondents.

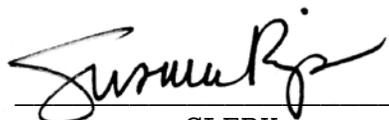
-----X

Plaintiff-appellant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County, entered on or about August 19, 2010, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is denied.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2011.

Present: Hon. David B. Saxe, Justice Presiding,
James M. Catterson
Karla Moskowitz
Dianne T. Renwick
Leland G. DeGrasse, Justices.

-----X
Mark Filstein,
Plaintiff-Appellant-Respondent,

M-3101
Index No. 600123/09

-against-

Sonia Bromberg,
Defendant-Respondent-Appellant.
-----X

Appeals having been taken by plaintiff from orders of the Supreme Court, New York County, entered on or about September 15, 2009 and on or about December 20, 2010 (mot. seq. No. 003) and cross appeals having been taken by defendant from the same orders,

And defendant-respondent-appellant having moved for leave to prosecute, as a poor person, the aforesaid cross appeals, for leave to have the cross appeals heard on the original record and upon a reproduced brief, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is denied, without prejudice to further proceedings.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2011.

Present: Hon. David B. Saxe, Justice Presiding,
James M. Catterson
Karla Moskowitz
Dianne T. Renwick
Leland G. DeGrasse, Justices.

-----X
Jeffrey Santos,

Claimant-Appellant,

-against-

The State of New York,

Defendant-Respondent.
-----X

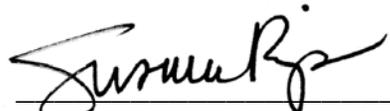
M-2798
Claim No. 109907

Claimant-appellant having moved for an enlargement of time in which to perfect the appeal from the order of the Court of Claims of the State of New York, entered on or about August 5, 2010,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the January 2012 Term.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2011.

Present: Hon. David B. Saxe, Justice Presiding,
James M. Catterson
Karla Moskowitz
Dianne T. Renwick
Leland G. DeGrasse, Justices.

-----X
The People of the State of New York,

Respondent,

-against-

M-2830
Ind. No. 3578/09

Kenneth Law,

Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to perfect the appeal from the judgment of the Supreme Court, New York County, rendered on or about September 21, 2010,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the January 2012 Term.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2011.

Present: Hon. David B. Saxe, Justice Presiding,
James M. Catterson
Karla Moskowitz
Dianne T. Renwick
Leland G. DeGrasse, Justices.

-----X
The People of the State of New York,

Respondent,

-against-

Eric Shields,

Defendant-Appellant.
-----X

M-2857
Ind. No. 3578/09

Defendant having moved for an enlargement of time in which to perfect the appeal from the judgment of the Supreme Court, New York County, rendered on or about September 21, 2010,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the January 2012 Term.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2011.

Present - Hon. David B. Saxe, Justice Presiding,
James M. Catterson
Rolando T. Acosta
Dianne T. Renwick
Leland G. DeGrasse, Justices.

-----X

Fernando J. Maldonado,

Plaintiff-Appellant,

-against-

M-3165
Index No. 5392/04

Monica P. Maldonado,

Defendant-Respondent.

-----X

Plaintiff-appellant having moved for an enlargement of time in which to perfect the appeal from a judgment of the Supreme Court, Bronx County, entered on or about April 2, 2011,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the January 2012 Term.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2011.

Present: Hon. David B. Saxe, Justice Presiding,
James M. Catterson
Karla Moskowitz
Dianne T. Renwick
Leland G. DeGrasse, Justices.

-----X

Aisha N. Hasan,
Plaintiff-Respondent,

-against-

M-2657

Index No. 350621/04

Muhammad Naz,
Defendant-Appellant.

-----X

(And another action)

Defendant-appellant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County, entered on or about March 22, 2011, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and to stay an order adjudging him in civil contempt, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion, to the extent it seeks to stay the order of civil contempt, is denied without prejudice to proceedings in Supreme Court and renewal thereafter. So much of the motion which seeks poor person relief is denied, with leave to renew upon petitioner-appellant's submission of a detailed notarized affidavit, in compliance with CPLR 1101(a), including statement of facts to show merit of contentions, and attaching copies of defendant's income tax returns for 2010.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2011.

Present: Hon. David B. Saxe, Justice Presiding,
James M. Catterson
Karla Moskowitz
Dianne T. Renwick
Leland G. DeGrasse, Justices.

