

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 June 17, 2010.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
David Friedman
Leland G. DeGrasse
Sallie Manzanet-Daniels
Nelson S. Román, Justices.

-----X
In the Matter of

"Female" W., also known as Tiffany W.,

A Dependent Child under 18 Years of
Age Pursuant to §384-b of the Social
Services Law of the State of New York.

M-2127
Docket No. B13247/05

SCO Family of Services, et al.,
Petitioners-Respondents,

Talon W.,
Respondent-Appellant.

Judith Carlin, Esq.,
Law Guardian for the Child.

-----X
Petitioner-respondent Agency having moved for dismissal of the appeal taken from the order of the Family Court, New York County, entered on or about April 22, 2009,

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 June 17, 2010.

PRESENT - Hon: Luis A. Gonzalez, Presiding Justice,
Peter Tom
David Friedman
James M. McGuire, Justices.

-----X
Columbus 95th Street, LLC,
Petitioner-Appellant,

-against-

M-2844
Index No. 113148/07

New York State Division of Housing
and Community Renewal,
Respondent-Respondent,

Columbus House Tenants Association,
et al.,
Intervenors-Respondents-
Respondents,

The Attorney General of the State of
New York,
Statutory Intervenor-Respondent-
Respondent.

-----X

An appeal having been taken from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about December 4, 2009,

And Central Park Gardens Tenants Association, Prospect Towers Tenants Association and Westview Neighbors Association, having moved for an order, pursuant to CPLR 1013, for leave to intervene in this appeal as party respondents, or in the alternative, for permission to file an amicus curiae 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 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 June 17, 2010.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
Angela M. Mazzairelli
Eugene Nardelli
Rolando T. Acosta
Sheila Abdus-Salaam, Justices.

-----X
In re Citizens Emergency Committee
to Preserve Preservation,
Petitioner-Respondent,

-against-

M-1460
Index No. 103373/08

Robert B. Tierney, Chair of the
New York City Landmarks Preservation
Commission, et al.,
Respondents-Appellants.
-----X

Petitioner-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 February 25, 2010 (Appeal No. 2220),

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 June 17, 2010.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Angela M. Mazzairelli
Eugene Nardelli
Rolando T. Acosta
Sheila Abdus-Salaam, Justices.

-----X

Ian J. Gazes, etc.,
Plaintiff-Appellant,

-against-

M-1568
Index No. 112072/07

John C. Bennett,
Defendant-Respondent.

-----X

Defendant-respondent 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 February 25, 2010 (Appeal No. 2223),

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 June 17, 2010.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
Richard T. Andrias
James M. Catterson
Sallie Manzanet-Daniels, Justices.

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

Respondent,

-against-

M-2745
Ind. No. 465/03

Carlos Hernandez,

Defendant-Appellant.
-----X

Defendant-appellant, in connection with an appeal taken from the judgment of the Supreme Court, Bronx County, rendered on or about April 6, 2005, having moved for leave to file a pro se supplemental brief 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 directing defendant to serve and file 10 copies of his pro se supplemental brief on or before October 4, 2010 for the December 2010 Term, to which Term the appeal is adjourned.

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 June 17, 2010.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
David Friedman
Leland G. DeGrasse
Sallie Manzanet-Daniels
Nelson S. Román, Justices.

-----X
Maria Dolores Tanpinco, et al.,

Plaintiffs-Appellants,

-against-

M-2126
Index No. 114600/08

Royal Caribbean International, et al.,

Defendants-Respondents.
-----X

Plaintiffs-appellants having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, New York County, entered on or about June 16, 2009,

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 November 2010 Term, with no further enlargements to be granted. 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 appellants within 10 days after 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 June 17, 2010.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
Karla Moskowitz
Helen E. Freedman
Rosalyn H. Richter
Nelson S. Román, Justices.

-----X
Mark Lewis Brecker,

Plaintiff-Respondent,

-against-

M-2420
Index No. 111744/08

295 Central Park West, Inc., et al.,

Defendants-Appellants.
-----X

Plaintiff-respondent having moved for reargument of the decision and order of this Court entered on March 25, 2010 (Appeal No. 2432-2433),

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 June 17, 2010.

