

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 March 25, 2014.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr., Justices.

-----X  
In the Matter of

Ariel Arryn S., also known as  
Ariel S., and Richard Lauren S.,  
also Richard S., and Jamie Lee S.,  
also known as Jaime Lee S.,

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

M-22  
Docket Nos. B-34398/10  
B-34399/10  
B-20996/10

- - - - -  
Saint Dominic's Home, et al.,  
Petitioners-Respondents,

Ariel S.,  
Respondent-Appellant.  
- - - - -

Richard L. Herzfeld, Esq.,  
Attorney for the Child Xavier V.

Andrew Baer, Esq.,  
Attorney for the Child Ariel S.,  
also known as Ariel Arrya S.

Harold Meyerson, Esq.,  
Attorney for the Child Jamie Lee S.,  
also known as Jaime Lee S.

Michelle Stevens, Esq.,  
Attorney for the Child Richard S.  
-----X

David Eskin, Esq., attorney for the subject child Ariel S., also known as Ariel Arrya S., having moved on the child's behalf for leave to respond, as a poor person, to the appeals from orders of the Family Court, Bronx County, entered on or about May 13, 2013 and June 18, 2013, 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, Andrew Baer, Esq., 299 Broadway, Suite 1415, New York, NY 10007, Telephone No. 212-233-0318, as counsel for purposes of responding to the appeals; (2) permitting movant to respond to the appeals upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for respondent-appellant and 8 copies thereof are filed with this Court. (See M-231, decided simultaneously herewith.)

ENTER:



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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 March 25, 2014.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr., Justices.

-----X  
In the Matter of

Jamie S., also known as  
Jamie Lee S., also known as M-231  
Jaime Lee S., Docket Nos. B-20996/10  
Ariel S., also known as B-34398/10  
Ariel Arrya S., B-34399/10  
Richard S., B-34400/10  
and Xavier V.,

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

- - - - -  
St. Dominic's Home, et al.,  
Petitioners-Respondents,

Yesinia L.,  
Respondent-Appellant.

- - - - -  
Richard L. Herzfeld, Esq.,  
Attorney for the Child Xavier V.

Andrew Baer, Esq.,  
Attorney for the Child Ariel S.,  
also known as Ariel Arrya S.

Harold Meyerson, Esq.,  
Attorney for the Child Jamie Lee S.,  
also known as Jaime Lee S.

Michelle Stevens, Esq.,  
Attorney for the Child Richard S.

-----X  
Patricia Moreno, Esq., attorney for the subject child Xavier V., having moved on the child's behalf for leave to respond, as a poor person, to the appeals from the orders of the

Family Court, Bronx County, entered on or about May 13, 2013 and June 18, 2013, 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, Richard L. Herzfeld, Esq., 104 West 40<sup>th</sup> Street, 20<sup>th</sup> Fl., New York, NY 10018, Telephone No. 212-818-9019, as counsel for purposes of responding to the appeals; (2) permitting movant to respond to the appeals 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. (See M-22, decided simultaneously herewith.)

ENTER:



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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 March 25, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr., Justices.

-----X  
Gerri Benkov and Charles Benkov,  
Plaintiffs-Respondents,

-against-

M-278X  
Index No. 101872/10

TH Outdoor & Events, LLC, et al.,  
Defendants,

Time, Inc., and Flexcon Co., Inc.,  
Defendants-Appellants.

-----X

Separate appeals having been taken by defendants Time, Inc. and Flexcon Co., from an order of the Supreme Court, New York County, entered on or about September 10, 2013,

Now, after pre-argument conference and upon reading and filing the stipulations of the parties hereto, "so ordered" January 14, 2014, and due deliberation having been had thereon,

It is ordered that the aforesaid appeals are 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 March 25, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr., Justices.

-----X  
The Laurel Hill Advisory Group, LLC,  
Plaintiff,

-against-

M-971X  
Index No. 651832/11

American Stock Transfer & Trust  
Company, LLC, et al.,  
Defendants.

-----X  
John Siemann,  
Counterclaim Plaintiff-Appellant,

-against-

The Laurel Hill Advisory Group, LLC,  
et al.,  
Counterclaim Defendants-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about April 25, 2013,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" February 24, 2014, 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 March 25, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr., Justices.

-----X  
Stix Restaurant Group, LLC,  
Plaintiff-Respondent,

-against-

M-849X  
Index No. 156833/13

Christos Realty, Inc.,  
Defendant-Appellants.  
-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about September 17, 2013,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" February 14, 2014, 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 March 25, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr., Justices.