-----X
The People of the State of New York,

Respondent,

-against-

Eric Shields,

Defendant-Appellant.
-----X

M-2857
Ind. No. 3578/09

Defendant having moved for an enlargement of time in which to perfect the appeal from the judgment of the Supreme Court, New York County, rendered on or about September 21, 2010,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the January 2012 Term.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2011.

PRESENT - Hon. David Friedman, Justice Presiding,
James M. Catterson
Rolando T. Acosta
Dianne T. Renwick
Leland G. DeGrasse, Justices.

-----X
The People of the State of New York,

Respondent,

-against-

M-3131
Ind. No. 5321/10

Jamal Mack,

Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about May 26, 2011, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Steven Banks, Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2011.

Present Hon. Helen E. Freedman, Justice Presiding,
Rosalyn H. Richter
Sheila Abdus-Salaam
Sallie Manzanet-Daniels
Nelson S. Román, Justices.

-----X

In the Matter of

Alexis Kaliyah H.; Ashley R. and
Treyvaughn Andrew H.,

M-3764

Docket Nos. B25005/07
B25007/07
B25009/07

Dependent Children Under 18 Years of
Age Pursuant to §384-b of the Social
Services Law of the State of New York.

Catholic Guardian Society & Home
Bureau,

Petitioner-Respondent,

Latarsha R.,
Respondent-Appellant.

Richard L. Herzfeld, Esq.,
Attorney for the Children.

-----X

David J. Eskin, Esq., Family Court attorney for the subject children having moved on the childrens' behalf for leave to respond, as poor persons, to the appeal from the order of the Family Court, Bronx County, entered on or about April 21, 2011, for assignment of counsel, a free copy of the transcript, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Richard L. Herzfeld, Esq.,

61 Broadway, Suite #1900, New York, NY 10006, Telephone No. (212)818-9019, as counsel for purposes of responding to the appeal; (2) permitting movants to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for petitioner-appellant and 8 copies thereof are filed with this Court.

ENTER:

A handwritten signature in black ink, appearing to read "Susan R. Jones", written in a cursive style. The signature is positioned above a horizontal line.

CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2011.

Present: Hon. Helen E. Freedman, Justice Presiding,
Rosalyn H. Richter
Sheila Abdus-Salaam
Sallie Manzanet-Daniels
Nelson S. Román, Justices.

-----X

In the Matter of

Justin DeJ.,

M-3811

Docket No. NN364/10

A Dependent Child Under 18 Years
of Age Alleged to be Abused and/or
Neglected Under Article 10 of the
Family Court Act.

Administration for Children's Services,
Petitioner-Respondent,

Jerry S.,
Respondent-Appellant.

Eugene McGloin, Esq.,
Attorney for the Child.

-----X

Respondent-appellant father having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, Bronx County, entered on or about July 25, 2011, and for assignment of counsel, a free copy of the transcript, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, George E. Reed, Esq., 222 Mamaroneck Ave., White Plains, NY 10605, Telephone No. (914) 946-5000, as counsel for purposes of prosecuting the appeal;

(2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor¹ **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTER:

A handwritten signature in black ink, appearing to read "Susan R. [unclear]", is written over a horizontal line.

CLERK

¹Service of appellant's brief upon respondent(s) shall include assigned counsel's copy of the transcript.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2011.

Present: Hon. Helen E. Freedman, Justice Presiding,
Rosalyn H. Richter
Sheila Abdus-Salaam
Sallie Manzanet-Daniels
Nelson S. Román, Justices.

-----X
In the Matter of a Family Offense
Proceeding Under Article 8 of the
Family Court Act.

Melind M., also known as Melina M., Docket Nos. 0-33613/09
also known as Meline M., 0-3994/09
Petitioner-Appellant,

-against-

Joseph P.,
Respondent-Respondent.

Tennille M. Tatum-Evans, Esq.,
Attorney for Children Jade
and Julian P.

-----X

Kao Pin Lew, Esq., Family Court attorney for the subject children Jade and Julian P., having moved on the children's behalf for leave to respond, as poor persons, to the appeal from the order of the Family Court, New York County, entered on or about April 14, 2010, for the assignment of counsel, a free copy of the transcript, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Tennille M. Tatum-Evans, Esq., 260 Convent Avenue, Suite #34, New York, NY 10031, Telephone No. (347) 645-6660, as counsel for purposes of responding to the appeal; (2) permitting movants to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for petitioner-appellant and 8 copies thereof are filed with this Court. Sua sponte, the appeal is adjourned to the December 2011 Term.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2011.

