

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 September 30, 2008.

PRESENT: Hon. Jonathan Lippman, Presiding Justice,
Peter Tom
Angela M. Mazzaelli
Richard T. Andrias
David B. Saxe, Justices.

-----X
Judith Hoffman Corwin and
Jules Corwin,
Plaintiffs-Respondents,

-against-

M-4370X
Index No. 106487/06

Morrisville Auxiliary Corporation and
Morrisville Auxiliary of State
University College of Agriculture
and Technology at Morrisville, NY,
Incorporated,
Defendants-Appellants,

-and-

Quilting by the Lake & Schweinfurth
Memorial Arts Center,
Third-Party Defendants.

Third Party
Index No. 590817/07

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, entered on or about March 5, 2008,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" September 5, 2008, 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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 September 30, 2008.

PRESENT: Hon. Jonathan Lippman, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
Richard T. Andrias
David B. Saxe, Justices.

-----X
Primedia Inc., Primedia Workplace
Learning, L.P., and Primedia Digital
Video Holdings, LLC,
Plaintiffs-Appellants,

-against-

M-4371X
Index No. 602572/06

SBI USA, LLC,
Defendant-Respondent.

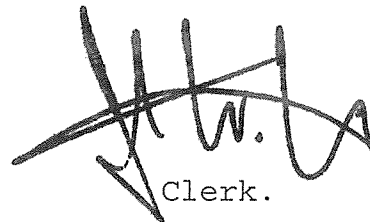
-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about May 2, 2008 (mot. seq. no. 003),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" September 5, 2008, 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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 September 30, 2008.

PRESENT - Hon: Jonathan Lippman, Presiding Justice,
Peter Tom
Milton L. Williams
James M. McGuire
Helen E. Freedman, Justices.

-----X

Eileen Rios,
Plaintiff-Appellant,

-against-

M-3915
M-3921
Index No. 8641/05

Parvin K. Djavaherian, et al.,
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for an enlargement of time in which to perfect the appeal taken from the order of the Supreme Court, Bronx County, entered October 11, 2007 (M-3921),

And defendants-respondents having cross-moved for dismissal of the aforesaid appeal (M-3915),

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 in which to perfect the appeal to the January 2009 Term. The cross motion to dismiss the appeal is granted unless appellant perfects the appeal for said January 2009 Term. Upon failure to so perfect, an order dismissing the appeal may be entered ex parte, provided that respondents serve a copy of this order upon appellant within 10 days from the date of entry hereof.

E N T E R:


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 September 30, 2008.

Present: Hon. Jonathan Lippman, Presiding Justice,
Peter Tom
Milton L. Williams
Rolando T. Acosta, Justices.

-----X
Miguel Reyes,
Plaintiff-Appellant,

-against-

Harding Steel, Inc., et al.,
Defendants-Respondents,

M-2599
M-2704
M-2762
Index No. 23886/01

Bay Windows Shade Co.,
Defendant.

Harding Steel, Inc.,
Third-Party Plaintiff-Appellant,

-against-

Lewistown Manufacturing, Inc.,
Third-Party Defendant-Respondent.

-----X
(And a fourth-party action)

Defendants-respondents, Nate Nate Metal Craft, Barzel Iron Works, Inc., and Metal Craft By N. Barsily, Inc., having moved by separate motions for reargument of the decision and order of this Court entered on April 15, 2008 [Appeal No. 3395] (M-2599), and for leave to appeal to the Court of Appeals from said decision and order of this Court (M-2762),

And defendant-respondent/third-party plaintiff, Harding Steel, Inc., having cross-moved for reargument of or in the alternative for leave to appeal to the Court of Appeals from the aforesaid decision and order of this Court (M-2704),

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

It is ordered that the motions and cross motion are 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 September 30, 2008.

Present - Hon. Jonathan Lippman, Presiding Justice,
David B. Saxe
John T. Buckley
Rolando T. Acosta, Justices.

-----X
Showole Coker,
Petitioner-Respondent,

-against-

M-2853
Index No. 117728/05

City of New York Department of
Probation, et al.,
Respondents-Appellants.

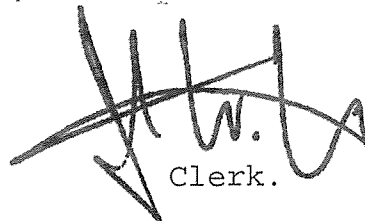
-----X

Respondents-appellants having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on May 6, 2008 (Appeal No. 3584),

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.

E N T E R:


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 September 30, 2008.

Present - Hon. Jonathan Lippman, Presiding Justice,
Luis A. Gonzalez
Karla Moskowitz
Rolando T. Acosta, Justices.

-----X
Sheila Leffler, et al.,
Plaintiffs-Appellants,

-against-

M-3004
Index No. 6458/03

Michael Feld, M.D.,
Defendant-Respondent.

-----X

Defendant-respondent having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on May 1, 2008 (Appeal Nos. 3553N-3554N),

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.

E N T E R :


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 September 30, 2008.

Present - Hon. Jonathan Lippman, Presiding Justice,
Richard T. Andrias
Milton L. Williams
James M. McGuire, Justices.

-----X

Tara Baker, etc.,
Plaintiff-Appellant,

M-3069

M-3070

-against-

Index No. 7229/05

Bronx Lebanon Hospital Center, et al.,
Defendants-Respondents.