Present: Hon. Peter Tom, Justice Presiding,
David Friedman
Eugene Nardelli
Rolando T. Acosta
Sheila Abdus-Salaam, Justices.

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

-against-

M-2265
Ind. No. 3130/09

Rafael Silva,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about January 13, 2010, and for leave to prosecute the appeal as a poor person on the original record and upon a reproduced appellant's brief, and for assignment of counsel,

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 moving papers a timely filed notice of appeal, and 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, with 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.

Robert S. Dean, Esq., Center for Appellate Litigation, 74 Trinity Place, 11th Floor, New York, New York 10006, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

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 June 17, 2010.

Present: Hon. Peter Tom, Justice Presiding,
David Friedman
Eugene Nardelli
Rolando T. Acosta
Sheila Abdus-Salaam, Justices.

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

-against-

M-2286
Ind. No. 3917/03

Jamel McRae,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County, entered on or about April 20, 2010 denying resentence, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, 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 upon the original record 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, with 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 before Judge White. 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.

Robert S. Dean, Esq., Center for Appellate Litigation, 74 Trinity Place, 11th Floor, New York, New York 10006, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

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 June 17, 2010.

Present: Hon. Peter Tom, Justice Presiding,
David Friedman
Eugene Nardelli
Rolando T. Acosta
Sheila Abdus-Salaam, Justices.

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

Travelers Property and Casualty
Company of America,
Petitioner-Appellant,

M-2160
Index No. 260083/08

-against-

Luis Mayen,
Respondent-Respondent.

-----X

Petitioner-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 June 11, 2009,

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 November 2010 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 June 17, 2010.

Present: Hon. Peter Tom, Justice Presiding,
David Friedman
Eugene Nardelli
Rolando T. Acosta
Sheila Abdus-Salaam, Justices.

-----X
277 Mott Street LLC,

Plaintiff-Appellant,

-against-

M-2156
Index No. 603168/08

Fountainhead Construction LLC,
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, New York County, entered on or about July 2, 2009,

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 November 2010 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 June 17, 2010.

Present: Hon. Peter Tom, Justice Presiding,
David Friedman
Eugene Nardelli
Rolando T. Acosta
Sheila Abdus-Salaam, Justices.

-----X
Kamco Supply Corp.,

Plaintiff-Appellant,

-against-

M-2184
Index No. 603977/07

JMT Brothers Realty, LLC, 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, New York County, entered on or about June 22, 2009,

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 November 2010 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 June 17, 2010.

Present: Hon. Peter Tom, Justice Presiding,
David Friedman
Eugene Nardelli
Rolando T. Acosta
Sheila Abdus-Salaam, Justices.

-----X
Felicitto Ramirez,

Plaintiff-Appellant,

-against-

M-2228
Index No. 122538/00

Willow Ridge County Club, Inc.,
et al.,

Defendants-Respondents.
-----X

Plaintiff-appellant having moved for an enlargement of time in which to perfect the appeal from the judgment of the Supreme Court, New York County, entered on or about April 22, 2009,

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 November 2010 Term.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in in the County of New York on June 17, 2010.

PRESENT: Hon. Peter Tom, Justice Presiding,
Eugene Nardelli
Rolando T. Acosta
Sheila Abdus-Salaam, Justices.

-----X
Dr. Howard Kudler,
Petitioner-Respondent,

-against-

M-2193
M-2467
Index No. 600237/08

Dr. Barry Truffelman, Dr. Joel Ingber,
and Dr. David Ingber,
Respondents-Appellants.

-----X

Respondents-appellants having moved for a stay of enforcement of the order and judgment (one paper) of the Supreme Court, New York County, entered on or about March 3, 2010, pending hearing and determination of the appeal taken therefrom (M-2193),

And petitioner-respondent having cross-moved for costs, fees and sanctions with respect to the motion (M-2467),

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 (M-2193) and cross-motion (M-2467) 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 June 17, 2010.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
James M. Catterson
Dianne T. Renwick
Sallie Manzanet-Daniels, Justices.