Present: Hon. Helen E. Freedman, Justice Presiding,
Rosalyn H. Richter
Sheila Abdus-Salaam
Sallie Manzanet-Daniels
Nelson S. Román, Justices.

-----X
In the Matter of

Cerenithy E. B.
and Christialys Adonai B.B.,

M-3519

Docket Nos. NN19750/10
NN19751/10

Children Under 18 Years of Age Alleged
to be Abused and/or Neglected Under
Article 10 of the Family Court Act.

- - - - -
Administration for Children's
Services of the City of New York,
Petitioner-Respondent,

Christian B.,
Respondent-Appellant.

- - - - -
Louis S. Calderon, Esq.,
Attorney for the Children.

-----X

Elizabeth Callaghan, Esq., Family Court attorney for the subject children, having moved on the children's behalf for leave to respond, as poor persons, to the appeal from the order of the Family Court, New York County, entered on or about February 1, 2011, for the assignment of counsel, a free copy of the transcript, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Louis S. Calderon, Esq., 153-01 Jamaica Avenue, Suite 201, Jamaica, NY 11432, Telephone No. (718) 553-1560, as counsel for purposes of responding to the appeal;

(2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for petitioner-appellant and 8 copies thereof are filed with this Court. Sua sponte, the appeal is adjourned to the December 2011 Term.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2011.

Present - Hon. Helen E. Freedman, Justice Presiding,
Rosalyn H. Richter
Sheila Abdus-Salaam
Sallie Manzanet-Daniels
Nelson S. Román, Justices.

-----x
Irene Johnson,

Petitioner-Appellant,

-against-

Manhattan Mini Storage,

Defendant-Respondent.
-----x

M-3750
Index No. 401951/11

Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County, entered on or about August 9, 2011, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for other relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is denied.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2011.

PRESENT: Hon. Helen E. Freedman, Justice Presiding,
Rosalyn H. Richter
Sheila Abdus-Salaam
Sallie Manzanet-Daniels, Justices.

-----X

Peter Mione, et al.,
Plaintiffs-Respondents,

-against-

M-3574

Index No. 116366/08

City of New York Department of
Homeless Services, Roger Newman,
Calvin Pitter, Trevor Jardine,
Cindy Teta and Julia Moten,
Defendants-Appellants,

Bushwick Economic Development
Corporation (BEDCO), et al.,
Defendants.

-----X

Defendants-appellants City of New York Department of Homeless Services having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, New York County, entered on or about September 9, 2010 (mot. seq. no. 004),

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the January 2012 Term.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2011.

PRESENT - Hon. Helen E. Freedman, Justice Presiding,
Rosalyn H. Richter
Sheila Abdus-Salaam
Sallie Manzanet-Daniels, Justices.

-----X
In the Matter of the Application of
Solvieg McAuley,
Petitioner-Appellant,

For a Judgment Pursuant to Article 78
of the CPLR,

-against-

M-3464
Index No. 109386/09

Raymond Kelly, etc., et al.,
Respondents-Respondents.

-----X

Petitioner-appellant having moved for an enlargement of time in which to perfect the appeal from judgment of the Supreme Court, New York County, entered on or about May 4, 2010,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the January 2012 Term.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2011.

Present - Hon. Helen E. Freedman, Justice Presiding,
Rosalyn H. Richter
Sheila Abdus-Salaam
Sallie Manzanet-Daniels
Nelson S. Román, Justices.

-----x
Lawrence A. Goldstein, etc., et al.,

Plaintiffs-Respondents,

-against-

M-3419
Index No. 650476/10

12 Broadway Realty LLC,

Defendant-Appellant.
-----x

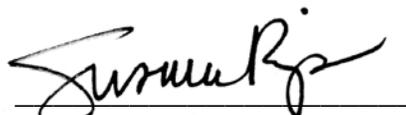
An appeal having been taken to this Court from the amended order and judgment (one paper) of the Supreme Court, New York County, entered on or about July 27, 2011 (mot. seq. no. 004), and said appeal having been perfected,

And defendant-appellant having moved, pursuant to CPLR 5519(c), for a stay of execution of the amended order and judgment pending hearing and determination of the aforesaid appeal,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the stay of execution of the amended order and judgment is granted.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2011.

Present - Hon. Helen E. Freedman, Justice Presiding,
Rosalyn H. Richter
Sheila Abdus-Salaam
Sallie Manzanet-Daniels
Nelson S. Román, Justices.

