

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 12, 2013.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
Richard T. Andrias
David Friedman, Justices.

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

-against-

M-710
Ind. No. 2548/11

Nicholas Fairclough,
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about November 1, 2011,

Now, upon reading and filing the stipulation of the parties hereto, dated January 30, 2013, 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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 12, 2013.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
Richard T. Andrias
David Friedman, Justices.

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

-against-

M-845
Ind. No. 2630/11

Thien Dinh K.,
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about November 29, 2011,

Now, upon reading and filing the stipulation of the parties hereto, dated February 8, 2013, 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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 12, 2013.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
Richard T. Andrias
David Friedman, Justices.

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

-against-

M-898
Ind. No. 1929/11

Dennis Lloyd,
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about November 23, 2011,

Now, upon reading and filing the stipulation of the parties hereto, dated February 11, 2013, 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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 12, 2013.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
Richard T. Andrias
David Friedman, Justices.

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

-against-

M-935
Ind. No. 1381/09

Randy Gutierrez,
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about August 4, 2010 and the judgment of **resentence** of said Court rendered on or about December 16, 2010,

Now, upon reading and filing the stipulation of the parties hereto, dated February 14, 2013, 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 12, 2013.

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

-----X
Miguel Mercado,
Plaintiff-Respondent,

-against-

M-789X
Index No. 301847/10

The City of New York, New York City
Housing Authority,
Defendants-Appellants.
-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about November 16, 2012,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" February 7, 2013, 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 12, 2013.

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

-----X

Fross Zelnick Lehrman & Zissu, P.C.,
etc.,

Plaintiff-Appellant,

-against-

M-790X

Index No. 650117/12

PricewaterhouseCoopers LLP,
Defendant-Respondent.

-----X

An appeal having been taken from the order of the Supreme
Court, New York County, entered on or about October 12, 2012,

Now, after pre-argument conference and upon reading and
filing the stipulation of the parties hereto, "so ordered"
February 7, 2013, 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 12, 2013.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
Richard T. Andrias
David Friedman, Justices.

-----X

Manuel Mayo and Isabel Mayo,
Plaintiffs-Respondents,

-against-

Metropolitan Opera Association, Inc.
and Lincoln Center for the Performing
Arts, Inc.

Defendants-Appellants.

M-505

Index No. 115545/08

-----X

(And a third-party action)

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about January 24, 2013,

And defendants-appellants Lincoln Center for the Performing Arts, Inc. having moved for a stay of trial pending hearing and determination of the aforesaid appeal, and for related relief,

Now, upon reading and filing the papers with respect to the motion including the correspondence from Christopher J. Ruggiero, Esq. dated February 7, 2013, and due deliberation having been had thereon,

It is ordered that the motion is deemed withdrawn.

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 12, 2013.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
Richard T. Andrias
David Friedman, Justices.

-----X

Manuel Mayo and Isabel Mayo,
Plaintiffs-Respondents,

-against-

Metropolitan Opera Association, Inc.
and Lincoln Center for the Performing
Arts, Inc.

Defendants-Appellants.

-----X

(And a third-party action)

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about January 24, 2013,

And defendants-appellants Metropolitan Opera Association, Inc. having moved for a stay of trial pending hearing and determination of the aforesaid appeal, and for related relief,

Now, upon reading and filing the papers with respect to the motion including the correspondence from Eileen M. Baumgartner, Esq. dated February 6, 2013, and due deliberation having been had thereon,

It is ordered that the motion is deemed withdrawn.

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 12, 2013.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
Richard T. Andrias
David Friedman, Justices.

-----X
Ilir Ademi, as Administrator of the
Estate of Bojhidara Gracova, Deceased
and Ilir Ademi, Individually,
Plaintiff-Appellant,

-against-

M-1032
Index No. 116069/08

Town Sports International, LLC,
doing business as New York Sports
Club,
Defendant-Respondent.

-----X

Appeals having been taken from an order and judgment of the Supreme Court, New York County, entered on or about November 28, 2011 and December 21, 2011, respectively,

Now, upon reading and filing the stipulation of the parties hereto, dated February 14, 2013, and due deliberation having been had thereon,

It is ordered that the appeals, previously perfected for the April 2013 Term, 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 12 2013.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzairelli
Richard T. Andrias
David Friedman, Justices.