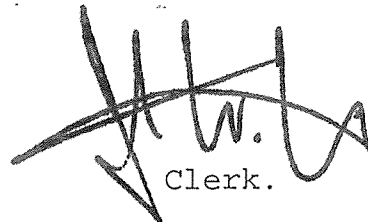
-----X

Defendants-respondents Bronx Lebanon Hospital Center (M-3069) and Larry Ham, M.D., Aruna Mishra, M.D., Angrzej Reiss, M.D. and Rich Deveaux, M.D. (M-3070) having separately moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on May 20, 2008 (Appeal No. 3054),

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.

E N T E R:


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 September 30, 2008.

Present - Hon. Jonathan Lippman, Presiding Justice,
Angela M. Mazzairelli
Milton L. Williams
John W. Sweeny, Jr.
Rolando T. Acosta, Justices.

-----X

Lumbermens Mutual Casualty
Company, et al.,
Plaintiffs-Appellants,

M-3262
Index No. 600175/07

-against-

The Commonwealth of Pennsylvania, et al.,
Defendants-Respondents.

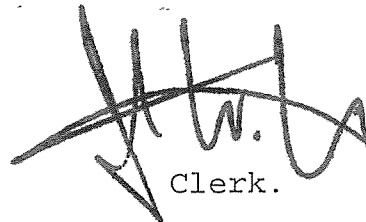
-----X

Defendants-respondents having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on June 3, 2008 (Appeal Nos. 3785-3785A),

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.

E N T E R:



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 September 30, 2008.

Present : Hon. Jonathan Lippman, Presiding Justice,
Richard T. Andrias
Milton L. Williams
James M. McGuire, Justices.

-----X
Estate of David S. Golden, Deceased,
etc.,
Plaintiff-Respondent,

-against-

M-3912
Index No. 33887/68

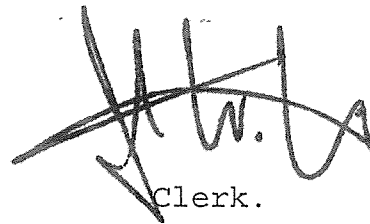
Shirley Golden,
Defendant-Appellant.
-----X

Defendant-appellant having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on March 13, 2008 (Appeal No. 3062),

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 September 30, 2008.

PRESENT - Hon. Jonathan Lippman, Presiding Justice,
Peter Tom
Richard T. Andrias
David B. Saxe, Justices.

-----X
Francoise Peter-MacIntyre,
Plaintiff-Appellant,

-against-

M-3662
Index No. 603863/05

Lynch International, Inc.,
Defendant-Respondent.

-----X

Plaintiff-appellant having moved for reargument of the decision and order of this Court entered on June 26, 2008 (Appeal No. 4044N),

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 September 30, 2008.

Present: Hon. Jonathan Lippman, Presiding Justice,
Luis A. Gonzalez
John W. Sweeny, Jr.
James M. Catterson
Leland G. DeGrasse, Justices.

-----X

Katsam Holdings LLC,

Plaintiff-Respondent,

-against-

M-4252

Index No. 117297/06

419 West 55th Street Corporation,

Defendant-Appellant,

419 West 55th Street LLC,

Defendant.

-----X

An appeal having been taken from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about July 8, 2008,

And defendant-appellant having moved for a stay of all construction and/or alterations with respect to the subject premises, 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 granted to the extent of enjoining plaintiff from commencing or continuing construction or alterations in the subject premises, pending hearing and determination of the appeal on condition that within 5 business days of service of a copy of this order on appellant's counsel (1) appellant consents to plaintiff's payment of monthly

maintenance to appellant's counsel to be held in escrow, pending hearing and determination of the appeal, and (2) appellant posts an undertaking in the amount of \$5,000, and that (3) appellant perfects the aforesaid appeal on or before November 10, 2008 for the January 2009 Term. Upon failure to so perfect the appeal an order vacating the stay may be entered ex parte, provided that respondent serves a copy of this order upon appellant within 10 days after the date of entry hereof. Should appellant fail to comply with conditions enumerated nos. (1) and (2) respondent may move on notice to vacate the stay.

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 September 30, 2008.

PRESENT - Hon: Peter Tom, Justice Presiding,
Luis A. Gonzalez
John W. Sweeny, Jr.
James M. Catterson
Karla Moskowitz, Justices.

-----X
A-1 Capital Corp.,
Plaintiff-Respondent,

-against-

M-3313
M-3552
Index No. 14418/06

Jehova Shalom, Inc.,
Defendant-Appellant,

New York City Environmental
Control Board,
Defendant.

-----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 28, 2007 (M-3313),

And plaintiff-respondent having cross-moved to dismiss the appeal (M-3552),

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 in which to perfect the appeal to on or before November 10, 2008 for the January 2009 Term. The cross motion to dismiss the appeal is denied, without prejudice to plaintiff-respondent addressing the issues on the appeal.

E N T E R:


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 September 30, 2008.

PRESENT - Hon: Peter Tom, Justice Presiding,
Angela M. Mazzarelli
David Friedman
Milton L. Williams
Karla Moskowitz, Justices.

-----X
Proceeding for Revocation of Letters
of Administration and Issuance to
Petitioner in the Estate of
Wanda S. Tarka,
Deceased.

Melanie Tarka,
Petitioner-Appellant,

M-3809
M-3608

-against-

Surrogate's Court
File No. 4041/95

Public Administrator of the County of
New York, as Administrator c.t.a. of
the Estate of Wanda S. Tarka, Deceased.
Respondent-Respondent.