-----x
David P. Lennon, et al.,

Petitioners-Appellants,

-against-

M-3447
Index No. 651794/11

Andrew M. Cuomo, etc.,

Respondent-Respondent.
-----x

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about December 22, 2010,

And petitioners-appellants having moved, pursuant to CPLR 5519(c), for a stay of a certain subpoenas pending hearing and determination of the aforesaid appeal,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is denied.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2011.

PRESENT - Hon. Helen E. Freedman, Justice Presiding,
Rosalyn H. Richter
Sheila Abdus-Salaam
Sallie Manzanet-Daniels
Nelson S. Román, Justices.

-----X
Liberty Square Realty Corp.,
Plaintiff,

-against-

The Doe Fund, Inc., et al.,
Defendants.

M-3458
Index No. 302595/11

-----X

A purported appeal having been taken from the denial of an Order to Show Cause by the Supreme Court, Bronx County, on or about April 4, 2011,

And plaintiff having moved in this Court for injunctive relief denied by the Supreme Court, Bronx County,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is deemed one for seeking relief in the nature of CPLR 5704 relief and, as such, the motion is denied.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2011.

PRESENT - Hon. Helen E. Freedman, Justice Presiding,
Rosalyn H. Richter
Sheila Abdus-Salaam
Sallie Manzanet-Daniels
Nelson S. Román, Justices.

-----X

In the Matter of

Brandon D. ,

A Person Alleged to be a Juvenile
Delinquent,

M-3416
Docket No. D33979/10

Appellant.

-----X

Appellant having moved for an enlargement of time in which to perfect the appeal from the order of the Family Court, New York County, entered on or about October 22, 2010,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the January 2012 Term.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2011.

PRESENT: Hon. Helen E. Freedman, Justice Presiding,
Rosalyn H. Richter
Sheila Abdus-Salaam
Sallie Manzanet-Daniels
Nelson S. Román, Justices.

-----X
Caridad Cuevas, et al.,
Plaintiffs-Respondents,

-against-

M-3490
Index No. 107857/06

St. Luke's Roosevelt Hospital Center,
Defendant-Appellant.
-----X

Defendant-appellant having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, New York County, entered on or about October 12, 2010,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the January 2012 Term.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2011.

PRESENT: Hon. Helen E. Freedman, Justice Presiding,
Rosalyn H. Richter
Sheila Abdus-Salaam
Sallie Manzanet-Daniels
Nelson S. Román, Justices.

-----X
Adrian Shipholding Inc., et al.,
Plaintiffs-Appellants,

-against-

Lawndale Group, S.A.,
Defendant-Respondent.

M-3506
Index No. 600885/10

-----X

Plaintiffs-appellants having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, New York County, entered on or about June 25, 2010,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the January 2012 Term.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2011.

PRESENT - Hon. Helen E. Freedman, Justice Presiding,
Rosalyn H. Richter
Sheila Abdus-Salaam
Sallie Manzanet-Daniels
Nelson S. Román, Justices.

-----X
In the Matter of a Proceeding For
Support Under Article 4 of the
Family Court Act.

Reven W.,
Petitioner-Appellant,

-against-

M-3531
Docket No. F-12029-09/10B

Jenny D.,
Respondent-Respondent.

-----X

Petitioner-appellant having moved for an enlargement of time in which to perfect the appeal from the order of the Family Court, New York County, entered on or about October 22, 2010,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the January 2012 Term.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2011.

Present - Hon. Helen E. Freedman, Justice Presiding,
Rosalyn H. Richter
Sheila Abdus-Salaam
Sallie Manzanet-Daniels
Nelson S. Román, Justices.

-----x
The People of the State of New York,

Respondent,

-against-

M-3639
Ind. No. 3578/09

Aaron Hand,

Defendant-Appellant.
-----x

Defendant-appellant having moved for an enlargement of time to perfect the appeal from the judgment of the Supreme Court, New York County, rendered on or about September 21, 2010,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the January 2012 Term.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2011.

Present: Hon. Helen E. Freedman, Justice Presiding,
Rosalyn H. Richter
Sheila Abdus-Salaam
Sallie Manzanet-Daniels
Nelson S. Román, Justices.

-----X

Ana Link, Ltd.,
Plaintiff-Respondent,

-against-

M-3492

Index No. 106147/07

Mega U.S.A., Inc.,
Defendant-Appellant.

-----X

An appeal having been taken from the judgment of the Supreme Court, New York County, entered on or about July 15, 2010, and said appeal having been perfected,

And plaintiff-respondent having moved for leave to enlarge the record on appeal to include certain trial court decisions and documents, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

Ordered that the motion is denied. Sua sponte, the aforesaid appeal is adjourned to the November 2011 Term.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2011.