-----X  
Maria Rosado, et al.,  
Plaintiffs-Respondents,

-against-

M-1040X  
Index No. 20373/06

Redland Brick, Inc., a wholly owned  
subsidiary of Belden Brick Company,  
Belden Brick Company,  
Defendant-Appellants,

State Material & Masonry Supply  
Corp., et al.,  
Defendants.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about September 6, 2013,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" February 16, 2014, 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 March 25, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr., Justices.

-----X  
Nicholas Ellison,  
Plaintiff,

-against-

M-1041X  
Index No. 301424/10

Eddie N. Graham,  
Defendant.

-----X  
Nicholas Ellison,  
Plaintiff-Respondent,

-against-

Index No. 309710/10

AFA Protective Services, Inc.,  
Defendant-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about September 9, 2013,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" February 26, 2014, 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 March 25, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr., Justices.

-----X  
Maria L. Santiago,  
Plaintiff-Respondent,

-against-

M-1042X  
Index No. 3305/10

Raul E. Santiago,  
Defendant-Appellant,

Sergio Villaverde, Esq.  
Non-Party Respondent.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about August 20, 2013,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" February 26, 2014, 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 March 25, 2014.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman,  
John W. Sweeny, Jr., Justices.

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

-against-

**M-6064**  
Ind. No. 2028/10

Robert Boyer,  
Defendant-Appellant.

-----X

An order of this Court having been entered on February 5, 2013 (M-41), inter alia, granting defendant's motion for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about November 20, 2012, under Indictment No. 2028/10, and assigning counsel therefor,

And defendant having moved for an order amending the notice of appeal and aforementioned order of assignment of this Court to include an order of the Supreme Court, New York County, also dated November 20, 2012 (Tallmer, J.), adjudicating defendant a level 2 sex offender under the Sex Offender Registration Act (SORA), 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 motion is granted to the extent of amending defendant's notice of appeal and the aforementioned order of assignment to include the order of the Supreme Court, New York County, dated November 20, 2012, adjudicating defendant a level 2 sex offender under the Sex Offender Registration Act (SORA), and extending the poor person relief previously granted to cover same.

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 March 25, 2014.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr., Justices.

-----X

Fieldstone Capital Inc., et al.,  
Plaintiffs-Appellants-Respondents,

-against-

M-6737  
Index No. 653319/11

Loeb Partners Realty, et al.,  
Defendants-Respondents-Appellants,

-and-

L 63 Partners, L.P., et al.,  
Nominal Defendants.

-----X

An appeal and cross appeal having been taken from of the Supreme Court, New York County, entered on or about March 11, 2013,

Now, upon reading and filing the stipulation of the parties hereto, dated December 23, 2013, and due deliberation having been had thereon,

It is ordered that the appeal and cross appeal, previously perfected for the September 2013 Term, are withdrawn in accordance with the aforesaid stipulations.

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 March 25, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Dianne T. Renwick  
Sallie Manzanet-Daniels  
Paul G. Feinman, Justices.

-----X

The People of the State of New York,

Respondent,

-against-

M-6027

Ind. No. 618N/13

Ezra Burns,

Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about October 23, 2013, 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, with leave to renew upon defendant's submission of a detailed notarized affidavit, pursuant to CPLR 1101(a), setting forth the amount and sources of funds to post the \$7,500 bail in the Supreme Court, the disposition thereof, and an explanation as to why similar funds are not available to prosecute this appeal. (The application shall include an affidavit of the source[s] of all funds utilized by defendant.)

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 March 25, 2014.

Present - Hon. Luis A. Gonzalez,  
Angela M. Mazzarelli  
Dianne T. Renwick  
Paul G. Feinman  
Judith J. Gische,

Presiding Justice,  
  
  
  
Justices.

-----x  
In the Matter of the Petition for a  
Compulsory Accounting and Related  
Relief in the Estate of

Jean Kennedy, also known as  
Jean M. Kennedy,  
  
Deceased.

M-885  
File No. 2010/0032A  
Surrogate's Court

- - - - -  
Ann Lornzetti,  
Petitioner-Appellant,  
  
-against

Shelly Sherry,  
Respondent-Respondent.

-----x

An appeal having been taken to this Court from an order of the Surrogate's Court, New York County, entered on or about June 21, 2013,

And petitioner-appellant having moved for an order enlarging the record on appeal to include the Last Will and Testament of Jean Kennedy, also known as Jean M. Kennedy, dated November 25, 2009; the Jean Kennedy Revocable Trust dated November 25, 2009; the Jean Kennedy Revocable Trust 1<sup>st</sup> Amendment dated December 18, 2009; and for an enlargement of time to perfect 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 to the extent of enlarging the record on appeal to include Exhibits B, C and D attached to the affirmation of Catherine A. Sheriden, Esq., submitted in support of the motion, and enlarging the time to perfect the appeal to the September 2014 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 March 25, 2014.