-----X
Heriberto Ospina,

Plaintiff-Respondent,

-against-

M-2169
Index No. 18753/07

Evelyn A. Roman, et al.,

Defendants-Appellants.
-----X

Plaintiff-respondent having moved for dismissal of the appeal taken from the order of the Supreme Court, Bronx County, entered on or about December 23, 2009,

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 June 17, 2010.

Present: Hon. Angela M. Mazzairelli, Justice Presiding,
David Friedman
Eugene Nardelli
Dianne T. Renwick
Nelson S. Román, Justices.

-----X
68-74 Thompson Realty, LLC,

Petitioner-Appellant,

-against-

M-1625
Index No. 570599/06

Keith McNally, et al.,

Respondents-Respondents.
-----X

Respondents-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 March 2, 2010 (Appeal No. 1952),

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 June 17, 2010.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
James M. McGuire
Leland G. DeGrasse
Helen E. Freedman
Rosalyn H. Richter, Justices.

-----X
Jozef Bieniek,
Plaintiff-Respondent,

-against-

M-2204
Index No. 116733/06

Mazal Group, a Limited Liability Company, Newmark Knight Frank, and GGNYC2 Inc., doing business as Gold's Gym,
Defendants-Appellants.

-----X
GGNYC2 Inc., doing business as Gold's Gym,
Third-Party Plaintiff-Appellant,

-against-

Third-Party
Index No. 590844/07

TZVI & Chris Construction Corp.,
Third-Party Defendant-Respondent.

-----X

Defendants Mazal Group, Newmark Knight Frank, and GGNYC2 Inc., doing business as Gold's Gym having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, New York County, entered on or about June 17, 2009,

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 January 2011 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 June 17, 2010.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
James M. McGuire
Leland G. DeGrasse
Helen E. Freedman
Rosalyn H. Richter, Justices.

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

Respondent,

-against-

M-2304
Ind. No. 5400/08

Manuel Mack,

Defendant-Appellant.
-----X

Defendant-appellant, in connection with an appeal taken from the judgment of the Supreme Court, New York County, rendered on or about June 30, 2009, having moved for leave to file a pro se supplemental brief 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 June 17, 2010.

Present: Hon. Richard T. Andrias, Justice Presiding,
David Friedman
James M. Catterson
James M. McGuire, Justices.

-----X
Elsa Almonte,
Plaintiff-Appellant,

-against-

M-1574
Index No. 100588/06

The City of New York, et al.,
Defendants,

Marlboro Building Associates,
L.L.C. and A.L. Eastmond & Sons,
Inc.,
Defendants-Respondents.

-----X

Defendant-respondent, Marlboro Building Associates, L.L.C., having moved for dismissal of the appeal taken from the order of the Supreme Court, New York County, entered on or about May 18, 2009 (mot. seq. no. 005),

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 June 17, 2010.

Present - Hon. Richard T. Andrias, Justice Presiding,
David B. Saxe
John W. Sweeny, Jr.
Eugene Nardelli
James M. Catterson, Justices.

-----X
Planetarium Travel, Inc.,

Plaintiff-Appellant,

-against-

M-2718
Index No. 600794/10

American Express Travel Related
Services Company, Inc.,

Defendant-Respondent.
-----X

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about May 12, 2010,

And plaintiff-appellant having moved in the nature of a preliminary appellate injunction barring termination of a certain contract 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 denied. The interim relief afforded appellant by order of a Justice of this Court dated May 17, 2010 is vacated.

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 June 17, 2010.

Present: Hon. Richard T. Andrias, Justice Presiding,
Eugene Nardelli
James M. Catterson
Leland G. DeGrasse
Sallie Manzanet-Daniels, Justices.

-----X
In re James T. Williams,
Petitioner-Appellant,

-against-

M-1675
Index No. 402485/07

David A. Hansell, as Commissioner of
the New York State Office of Temporary
and Disability Assistance, et al.,
Respondents-Respondents.

-----X

Petitioner-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 4, 2010 (Appeal No. 2292),

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 June 17, 2010.

Present: Hon. David B. Saxe, Justice Presiding,
David Friedman
Eugene Nardelli
Helen E. Freedman
Sheila Abdus-Salaam, Justices.

