

January 11, 2011

CASE

4 No. 61 SSM 56
Erica Y. Darrisaw, as
Administratrix of the Estate of
Dolores N. Schuyler, Deceased,
 Appellant,
 v.
Strong Memorial Hospital, &c. et
al.,
 Respondents.

On review of submissions pursuant to
section 500.11 of the Rules, order
affirmed, with costs, in a memorandum.
Chief Judge Lippman and Judges
Ciparick, Graffeo, Read, Smith, Pigott
and Jones concur.

MOTIONS

2 Mo. No. 2010-1178
Victor Batshever, et al.,
 Appellants,
 v.
Jafar Jafar, &c., et al.,
 Respondents.

Motion, insofar as it seeks leave to appeal from the September 2010 Appellate Division order, dismissed upon the ground that such order does not finally determine the action within the meaning of the Constitution; motion, insofar as it seeks leave to appeal from the May 2010 Appellate Division order, dismissed for failure to demonstrate timeliness as required by Rules of the Court of Appeals (22 NYCRR) § 500.22(b)(2).
Motion for poor person relief dismissed as academic.

1 Mo. No. 2010-1258
James Brady et al.,
 Appellants,
 v.
450 West 31st Owners Corp.,
 Respondent,
Extell Development Company,
et al.,
 Defendants.

Motion for reargument of motion for leave to appeal denied with one hundred dollars costs and necessary reproduction disbursements.

1 Mo. No. 2010-1163
John Bykowsky,
 Plaintiff,
The New York Urban Professionals
Athletic League, Inc.,
 Appellant,
 v.
Irving Eskenazi, et al.,
 Respondents,
Bruce Radler, et al.,
 Defendants.

Motion for leave to appeal denied with one hundred dollars costs and necessary reproduction disbursements. Chief Judge Lippman took no part.

4 Mo. No. 2010-1221
In the Matter of Michele S.
Chilbert,
 Respondent,
 v.
Arcangel L. Soler,
 Appellant.
(And Another Proceeding.)

Motion for leave to appeal denied.
Motion for poor person relief
dismissed as academic.

3 Mo. No. 2010-1088
In the Matter of Richard T.
Corvetti et al.,
 Respondents,
 v.
Edward Winchell, &c.,
 Appellant.
(And Five Other Related
Proceedings.)

Motion for leave to appeal denied with
one hundred dollars costs and
necessary reproduction disbursements.

2 Mo. No. 2010-1226
Nocenzo Cusumano, et al.,
 Respondents,
 v.
City of New York,
 Appellant.

Motion for clarification denied with
one hundred dollars costs and
necessary reproduction disbursements.

1 Mo. No. 2010-1187
Louise Digiulio, &c.,
 Appellant,
 v.
Gran, Inc., &c., et al.,
 Respondents.

Motion for leave to appeal granted.

4 Mo. No. 2010-1235
Farrah Donald,
 Appellant,
 v.
State of New York,
 Respondent.

Motion for leave to appeal granted.

4 Mo. No. 2010-1280
Farrah Donald,
 Appellant,
 v.
State of New York,
 Respondent.

Motion by Sydney Burch, et al. for leave to file an affirmation amici curiae on the motion for leave to appeal herein granted and the affirmation is accepted as filed.

2 Mo. No. 2010-1218
Samuel Figueroa,
 Appellant,
 v.
Felice Tornabene, et al.,
 Respondents,
et al.,
 Defendants.

Motion for leave to appeal denied with one hundred dollars costs and necessary reproduction disbursements.

1 Mo. No. 2010-1264
Ruchama Gamiel,
 Appellant,
 v.
Curtis & Reiss-Curtis, P.C.,
et al.,
 Respondents.
(And a Third-Party Action.)

Motion for leave to appeal dismissed upon the ground that the order sought to be appealed from does not finally determine the action within the meaning of the Constitution.

