

THE FOLLOWING MOTION ORDERS
WERE ENTERED AND FILED ON
SEPTEMBER 25, 2008

Lippman, P.J., Tom, Mazzarelli, Andrias, Saxe, JJ.

M-4101 People v Miller, Cornell

M-4134 In the Matter of A., Fidelinia and A., Virginia -
New York City Administration for Children's Services

M-4137X Mastec North America, Inc. v Consolidated Edison, Inc.
Appeals withdrawn.

Lippman, P.J., Tom, Mazzarelli, Andrias, Saxe, JJ.

M-4305 People v Wilder, Kenneth
Appeal deemed withdrawn.

Lippman, P.J., Tom, Mazzarelli, Andrias, Saxe, JJ.

M-4104 In the Matter of the Application of UBS Painewebber,
Inc., now known as UBS Financial Services Inc. -
Benistar Property Exchange Trust Company, Inc.

Appeal, previously perfected for the September 2008
Term, withdrawn.

Lippman, P.J., Tom, Mazzarelli, Andrias, Saxe, JJ.

M-4281 In the Matter of Martinez v Hernandez

Proceeding, previously perfected for the October 2008
Term, withdrawn.

Lippman, P.J., Tom, Mazzarelli, Andrias, Saxe, JJ.

M-4175 C., Tremaine v M., Nicola

Appeal, previously perfected for the October 2008 Term,
withdrawn.

Lippman, P.J., Tom, Mazzarelli, Andrias, Saxe, JJ.

M-4258 Avery v Caldwell

Appeal, previously perfected for the October 2008 Term,
withdrawn.

Lippman, P.J., Williams, Moskowitz, Acosta, JJ.

M-3150 Sorenson v Bridge Capital Corp.

M-3531

Reargument or other relief denied.

Lippman, P.J., Williams, Moskowitz, Acosta, JJ.

M-3285 Sanginito v National Grange Mutual Insurance Company

Reargument granted, and upon reargument, the decision
and order of this Court entered on June 10, 2008 (Appeal No.
3888) recalled and vacated and a new decision and order
substituted therefor. (See Appeal No. 3888, decided
simultaneously herewith.)

Lippman, P.J., Gonzalez, Nardelli, Acosta, DeGrasse, JJ.

M-4075 Haynes v The Estate of Goldman - Newmark & Company

M-4351 Real Estate, Inc., (and a third-party action);

Fofana v 41 West 34th Street, LLC

Leave to strike certain briefs and disqualification of
attorneys in both Hayes and Fofana appeal denied.

Tom, J.P., Gonzalez, Sweeny, Catterson, Moskowitz, JJ.

M-3559 Violin Entertainment Acquisition Company, Inc. v
Virgin Entertainment Holdings, Inc.

Motion deemed withdrawn.

Tom, J.P., Gonzalez, Sweeny, Catterson, Moskowitz, JJ.

M-3399 Jones v 414 Equities LLC
(And a third-party action)

Appeal dismissed.

Tom, J.P., Mazzairelli, Friedman, Williams, Moskowitz, JJ.

M-3866 Barbieri v Vamvouris
M-3987

Time to perfect appeal enlarged to the January 2009
Term. Dismissal of appeal granted unless appeal perfected for
said Term.

Tom, J.P., Mazzairelli, Williams, Catterson, JJ.

M-2285 Stern v Bluestone

Leave to appeal to the Court of Appeals granted, as
indicated.

Tom, J.P., Friedman, Buckley, Acosta, Freedman, JJ.

M-4108 Burgos v 205 E.D. Food Corporation, doing business
as C-Town

Stay of trial denied.

Mazzarelli, J.P., Buckley, Acosta, Renwick, DeGrasse, JJ.

M-3641 Brennan v Soto

Appeal dismissed, as indicated.

Mazzarelli, J.P., Buckley, Acosta, Renwick, DeGrasse, JJ.

M-3047 O., Sandra L. v O., Andre A.

M-3737

Consolidation of appeals and other relief denied;
appeals dismissed, as indicated.

Mazzarelli, J.P., Buckley, Acosta, Renwick, DeGrasse, JJ.

M-3352 Merrill Lynch, Pierce, Fenner & Smith, Inc. v
NFS Services, Inc.

M-3480 In the Matter of R., Terrence v R., Angela
(And another action)

M-3752 In the Matter of Wong, Wong & Associates, P.C. v
Lin

Appeals dismissed.

Mazzarelli, J.P., Buckley, Acosta, Renwick, DeGrasse, JJ.

M-3812 Tung v Chiu

M-4041

Dismissal of appeal denied; attorneys fees and other
relief denied.

Mazzarelli, J.P., Buckley, Acosta, Renwick, DeGrasse, JJ.

M-3461 People v Jordan, Kerry

Notice of appeal deemed timely filed; leave to prosecute appeal as a poor person granted, as indicated.

Mazzarelli, J.P., Buckley, Acosta, Renwick, DeGrasse, JJ.

M-3494 People v Mendez, Lawrence

Leave to prosecute appeal as a poor person granted, as indicated.

Mazzarelli, J.P., Buckley, Acosta, DeGrasse, JJ.

M-3862 People v Henry, Marlon, also known as Henry, Merlin
Counsel substituted.

Mazzarelli, J.P., Buckley, Acosta, DeGrasse, JJ.

M-3902 People v Vargas, Marcelino
Counsel substituted.

Mazzarelli, J.P., Buckley, Acosta, Renwick, DeGrasse, JJ.

M-3644 People v Mack, Anthony
Counsel substituted.

Mazzarelli, J.P., Buckley, Acosta, Renwick, DeGrasse, JJ.

M-3857 People v Gilmore, Steven

Counsel substituted.