-----X
Aicco, Inc.,

Plaintiff-Respondent,

-against-

M-2141
Index No. 107806/08

SMC Construction Corp.,

Defendant-Appellant.
-----X

Plaintiff-respondent having moved for dismissal of the appeal taken from the order of the Supreme Court, New York County, entered on or about March 20, 2009 (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 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 June 17, 2010.

Present: Hon. David B. Saxe, Justice Presiding,
David Friedman
Eugene Nardelli
Karla Moskowitz
Rosalyn H. Richter, Justices.

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

Respondent,

-against-

M-2789
Ind. No. 57/06

Eddy Momplaisir,

Defendant-Appellant.
-----X

An order of this Court having been entered on March 12, 2009 (M-705), inter alia, granting defendant's initial motion for leave to file a pro se supplemental brief in connection with the appeal from a judgment of the Supreme Court, New York County, rendered on or about October 4, 2007,

And defendant having moved for a further extension of time in which to file the pro se supplemental brief, and for additional transcripts set forth in the moving papers,

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 October 4, 2010 for the December 2010 Term, to which Term the appeal is adjourned. The appeal will not be heard unless and until all material furnished to appellant has been returned. So much of the motion which seeks additional transcripts 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 June 17, 2010.

Present: Hon. David B. Saxe, Justice Presiding,
James M. Catterson
Dianne T. Renwick
Rosalyn H. Richter
Sheila Abdus-Salaam, Justices.

-----X
Randy Hernandez, an infant under the age of 14 years by his mother and natural guardian, Yalitza Diaz, and Yalitza Diaz, individually,

Plaintiffs-Appellants,

M-1713
Index No. 23836/04

-against-

St. Barnabas Hospital, et al.,

Defendants-Respondents.
-----X

Plaintiffs-appellants having moved for an enlargement of time in which to perfect the appeal from the judgment of the Supreme Court, Bronx County, entered on or about July 8, 2009,

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 November 2010 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 June 17, 2010.

Present: Hon. David B. Saxe, Justice Presiding,
James M. Catterson
Dianne T. Renwick
Rosalyn H. Richter
Sheila Abdus-Salaam, Justices.

-----X
Anthony Charnota,

Plaintiff-Appellant,

-against-

M-1855
Index No. 101247/07

Ver-Tech Elevator Co., et al.,

Defendants-Respondents.
-----X

Plaintiff-appellant having moved for an enlargement of time in which to perfect the appeal from the judgment of the Supreme Court, New York County, entered on or about June 16, 2009,

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 November 2010 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 June 17, 2010.

PRESENT - Hon. David B. Saxe, Justice Presiding,
Karla Moskowitz
Sheila Abdus-Salaam
Nelson S. Román, Justices.

-----X
Arthur Weber, et al.,
Plaintiffs-Respondents/Appellants,

-against-

M-1522
Index No. 120164/02

Baccarat, Inc.,
Defendant-Appellant,

Baccarat Real Estate, Inc., et al.,
Defendants,

625 Madison Avenue Associates, et al.,
Defendants-Appellants/Respondents,

King Freeze Mechanical Corp.,
Defendant-Respondent.
-----X

Defendant-respondent King Freeze Mechanical Corp. having moved for reargument of the decision and order of this Court entered on February 16, 2010 (Appeal No. 2161),

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 June 17, 2010.

Present: Hon. David Friedman, Justice Presiding,
Eugene Nardelli
Karla Moskowitz
Helen E. Freedman
Sallie Manzanet-Daniels, Justices.

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

Respondent, M-2468
DC #2
-against- Ind. No. 3131/03

Jose Aguilar,
Defendant-Appellant.
-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, Bronx County, rendered on or about June 30, 2004,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 13, 2010, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the September 2010 Term of this Court and counsel is directed to so perfect.

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 June 17, 2010.

Present: Hon. David Friedman, Justice Presiding,
Eugene Nardelli
Karla Moskowitz
Helen E. Freedman
Sallie Manzanet-Daniels, Justices.

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

Respondent,

-against-

M-2473
DC #6
Ind. No. 2661/06

Curtis Crayton,

Defendant-Appellant.
-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about May 22, 2007,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 13, 2010, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the September 2010 Term of this Court and counsel is directed to so perfect.