PRESENT : Hon. Luis A. Gonzalez, Presiding Justice,  
Richard T. Andrias  
David B. Saxe  
Rosaly H. Richter  
Darcel D. Clark, Justices.

-----X  
Henry F. Owsley, III,  
Plaintiff-Respondent,

-against-

M-5616  
Index No. 350238/00

Danica Cordell-Reeh,  
Defendant-Appellant.

-----X

Defendant-appellant having moved for consolidation of the appeals taken from the orders of the Supreme Court, New York County, entered on or about December 10, 2012 (mot. seq. nos. 17-18), June 17, 2013 (mot. seq. nos. 19-20) and September 12, 2013 (mot. seq. no. 022), respectively, and for an enlargement of time to perfect the consolidated appeals, 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 appellant to prosecute the appeals upon 9 copies of one record and of one set of appellant's points covering the appeals and enlarging the time in which to perfect the consolidated appeals to the November 2014 Term with leave to seek a further enlargement if necessary, and 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 March 25, 2014.

Present - Hon. Peter Tom, Justice Presiding,  
David Friedman  
John W. Sweeny, Jr.  
David B. Saxe  
Helen E. Freedman, Justices.

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

-against-

M-481  
Ind. No. 1581/09

Herbert Henriquez,  
Defendant-Appellant.

-----x

An appeal having been taken to this Court from the judgment of the Supreme Court, New York County, rendered on or about April 20, 2010,

And defendant-appellant having moved for an order enlarging the record on appeal to include, and granting unsealing of, a certain portion of the minutes of the proceedings having taken place in the above-captioned case on March 15, 2010 or, in the alternative, directing the release of said sealed minutes to appellate counsel only for the limited purposes of litigating 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 to the extent of directing release of said sealed minutes to appellate counsel for the limited purpose of litigating the appeal and enlarging the record to include same, said minutes to remain filed under seal in this Court. Counsel is directed to maintain the minutes as confidential and not do disclose said minutes to the defendant and to return said minutes to this Court upon submission of the appellant's reply brief. Sua sponte, the time to perfect the appeal is enlarged to the September 2014 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 March 25, 2014.

PRESENT - Hon. Peter Tom, Justice Presiding,  
David Friedman  
Sallie Manzanet-Daniels  
Judith J. Gische  
Darcel D. Clark, Justices.

-----X

Detectives' Endowment Association, Inc.,  
of the Police Department of the City of  
New York,  
Petitioner-Respondent,

For a Judgment Pursuant to Article 78  
of the Civil Practice Law and Rules,

M-820  
M-931  
M-952

-against-

Index No. 100946/12

The City of New York, The City of New York  
Office of Labor Relations, The New York  
City Board of Collective Bargaining, et al.,  
Respondents-Appellants.

-----X

Separate appeals having been taken by the municipal respondents and by the New York City Board of Collective Bargaining, et al., from the order of the Supreme Court, New York County, entered on or about May 17, 2013,

And petitioner-respondent having moved to dismiss the aforesaid appeals (M-820),

And respondents-appellants having cross-moved by separate motions for an enlargement of time to perfect the appeals (M-931/M-952),

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

It is ordered that the motions are granted to the extent of dismissing the appeals unless perfected for the September 2014 Term. Upon failure to so perfect, an order dismissing the appeals may be entered ex parte, provided that petitioner-respondent serves a copy of this order upon respondents-appellants within 10 days from the date of entry hereof (M-820/M-931/M-952).

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 March 25, 2014.

PRESENT: Hon. Peter Tom, Justice Presiding,  
Rolando T. Acosta  
Richard T. Andrias  
Helen E. Freedman  
Paul G. Feinman, Justices.