PRESENT: Hon. Helen E. Freedman, Justice Presiding,
Rosalyn H. Richter
Sheila Abdus-Salaam
Sallie Manzanet-Daniels
Nelson S. Román, Justices.

-----X
Evelyn Britton,
Plaintiff-Respondent,

-against-

M-3176
Index No. 303660/08

Villa Auto Corp., Thami Boulabut,
Defendants-Appellants,

Nicolette Evanson,
Defendant.

-----X

Defendants-appellants having moved for an order staying all proceedings including the trial in the above-entitled action, pending hearing and determination of the appeal taken from the order of the Supreme Court, Bronx County, entered on or about April 15, 2011,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2011.

PRESENT - Hon. Helen E. Freedman, Justice Presiding,
Rosalyn H. Richter
Sheila Abdus-Salaam
Sallie Manzanet-Daniels
Nelson S. Román, Justices.

-----X
In the Matter of

Joshua K.,
Plaintiff,

-against-

M-3696
Index No. 309320/09

Christina K.,
Defendant.

-----X

Plaintiff having moved pursuant to CPLR 5704(a) for certain relief denied by a Justice of the Supreme Court, New York County, on or about August 9, 2011,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is denied.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2011.

Present: Hon. Helen E. Freedman, Justice Presiding,
Rosalyn H. Richter
Sheila Abdus-Salaam
Sallie Manzanet-Daniels
Nelson S. Román, Justices.

-----X
Hortensia Rosa,

Plaintiff-Respondent,

-against-

2556 Boston Road Fine Fare, Inc.,

Defendant-Appellant.
-----X

M-3742
Index No. 301152/09

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about December 23, 2010, and said appeal having been perfected,

And defendant-appellant having moved for an order staying the trial in the above-entitled action pending hearing and determination of the aforesaid appeal,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is denied.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2011.

Present: Hon. Helen E. Freedman, Justice Presiding,
Rosalyn H. Richter
Sheila Abdus-Salaam
Sallie Manzanet-Daniels
Nelson S. Román, Justices.

-----X
Dow Kim,
Petitioner-Appellant,

-against-

Vitaly Dukhon,
Respondent-Respondent.

M-3730
Index No. 600515/10

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about July 12, 2011 (mot. seq. no. 002),

And petitioner having moved for an order staying arbitration pending hearing and determination of the aforesaid appeal,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

Ordered that the motion is granted.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2011.

Present: Hon. Helen E. Freedman, Justice Presiding,
Rosalyn H. Richter
Sheila Abdus-Salaam
Sallie Manzanet-Daniels
Nelson S. Román, Justices.

-----X
Daniel O'Keefe,
Plaintiff-Respondent,

-against-

221 West 82nd LLC,
Defendant-Appellant.

M-3398
Index No. 650641/11

-----X

Defendant-appellant having moved for a stay of the order in the above-entitled action pending hearing and determination of the appeal taken from an order of the Supreme Court, New York County, entered on or about June 2, 2011,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted on condition that the appeal is perfected for the January 2012 Term. Upon failure to so perfect, an order vacating the stay may be entered ex parte, provided that respondent serves a copy of this order upon appellant within 10 days after the date of entry hereof.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2011.

Present: Hon. Helen E. Freedman, Justice Presiding,
Rosalyn H. Richter
Sheila Abdus-Salaam
Sallie Manzanet-Daniels
Nelson S. Román, Justices.

-----X
Sherman-Abrams Laboratory, Inc., et al.,
Plaintiffs-Appellants,

-against-

M-3611

Index No. 650765/11

Herbert Abrams, M.D.,
Defendant-Respondent.

-----X
(And another action)
-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about July 27, 2011,

And plaintiffs-appellants having moved for an order in the nature of an appellate injunction staying an obligation to make certain payments or for alternative relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

Ordered that the motion is denied, and the interim relief granted by an order of a Justice of this Court dated August 5, 2011, is vacated.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2011.

Present: Hon. Helen E. Freedman, Justice Presiding,
Rosalyn H. Richter
Sheila Abdus-Salaam
Sallie Manzanet-Daniels
Nelson S. Román, Justices.

-----X

Joan Ochei,

Plaintiff-Appellant,

-against-

M-3500

Index No. CV26839/09/NY

Duane Reade, Inc.; "John Doe" 1, "John Doe" 2, and "Jane Doe",

Defendants-Respondents.