-----X

Gene Panessa,
Petitioner-Respondent,

-against-

M-846
Index No. 101322/11

Robert D. Limandri, as Commissioner
of the New York City Department of
Buildings,
Respondent-Appellant.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about September 30, 2011,

Now, upon reading and filing the stipulation of the parties hereto, dated February 13, 2013, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected for the September 2012 Term, 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 12, 2013

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Angela M. Mazzarelli
Dianne T. Renwick
Rosalyn H. Richter
Judith J. Gische, Justices.

-----x

S.T.A. Parking Corp.,
Plaintiff-Appellant,

-against-

M-555
Index No. 108091/08

Lancer Insurance Company,
Defendant-Respondent.

-----x

Lancer Insurance Company,
Plaintiff-Respondent,

-against-

Index No. 401599/09

S.T.A. Parking Corp.,
Defendant-Appellant,

430 Owners Corp., et al.,
Defendants.

-----x

Appeals having been taken to this Court by plaintiff/defendant-appellant, S.T.A. Parking Corp., from an order of the Supreme Court, New York County, entered on or about December 27, 2011 (Index No. 108091/08) and from an order of the same Court and Justice entered on or about January 10, 2012 (Index No. 401599/09), respectively,

And an order of this Court having been entered on December 13, 2012 (M-4948) consolidating the aforesaid appeals and enlarging the time to perfect same to the April 2013 Term,

And appellant S.T.A. Parking Corp. having moved for a further enlargement of time to perfect the aforesaid consolidated 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 enlarging the time to perfect the consolidated appeals to September 2013 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 12, 2013.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Angela M. Mazzarelli
Dianne T. Renwick
Rosalyn H. Richter
Judith J. Gische, Justices.

-----X
Ronald Rodriguez, as Administrator
of the Estate of Anna Rodriguez,
Deceased,
Plaintiff-Respondent,

-against-

M-447
Index No. 306801/09

The Jewish Home and Hospital
Lifecare System,
Defendant-Appellant.
-----X

Defendant-appellant having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, Bronx County, entered on or about March 29, 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 2013 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 12, 2013.

Present: Hon. Peter Tom, Justice Presiding,
John W. Sweeny, Jr.
Dianne T. Renwick
Sheila Abdus-Salaam
Sallie Manzanet-Daniels, Justices.

-----X
In the Matter of a Support Proceeding
Under Article 6 of the Family Court Act.

Shaul K., **M-484**
Petitioner-Respondent, Docket No. F36884/11

-against-

Nehemia K.,
Respondent-Appellant.

-----X
Respondent-appellant having moved for leave to prosecute,
as a poor person, the appeal from the order of the Family Court,
New York County, entered on or about May 24, 2012, and for
assignment of counsel, a free copy of the transcript, and 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
appellant has no funds or assets with which to prosecute appeal,
including state and federal 2010 and 2011 tax returns, as well
as a statement as to the merits of the appeal. Sua sponte, the
time to perfect said appeal is enlarged to the September 2013
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 12, 2013.

Present: Hon. Peter Tom, Justice Presiding,
John W. Sweeny, Jr.
Dianne T. Renwick
Sheila Abdus-Salaam
Sallie Manzanet-Daniels, Justices.

-----X
Barry Salzman,

Plaintiff-Respondent,

-against-

M-397

Index No. 300041/08

Michelle Salzman,

Defendant-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about December 23, 2011, and an appeal having been taken from the judgment of divorce of said Court, entered on or about October 17, 2012,

And defendant-appellant having moved for an enlargement of time to perfect the appeal taken from the order entered on December 23, 2011 or, in the alternative, to deem the appeal to be subsumed in the appeal taken from the judgment of divorce entered on or about October 17, 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 deeming the appeal from the order entered December 23, 2011 subsumed in the appeal taken from the judgment of divorce entered October 17, 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 12, 2013.

PRESENT: Hon. Peter Tom, Justice Presiding,
John W. Sweeny, Jr.
Dianne T. Renwick
Sheila Abdus-Salaam
Sallie Manzanet-Daniels, Justices.

-----X

In the Matter of the Application of
the State of New York,
Petitioner-Respondent,

For a Judgment Pursuant to Article 10
of the Mental Hygiene Law,

-against-

M-135
M-420
Index No. 250763/08

Bernard D.,
Respondent-Appellant.