-----X  
Nead Electric, Inc.,  
Plaintiff-Appellant,

-against-

M-6679  
Index No. 158228/12

Aragon, LLC,  
Defendant-Respondent.  
-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, New York County, entered on or about February 21, 2013,

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 September 2014 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 March 25, 2014.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
David Friedman  
Leland DeGrasse  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X  
In the Matter of the Application of  
Carolyn Rollins,  
Petitioner-Appellant,

For a Judgment Pursuant to Article 78 M-470  
of the Civil Practice Law and Rules Index No. 402219/11

-against-

New York City Housing Authority,  
Respondent-Respondent.  
-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, entered on or about March 26, 2012,

And an order of this Court having been entered on January 23, 2014 (M-6211) having dismissed the aforesaid appeal,

And petitioner-appellant having moved for leave to prosecute the said appeal as a poor person, and for clarification of the aforesaid order of this Court entered January 24, 2014 (M-6211),

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, in so far it seeks clarification, is denied. So much of the motion seeking poor person relief is denied as academic.

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 March 25, 2014.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,  
John W. Sweeny, Jr.  
Leland G. DeGrasse  
Sallie Manzanet-Daniels  
Paul G. Feinman, Justices.

-----X

Camila Nouel, etc., et al.,  
Plaintiffs-Appellants,

-against-

M-306  
Index No. 116438/06

325 Wadsworth Realty LLC, et al.,  
Defendants-Respondents,

Inwood Assets LLC, et al.,  
Defendants.

-----X

Plaintiffs-appellants having moved for reargument of or, in the alternative, leave to appeal to the Court of Appeals from the decision and order of this Court entered on December 12, 2013 (Appeal No. 11324),

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 March 25, 2014.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
Rolando T. Acosta  
Dianne T. Renwick  
Helen E. Freedman  
Sallie Manzanet-Daniels, Justice.

-----X  
In the Matter of the Application of  
Platinum Pleasures of New York, Inc.,  
Petitioner-Appellant,

For a Judgment Pursuant to Article 78  
of the Civil Practice Law and Rules,

M-379  
Index No. 100371/13

-against-

New York State Liquor Authority,  
Respondent-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 March 13, 2013, to review a determination of respondent,

And petitioner-appellant having moved for an enlargement of time to perfect the aforesaid proceeding,

Now, upon reading and filing the papers with respect to said 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 proceeding to the September 2014 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 October 25, 2014.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
David B. Saxe  
Karla Moskowitz  
Leland DeGrasse  
Judith J. Gische, Justice.

-----X

Barbara Kulig Hochmuller,  
Plaintiff-Appellant,

-against-

M-239  
Index No. 103397/12

Bellwest Management Corporation,  
et al.,  
Defendants-Respondents.

-----X

Plaintiff-appellant, pro se, having moved for reargument of the decision and order of this Court entered on November 19, 2013 (Appeal No. 11099), 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 March 25, 2014.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
John W. Sweeny, Jr.  
Dianne T. Renwick  
Helen E. Freedman  
Judith J. Gische, Justice.

-----X  
Bruce Dorfman,  
Plaintiff-Appellant,

-against-

The City of New York and Consolidated  
Edison Company of New York,  
Defendants-Respondents.

M-198  
Index No. 114682/09

-----X

Defendant-respondent having moved for dismissal of the appeal taken from an order of the Supreme Court, New York County, entered on or about February 22, 2013 (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 and the appeal is dismissed.

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 March 25, 2014.

PRESENT: Hon. Angela M. Mazzairelli, Justice Presiding,  
John W. Sweeny, Jr.  
Dianne T. Renwick  
Helen E. Freedman  
Judith J. Gische, Justice.

-----X  
Renee Hill,  
Plaintiff-Appellant,

-against-

Pia Daniels, et al.,  
Defendants-Appellants.

M-434  
Index No. 301811/09

-----X

Defendants-appellants having moved for dismissal of the appeal taken from the order of the Supreme Court, Bronx County, entered on or about January 7, 2013, for failure to timely perfect,

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 the appeal is dismissed.

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 March 25, 2014.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
John W. Sweeny, Jr.  
Dianne T. Renwick  
Helen E. Freedman  
Judith J. Gische, Justice.

-----X  
Fausto James,  
Plaintiff-Appellant,

-against-

Altagracia Arias and Carmen Arias,  
Defendants-Respondents.

M-436  
Index No. 350043/08

-----X

Defendants-respondents having moved for dismissal of the appeal taken from the order of the Supreme Court, Bronx County, entered on or about February 8, 2013,

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 the appeal is dismissed.

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 March 25, 2014.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
John W. Sweeny, Jr.  
Dianne T. Renwick  
Helen E. Freedman  
Judith J. Gische, Justice.

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

-against-

M-460  
Ind. No. 3377/04

Dennis Evans,  
Defendant-Appellant.

-----X

Defendant, pro se, having moved for an enlargement of time in which to file an untimely notice of appeal from a judgment of the Supreme Court, New York County, rendered on or about October 29, 2004, 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 March 25, 2014.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
John W. Sweeny, Jr.  
Dianne T. Renwick  
Helen E. Freedman  
Judith J. Gische, Justice.

