

At a Term of the Appellate Division of the Supreme Court held in and for the first Judicial Department in the County of New York on March 2, 2010.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
David B. Saxe
James M. McGuire
Sallie Manzanet-Daniels
Nelson S. Román, Justices.

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

-against-

M-11
Ind. No. 656/01

Jose Rodriguez,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, Bronx County, rendered on or about December 8, 2009, 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, 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.

Richard M. Greenberg, Esq., Office of the Appellate Defender, 11 Park Place, Room 1601, New York, New York 10007, Telephone No. 212-402-4100, 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 March 2, 2010.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Angela M. Mazzarelli
David Friedman
Eugene Nardelli
James M. Catterson, Justices.

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

-against-

M-54
Ind. No. 86/05

Maleek Jones, also known as Jermaine
Stroman,
Defendant-Appellant.

-----x

Defendant having renewed his motion for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about April 12, 2005, for leave to have the appeal heard on 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 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 ten 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, of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Steven Banks, Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged 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 March 2, 2010.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
David B. Saxe
Karla Moskowitz
Sheila Abdus-Salaam
Nelson S. Román, Justices.

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

-against-

M-228
Ind. No. 6411/04

Joeyvani Gonzalez,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of **resentence** of the Supreme Court, New York County, rendered on or about January 5, 2010, 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 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 **resentence**. 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 March 2, 2010.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
David B. Saxe
James M. McGuire
Sallie Manzanet-Daniels
Nelson S. Román, Justices.

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

-against-

M-35
Ind. No. 4676/08

David McMillian,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from a judgment of the Supreme Court, Bronx County, rendered on or about October 14, 2009, for leave to prosecute the appeal as a poor person upon the original record and 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 deeming the notice of appeal as timely filed 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 March 2, 2010.

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

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

-against-

Isaac Morales,
Defendant-Appellant.

M-435
Ind. No. 1152/09
Case No. 7653C/09

-----X
An order of this Court having been entered on November 12, 2009 (M-4579), granting defendant leave to prosecute, as a poor person, the appeal from judgments of the Supreme Court, Bronx County, rendered on or about August 11, 2009 and September 8, 2009, respectively, and assigning Steven Banks, Esq., as counsel to prosecute the appeal; and a motion having been made to relieve such 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 the motion is granted to the extent of striking the designation of assigned counsel Steven Banks, Esq., as counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Robert S. Dean, Esq., Center for Appellate Litigation, 74 Trinity Place, 11th Floor, New York, New York 10006, Telephone No. 212-577-2523, as such counsel. The poor person relief previously granted is continued, and appellant's time in which to perfect the appeal is enlarged until 120 days from the date of this order or the filing of the record, whichever is later.

ENTER:



Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 2, 2010.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
David B. Saxe
Karla Moskowitz
Sheila Abdus-Salaam
Nelson S. Román, Justices.

-----X
Admiral Insurance Company, et al.,
Plaintiffs-Appellants/Appellants,

-against-

Marriott International, Inc., et al., M-5865
Defendants/Respondents, Index No. 114048/06

Eagle One Roofing Contractors, Inc.,
Defendant-Respondent,

ABC Insurer, et al.,
Defendants.

-----X

Plaintiffs having taken appeals from the orders of the Supreme Court, New York County, entered on or about April 2, 2009 and on or about August 19, 2009, respectively,

And plaintiffs having moved for a stay of all proceedings, including discovery, pending hearing and determination of the aforesaid appeals,

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

Ordered that the motion for a stay is granted on condition plaintiffs perfect the appeal taken from the order entered on or about August 19, 2009 on or before March 22, 2010 for the June 2010 Term, to which Term plaintiffs' perfected appeal from the order entered on or about April 2, 2009 is adjourned. Sua sponte, the Clerk is directed to calendar said appeals for hearing together in said June 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 March 2, 2010.

Present - Hon. Luis A. González, Presiding Justice,
Angela M. Mazzairelli
David B. Saxe
John W. Sweeny, Jr.
Dianne T. Renwick, Justices.

-----x
In the Matter of the Application of
John Whitfield,
Petitioner-Appellant,

For a Judgment, etc.,

-against-

M-167
M-27

Index No. 110706/08

Patricia J. Bailey, FOIL Appeals
Officer, etc.,
Respondent-Respondent.