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 June 17, 2010.

Present: Hon. David Friedman, Justice Presiding,
Eugene Nardelli
Karla Moskowitz
Helen E. Freedman
Sallie Manzanet-Daniels, Justices.

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

Respondent, M-2477
DC #10
-against- Case No. 39301C/05

Lenny Emiliano,

Defendant-Appellant.
-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, Bronx County, rendered on or about November 30, 2007,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 13, 2010, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the September 2010 Term of this Court and counsel is directed to so perfect.

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 June 17, 2010.

Present: Hon. David Friedman, Justice Presiding,
Eugene Nardelli
Karla Moskowitz
Helen E. Freedman
Sallie Manzanet-Daniels, Justices.

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

Respondent,

M-2492

DC #15

-against-

Ind. No. 6300/06

Tony Green, also known as Terrence Allen,

Defendant-Appellant.
-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about October 25, 2007,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 13, 2010, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the September 2010 Term of this Court and counsel is directed to so perfect.

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 June 17, 2010.

Present: Hon. David Friedman, Justice Presiding,
Eugene Nardelli
Karla Moskowitz
Helen E. Freedman
Sallie Manzanet-Daniels, Justices.

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

Respondent,

-against-

M-2493
DC #16
Ind. No. 6167/05

Alexander Hall,

Defendant-Appellant.
-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about November 8, 2007,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 13, 2010, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the September 2010 Term of this Court and counsel is directed to so perfect.

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 June 17, 2010.

Present: Hon. David Friedman, Justice Presiding,
Eugene Nardelli
Karla Moskowitz
Helen E. Freedman
Sallie Manzanet-Daniels, Justices.

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

Respondent, M-2500
DC #23
-against- Ind. No. 586/07

Scott Liden,

Defendant-Appellant.
-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about April 25, 2007,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 13, 2010, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the September 2010 Term of this Court and counsel is directed to so perfect.

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 June 17, 2010.

Present: Hon. David Friedman, Justice Presiding,
Eugene Nardelli
Karla Moskowitz
Helen E. Freedman
Sallie Manzanet-Daniels, Justices.

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

Respondent, M-2506
DC #29
-against- Ind. No. 29/08

Javier Mena,

Defendant-Appellant.
-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about July 8, 2008,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 13, 2010, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the September 2010 Term of this Court and counsel is directed to so perfect.

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 June 17, 2010.

Present: Hon. David Friedman, Justice Presiding,
Eugene Nardelli
Karla Moskowitz
Helen E. Freedman
Sallie Manzanet-Daniels, Justices.

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

Respondent,

M-2511

DC #32

-against-

Ind. Nos. 2238/07

5010/06

Akinlowo Omowale, also known as
Akin Omowale,

Defendant-Appellant.
-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about May 13, 2008,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 13, 2008, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the September 2010 Term of this Court and counsel is directed to so perfect.

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 June 17, 2010.

Present: Hon. David Friedman, Justice Presiding,
Eugene Nardelli
Karla Moskowitz
Helen E. Freedman
Sallie Manzanet-Daniels, Justices.

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

Respondent, M-2512
DC #33
-against- Ind. No. 1348/05

Julio Panchon,

Defendant-Appellant.
-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about March 14, 2006,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 13, 2010, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the September 2010 Term of this Court and counsel is directed to so perfect.

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 June 17, 2010.

Present: Hon. David Friedman, Justice Presiding,
Eugene Nardelli
Karla Moskowitz
Helen E. Freedman
Sallie Manzanet-Daniels, Justices.

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

Respondent, M-2516
DC #37
-against- Ind. No. 4783/02

Victor Ramos,

Defendant-Appellant.
-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about August 25, 2008,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 13, 2010, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the September 2010 Term of this Court and counsel is directed to so perfect.

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 June 17, 2010.

Present: Hon. David Friedman, Justice Presiding,
Eugene Nardelli
Karla Moskowitz
Helen E. Freedman
Sallie Manzanet-Daniels, Justices.