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

-against-

M-522  
Ind. No. 4980/06

Arkadiy Rafailov,  
Defendant-Appellant.

-----X

Defendant, pro se, having moved for an enlargement of time in which to file an untimely notice of appeal from a judgment of the Supreme Court, New York County, rendered on or about January 19, 2007, 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 March 25, 2014.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,  
John W. Sweeny, Jr.  
Karla Moskowitz  
Helen E. Freedman  
Darcel D. Clark, Justices.

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

-against-

M-5760  
Ind. No. 835/11

Tyrone Gregory,  
Defendant-Appellant.  
-----X

An order of this Court having been entered on October 8, 2013 (M-3918) granting defendant leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, Bronx County, rendered on or about July 11, 2013, leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and related relief, and assigning The Bronx Defenders as counsel,

And The Bronx Defenders having moved to be relieved as counsel, for assignment of new 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 the motion is granted to the extent of relieving The Bronx Defenders as counsel on the appeal, and assigning Richard M. Greenberg, Esq., Office of the Appellate Defender, 11 Park Place, Room 1601, New York, New York 10007, Telephone No. (212)402-4100, 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. The poor person relief previously granted is otherwise continued.

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 March 25, 2014.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,  
John W. Sweeny, Jr.  
Karla Moskowitz  
Helen E. Freedman  
Darcel D. Clark, Justices.

-----X  
Pearl Duncan,  
Petitioner-Appellant,

-against-

For a Judgment Pursuant to Article 78  
of the CPLR.

M-5944  
Index. No. 401105/13

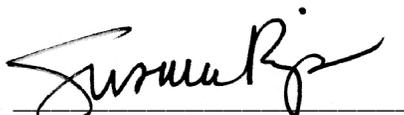
NYC Department of Housing Preservation  
and Development,  
Respondent-Respondent.  
-----X

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 October 24, 2013, 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, with leave to renew upon submission of a detailed notarized affidavit, pursuant to CPLR 1101(a), setting forth facts sufficient to establish that has no funds or assets with which to prosecute the appeal and attaching copies of petitioner's income tax returns for the years 2011 and 2012.

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 March 25, 2014.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
Rolando T. Acosta  
Dianne T. Renwick  
Helen E. Freedman  
Sallie Manzanet-Daniels, Justice.

-----X  
Aferdita P.,  
Petitioner-Respondent,

-against-

Florim P.,  
Respondent-Appellant.

M-6100  
Docket Nos. V-29687-89/13  
V-27272-74/13  
V-29619-21/13

-----X

A purported appeal having been taken from an order of the Family Court, Bronx County, dated November 22, 2013,

And respondent-appellant father having moved to vacate the aforesaid order and for related relief with respect to same,

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 March 25, 2014.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,  
Rolando T. Acosta  
Karla Moskowitz  
Sallie Manzanet-Daniels  
Judith J. Gische, Justices.

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

-against-

**M-4384**  
Ind. No. 6020/02

Taj Richards, also known as Taj Renico  
Richards,  
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about May 17, 2007,

And the People having moved for an order dismissing 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 for dismissal of defendant's appeal is denied, and defendant is permitted to prosecute, as a poor person, the appeal 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 ten reproduced copies of such brief, together with the original record, with this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) one transcript 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.

David C. Farman, Esq., 888 Grand Concourse, Suite 1-0, Bronx, NY 10451, Telephone No. (718) 292-8600, 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 March 25, 2014.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
Richard T. Andrias  
Leland G. DeGrasse  
Helen E. Freedman  
Judith J. Gische, Justices.

-----X  
Leonel Antonio Pinto,  
Plaintiff-Appellant,

-against-

M-5960  
Index No. 6172/07

Scoby Construction Corp., et al.,  
Defendants,

1432 Doris Street, LLC, etc.,  
Defendant-Respondent.  
-----X

Plaintiff-appellant Leonel Antonio Pinto having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, Bronx County, entered on or about March 28, 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 March 25, 2014.

PRESENT - Hon. David Friedman, Justice Presiding,  
Rolando T. Acosta  
Dianne T. Renwick  
Sallie Manzanet-Daniels  
Judith J. Gische, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

M-5084  
Ind. No. 168N/12

Waheem Allah, also known as Louis Allah,  
also known as Waheed Allah,  
Defendant-Appellant.