Mazzarelli, J.P., Buckley, Acosta, Renwick, DeGrasse, JJ.

M-3663 Robinson v Schlossman

M-4102

Appeals consolidated, as indicated; time to perfect same enlarged to the January 2009 Term.

Mazzarelli, J.P., Buckley, Acosta, Renwick, DeGrasse, JJ.

M-3957 Amaro v Gani Realty Corporation

Stay granted on condition appeal perfected for the February 2009 Term, as indicated.

Mazzarelli, J.P., Catterson, Moskowitz, Acosta, JJ.

M-3318 McCarthy v Turner Construction, Inc.; John Gallin &

M-3375 Son, Inc. v Linear Technologies, Inc.; Linear Technologies, Inc. v Samuels Datacom, LLC

Leave to appeal to the Court of Appeals by respective parties denied.

Mazzarelli, J.P., Saxe, Gonzalez, Buckley, Acosta, JJ.

M-3991 In re Peckham v Calogero - Chelsea Partners, LLC

Stay granted on condition that petitioner continues to pay rent as due in accordance with the terms of the lease.

Mazzarelli, J.P., Buckley, Acosta, Renwick, DeGrasse, JJ.

M-3885 In the Matter of New York City Pedicab Owners' Association, Inc. v New York City Department Of Consumer Affairs

Clarification denied.

Mazzarelli, J.P., Andrias, Saxe, Gonzalez, Sweeny, JJ.

M-3553 TOA Construction Co., Inc. v Tsitsires

M-3766

M-3772

Reargument denied; leave to appeal to the Court of Appeals granted, as indicated; stay granted, as indicated; amicus curiae brief deemed filed.

Andrias, J.P., Friedman, Buckley, McGuire, Moskowitz, JJ.

M-2983 Fairclough v All Service Equipment Corp.

Reargument or other relief denied.

Andrias, J.P., Friedman, Buckley, McGuire, Moskowitz, JJ.

M-2187 Samuels v Montefiore Medical Center

 Reargument or other relief denied.

Saxe, J.P., Friedman, McGuire, Renwick, JJ.

M-2171 In re Davenport v Stein

 Leave to appeal to the Court of Appeals denied.

Saxe, J.P., Gonzalez, Williams, Buckley, JJ.

M-3179 People v Borrero, Jose

 Leave to prosecute appeal as a poor person denied;
appeal dismissed.

Saxe, J.P., Nardelli, Moskowitz, Acosta, DeGrasse, JJ.

M-3702 Bradley v IBEX Construction, LLC - Home Depot U.S.A.,
 Inc. (And a third-party action); Ibex Construction,
 LLC v Sage Electrical Contracting, Inc.

 Reargument granted, and upon reargument, the decision
and order of this Court entered on June 26, 2008 (Appeal
Nos. 4010, 4010A and 4010B) recalled and vacated and a new
decision and order substituted therefor. (See Appeal Nos. 4010,
4010A and 4010B, decided simultaneously herewith.) Leave to
appeal to the Court of Appeals denied.

Gonzalez, J.P., Buckley, Moskowitz, Renwick, DeGrasse, JJ.

M-4197 445 East 80th Street Tenants Association v
M-4264 New York State Division of Housing and Community
Renewal

Time to perfect respective appeals enlarged to the
January 2009 Term.

Gonzalez, J.P., Buckley, Moskowitz, Renwick, DeGrasse, JJ.

M-4136 Trump v Cheng

Time to perfect appeal enlarged to the February 2009
Term.

Gonzalez, J.P., Buckley, Moskowitz, Renwick, JJ.

M-3983 In the Matter of the Application of The New York State
Urban Development Corporation - Movieplex 42, Inc.

Time to perfect appeal enlarged to the February 2009
Term, as indicated.

Lippman, P.J.

M-3671 People v Johnson, Sheldon

Leave to appeal to this Court denied.

Lippman, P.J.

M-3779 People v Huggins, Kirt
Leave to appeal to this Court denied.

Andrias, J.

M-3781 People v Rodriguez, Jessie, also known as
Rodriguez, Jesse
Leave to appeal to this Court denied.

Acosta, J.

M-4229 In the Matter of K., Liana v K., Raed
Stay denied.

DeGrasse, J.

M-4121 People v Armstrong, Edward
Leave to appeal to this Court denied.

Freedman, J.

M-3904 People v Castillo, Roman
Leave to appeal to this Court denied.

Tom, J.P., Mazzairelli, Friedman, Saxe, McGuire, JJ.

M-3952 In the Matter of Hanna Z. Hanna
(admitted as Hanna Zaki Hanna),
a suspended attorney:

Clarification denied. No opinion. All concur.

Mazzairelli, J.P., Saxe, Friedman, Nardelli, Williams, JJ.

In the Matter of Attorneys Who Are in Violation
of Judiciary Law Section 468-a:

M-4120 Stacey Rosner Lane, admitted on 5-6-85,
at a Term of the Appellate Division,
First Department

Respondent reinstated as an attorney and counselor-
at-law in the State of New York, effective the date hereof.
No opinion. All concur.

Mazzairelli, J.P., Saxe, Friedman, Nardelli, Williams, JJ.

In the Matter of Attorneys Who Are in Violation
of Judiciary Law Section 468-a:

M-3867 Jonathan R. Steinberg, admitted in 1983,
at a Term of the Appellate Division,
Third Department

Respondent reinstated as an attorney and counselor-at-
law in the State of New York, effective the date hereof. No
opinion. All concur.

Andrias, J.P., Gonzalez, Sweeny, Catterson, Acosta, JJ.

M-4238 In the Matter of Richard D. Boter,
M-4239 a disbarred attorney

Report accepted to the extent indicated and receiver
discharged, as indicated. No opinion. All concur.