-----X

An appeal having been taken from an order of the Civil Court, New York County, entered on or about September 29, 2010,

And defendants-respondents having moved for an order dismissing the aforesaid appeal for failure to timely prosecute,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

Ordered that the motion is transferred to the Appellate Term, First Department.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2011.

Present: Hon. Helen E. Freedman, Justice Presiding,
Rosalyn H. Richter
Sheila Abdus-Salaam
Sallie Manzanet-Daniels
Nelson S. Román, Justices.

-----X
Akabas & Cohen,
Plaintiff-Appellant,

-against-

M-3735
Index No. 600861/10

Fox Rothschild LLP,
Defendant-Respondent.

-----X

An appeal having been taken from the orders of the Supreme Court, New York County, entered on or about February 14, 2011 and March 7, 2011, respectively, and said appeal having been perfected,

And defendant-respondent having moved for an order taking judicial notice of certain Supreme Court records annexed as Exhibits B and C of the affirmation of Arthur J. Ciampi Esq., Of the moving papers,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

Ordered that the motion is granted and defendant is directed to expeditiously file 9 copies of said material with this Court.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2011.

PRESENT: Hon. Helen E. Freedman, Justice Presiding,
Rosalyn H. Richter
Sheila Abdus-Salaam
Sallie Manzanet-Daniels
Nelson S. Román, Justices.

-----x
Robert Eden,
Plaintiff-Appellant-Respondent,

-against-

M-3544
M-3740
Index No. 114936/05

St. Luke's-Roosevelt Hospital Center,
Barak Rosenn, M.D., Jaffa Jaffe in her
capacity as Personal Representative of
the Estate of Richard Jaffe, M.D. and
Oded Langer, M.D.,
Defendants-Respondents-Appellants.

-----x

Appeals having been taken to this Court by plaintiff from orders of the Supreme Court, New York County, entered on or about January 25, 2010 (mot. seq. no. 003) and October 22, 2010 (mot. seq. no. 004), respectively, and a cross-appeal having been taken by defendants from the aforesaid order entered on or about January 25, 2010,

And plaintiff-appellant-respondent having moved for consolidation of his appeals from the orders entered on January 25, 2010 (mot. seq. no. 003) and October 22, 2010 (mot. seq. no. 004), and for an enlargement of time in which to perfect said appeals [M-3544],

And defendants-respondents-appellants having cross moved for an enlargement of time in which to perfect their cross-appeal from the order entered on January 25, 2010 (mot. seq. no. 003) [M-3740],

Now, upon reading and filing the papers with respect to the motion and cross-motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of consolidating the aforesaid appeals and cross-appeal and permitting the appeals and cross-appeal to be prosecuted upon 8 copies of one record and one set of appellant's points covering the appeals and cross-appeal and enlarging the time in which to perfect the consolidated appeals to the January 2012 Term [M-3544]. The cross-motion is granted accordingly [M-3720]. The parties' attention is directed to 22 NYCRR 600.11.

ENTER:


CLERK

SUPREME COURT OF THE STATE OF NEW YORK
APPELLATE DIVISION : FIRST DEPARTMENT

BEFORE: Hon. Richard T. Andrias
Justice of the Appellate Division

-----X
The People of the State of New York,

Respondent,

-against-

CERTIFICATE
GRANTING LEAVE

M-4034
Ind. No. 3782/07

LYNDON ROACH,

Defendant-Appellant.

-----X
I, Richard T. Andrias, a Justice of the Appellate Division,
Supreme Court, First Department, do hereby certify that, upon
application timely made by defendant-appellant for a certificate
pursuant to CPL 460.20, and upon the record and proceedings
herein,¹ this case involves a question of law which ought to be
reviewed by the Court of Appeals and permission to appeal is
hereby granted.

Dated: September 8, 2011
New York, New York

ENTERED SEP 15 2011



Richard T. Andrias,
Justice of the Appellate Division

¹Description of Order:

04/19/11 (Appeal No. 3177-3178)
App. Div. 1st Dept.

NOTICE: Within 10 days from the issuance of this certificate, a
jurisdictional statement must be filed with the Clerk of the Court of
Appeals pursuant to § 500.2 of the Rules of the Court of Appeals. (22
NYCRR § 500.2).

