<u>COURT OF APPEALS NEW FILINGS</u>

Preliminary Appeal Statements processed
by the Court of Appeals Clerk's Office

January 1, 2021 through January 7, 2021

Each week the Clerk's Office prepares a list of recently-filed appeals, indicating short title, jurisdictional predicate, subject matter and key issues. Some of these appeals may not reach decision on the merits because of dismissal, on motion or sua sponte, or because the parties stipulate to withdrawal. Some appeals may be selected for review pursuant to the alternative procedure of Rule 500.11. For those appeals that proceed to briefing in the normal course, the briefing schedule generally will be: appellant's brief to be filed within 60 days after the appeal was taken; respondent's brief to be filed within 45 days after the due date for the filing of appellant's brief; and a reply brief, if any, to be filed within 15 days after the due date for the filing of respondent's brief.

The Court welcomes motions for amicus curiae participation from those qualified and interested in the subject matter of these newly filed appeals. Please refer to Rule 500.23 and direct any questions to the Clerk's Office.

<u>AURORA ASSOCIATES LLC v LOCATELLI</u>:
1ST Dept., App. Term order of 12/6/17; 1ST Dept. App. Div. order of 6/11/20; affirmance; leave to appeal granted by App. Div., 12/29/20;
Landlord and Tenant--Loft Law--Whether the Appellate Division properly held that the loft unit at issue remained subject to rent regulation because the apartment was located in a pre-1974 building containing six or more residential units, notwithstanding the predecessor owner's purchase of a prior tenant's rights under Multiple Dwelling Law § 286 (12); Whether respondent's motion for summary judgment on the counterclaim for attorneys' fees was properly granted;
New York City Civil Court, New York County, denied petitioner's motion for summary judgment of possession, granted respondent's motion for summary judgment dismissing the holdover petition, and denied respondent's motion for summary judgment on the