-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about August 24, 2009,

And assigned counsel, Steven N. Feinman, Esq., having moved for an order relieving him as appellant's counsel (M-135),

And respondent-appellant having moved to proceed on this appeal pro se and to continue the poor person relief previously granted by an order of this Court on October 11, 2012 (M-3917) [M-420],

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

It is ordered that the motion by assigned counsel is granted to the extent of relieving Steven N. Feinman, Esq., as appellant's counsel (M-135). The motion by appellant (M-420) is granted to the extent of permitting appellant to prosecute the appeal pro se, and the poor person relief previously granted is otherwise continued. The time to perfect the appeal is enlarged to the October 2013 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 12, 2013.

PRESENT: Hon. Peter Tom, Justice Presiding,
John W. Sweeny, Jr.
Dianne T. Renwick
Sheila Abdus-Salaam
Sallie Manzanet-Daniels, Justices.

-----X
Jakaria Kebbeh,
Plaintiff-Respondent,

-against-

M-346
Index No. 250161/08

The City of New York, The New York
City Department of Education and The
New York City School Construction
Authority,
Defendants-Appellants.

-----X

Defendant-appellant having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, Bronx County, entered on or about April 3, 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 2013 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 12, 2013.

PRESENT: Hon. Peter Tom, Justice Presiding,
Karla Moskowitz
Rosalyn H. Richter
Sallie Manzanet-Daniels
Darcel D. Clark, Justices.

-----X
CEO Clubs International, Inc.,
Petitioner-Respondent,

-against-

M-216
Index No. 651547/12

William J. Cook,
Respondent-Appellant,

-and-

Capital One Bank, et al.,
Respondents-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about June 29, 2012, and said appeal having been perfected,

And petitioner-respondent having moved for dismissal of the aforesaid appeal and for costs, and 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 dismissing the appeal 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 12, 2013.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter
Nelson S. Román, Justices.

-----X
Andrew Corrigan,
Plaintiff-Appellant,

-against-

Stellar Management, LLC, et al.,
Defendants-Respondents.

M-5429
Index No. 119065/06

-----X

Plaintiff-appellant, pro se, having moved for reargument of the decision and order of this Court entered on October 25, 2012 (Appeal No. 8388), 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 12, 2013.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
Helen E. Freedman
Rosalyn H. Richter
Judith J. Gische, Justices.

-----X

In the Matter of the Arbitration
Between,

CPG Construction & Development Corp.,
and Safeco Insurance Company of America,
Petitioners-Respondents,

Action No. 1
Index No. 102055/10

-against-

M-286
M-471
M-328
M-474

415 Greenwich Owner, LLC,
Respondent-Appellant.

-----X

415 Greenwich Mezzanine Owner, LLC,
et al.,
Plaintiffs-Appellants,

Action No. 2
Index No. 651176/10

-against-

KBS 415 Greenwich, LLC, et al.,
Defendants-Respondents.

-----X

An appeal having been taken (Action No. 1) from an order of the Supreme Court, New York County, entered on or about March 12, 2012; and an appeal having been taken (Action No. 2) from the same order of said Court,

And respondent-appellant (Action No. 1) having moved for an enlargement of time to perfect their appeal (M-286);

And petitioners-respondents (Action No. 1) having cross-moved for dismissal of the aforesaid appeal (M-471),

And plaintiffs-appellants (Action No. 2) having moved for an enlargement of time to perfect their appeal (M-328),

And defendants-respondents having cross-moved for dismissal of the aforesaid appeal (M-474),

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

Ordered that the respective appellants' motions (M-286 and M-328) in both actions are granted and the time to perfect the aforesaid appeals is enlarged to the September 2013 Term. The cross motion to dismiss (Action No. 2) is granted unless respondent-appellant perfects the appeal for said September 2013 Term (M-474). The cross motion to dismiss (Action No. 1) to the extent it seeks dismissal for failure to timely perfect is granted unless the appeal is perfected for the aforesaid September 2013 Term and otherwise denied without prejudice to raising issue on the appeal. Sua sponte, the Clerk is directed to calendar the aforesaid appeals on a joint caption for hearing together.