-----X

An appeal having been taken to this Court from the judgment of the Supreme Court, New York County, rendered on or about July 8, 2013,

And defendant-appellant having moved for leave to proceed pro se on the appeal, 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 a letter having been issued by the Court to appellant on October 4, 2013, advising him of the consequences of proceeding pro se, and defendant having responded thereto on October 8, 2013; and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of allowing defendant-appellant to proceed pro se, and permitting the appeal to be heard on the original record, except that a certified copy of the indictment shall be substituted in place of the original indictment and upon a reproduced appellant's brief, on condition that appellant serve one copy of such brief upon the District Attorney of said county and file 8 reproduced copies of such brief, together with the original record, with this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) one transcript 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 is directed to forward to the warden of the State correctional facility wherein defendant is incarcerated a transcript of the minutes relating to defendant's appeal, the transcript to be made available to appellant, without charge, and returned by him to this Court when submitting his pro se brief.

The time in which to perfect this appeal is hereby enlarged until 120 days from the date of filing of the record. Appellant is advised that the appeal will not be heard unless and until all material furnished to him has been returned to 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 March 25, 2014.

Present: Hon. David Friedman, Justice Presiding,  
Karla Moskowitz  
Rosalyn H. Richter  
Sallie Manzanet-Daniels  
Judith J. Gische, Justices.

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

**M-737**  
-against- Ind. No. 1348/06

Albert Javier,  
Defendant-Appellant.  
-----X

An appeal having been taken to this Court from a judgment of the Supreme Court, New York County, entered on or about January 16, 2007, and said appeal having been perfected,

And defendant-appellant having moved pro se to hold the aforesaid appeal in abeyance, and to renew his request for permission to file a pro se supplemental 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 only to the extent of adjourning the perfected appeal to the November 2014 Term, 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 March 25, 2014.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,  
Dianne T. Renwick  
Karla Moskowitz  
Roslyn H. Richter  
Judith J. Gische, Justice.

-----x

Broadway West Enterprises, Ltd.,  
Plaintiff-Appellant,

-against-

M-201  
Index No. 653638/11

Doral Money, Inc., et al.,  
Defendants-Respondents,

-and-

SL Whale Realty LLC, et al.,  
Non-Party-Respondents.

-----x

Appeals having been taken to this Court by plaintiff-appellant from orders of the Supreme Court New York County, entered on or about August 13, 2013 (mot. seq. no. 004), November 14, 2013 (mot. seq. no. 009) and November 27, 2013 (mot. seq. no. 010), respectively,

And plaintiff-appellant having moved for consolidation of 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 permitting appellant to prosecute the appeals upon 9 copies of one record and one set of appellant's points covering the appeals and enlarging the time in which to perfect the consolidated appeals to on or before August 4, 2014 for the September 2014 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 March 25, 2014.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,  
Dianne T. Renwick  
Karla Moskowitz  
Roslyn H. Richter  
Judith J. Gische, Justice.

-----x

Rachel H. Peterman,  
Plaintiff-Appellant,

-against-

M-190  
Index No. 150244/12

New York College of Traditional  
Chines Medicine, et al.,  
Defendants-Respondents.

-----x

Appeals having been taken to this Court by plaintiff-appellant from orders of the Supreme Court, New York County, entered on or about March 8, 2013 and July 25, 2013 (mot. seq. no. 002), respectively,

And plaintiff-appellant having moved for enlargement of time to perfect the appeal from the order entered March 8, 2013 and to have the aforesaid appeals heard together,

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, sua sponte, consolidating the appeals and permitting appellant to prosecute the appeals upon 9 copies of one record and one set of appellant's points covering the appeals and directing appellant to perfect the consolidated appeals to on or before August 4, 2014 for the October 2014 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 March 25, 2013.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,  
Dianne T. Renwick  
Karla Moskowitz  
Roslyn H. Richter  
Judith J. Gische, Justices.

-----X  
Ella Reid and Leroy Famous,  
Plaintiffs-Respondents,

-against-

M-245  
Index No. 7844/07

Real Estate International, Ltd.,  
et al.,  
Defendants,

Frank Giordano, Esq.,  
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, Bronx County, entered on or about March 22, 2012,

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 on or before July 7, 2014 for the September 2014 Term, with leave to seek further enlargements, if necessary.

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 March 25, 2014.

Present: Hon. John W. Sweeny, Jr., Justice Presiding,  
Richard T. Andrias  
Helen E. Freedman  
Rosalyn H. Richter  
Darcel D. Clark, Justices.

-----X  
Louis Luciano,

Plaintiff-Appellant,

-against-

City of New York, et al.,  
Defendants-Respondents.