SUPREME COURT OF THE STATE OF NEW YORK
APPELLATE DIVISION : FIRST DEPARTMENT

BEFORE: Hon. Richard T. Andrias
Justice of the Appellate Division

-----X
The People of the State of New York,

Respondent,

-against-

CERTIFICATE
GRANTING LEAVE

M-4035

Ind. No. 3782/07

VADIM VASSILENKO,

Defendant-Appellant.

-----X
I, Richard T. Andrias, a Justice of the Appellate Division,
Supreme Court, First Department, do hereby certify that, upon
application timely made by defendant-appellant for a certificate
pursuant to CPL 460.20, and upon the record and proceedings
herein,¹ this case involves a question of law which ought to be
reviewed by the Court of Appeals and permission to appeal is
hereby granted.

Dated: September 8, 2011
New York, New York

ENTERED SEP 15 2011



Richard T. Andrias,
Justice of the Appellate Division

¹Description of Order:

04/19/11 (Appeal No. 3174-3175)
App. Div. 1st Dept.

NOTICE: Within 10 days from the issuance of this certificate, a
jurisdictional statement must be filed with the Clerk of the Court of
Appeals pursuant to § 500.2 of the Rules of the Court of Appeals. (22
NYCRR § 500.2).

SUPREME COURT OF THE STATE OF NEW YORK
APPELLATE DIVISION : FIRST JUDICIAL DEPARTMENT

BEFORE: Hon. Sheila Abdus-Salaam
Justice of the Appellate Division

-----X
The People of the State of New York,

M - 3497
Ind. No. 10392/94

-against-

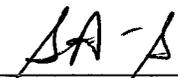
CERTIFICATE
DENYING LEAVE

Ronald Jackson

Defendant.

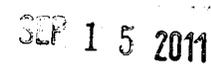
-----X

I, Sheila Abdus-Salaam, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, entered on or about June 16, 2011 is hereby denied.



Associate Justice

Dated: August 15, 2011
New York, New York

ENTERED: 

SUPREME COURT OF THE STATE OF NEW YORK
APPELLATE DIVISION : FIRST JUDICIAL DEPARTMENT

BEFORE: Hon. Sheila Abdus-Salaam
Justice of the Appellate Division

-----X
The People of the State of New York,

M - 3503
Ind. No. 2174/88

-against-

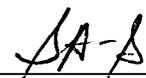
CERTIFICATE
DENYING LEAVE

Yusuf Harris

Defendant.

-----X

I, Sheila Abdus-Salaam, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, entered on or about April 28, 2011 is hereby denied.



Associate Justice

Dated: August 15, 2011
New York, New York

ENTERED: **SEP 15 2011**

SUPREME COURT OF THE STATE OF NEW YORK
APPELLATE DIVISION : FIRST JUDICIAL DEPARTMENT

BEFORE: Hon. Sheila Abdus-Salaam
Justice of the Appellate Division

-----X
The People of the State of New York,

M - 3526
Ind. No. 7990/97

-against-

CERTIFICATE
DENYING LEAVE

Albert Soto,

Defendant.

-----X

I, Sheila Abdus-Salaam, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, Bronx County, entered on or about February 10, 2011 is hereby denied.



Associate Justice

Dated: August 15, 2011
New York, New York

ENTERED: **SEP 15 2011**

PM ORDERS

ENTERED ON

SEPTEMBER 15, 2011

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2011.

Present: Hon. Helen E. Freedman, Justice Presiding,
Rosalyn H. Richter
Sheila Abdus-Salaam
Sallie Manzanet-Daniels, Justices.

-----X
In the Matter of the Application of

Robert Doar, as the Commissioner of
Social Services of the City of New York,
Petitioner,

M-3179
Index No. 402814/10

For the Appointment of a Guardian of the
Personal Needs and Property Management of

Alan Mickens,
A Person Alleged to be Incapacitated,
Respondent.

-----X

Respondent AIP, pro se, having moved, pursuant to CPLR 5704(a), for an order of this Court granting certain relief denied by a Justice of the Supreme Court, New York County, on or about June 22, 2011,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

Ordered that the motion is denied.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2011.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta, Justices.

-----X
In the Matter of the Application of
Theresa Lemmitt,
Petitioner,

For a Judgment Pursuant to Article M-2781
78 of the Civil Practice Law and Rules, M-3732
Index No. 400003/09
-against-

Ricardo Morales, Acting Commissioner
of New York City Housing Authority,
Respondent.