-----X

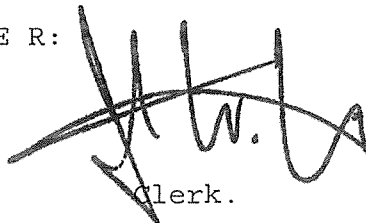
An appeal having been taken from the order of the Surrogate's Court, New York County, entered on or about January 9, 2007,

And petitioner-appellant having moved by separate motions for an order setting aside the stipulation of discontinuance of the aforesaid appeal (M-3809) and for discontinuance of said appeal (M-3608),

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 consolidated for disposition and so much thereof which seeks an order of this Court setting aside the stipulation of discontinuance is denied. So much of the motion which seeks a discontinuance of the appeal is granted to the extent of deeming the appeal withdrawn, all without prejudice to petitioner proceeding in Surrogate's Court with respect to the setting aside of 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 September 30, 2008.

PRESENT: Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
Eugene Nardelli
Milton W. Williams, Justices.

-----X

William A. Galison,
Plaintiff-Appellant,

-against-

M-2887

M-2926

Jeffrey A. Greenberg, Esq., et al.,
Defendants-Respondents,

Index No. 602478/04

Rounder Records,
Defendants.

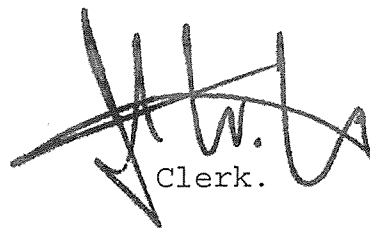
-----X

Plaintiff-appellant having moved by separate motions for reargument (M-2887) of or, in the alternative, for leave to appeal to the Court of Appeals (M-2926) from the decision and order of this Court entered on May 6, 2008 (Appeal No. 3607),

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.

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 September 30, 2008.

Present : Hon. Peter Tom, Justice Presiding,
David Friedman
Eugene Nardelli
John T. Buckley
Dianne T. Renwick, Justices.

-----X
The Trustees of Princeton University,
Plaintiff-Respondent,

-against-

M-2937
Index No. 650202/06

National Union Fire Insurance Co. of
Pittsburgh, Pa.,
Defendant-Appellant,

-and-

American International Group, Inc.,
Defendant.

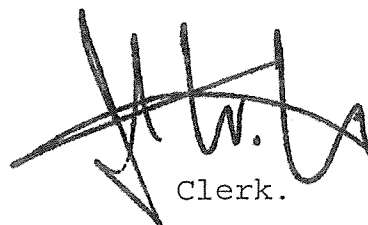
-----X

Defendant-appellant having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on June 5, 2008 (Appeal Nos. 3827-3827A),

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 September 30, 2008.

Present - Hon. Peter Tom, Justice Presiding,
Milton L. Williams
James M. Catterson
Rolando T. Acosta, Justices.

-----X
In re Lancer Insurance Company,
Petitioner-Respondent,

-against-

M-3103
Index No. 13175/06

Chaitram Lackraj,
Respondent-Appellant,

Security Insurance Company of Hartford,
Additional Respondent-Respondent,

Atlantic Express Transportation, et al.,
Additional Respondents.

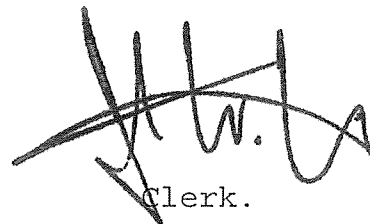
-----X

Respondent-appellant having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on May 8, 2008 (Appeal No. 3634N),

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.

E N T E R:


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 September 30, 2008.

Present - Hon. Peter Tom, Justice Presiding,
David B. Saxe
David Friedman
John T. Buckley
James M. Catterson, Justices.

-----X
In re R. Charles Rownd,
Petitioner-Respondent,

-against-

M-3244
Index No. 108501/06

The Teachers Retirement System of
the City of New York,
Respondent-Appellant.

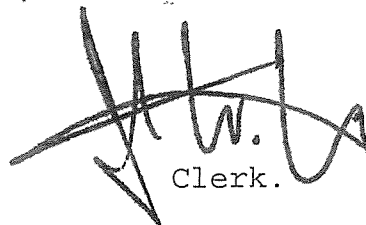
-----X

Respondent-appellant having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on June 12, 2008 (Appeal No. 3920N),

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.

E N T E R:


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 September 30, 2008.

PRESENT - Hon. Peter Tom, Justice Presiding,
David Friedman
Eugene Nardelli
James M. Catterson, Justices.

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

-against-

M-2572
Ind. No. 1760/04

Lynette Caban,
Defendant-Appellant.

-----X

Defendant-appellant having moved for reargument of the decision and order of this Court entered on May 6, 2008 (Appeal No. 2446),

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 September 30, 2008.

Present - Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
Eugene Nardelli
Milton L. Williams, Justices.

-----X
The State of New York,
Plaintiff-Respondent,

-against-

M-2986
Index No. 406660/96

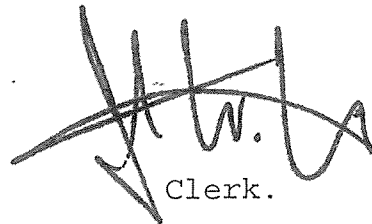
Seventh Regiment Fund,
Defendant-Appellant.
-----X

Defendant-appellant having moved for reargument of the decision and order of this Court entered on May 6, 2008 (Appeal No. 3602),

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.