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

Respondent, M-2520
DC #40
-against- Ind. No. 6805/05

William Schweitzer,
Defendant-Appellant.
-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about April 11, 2007,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 13, 2010, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the September 2010 Term of this Court and counsel is directed to so perfect.

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 June 17, 2010.

Present: Hon. David Friedman, Justice Presiding,
Eugene Nardelli
Karla Moskowitz
Helen E. Freedman
Sallie Manzanet-Daniels, Justices.

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

Respondent, M-2525
DC #45
-against- Ind. No. 6355/06

Ernesto Valdez,
Defendant-Appellant.
-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about July 10, 2007,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 13, 2010, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the September 2010 Term of this Court and counsel is directed to so perfect.

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 June 17, 2010.

Present: Hon. David Friedman, Justice Presiding,
Eugene Nardelli
Karla Moskowitz
Helen E. Freedman
Sallie Manzanet-Daniels, Justices.

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

Respondent,

-against-

M-2526
DC #46
Ind. No. 4878/07

Cristobal Verdejo,

Defendant-Appellant.
-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about July 2, 2008,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 13, 2010, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the September 2010 Term of this Court and counsel is directed to so perfect.

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 June 17, 2010.

Present: Hon. David Friedman, Justice Presiding,
Eugene Nardelli
Karla Moskowitz
Helen E. Freedman
Sallie Manzanet-Daniels, Justices.

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

Respondent, M-2528
DC #47
-against- Ind. No. 6221/06

David Wesley, also known as Kevin Wesley,

Defendant-Appellant.
-----X

Separate appeals having been taken to this Court by defendant from the judgments of the Supreme Court, New York County, rendered on or about August 14, 2007 and November 27, 2007, respectively,

And said appeals not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 13, 2010, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeals,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeals is enlarged to the September 2010 Term of this Court and counsel is directed to so perfect.

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 June 17, 2010.

Present: Hon. David Friedman, Justice Presiding,
Eugene Nardelli
Karla Moskowitz
Helen E. Freedman
Sallie Manzanet-Daniels, Justices.

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

Respondent, M-2530
DC #49
-against- Ind. No. 5926/07

Edward Wright,

Defendant-Appellant.
-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about May 15, 2008,

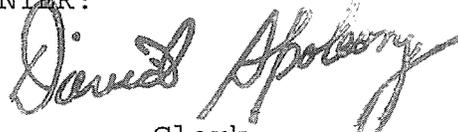
And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 13, 2010, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the September 2010 Term of this Court and counsel is directed to so perfect.

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 June 17, 2010.

Present: Hon. David Friedman, Justice Presiding,
Eugene Nardelli
Karla Moskowitz
Helen E. Freedman
Sallie Manzanet-Daniels, Justices.

-----X
Cheong Mei, Inc.,

Petitioner-Appellant,

-against-

M-2555
DC #52
Index No. 109860/06

Environmental Control Board of the
City of New York,
Respondent-Respondent.

-----X

An appeal having been taken to this Court by petitioner from the order of the Supreme Court, New York County, entered on or about August 1, 2007,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 13, 2010, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the September 2010 Term of this Court and counsel is directed to so perfect.

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 June 17, 2010.

Present: Hon. David Friedman, Justice Presiding,
Eugene Nardelli
Karla Moskowitz
Helen E. Freedman
Sallie Manzanet-Daniels, Justices.

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

Respondent,

M-2480

DC #69

-against-

Ind. No. 1286/06

John Evans, also known as Stanley Emerson,

Defendant-Appellant.
-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, Bronx County, rendered on or about May 21, 2008,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on May 13, 2010, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the September 2010 Term of this Court and counsel is directed to so perfect.

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 June 17, 2010.

PRESENT - Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Eugene Nardelli
Helen E. Freedman, Justices.

-----X
In re Oanfa Quan,
Petitioner-Appellant,

-against-

M-1402
Index No. 102419/09

New York City Department of Housing
Preservation and Development, et al.,
Respondents-Respondents.

-----X

Petitioner-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 February 18, 2010 (Appeal No. 2198),

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 June 17, 2010.

Present: Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Eugene Nardelli
Helen E. Freedman, Justices.