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 12, 2013.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
Helen E. Freedman
Rosalyn H. Richter
Judith J. Gische, Justices.

-----X
Ilona Orsos,

Plaintiff-Appellant,

-against-

M-114

Index No. 309754/09

Hudson Transit Corp. and Joseph
Davidson,

Defendants-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about September 25, 2012,

And defendants-respondents having moved to dismiss 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. Plaintiff's original notice of appeal, dated October 16, 2012, deemed valid (CPLR 5520), and plaintiff's amended notice of appeal, dated November 28, 2012, deemed withdrawn.

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 12, 2013.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
Helen E. Freedman
Rosalyn H. Richter
Judith J. Gische, Justices.

-----X

Douglas Elliman LLC,
Plaintiff-Respondent,

-against-

M-577
Index No. 109812/11

Sanford Sloane,
Defendant-Appellant.

-----X

An appeal deemed to have been taken from the judgment of the Supreme Court, New York County, entered on or about November 27,, 2012, (CPLR 5501[c]),

And defendant having moved for an order staying the enforcement of the aforesaid judgment, and 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, without prejudice to defendant obtaining a stay pursuant to CPLR 5519(a)(2).

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 12, 2013.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Sallie Manzanet-Daniels
Darcel D. Clark, Justices.

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

-against-

M-4667
M-5508
Case No. 38370C/11

Pedro Sosa,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, Bronx County, rendered on or about August 9, 2012, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief (M-4667), and for continuation of the stay of execution of sentence granted by the order of a Justice of this Court on August 9, 2012 (M-5508), 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 10 reproduced 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 to on or before August 5, 2013 for the October 2013 Term (M-4667). The stay granted by order of this Court on August 9, 2012 is continued accordingly on condition that the appeal is perfected for said Term (M-5508).

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 12, 2013.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
David Friedman
Sallie Manzanet-Daniels
Nelson S. Román
Darcel D. Clark, Justices.

-----x

Jack J. Grynberg, et al.,
Petitioners-Appellants,

-against-

SEALED

M-5996

Index No. 116840/04

BP Exploration Operating Company
Limited, et al.,
Respondents-Respondents.

-----x

Appeals having been taken to this Court by petitioners-appellants from an order and judgment (one paper) of the Supreme Court New York County, entered on or about September 14, 2012 (mot. seq. no. 013) and from an order and judgment (one paper) entered on or about December 3, 2012, respectively, and said appeals having been perfected upon a joint record,

And petitioners-appellants 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 deeming the appeals as consolidated perfected for the April 2013 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 12, 2013.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Sallie Manzanet-Daniels
Darcel D. Clark, Justices.

-----X
Strauss Group, Ltd., et al.,
Plaintiffs-Respondents,

-against-

M-868A
Index No. 650522/12

Oded Brenner, et al.,
Defendants-Appellants.

-----X

Defendants-appellants 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 March 27, 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 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 21, 2013.

PRESENT: Richard T. Andrias, Justice Presiding,
John W. Sweeny, Jr.
Leland G. DeGrasse
Helen E. Freedman
Rosalyn H. Richter, Justices.

-----X
Sherle Wagner International,
L.L.C.,
Plaintiff,

-against- Index No. 602855/08

450 Park LLC, et al.,
Defendants-Appellants,

Taconic Investment Partners, LLC,
Defendant. M-5292
- - - - - M-5294

Sherle Wagner International, L.L.C.,
Plaintiff,

-against- Index No. 602851/07

Consolidated Edison Company
of New York, Inc.,
Defendant/Third-Party
Plaintiff-Respondent,

-against-

450 Park LLC, et al.,
Third-Party Defendants-Appellants,

Taconic Investment Partners, LLC, et al.,
Third-Party Defendants.

-----X

[And Another Third-Party Action]
-----X

Third-party defendant-appellant 450 Park LLC, et al., having moved by separate motions for a stay of trial pending hearing and determination of the appeals taken from the order of the Supreme Court, New York County, entered on or about June 22, 2012, and said appeals having been heard and decided (See Appeal Nos. 9102-9103 entered February 7, 2013),

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 denied as moot, the aforesaid appeals having been decided by the decision and order of this Court entered on February 7, 2013 (Appeal Nos. 9102 and 9103).