-----x

Petitioner having taken an appeal from the order and judgment (one paper) of the Supreme Court, New York County, dated February 13, 2009 and entered on or about April 3, 2009, denying and dismissing the FOIL petition,

And petitioner having taken an appeal from the orders of said Court entered on or about September 15, 2009 and on or about November 25, 2009 which, inter alia, granted reargument and directed production of certain documents pursuant to the FOIL demand, respectively,

And petitioner having moved, by separate motions, for poor person relief with respect to the aforesaid appeals (M-167) and for consolidation of the appeals (M-27),

And an order of this Court having been entered on January 19, 2010 (M-5531), dismissing the appeal from the order and judgment (one paper) of the Supreme Court dated February 13, 2009 and entered on or about April 3, 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, to the extent it seeks poor person relief (M-167) with respect to the appeal from the order entered April 3, 2009 is denied as moot, as is the motion for consolidation (M-27), and it is further,

Ordered that the motion (M-167), to the extent it seeks poor person relief with respect to the appeal from the orders of the Supreme Court entered on or about September 15, 2009 and November 25, 2009 is granted to the extent of permitting the appeal to be heard on the original record and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the attorney for respondent and file 10 copies of such brief, together with the original record, with this Court. Appellant is permitted to dispense with payment of the required fee for the subpoena and filing of the record.

ENTER:

A handwritten signature in cursive script that reads "David Apoleony". The signature is written in dark ink and is positioned to the right of the word "ENTER:". The signature is somewhat stylized, with a large initial "D" and a long, sweeping tail on the "y".

Clerk

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 2, 2010.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
David B. Saxe
James M. McGuire
Sallie Manzanet-Daniels
Nelson S. Román, Justices.

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

-against-

M-44

Ind. No. 1413/08

Koran McDonald,
Defendant-Appellant.

-----X

An appeal having been taken from the judgment of the Supreme Court, New York County, rendered on or about March 20, 2009,

And defendant having moved to enlarge the record on appeal to include the minutes of proceedings in Supreme Court, New York County, under Indictment No. 1413/08, held on June 12, 2008, July 24, 2008, September 11, 2008, September 29, 2008, October 16, 2008, November 6, 2008, December 1, 2008 and December 15, 2008 in Part 51 before Hon. Michael J. Obus,

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 the Clerk of the Supreme Court, New York County, to have transcribed all minutes enumerated above, for inclusion in the record on appeal, within 30 days from the date of service of a copy of this order upon the Clerk and the individual court reporter(s), which counsel for defendant is directed to so serve within 10 days of the date of entry hereof.

ENTER:



Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 2, 2010.

PRESENT: Hon. Peter Tom, Justice Presiding,
David Friedman
John W. Sweeny, Jr.
Eugene Nardelli
Sheila Abdus-Salaam, Justices.

-----X
Hector Perez,
Plaintiff-Appellant,

-against-

M-596
Index No. 107290/06

New York City Transit Authority
and Robert Martinez,
Defendants-Respondents.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about April 1, 2009, and said appeal having been perfected,

And defendants-respondents having moved for an order permitting defendants to file a supplemental record on appeal to include a copy of a certain financial document,

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 defendants to immediately serve and file 10 copies of a supplemental record on appeal consisting of the aforesaid financial document with the Clerk of this Court.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 2, 2010.

PRESENT: Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
David Friedman
Eugene Nardelli
James M. Catterson, Justices.

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

-against-

M-43
Ind. No. 465/03

Carlos Hernandez,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to perfect the appeal from the judgment of the Supreme Court, Bronx County, rendered on or about April 6, 2005,

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 an original and nine copies of the brief and appendix and the original record on or before March 22, 2010 for the June 2010 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 March 2, 2010.

Present: Hon. Peter Tom, Justice Presiding,
David Friedman
Karla Moskowitz
Helen E. Freedman
Sheila Abdus-Salaam, Justices.

-----X
Henderson J. Prescod,

Plaintiff-Appellant,

-against-

M-5800
Index No. 16327/05

Betty Leggiero O'Brien, etc.,

Defendant-Respondent.
-----X

Plaintiff-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 November 19, 2009 (Appeal No. 1496 and 1497),

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

It is ordered that the motion is denied.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 2, 2010.

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

-----X
The People of the State of New York,
ex rel. Walter Grant,

Petitioner-Appellant,

-against-

M-181
Index No. 401479/09

Susan A. Connel, Superintendent of
Oneida Correctional Facility,

Respondent-Respondent.
-----X

Petitioner-appellant having renewed his motion for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County, entered on or about July 16, 2009, for leave to have the appeal heard on 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 denied and, sua sponte, the appeal is dismissed.