-----X
Amanda Shapira,

Plaintiff-Appellant,

-against-

M-1521
Index No. 111837/03

The City of New York, et al.,

Defendants-Respondents.
-----X

Plaintiff-appellant having moved for reargument of the decision and order of this Court entered on February 18, 2010 (Appeal Nos. 2192-2193),

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. Peter Tom
Justice of the Appellate Division

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

Respondent,

-against-

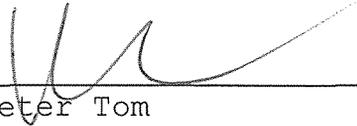
Ramon Caba,

Defendant.
-----X

M-992
Ind. No. 594/03

CERTIFICATE
DENYING LEAVE

I, Peter Tom, 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 January 7, 2010 is hereby denied.



Hon. Peter Tom
Associate Justice

Dated: June 3, 2010
New York, New York

ENTERED JUN 17 2010

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

BEFORE: Hon. Leland G. DeGrasse
Justice of the Appellate Division

-----X

The People of the State of New York,

-against-

Allen Proctor, Defendant.

M-2752
Ind. No. 2204/07

ORDER DENYING LEAVE
UPON REARGUMENT

-----X

I, Leland G. DeGrasse, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application made by the above-named defendant for reargument of the order of a Justice of this Court (M-2811), entered on August 11, 2009, which denied his motion for a certificate pursuant to Criminal Procedure Law, section 460.15, and no question of law or fact having been misapprehended or overlooked, permission to reargue the denial of leave to appeal from the order of the Supreme Court, New York County, entered on or about May 4, 2009, is hereby denied.



Hon. Leland G. DeGrasse
Justice of the Appellate Division

Dated: New York, New York
June 2, 2010

ENTERED JUN 17 2010

PM ORDERS

ENTERED

JUNE 15, 2010

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 June 15, 2010.

PRESENT: Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
John W. Sweeny, Jr.
Helen E. Freedman
Sheila Abdus-Salaam, Justices.

-----X

Joshua Guberman,
Plaintiff-Appellant,

-against-

M-2653
Index No. 105002/10

Paul E. Rudder, as Receiver,
Defendant-Respondent.

-----X

Plaintiff-appellant having moved in the nature of a preliminary appellate injunction with respect to a certain parcel of property known as 335 Little Noyac Path, Watermill, New York, pending hearing and determination of the appeal taken from the order of the Supreme Court, New York County, entered on or about May 12, 2010, 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 June 15, 2010.

PRESENT - Hon. David B. Saxe, Justice Presiding,
David Friedman
Eugene Nardelli
Karla Moskowitz
Rosalyn H. Richter, Justices.

-----x
Willow Media LLC, M-2820
Plaintiff-Appellant, Index No. 103313/10
Signal Outdoor Advertising, LLC, Index No. 103314/10
Plaintiff-Appellant,
Mogul Media, Inc., Index No. 103315/10
Plaintiff-Appellant,
Elliot Media, Inc., Index No. 103325/10
Plaintiff-Appellant,
Vector Media, LLC, Index No. 103665/10
Plaintiff-Appellant,
Atlantic Outdoor, Inc., Index No. 103735/10
Plaintiff-Appellant,
Scenic Outdoor, Inc., Index No. 103792/10
Plaintiff-Appellant,

-against-

The City of New York, et al., etc.,
Defendants-Respondents.

-----x
Appeals having been taken to this Court from the respective orders of the Supreme Court, New York County, dated May 4, 2010,

And the respective plaintiffs-appellants having jointly moved in the nature of a preliminary appellate injunction with respect to the enforcement of certain Zoning Resolutions that govern the posting and registration of New York City outdoor advertising signs 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 granted to the extent of staying enforcement of the aforesaid regulations on condition appellants perfect their appeals on or before September 7, 2010 for the November 2010 Term. The motion is otherwise denied.

ENTER:

A handwritten signature in black ink, reading "David Apolony". The signature is written in a cursive, flowing style.

Clerk

PM ORDERS

ENTERED

JUNE 17, 2010

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 June 17, 2010,

PRESENT: Hon. David B. Saxe, Justice Presiding,
David Friedman
Eugene Nardelli
Karla Moskowitz
Rosalyn H. Richter, Justices.