2 Mo. No. 2010-1321
The People &c.,
 Respondent,
 v.
Edward Lee,
 Appellant.

Motion for leave to appeal denied.

4 Mo. No. 2010-1184
Jacquelyn E. Murad,
 Plaintiff,
 v.
Josephine Russo,
 Defendant.

Motion for leave to appeal dismissed upon the ground that the order sought to be appealed from does not finally determine the actions within the meaning of the Constitution.

City of Utica,
 Appellant,
 v.
Josephine Russo,
 Respondent.

2 Mo. No. 2010-1230
The People &c. ex rel. Tiernan
Murphy,
 Appellant,
 v.
Charles Ewald, &c.,
 Respondent.

Motion for leave to appeal denied.
Motion for poor person relief dismissed as academic.

3 Mo. No. 2010-1277
Natalia Cokinos Oakes, &c.,
 Respondent,
 v.
Betty O. Muka,
 Appellant.

Motion for reconsideration of this Court's October 19, 2010 dismissal order denied.

4 Mo. No. 2010-1214
Eugene Palladino,
 Appellant,
 v.
CNY Centro, Inc. et al.,
 Respondents.
(And Another Action.)

Motion for leave to appeal dismissed upon the ground that the order sought to be appealed from does not finally determine the consolidated actions within the meaning of the Constitution.

1 Mo. No. 2010-1269
Jaime Perez, &c., et al.,
 Appellants,
 v.
The City of New York,
 Respondent.

Motion for leave to appeal dismissed upon the ground that the order sought to be appealed from does not finally determine the action within the meaning of the Constitution.

Mo. No. 2010-1202
Sharon Rose,
Respondent,
v.
Christian J. Heidorf et al.,
Appellants.

Motion for leave to appeal dismissed upon the ground that this Court does not have jurisdiction to entertain this motion for leave to appeal from the order of the County Court entered in this action commenced in Town Court (see NY Const, art VI, § 3[b]; CPLR 5602[a]).
Motion for a stay dismissed as academic.

2 Mo. No. 2010-1289
Carolyn Schenk,
Appellant,
v.
Staten Island University
Hospital, et al.,
Respondents,
et al.,
Defendant.

Motion for leave to appeal &c. dismissed upon the ground that the orders sought to be appealed from do not finally determine the actions within the meaning of the Constitution.

Washington Mutual Bank,
Respondent,
v.
Carolyn Schenk,
Appellant,
et al.,
Defendants.

2 Mo. No. 2010-1250
Walter Schwartz,
Appellant,
v.
Michele Farkas Miltz,
Respondent.

Motion for leave to appeal denied.

4 Mo. No. 2010-1172
Carol A. Tonzi,
Appellant-Respondent,
v.
Richard H. Nichols, &c.,
Respondent-Appellant.

Motions for leave to appeal dismissed upon the ground that the order sought to be appealed from does not finally determine the action within the meaning of the Constitution.

4 Mo. No. 2010-1331
Carol A. Tonzi,
 Appellant-Respondent,
 v.
Richard H. Nichols, &c.,
 Respondent-Appellant.

Motion by Cornell Securities Law
Clinic for leave to file a brief
amicus curiae on the motions for leave
to appeal herein granted and the brief
is accepted as filed, and for leave to
appear amicus curiae on the appeal
herein dismissed as academic.

2 Mo. No. 2010-1262
In the Matter of Erik Vasquez,
 Respondent,
 v.
Amy Ortiz,
 Appellant.

Motion for leave to appeal denied.

2 Mo. No. 2010-1215
Washington Mutual Bank, FA, &c.,
 Respondent,
 v.
Peak Health Club, Inc., et al.,
 Appellants,
Merrill Lynch Business
Financial Services, Inc., et al.,
 Respondents,
et al.,
 Defendants.
(And Another Action.)
(And a Third-Party Action.)

Motion for leave to appeal denied with
one hundred dollars costs and
necessary reproduction disbursements.