E N T E R:



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 September 30, 2008.

Present - Hon. Peter Tom, Justice Presiding,
David Friedman
Eugene Nardelli
John T. Buckley
Dianne T. Renwick, Justices.

-----X
Roslyn Knee, etc.,
Plaintiff-Respondent,

-against-

M-3510
Index No. 105766/07

A.W. Chesterton Co., et al.,
Defendants,

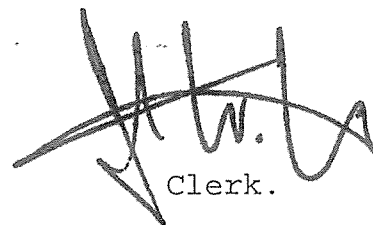
The Goodyear Tire & Rubber Company,
Defendant-Appellant.
-----X

Defendant-appellant having moved for reargument of the decision and order of this Court entered on June 17, 2008 (Appeal No. 3832),

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.

E N T E R: -


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 September 30, 2008.

PRESENT - Hon. Peter Tom, Justice Presiding,
David Friedman
Eugene Nardelli
James M. Catterson
Karla Moskowitz, Justices.

-----X
Susan Angel,
Plaintiff-Appellant,

-against-

M-2564
Ind. No. 350072/05

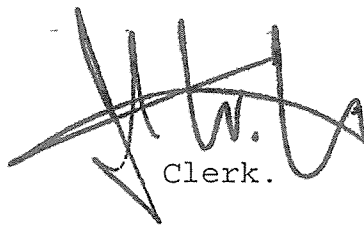
Christopher O'Neill,
Defendant-Respondent.
-----X

Plaintiff-appellant having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on March 20, 2008 (Appeal No. 3138),

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 September 30, 2008.

PRESENT - Hon. Peter Tom, Justice Presiding,
Angela M. Mazzairelli
Richard T. Andrias
Eugene Nardelli
John T. Buckley, Justices.

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

-against-

M-2998
Ind. No. 739/00

Jian Tan, also known as Jian Xiong Tan,
Defendant-Appellant.

-----X

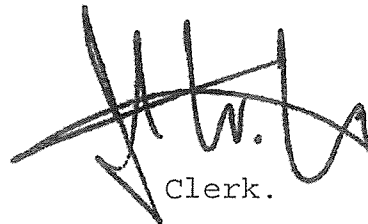
An order of this Court having been entered on June 29, 2004 (M-2251/D.C. #84), dismissing the appeal from the judgment of the Supreme Court, New York County (James Yates, J.), rendered on June 15, 2001,

And defendant-appellant having moved for, inter alia, reinstatement of said appeal, or in the alternative, for a writ of error coram nobis, for a review of his claim of ineffective assistance of appellate counsel, 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.

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 September 30, 2008.

PRESENT - Hon. Peter Tom, Justice Presiding,
Milton L. Williams
John T. Buckley
John W. Sweeny, Jr., Justices.

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

-against-

Jose Rubi,
Defendant-Appellant.

M-1468
Ind. Nos. 4251/02
6112/02

-----X

A decision and order of this Court having been entered on June 7, 2005 (Appeal Nos. 6259-6260), unanimously affirming the judgments of the Supreme Court, New York County (Gregory Carro, J. at hearing; John A.K. Bradley, J. at trial and sentence), rendered on September 30, 2003,

And defendant-appellant having moved, in the nature of a writ of error coram nobis, for a review of his claim of ineffective assistance of 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 said application 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 September 30, 2008.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
John T. Buckley
Rolando T. Acosta
Dianne T. Renwick
Leland G. DeGrasse, Justices.

-----X
Sisley Rollock and Gabriel A. Marin,
Plaintiffs-Appellants,

-against-

M-3736
Index No. 17180/04

Andre Vardaxis, Janella Cab Corp.,
Gleinis A. Adames and Jimmy A. Rivas,
Defendants-Respondents.

-----X

Defendants-respondents having moved for dismissal of the appeal taken from an order of the Supreme Court, Bronx County, entered on or about June 26, 2007,

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 September 30, 2008.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
John T. Buckley
Rolando T. Acosta
Dianne T. Renwick
Leland G. DeGrasse, Justices.

-----X
Melanie Cortez,
Plaintiff-Appellant,

-against-

M-3099
Index No. 400538/06

Revon Lalite,
Defendant-Respondent.
-----X

An order and judgment of the Supreme Court, New York County having been entered on or about August 17, 2007 and December 19, 2007, respectively,

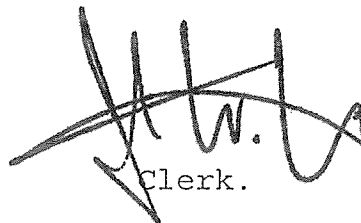
And plaintiff having taken an appeal from the aforesaid order entered on or about August 17, 2007,

And plaintiff having moved for an enlargement of time in which to take an appeal from the aforesaid judgment entered on or about December 19, 2007, or in the alternative, deeming the notice of appeal from the aforesaid order as a premature notice of appeal from the aforesaid judgment,

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, sua sponte, the appeal from the order entered on or about August 17, 2007 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 September 30, 2008.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,
James M. Catterson
Rolando T. Acosta
Dianne T. Renwick, Justices.