-----X
Victor Weingarten,
Plaintiff-Appellant,

-against-

M-2821
Index No. 102230/08

S & R Medallion Corp., Shimon
Wolkowicki also known as Sam
Wolkowicki, Rhoda Ryklin,
Jonathan Zuhovitzky and David
Beier,
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for a stay of all proceedings in Supreme Court 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 April 19, 2010 (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 only to the extent of staying the trial on condition that the appeal is perfected for the November 2010 Term. The motion is 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 June 17, 2010.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,
David B. Saxe
David Friedman
Eugene Nardelli
Rolando T. Acosta, Justices.

-----X
Dimitrios Tsamos,
Plaintiff-Respondent,

-against-

M-2792
Index No. 20110/07

Albatani Diaz and Cepin Livery Corp.,
Defendants-Appellants.

-----X

Defendants-appellants 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, Bronx County, entered on or about April 12, 2010,

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 June 17, 2010.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
John W. Sweeny, Jr.
James M. Catterson
Sheila Abdus-Salaam, Justices.

-----X
In the Matter of the Guardianship
and Custody of

Tiara A.,

A Dependant Child Under the Age of
18 Years Pursuant to §384-b of the
Social Services Law of the State of
New York.

Edwin Gould Services for Children
and Families, et al.,
Petitioners-Respondents,

M-5842A
Docket No. B-24466/07

Cynthia T., also known as Cynthia
Annette T.,
Respondent-Appellant.

Steven Banks, Esq., The Legal Aid
Society, Juvenile Rights Division,
Law Guardian for the Child.

-----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 November 4, 2009, and for assignment of counsel, a free copy of the transcript, 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 (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Lisa H. Blitman, Esq., 225 Broadway, Suite 1203, New York, NY 10007, Telephone No. (212) 724-2792, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed 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 **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal **within 60 days** of receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.** (The order of this Court entered on March 11, 2010 [M-5842] is hereby recalled and vacated.)

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 June 17, 2010.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
Richard T. Andrias
James M. Catterson
Dianne T. Renwick
Sallie Manzanet-Daniels, Justices.

-----X

Nancy Intrator,

Plaintiff-Respondent,

-against-

M-2688

Index No. 350235/03

Richard Intrator,

Defendant-Appellant.

-----X

An appeal having been taken from, inter alia, the order of the Supreme Court, New York County, entered on or about May 11, 2010, which adjudged defendant to be in civil contempt,

And defendant-appellant having moved pursuant to CPLR 5519 and 5518 to stay entry of a money judgment with respect to the aforesaid order and to stay enforcement of the order of Commitment entered on or about May 27, 2010, respectively, pending hearing and determination of the 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.

ENTER:



Clerk.

PM ORDERS

ENTERED

JUNE 17, 2010

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 June 17, 2010.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
John W. Sweeny, Jr.
Dianne T. Renwick
Helen E. Freedman, Justices.

-----X
R&R Capital LLC and FTP Capital LLC,
Plaintiffs-Appellants,

-against-

Linda Merritt, also known as Lyn
Merritt,
Defendant-Respondent,

Hogan & Hartson,
Intervenor-Appellant.

M-2279A
M-2280A
Index No. 604080/05

-----X

Plaintiffs-appellants having moved for a stay of Supreme Court proceedings 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 April 5, 2010 (M-2279A), and for additional relief,

And, Hogan & Hartson, LLP (Bertrand C. Sellier, of counsel) former counsel for plaintiffs-appellants having moved for a stay of all proceedings herein pending determination of the aforesaid appeal and for leave to intervene in said appeal (M-2280A),

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 by plaintiffs-appellants is granted to the extent of staying proceedings herein on condition that the appeal is perfected on or before August 9, 2010 for the October 2010 Term; the motion is otherwise denied (M-2279A). The motion by former counsel of plaintiffs-appellants is granted to the extent of staying the proceedings and granting leave to intervene on condition the intervenor files its main brief on or before August 9, 2010 for said October 2010 Term (M-2280A). (The order of this Court entered on June 10, 2010 [M-2279/M-2280] is hereby recalled and vacated.)

ENTER:



Clerk.