**M-26**  
**M-172**  
Index No. 107473/06

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, entered on or about August 24, 2011,

And an order of this Court having been entered on February 19, 2013 (M-5997/M-263), inter alia, enlarging plaintiff-appellant's time to perfect the appeal to the June 2013 Term and conditionally granting defendants-respondents cross motion to dismiss plaintiff's appeal if not perfected for said June 2013 Term,

And plaintiff-appellant having failed to perfect the aforesaid appeal,

And plaintiff having moved for "reinstatement" of their appeal (M-26),

And defendants-respondents having cross-moved for dismissal of the aforesaid appeal with prejudice and to impose costs and sanctions on plaintiff (M-172),

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 plaintiff's motion for, inter alia, "reinstatement" of the appeal deemed a motion to enlarge the time to perfect the appeal is denied as such (M-26). Defendants-respondents' cross motion is granted and plaintiff's appeal is dismissed. So much of defendants-respondents' cross motion to impose costs and sanctions on plaintiff is denied (M-172).

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in in the County of New York on March 25, 2014.

Present: Hon. Rolando T. Acosta, Justice Presiding,  
Diane T. Renwick  
Karla Moskowitz  
Helen E. Freedman  
Paul G. Feinman, Justices.

-----X  
In the Matter of the Application of  
Travelers Property Casualty Company  
of America,  
Petitioner-Appellant,

-against-

**M-573**  
Index No. 156162/12

For a Judgment Pursuant to Article 75  
of the Civil Practice Law and Rules  
Staying Arbitration Commenced by  
Richard Archibald,  
Respondent,

-and-

Lilia Barnes, et al.,  
Proposed Additional Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about July 16, 2013,

And petitioner-appellant having moved to stay 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 denied and the interim relief granted by an order of a Justice of this Court on February 2, 2014 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 March 25, 2014.

PRESENT - Hon. Rolando T. Acosta, Justice Presiding,  
Dianne T. Renwick  
Karla Moskowitz  
Helen E. Freedman  
Paul G. Feinman, Justices.

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

-against-

Carl Wells,  
Defendant-Appellant.

M-755  
Ind. Nos. 6548/06  
41/07

-----X

Defendant-appellant, in connection with an appeal taken from the judgment of the Supreme Court, New York County, rendered on or about March 9, 2011, having moved for leave to file a pro se supplemental brief and for related relief, and said appeal having been perfected,

Now, upon reading and filing the papers with respect to the motion including the correspondence from defendant received February 24, 2014, 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 March 25, 2014.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,  
Dianne T. Renwick  
Karla Moskowitz  
Helen E. Freedman  
Paul G. Feinman, Justices.

-----X  
National Financial Partners Corp.,  
et al.,  
Petitioners-Respondents,

-against-

M-777  
Index No. 651809/12

Steven H. Delott and Delott Management,  
LLC,  
Respondents-Appellants.  
-----X

Respondents-appellants having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, New York County, entered on or about September 5, 2012,

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 September 2014 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 March 25, 2014.

Present - Hon. Rolando T. Acosta, Justice Presiding,  
Karla Moskowitz  
Helen E. Freedman  
Paul G. Feinman, Justices.

-----x  
FAMILY COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

In the Matter of M-794

Destiny De-H. P., Docket No. D-3390/12

A Person Alleged to be a Juvenile  
Delinquent,  
Respondent-Appellant.

-----x  
FAMILY COURT OF THE STATE OF NEW YORK  
COUNTY OF BRONX

In the Matter of Docket No. D-32057/12  
Desteny D.,

A Person Alleged to be a Juvenile  
Delinquent,  
Respondent-Appellant.

-----x

An appeal having been taken to this Court from the Order of Disposition of the Family Court, New York County, entered on or about July 25, 2013 (Docket No. D-3390/12),

And an appeal having been taken to this Court from the Order of Disposition of the Family Court, Bronx County, entered on or about August 7, 2013 (Docket No. D-32057),

And respondent-appellant having moved for consolidation of 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 permitting respondent-appellant to prosecute the appeals upon one set of appellant's points, and directing the Clerk to calendar the appeals for hearing together. Sua sponte, the time to perfect the appeal is enlarged to the October 2014 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 March 25, 2014.

Present - Hon. Rolando T. Acosta, Justice Presiding,  
Dianne T. Renwick  
Karla Moskowitz  
Helen E. Freedman  
Paul G. Feinman, Justices.

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

-against-

M-797  
Ind. No. 5103/08

Andre Fields,  
Defendant-Appellant.