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 March 12, 2013.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Sheila Abdus-Salaam
Paul G. Feinman, Justices.

-----X
Andrea Rivas,
Plaintiff-Appellant,

-against-

M-287
Index No. 113442/07

New York University Medical Center,
et al.,
Defendants-Respondents.

-----X

Defendants-respondents having moved for dismissal of the appeal taken from the order of the Supreme Court, New York County, entered on or about November 28, 2011, 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 12, 2013.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Sheila Abdus-Salaam
Paul G. Feinman, Justices.

-----X
Omar S. Pickering,
Plaintiff-Respondent,

-against-

M-5838
Index No. 108057/09

Union 15 Restaurant Corp., doing
business as Belmont Lounge and
Guy Jacobson,
Defendants-Appellants.

-----X

Defendants-appellants having moved for a stay of trial pending hearing and determination of the appeal taken from the order of the Supreme Court, New York County, entered on or about June 20, 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 on condition the appeal is perfected for the September 2013 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 12, 2013.

PRESENT: Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Dianne T. Renwick
Helen E. Freedman
Nelson S. Román, Justices.

-----X
Dexter 345 Inc.,
Petitioner-Landlord-Respondent,

-against-

M-306
Index No. 570501/12

Roberto Belem,
Respondent-Tenant-Appellant.

-----X

Respondent 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 November 15, 2012, 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 12, 2013.

PRESENT: Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Dianne T. Renwick
Helen E. Freedman
Nelson S. Román, Justices.

-----X
Dexter 345 Inc.,
Petitioner-Landlord-Respondent,

-against-

M-306
Index No. 570501/12

Roberto Belem,
Respondent-Tenant-Appellant.

-----X

Respondent 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 November 15, 2012, 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 12, 2013.

Present - Hon. John W. Sweeny, Jr.,	Justice Presiding,
Karla Moskowitz	
Sheila Abdus-Salaam	
Nelson S. Román,	Justices.

-----X
National Interstate Insurance
Company, et al.,
Plaintiffs-Respondents,

-against-

Zurich American Insurance Company,
Sorbara Construction Corp.,
Defendants-Appellants,

M-425
M-682
Index No. 603218/09

-against-

Lexington Insurance Company,
Defendant-Respondent.

-----X

Defendants-appellants having moved for an enlargement of time to
perfect the appeal from the order and judgment (one paper) of the
Supreme Court, New York County, entered on or about November 14, 2011
(M-425),

And plaintiffs-respondents having cross-moved for dismissal of
the aforesaid appeal (M-682),

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
enlarging the time to perfect the appeal to the September 2013 Term
(M-425). The cross motion to dismiss the appeal is granted unless the
appeal is perfected for said September 2013 Term (M-682). Upon
failure to so perfect, an order dismissing the appeal may be entered
ex parte, provided respondent(s) serve a copy of this order upon
defendant(s) within 10 days of 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 March 12, 2013.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Karla Moskowitz
Sheila Abdus-Salaam
Nelson S. Román
Paul G. Feinman, Justices.

-----X
David Kassel,
Petitioner-Appellant,

-against-

M-449
Index No. 600005/12

Citrin & Cooperman, LLC,
Respondent-Respondent.
-----X

Petitioner-appellant having moved for a stay of arbitration pending hearing and determination of the appeal taken from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about January 11, 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 denied.

ENTER:



CLERK

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

BEFORE: Hon. Sallie Manzanet-Daniels
Justice of the Appellate Division

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

M-662
Ind. No. 7967/00

-against-

CERTIFICATE
DENYING LEAVE

Connie Leung,

Defendant.
-----X

I, Sallie Manzanet-Daniels, 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 November 8, 2012, is hereby denied.


Associate Justice

Dated: February 20, 2013
New York, New York

ENTERED: MAR 12 2013

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

BEFORE: Hon. John W. Sweeny, Jr.
Justice of the Appellate Division

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

M-616
Ind. No. 798/2006

-against-

CERTIFICATE
DENYING LEAVE

Bryant Jackson,

Defendant.
-----X

I, John W. Sweeny, Jr., 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 September 26, 2012 (Cassandra M. Mullen, J.) is hereby denied.


Associate Justice

Dated: February 19, 2013
New York, New York

ENTERED: MAR 12 2013