-----X
Humphreys & Harding, Inc.,
Plaintiff-Respondent,

-against-

M-3481
Index No. - 601297/02

Universal Bonding Insurance Company,
Defendant/Third-Party
Plaintiff-Respondent,

-against-

Welch Construction Corp., et al.,
Third-Party Defendants-Appellants.

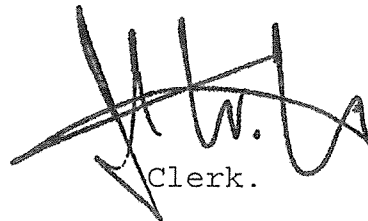
-----X

Third-party defendants-appellants Welch Construction Corp., et al. 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 June 12, 2008 (Appeal Nos. 3926-3929),

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 September 30, 2008.

PRESENT - Hon. Angela M. Mazzairelli, Justice Presiding,
Richard T. Andrias
Milton L. Williams
Dianne T. Renwick, Justices.

-----X
In re Elizabeth Amanda T., etc., and
Another,

Dependent Children Under the Age of
Eighteen Years, etc.,

Helene Lisa H., etc.,
Respondent-Appellant,

M-3522
Docket Nos. B-665/05
B-666/05

Graham-Windham Services to Families
and Children,
Petitioner-Respondent.

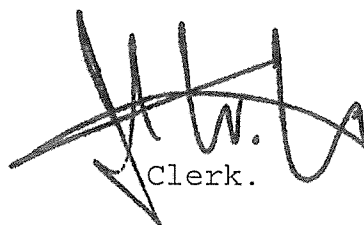
-----X

Respondent-appellant 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 June 19, 2008 (Appeal Nos. 3967-3967A), 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 September 30, 2008.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,
James M. Catterson
Karla Moskowitz
Rolando T. Acosta, Justices.

-----X
Frank Callan, et al.,
Plaintiffs-Appellants-Respondents,

-against-

M-3572
Index No. 108305/05

Structure Tone, Inc.,
Defendant/Third-Party Plaintiff-
Respondent-Appellant,

-against-

Atlas-Acon Electric Services Corp.,
Third-Party Defendant-Respondent.

-----X

Defendant/third-party plaintiff-respondent-appellant
Structure Tone, Inc. 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 June 12, 2008
(Appeal No. 3939),

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 September 30, 2008.

Present : Hon. Angela M. Mazzairelli, Justice Presiding,
James M. Catterson
Karla Moskowitz
Rolando T. Acosta, Justices.

-----X
Jill A. Brenner,
Plaintiff-Respondent,

-against-

M-3591 & M-3794
Index No. 350134/07

David A. Brenner,
Defendant-Appellant.

-----X

Defendant-appellant having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on June 12, 2008 [Appeal No. 3923] (M-3591),

And plaintiff-respondent having cross-moved for the same relief, and for attorneys' fees (M-3794),

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 and cross motion are 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 September 30, 2008.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
David B. Saxe
David Friedman
Rolando T. Acosta, Justices.

-----X
Diana McDonald,
Plaintiff-Appellant,

-against-

M-3934
Index No. 14944/01

Montefiore Medical Center, et al.,
Defendants-Respondents.
-----X

Plaintiff-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 October 26, 2007,

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 appellant's time in which to perfect the appeal to the January 2009 Term, with no further enlargements to be granted.

E N T E R :


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 September 30, 2008.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
John T. Buckley
Rolando T. Acosta
Dianne T. Renwick
Leland G. DeGrasse, Justices.

-----X
In the Matter of the Application of

Keymarroo Guiden,

Petitioner-Appellant,

SEALED

M-3740

Index No. 92255/07

For the Appointment of a Guardian
for Veronica W., an Alleged
Incapacitated Person,

Sallie Floyd and Corlinda Nicholson,

Respondents-Respondents.
-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about May 17, 2007,

And petitioner-appellant having moved for an order unsealing the record on appeal, for an enlargement of time in which to perfect the appeal, 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, to the extent it seeks to unseal the record, is denied. Petitioner-appellant's time in which to perfect the appeal is enlarged to the January 2009 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 September 30, 2008.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,
David Friedman
Luis A. Gonzalez
Milton L. Williams, Justices.

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

-against-

M-2805
Ind. No. 2763/01

Trevis Funches,
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on February 19, 2004 (Appeal No. 2891-2891A), unanimously affirming the judgment of the Supreme Court, New York County (Charles Tejada, J.), rendered on April 29, 2002 and the order of said Court entered on or about February 3, 2003,

And defendant-appellant having moved, in the nature of a writ of error coram nobis, for a review of his claim of ineffective assistance of 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 said application is denied.

E N T E R:


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 September 30, 2008.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
John T. Buckley
Rolando T. Acosta
Dianne T. Renwick
Leland G. DeGrasse, Justices.

-----X
The People of the State of New York,
ex rel. Terence Boddie,
Petitioner,

-against-

M-3898
Index No. CA 1462/08

New York State Division of Parole
Respondent.

-----X

The above-named petitioner having moved for, inter alia, a writ of habeas corpus to be issued from this Court, and other 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 September 30, 2008.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,
James M. Catterson
James M. McGuire
Dianne T. Renwick, Justices.

-----X

Freeford Limited,
Plaintiff-Respondent,

-against-

Lane P. Pendleton, et al.,
Defendants-Appellants,

M-2463
M-2465
M-2614
Index No. 603652/05

John Does 1 through 10,
Defendants.