ENTER:



Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 2, 2010.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
Dianne T. Renwick
Helen E. Freedman, Justices.

-----X
Hermandad Y Asociados, Inc.,

Plaintiff-Appellant,

-against-

M-170
Index No. 100211/06

Movimiento Misionero Mundial,
Inc., also known as The Worldwide
Missionary Movement, Inc., 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 March 10, 2009 (mot. seq. no. 011),

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 is dismissed.

ENTER:



Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 2, 2010.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Leland G. DeGrasse
Helen E. Freedman
Sheila Abdus-Salaam, Justice.

-----X
Tracy Massop and Wendell Francis,
Plaintiffs-Appellants,

-against-

M-5847
Index No. 604121/06

Inventors Helpline/Patent and
Trademark Institute,
Defendants-Respondent.
-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, entered on or about October 25, 2007 (mot. seq. no. 001),

And an order of this Court entered June 11, 2009 (M-2384) denying plaintiffs-appellants an enlargement of time in which to perfect the aforesaid appeal and dismissing said appeal,

And plaintiffs-appellants having moved for reargument of the order of this Court entered June 11, 2009 (M-2384),

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

It is ordered that the motion is denied.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the first Judicial Department in the County of New York on March 2, 2010.

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

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

-against-

M-243
Ind. No. 1125/04

Pete Colon,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of **resentence** of the Supreme Court, Bronx County, rendered on or about December 2, 2009, 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 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 **resentence**. 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 March 2, 2010.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,
James M. Catterson
Dianne T. Renwick
Leland G. DeGrasse
Sallie Manzanet-Daniels, Justices.

-----X
Probate Proceeding, Will of

Joy Trezza,

Deceased.

Surrogates Court

M-272

File No. 0065/09

-----X
Francine K. Horowitz,
Petitioner-Appellant,

-against-

Jeffrey Oberman,
Respondent-Respondent.

-----X

Counsel for petitioner-appellant having moved for an enlargement of time in which to perfect the appeal from an order of the Surrogates Court, New York County, entered on or about March 18, 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 June 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 March 2, 2010.

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

-----X
In the Matter of Bertrand Girigorie, Jr.,
Brian Girigorie and Gabrielle Girigorie,
Petitioners-Respondents,

For a Judgment Pursuant to Article 78
of the CPLR,

M-259
Index No. 108897/08

-against-

New York City Department of Housing
Preservation and Development,
Respondent-Appellant,

G.R. Housing Corporation,
Respondent-Appellant.

-----X

Separate appeals having been taken to this Court from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about December 8, 2008, and said appeals having been perfected,

And Jose Arias, Esq., De Castro Law Firm, having moved to withdraw as counsel for petitioners-respondents, and to adjourn the aforesaid appeals,

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

Ordered that the motion to withdraw as counsel is granted on condition counsel for petitioners-respondents serves a copy of this order upon all parties within 10 days of the date of entry hereof. The consolidated appeals are adjourned to the June 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 March 2, 2010.

Present: Hon. Richard T. Andrias, Justice Presiding,
David B. Saxe
John W. Sweeny, Jr.
Karla Moskowitz
Sheila Abdus-Salaam, Justices.

-----X
In re Lydia Gitis,

Petitioner-Respondent,

-against-

M-77

Index No. 104327/08

The City of New York,

Respondent-Appellant.
-----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 December 8, 2009 (Appeal No. 1706N),

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

It is ordered that the motion is denied.

ENTER:


Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 2, 2010.

Present: Hon. Richard T. Andrias, Justice Presiding,
David B. Saxe
John W. Sweeny, Jr.
Helen E. Freedman
Nelson S. Román, Justices.

-----X
Lawrence A. Omansky and Nicolena
Omansky, also known as Linda Omansky, M-426
Plaintiffs-Appellants, M-569
M-611
-against- Index No. 102875/08

Joseph Martin Carasso,
Defendant-Respondent.

-----X
Lawrence A. Omansky and 64 N. Moore
Associates,
Plaintiffs-Appellants,
-against- Index No. 600647/99

Robert Gurland, Mark Winkleman, Dru
Whitacre, The Spice Building
Condominium, and 64 No. More, LLC,
Defendants-Respondents.