-----X

An Article 78 proceeding having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, New York County, entered on or about July 6, 2010, to review a determination by respondent terminating petitioner's tenancy in public housing,

And petitioner having renewed the motion for leave to prosecute the proceeding as a poor person, upon the original record and reproduced petitioner's brief (M-2781) and, by separate motion, having moved for an enlargement of time to perfect the proceeding (M-3732),

Now, upon reading and filing the papers with respect to the motions, and due deliberation having been had thereon,

It is ordered that the motions are granted to the extent of permitting the proceeding to be heard on the original record and upon a reproduced petitioner's brief, on condition that petitioner serve one copy of such brief upon the attorney for the respondents and file 8 copies of such brief, together with the original record, with this Court. Petitioner is permitted to dispense with payment of the required fee for the subpoena and filing of the record. The time to perfect the proceeding is enlarged to the January 2012 Term, with no further enlargements to be granted.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2011.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta, Justices.

-----X
In the Matter of a Family Offense
Proceeding Pursuant to Article 8 of
the Family Court Act.

Gerald H.,
Petitioner-Appellant,

M-2763A
Docket No. 010804/10

-against-

Beverly H.,
Respondent-Respondent.

-----X

Respondent-respondent having moved for leave to respond, as a poor person, to the appeal from the order of the Family Court, New York County, entered on or about February 1, 2011, and for assignment of counsel, a free copy of the transcript, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, George E. Reed, Jr., 222 Mamaroneck Avenue, White Plains, New York 10605, Telephone No. 914-946-5000, as counsel for purposes of responding to the appeal; (2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for petitioner-appellant and 8 copies thereof are filed with this Court. The order of this Court entered on September 8, 2011 (M-2763) is hereby recalled and vacated.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2011.

Present - Hon. Richard T. Andrias, Justice Presiding,
David Friedman
Dianne T. Renwick
Leland G. DeGrasse
Sheila Abdus-Salaam, Justices.

-----x

52 East 41 Street, LLC, et al.,
Plaintiffs-Appellants,

-against-

M-3915
Index No. 651401/10

NYC Value Added I LLC,
Defendant-Respondent.

-----x

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about May 9, 2011,

And an order of this Court having been entered on June 30, 2011 (M-2398), inter alia, continuing the interim relief granted by an order of a Justice of this Court dated May 18, 2011,

And plaintiffs-appellants having moved for modification of the aforesaid order of this Court entered June 30, 2011 (M-2398),

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is denied.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2011.

Present: Hon. Helen E. Freedman, Justice Presiding,
Rosalyn H. Richter
Sheila Abdus-Salaam
Sallie Manzanet-Daniels
Nelson S. Román, Justices.

-----X
Deephaven Distressed Opportunities
Trading, Ltd., et al.,
Plaintiffs-Respondents,

-against-

3V Capital Master Fund Ltd., et al.,
Defendants.

M-3681
Index No. 600610/08

-----X
3V Capital Master Fund Ltd.,
Third-Party Plaintiff,

-against-

Imperial Capital, LLC,
Third-Party Defendant-Appellant,

Third-Party
Index No. 590803/08

Post Distressed Master Fund, LP, et al.,
Third-Party Defendants.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about July 1, 2011, and said appeal having been perfected,

And third-party defendant-appellant, Imperial Capital, LLC, having moved for a stay of arbitration pending hearing and determination of the aforesaid appeal, and for an expedited briefing schedule,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

Ordered that the motion is granted to the extent of staying arbitration and is otherwise denied.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2011.

Present: Hon. Helen E. Freedman, Justice Presiding,
Rosalyn H. Richter
Sheila Abdus-Salaam
Sallie Manzanet-Daniels
Nelson S. Román, Justices.

-----X
The People of the State of New York,

Respondent,

-against-

M-3754
Ind. No. 3829/08

Randall John,

Defendant-Appellant.
-----X

Defendant-appellant having moved for leave to file a pro se supplemental brief in connection with the appeal from a judgment of the Supreme Court, New York County, entered on or about July 9, 2009, and for related relief, and said appeal having been perfected,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is denied.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 15, 2011.

PRESENT - Hon. Helen E. Freedman, Justice Presiding,
Rosalyn H. Richter
Sheila Abdus-Salaam
Sallie Manzanet-Daniels
Nelson S. Román, Justices.

-----X

The People of the State of New York,

Respondent,

-against-

M-3909

Ind. No. 5353/09

Richard Agudelo,

Defendant-Appellant.

-----X

Defendant-appellant having moved, via retained counsel, for an enlargement of time in which to perfect the appeal from the judgment of the Supreme Court, New York County, rendered on or about October 15, 2010,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the December 2011 Term.

ENTER:


CLERK