-----X

By separate motions, defendants Lane P. Pendleton (M-2463), Cairnwood Management, LLC (M-2465) and plaintiff Freeford Limited (M-2614), moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on April 10, 2008 (Appeal No. 1616),

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.

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 September 30, 2008.

PRESENT - Hon. Richard T. Andrias, Justice Presiding,
David Friedman
John W. Sweeny, Jr.
Karla Moskowitz, Justices.

-----X
Purchase Partners II, LLC, et al.,
Plaintiffs-Appellants,

-against-

M-2645
Index No. 604219/04

Anthony E. Westreich,
Defendant-Respondent.

[And a Third-Party Action]

-----X
Plaintiffs-appellants having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on April 22, 2008 (Appeal No. 2780),

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 September 30, 2008.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,
Eugene Nardelli
James M. McGuire
Karla Moskowitz
Dianne T. Renwick, Justices.

-----X
Olga Batyreva,
Plaintiff-Respondent,

-against-

M-4096
Index No. 101313/07

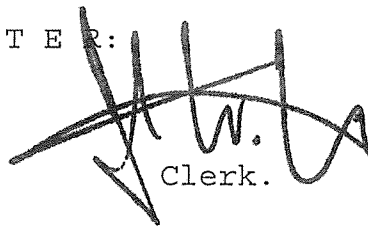
N.Y.C. Department of Education,
Defendant-Appellant.
-----X

Defendant-appellant having moved for an order confirming that the automatic statutory stay afforded municipal appellant, pursuant to CPLR 5519(a)(1) is in effect, or for alternative relief, pending hearing and determination of the appeal taken from the order of the Supreme Court, New York County, entered on or about May 5, 2008 (mot. seq. no. 001), and said appeal having been perfected for the December 2008 Term,

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 staying all proceedings pending hearing and determination of the perfected appeal.

E N T E R:


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 September 30, 2008.

PRESENT: Hon. David B. Saxe, Justice Presiding,
Eugene Nardelli
Karla Moskowitz
Rolando T. Acosta
Leland G. DeGrasse, Justices.

-----X
George Aldrich, et al.,
Plaintiffs-Appellants,

-against-

M-3527
Index No. 605336/99

Marsh & McLennan Companies, Inc.,
et al.,
Defendants-Respondent.

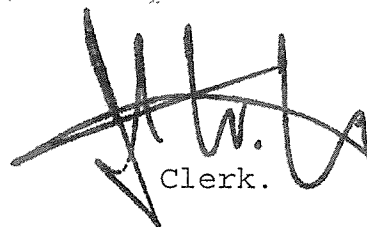
-----X

Plaintiffs-appellants having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on June 26, 2008 (Appeal No. 4011),

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 September 30, 2008.

PRESENT - Hon. David B. Saxe, Justice Presiding,
Eugene Nardelli
Karla Moskowitz
Rolando T. Acosta
Leland G. DeGrasse, Justices.

-----X
Ralph Ronda,
Plaintiff-Appellant,

-against-

M-3561
Index No. 20827/05

Friendly Baptist Church, et al.,
Defendants-Respondents.
-----X

Plaintiff-appellant 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 June 26, 2008 (Appeal No. 4020),

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 September 30, 2008.

PRESENT - Hon. David B. Saxe, Justice Presiding,
John W. Sweeny, Jr.
James M. McGuire
Rolando T. Acosta, Justices.

-----X
Steven Littman,
Plaintiff-Appellant,

-against-

M-3624
Index No. 602176/06

John W. Magee, et al.,
Defendants-Respondents,

Herrick Feinstein, LLP, et al.,
Defendants.

-----X

Defendants-respondents 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 June 10, 2008 (Appeal No. 3264),

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 September 30, 2008.

PRESENT - Hon. Luis A. Gonzalez, Justice Presiding,
John T. Buckley
Karla Moskowitz
Dianne T. Renwick
Leland G. DeGrasse, Justices.

-----X
In the Matter of a Proceeding for
Custody and/or Visitation under
Article 6 of the Family Court Act.

Thomas S., M-3814
Petitioner-Respondent, Docket Nos. V16893/05
V16894/05
-against- V16895/05

Latisha S.,
Respondent-Appellant.

Martha Schneiderman, Esq.,
The Children's Law Center,
Law Guardian-Appellant.
-----X

Respondent-appellant mother having moved for an enlargement of time in which to perfect the appeal from the order of the Family Court, Bronx County, entered on or about October 18, 2007,

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 in which to perfect the appeal to the February 2009 Term.

E N T E R:


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 September 30, 2008.

PRESENT - Hon. Luis A. Gonzalez, Justice Presiding,
John T. Buckley
Karla Moskowitz
Dianne T. Renwick
Leland G. DeGrasse, Justices.

-----X
Joseph Chai Corp.,
Plaintiff-Appellant,

-against-

M-3930
Index No. 600080/07

Gemological Institute of America,
Defendant-Respondent.

-----X
Gemological Institute of America,
Third-Party Plaintiff-
Defendant-Respondent,

-against-

Index No. 590083/07

Lazare Kaplan International Inc.,
Third-Party Defendant-Respondent.

-----X

Plaintiff-appellant having moved for an enlargement of time in which to perfect the consolidated appeals from the orders of the Supreme Court, New York County, entered on or about August 8, 2007 (mot. seq. no. 001) and August 13, 2007 (mot. seq. no. 002), 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 to the extent of enlarging the time in which to perfect the consolidated appeals to the January 2009 Term.