-----X

Defendant-appellant having moved for leave to file a pro se supplemental brief in connection with an appeal from a judgment of the Supreme Court, New York County, rendered on or about November 12, 2009, for a copy of the trial transcripts and for an enlargement of time in which to file said pro se supplemental brief,

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 directing defendant to serve and file 8 copies of his pro se supplemental brief on or before August 4, 2014 for the October 2014 Term, to which Term the appeal is adjourned. The Clerk of the Court is directed to forward to the Warden at the State correctional facility wherein defendant is incarcerated a transcript of the minutes relating to defendant's appeal, said transcript to be made available to appellant and returned by appellant to this Court when submitting the pro se supplemental brief hereto. The appeal will not be heard unless and until all material furnished to appellant has been returned.

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 March 25, 2014.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,  
Dianne T. Renwick  
Paul G. Feinman  
Darcel D. Clark, Justice.

-----X  
Norma Romero-Mitchell,  
Petitioner-Respondent,

For a Judgment Pursuant to Article 78  
of the Civil Practice Law and Rules

M-761  
Index No. 112854/11

-against-

The City of New York Department of  
Housing Preservation and Development,  
Respondent-Appellant.

-----X

Respondent-appellant having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, New York County, entered on or about April 8, 2013,

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 October 2014 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 March 25, 2014.

Present: Hon. Rolando T. Acosta, Justice Presiding,  
Diane T. Renwick  
Paul G. Feinman  
Darcel D. Clark, Justices.

-----X  
230 Park Avenue Holdco, LLC,

Plaintiff-Appellant-Respondent,

-against-

**M-850**

Index No. 653178/11

Kurman Karelsen & Frank, LLP,  
et al.,

Defendants-Respondents-Appellants.  
-----X

An appeal and cross appeal having been taken from the order of the Supreme Court, New York County, entered on or about May 1, 2013,

And plaintiff-appellant-respondent having moved for an enlargement of time to perfect their direct 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 enlarging the time to perfect the appeal and cross appeal to the September 2014 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 March 25, 2014.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,  
Richard T. Andrias  
David B. Saxe  
Helen E. Freedman  
Paul G. Feinman, Justice.

-----X  
Annette Negron,  
Plaintiff-Respondent,

-against-

M-373  
Index No. 307970/08

Alberto Santiago and New York  
City Transit Authority,  
Defendants-Appellants.

-----X

Defendants-appellants having moved for an enlargement of time to perfect the appeal from a judgment of the Supreme Court, Bronx County, entered on or about March 7, 2013,

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 September 2014 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 March 25, 2014.

PRESENT: Hon. David B. Saxe, Justice Presiding,  
Karla Moskowitz  
Leland DeGrasse  
Paul G. Feinman  
Darcel D. Clark, Justice.

-----X  
Sarma Varanasi and Sai Varanasi,  
Plaintiffs-Appellants,

-against-

Tower Group, Inc., et al.,  
Defendants-Respondents.

M-537  
Index No. 109679/11

-----X

Defendants-respondents having moved for dismissal of the appeals taken from an order of the Supreme Court, New York County, entered on or about September 25, 2012 and from an order of the same Court entered November 23, 2012, respectively,

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 the appeals are dismissed.

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 March 25, 2014.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
Richard T. Andrias  
David B. Saxe  
Leland G. DeGrasse, Justices.

-----X  
In the Matter of Comprehensive  
Community Development Corporation,  
doing business as Soundview Healthcare  
Network, et al., **M-3434**  
Petitioners-Appellants, Index No. 260682/11

-against-

Nira R. Shah, M.D., M.P.H., etc.,  
Respondent-Respondent.

-----X  
An appeal having been taken from a judgment of the Supreme Court, Bronx County, entered on or about March 5, 2012,

And an order of this Court having been entered June 5, 2012 (M-1707) granting a stay of the aforesaid judgment upon certain conditions,

And the aforesaid order entered June 5, 2012 (M-1707), having granted respondent leave to move ex parte to vacate the aforesaid stay, in the event petitioners failed to fulfill either of the aforesaid certain conditions, provided respondent served a copy of this order upon appellant(s) within 10 days after the date of entry thereof,

And petitioners having failed to comply with the aforesaid conditions,

And respondent having complied with the aforesaid order of this Court entered June 5, 2012 (M-1707), and having so moved for vacatur of the aforesaid stay,

It is ordered that the aforesaid stay granted by the order of this Court entered June 5, 2012 (M-1707) is hereby vacated.

ENTER:

  
CLERK