E N T E R:


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 September 30, 2008.

Present: Hon. Luis A. Gonzalez, Justice Presiding,
John T. Buckley
Karla Moskowitz
Dianne T. Renwick
Leland G. DeGrasse, Justices.

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

-against-

M-3910
Ind. No. 3381/05

Victor Pena,
Defendant-Appellant.

-----X

An appeal having been taken from the judgment of the Supreme Court, New York County, entered on or about April 6, 2006,

And respondent having moved for an order striking defendant's brief, note of issue and appendix, and removing defendant's appeal from this Court's calendar,

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-appellant to file a proper and adequate appendix on appeal to contain those items as set forth in detail in the affirmation and supplemental affirmation of David M. Cohn, Esq., annexed to the notice of motion, on or before November 10, 2008 for the January 2009 Term, to which Term the appeal is adjourned. The motion is otherwise denied with leave to renew should appellant fail to so file a proper appendix.

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 September 30, 2008.

PRESENT - Hon. Luis A. Gonzalez, Justice Presiding,
John T. Buckley
Karla Moskowitz
Dianne T. Renwick
Leland G. DeGrasse, Justices.

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

-against-

M-3919
Ind. No. 3948/04

David Robinson,
Defendant-Appellant.

-----X

An appeal having been taken from the judgment of the Supreme Court, New York County, rendered on or about May 13, 2005,

And defendant-appellant proceeding pro se having moved for an order directing the transcription of minutes of proceedings held on January 18, 2005 and to enlarge the record on appeal to include said minutes 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 directing the Clerk of the Supreme Court, New York County, to have transcribed all the minutes of the January 18, 2005 proceedings for inclusion in the record on appeal, within 30 days from the date of service upon the Clerk of a copy of this order, which appellant is directed to serve upon the Clerk of Supreme Court, New York County within 20 days from the date of entry hereof. Defendant's time in which to perfect the aforesaid appeal is enlarged to the February 2009 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 September 30, 2008.

PRESENT - Hon. Luis A. Gonzalez, Justice Presiding,
Eugene Nardelli
John W. Sweeny, Jr.
James M. McGuire, Justices.

-----X
Robert Callahan, et al.,

Plaintiffs-Respondents,

-against-

M-3515

Hugh L. Carey, etc., et al.,
Defendants,

Index No. 42582/79

Edward I. Koch, etc., et al.,
Defendants-Appellants.

- - - - -
Louise F. Eldredge, et al.,
Plaintiffs-Respondents,

-against-

Index No. 41494/82

Edward I. Koch, etc., et al.,
Defendants-Appellants.

-----X

Plaintiffs having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on July 1, 2008 (Appeal No. 1755N), and for a stay of the effect thereof pending hearing and determination of said appeal should leave be granted, 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 so much of the motion which seeks leave to appeal to the Court of Appeals is granted, and this Court, pursuant to CPLR 5713, certifies that the following question of

law, decisive of the correctness of its determination, has arisen, which in its opinion ought to be reviewed by the Court of Appeals:

"Was the order of this Court, which reversed the order of the Supreme Court, properly made?"

This Court further certifies that its determination was made as a matter of law and not in the exercise of discretion. The implementation of the order of this Court entered on July 1, 2008 (Appeal No. 1755N) is stayed pending hearing and determination of the appeal by the Court of Appeals.

E N T E R:



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 September 30, 2008.

PRESENT: Hon. Luis A. Gonzalez, Justice Presiding,
John T. Buckley
Karla Moskowitz
Dianne T. Renwick
Leland G. DeGrasse, Justices.

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

-against-

M-4033
Ind. No. 844/92

Junior Gumbs,
Defendant-Appellant.

-----X
Defendant-appellant having moved for leave to file a pro se supplemental brief in connection with an appeal from the order of the Supreme Court, New York County, entered on or about June 26, 2006, 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 10 copies of his pro se supplemental brief on or before November 10, 2008 for the January 2009 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.

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

BEFORE: Hon. DAVID FRIEDMAN
Justice of the Appellate Division

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

Respondent,

M-3784

Ind. No. 3484/00

-against-

Randy Soto,

Defendant-Appellant.

-----X

The above-named defendant-appellant having moved for leave to appeal to the Court of Appeals from the order of this Court entered on June 3, 2008 (M-1729), which denied his motion for reargument and/or reconsideration of the decision and order of this Court entered on February 1, 2007 (Appeal No. 101),

NOW, upon reading and filing of the papers with respect to the motion, and due deliberation having been had thereon, it is hereby ORDERED that the motion is denied (see CPL 450.90; People v Vargas, 94 NY2d 870 [2000]).

Dated: New York, New York
September 23, 2008



DAVID FRIEDMAN
Justice of the Appellate Division

ENTERED

SEP 30 2008

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 September 30, 2008.

Present: Hon. Peter Tom, Justice Presiding,
Luis A. Gonzalez
John W. Sweeny, Jr.
James M. Catterson
Karla Moskowitz, Justices.

-----X
All American Crane Service, Inc.,
et al.,
Plaintiffs-Respondents,

-against-

M-4379
Index No. 108032/08

Ashraf Omran, Executive Director of
the Cranes & Derricks Division of the
Department of Buildings of the City
of New York, et al.,
Defendants-Appellants.

-----X

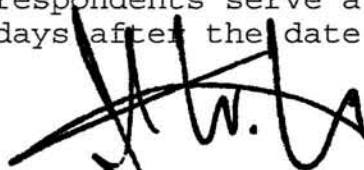
An appeal having been taken from the order of the Supreme Court, New York County, entered on or about June 22, 2008 (mot. seq. no. 001),

And defendants-appellants having moved for a stay of a prohibitory preliminary injunction, 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 granted on condition that the appeal is perfected on or before October 17, 2008 for the December 2008 Term. Respondents' points to be served and filed on or before November 7, 2008, and the appellants' reply, if any, to be served and filed on or before November 14, 2008: **All service by hand.** The Clerk is directed to calendar the appeal for hearing in the first week of said December 2008 Term. Upon failure to so perfect, an order vacating the stay may be entered ex parte, provided that respondents serve a copy of this order upon appellants within 10 days after the date of entry hereof.

ENTER:


Clerk.

CORRECTED ORDER - SEPTEMBER 30, 2008

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 September 16, 2008.

Present: Hon. Peter Tom, Justice Presiding,
Luis A. Gonzalez
John W. Sweeny, Jr.
James M. Catterson
Karla Moskowitz, Justices.

-----X
In the Matter of

Natalie Maria D.,

A Dependent Child under 18 Years
of Age Pursuant to §384-b
of the Social Services Law,

M-3321
Docket No. B1364/05

The Children's Aid Society,
et al.,
Petitioners-Respondents,

Miguel D.,
Respondent-Appellant.

Steven Banks, Esq.,
Law Guardian for the Child.

-----X

Respondent-appellant father having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, Bronx County, entered on or about November 21, 2007, 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 granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, John Marafino, Esq., 9 West Prospect Avenue, Suite 409, Mount Vernon, New York 10550, Telephone No. 914-663-1500, as counsel, for purposes of

CORRECTED ORDER - SEPTEMBER 30, 2008

(M-3321)

-2-

September 16, 2008

prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed within 60 days of service of a copy of this order upon the Clerk, the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor¹; (3) permitting appellant to dispense with any fee for transferring the record from the Family Court to this Court; and (4) enlarging the time to perfect this appeal until 120 days from the date of filing of the record. Assigned counsel is directed to immediately subpoena the record from the Family Court and to serve a copy of this order upon the Clerk of the Family Court.

ENTER:



Clerk.

¹Service of appellant's brief upon respondent(s) shall include assigned counsel's copy of the transcript.

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 September 30, 2008.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
David Friedman
Eugene Nardelli
Milton L. Williams
Helen E. Freedman, Justices.

-----X
Donald Pressley,

Plaintiff-Respondent,

-against-

M-4408
Index No. 603220/06

Paul Alexander Shneyer,

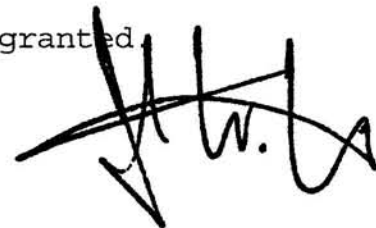
Defendant-Appellant,
-----X

Defendant-appellant having moved for an order staying the trial in the above-entitled action pending hearing and determination of the appeal taken from the order of the Supreme Court, New York County, entered on or about July 11, 2007 (mot. seq. no. 001),

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.

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 September 30, 2008.

Present: Hon. Jonathan Lippman, Presiding Justice,
Luis A. Gonzalez
John W. Sweeny, Jr.
James M. Catterson
Leland G. DeGrasse, Justices.

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

-against-

M-4269
Ind. No. 5288/04

Boris Teichman,
Defendant-Appellant.

-----X

An appeal having been taken from the judgment of the Supreme Court, New York County, rendered on or about June 26, 2006, and said appeal having been perfected for the November 2008 Term of this Court,

And defendant-appellant having moved for an order adjourning 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 adjourning the aforesaid appeal to the February 2009 Term of this Court.

ENTER:



Clerk.

CORRECTED ORDER - SEPTEMBER 30, 2008

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 September 16, 2008.

PRESENT - Hon. Peter Tom, Justice Presiding,
Luis A. Gonzalez
John W. Sweeny, Jr.
James M. Catterson
Karla Moskowitz, Justices.

-----X
In the Matter of a Proceeding for
Support under Article 4 of the
Family Court Act.

Karla V.,
Petitioner-Respondent,

-against-

M-3462
Docket No. F19256/06

Angel L.,
Respondent-Appellant.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, Bronx County, entered on or about March 18, 2008, 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 granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and § 1120 of the Family Court Act, **John Marafino, Esq., 9 West Prospect Avenue, Suite 409, Mount Vernon, New York 10550, Telephone No. 914-663-1500**, as counsel, for purposes of prosecuting the appeal; (2) **directing the Clerk of said Family Court to have transcribed within 60 days of service of a copy of this order upon the Clerk**, the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor¹; (3) permitting appellant to dispense with any fee for

¹Service of appellant's brief upon respondent(s) shall include assigned counsel's copy of the transcript.

CORRECTED ORDER - SEPTEMBER 30, 2008

(M-3462)

-2-

September 16, 2008

transferring the record from the Family Court to this Court; and
(4) enlarging the time to perfect this appeal until 120 days from
the date of filing of the record. Assigned counsel is directed
to immediately subpoena the record from the Family Court and to
serve a copy of this order upon the Clerk of the Family Court.

E N T E R:

A handwritten signature in black ink, appearing to be "J.H.L.", written over a horizontal line.

Clerk.