-----X
Appeals having been taken by plaintiffs from the orders of the Supreme Court, New York County, entered on or about June 17, 2009 (Index No. 102875/08) and on or about January 12, 2009 (Index No. 600647/99),

And an order of this Court having been entered on October 1, 2009 (M-3398), inter alia, denying consolidation of the aforesaid appeals,

And plaintiffs having moved for an order consolidating the aforesaid appeals and for leave to perfect said appeals upon a single record on appeal and appellants' brief (M-426),

And the respective defendants having separately cross-moved for an order dismissing the aforesaid appeals (M-569/M-611),

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

Ordered that plaintiffs' motion for consolidation is deemed one for reargument of the order of this Court entered on October 1, 2009 (M-3398) and, as such, is denied. Defendants' cross motions to dismiss plaintiffs' appeals are denied. Sua sponte, the time in which to separately perfect the aforesaid appeals is enlarged to on or before March 22, 2010 for the June 2010 Term, with no further enlargements to be granted.

ENTER:

A handwritten signature in cursive script that reads "David Apokony". The signature is written in dark ink and is positioned to the right of the word "ENTER:". There is a small exclamation point to the right of the signature.

Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 2, 2010.

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

-----X
Frank Taylor III, an infant, by his
mother and natural guardian, Leslie
Cruz-Taylor and Leslie Cruz-Taylor,
individually,
Plaintiffs-Appellants,

M-301
Index No. 16847/06

-against-

Brooke Towers LLC, et al.,
Defendants-Respondents.

-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about February 25, 2009, and said appeal having been perfected,

And defendants 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 appeal to the May 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 March 2, 2010.

Present: Hon. David Friedman, Justice Presiding,
James M. Catterson
Rolando T. Acosta
Leland G. DeGrasse
Sheila Abdus-Salaam, Justices.

-----X
Igor Koyfman,

Plaintiff-Appellant,

-against-

M-5861
Index No. 7753/05

Jonathan Tutrutu, et al.,

Defendants-Respondents.
-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about February 28, 2007,

And defendant-respondent, Marilyn Simmons, having moved to dismiss the aforesaid appeal,

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

Ordered that the motion is granted and the appeal is dismissed.

ENTER:.



Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 2, 2010.

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

-----x
In the Matter of

Angelove V.,

M-211
Docket No. D14682-07/08A

A Person Alleged to be a Juvenile
Delinquent,

Respondent-Appellant.
-----x

An appeal having been taken to this Court from an order of the Family Court, New York County, entered on or about January 6, 2009,

And Randall Carmel, Esq., law guardian for respondent-appellant, having moved for leave to withdraw 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 granted and the appeal is deemed withdrawn.

ENTER: -



Clerk

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 2, 2010.

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

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

-against-

M-253
Ind. No. 6187/07

Alexander Lewis,
Defendant-Appellant.

-----X
Defendant having renewed his motion for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about October 30, 2008, for leave to have the appeal heard on 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 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 ten 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, 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.

Richard M. Greenberg, Esq., Office of the Appellate Defender, 11 Park Place, Room 1601, New York, New York, 10007, Telephone No. 212-402-4100, 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 March 2, 2010.

Present: Hon. David Friedman, Justice Presiding,
James M. Catterson
Rolando T. Acosta
Leland G. DeGrasse
Sheila Abdus-Salaam, Justices.

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

Respondent,

-against-

M-176
Ind. No. 2374/07

Nick Zarbanelian,

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 June 30, 2009, for leave to prosecute the appeal as a poor person, on 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 only to the extent of deeming moving papers a timely filed notice of appeal.

The motion, to the extent that it seeks poor person relief, is denied, with leave to renew upon defendant's submission of a notarized affidavit, pursuant to CPLR 1101(a), setting forth facts sufficient to establish that defendant has no funds or assets with which to prosecute the appeal.

ENTER:



Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 2, 2010.

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

-----X
Leonard Boyce, et al.,
Plaintiffs-Respondents,

-against-

M-487
Index No. 21508/99

Gumley-Haft, Inc.,
Defendant,

Bernard Spitzer,
Defendant-Appellant.

-----X
[And a third-party action]
-----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 October 3, 2008,

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

It is ordered that the motion is granted to the extent of deeming the appeal perfected for the May 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 March 2, 2010.

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

-----x
Maninder Bhugra,
Plaintiff-Appellant/Appellant-
Respondent,

-against-

M-275
Index No. 110825/07

Massachusetts Casualty Insurance
Company, et al.,
Defendants-Respondents,

Disability Management Services,
Defendant-Respondent/Respondent-
Appellant.

-----x

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about October 17, 2008; and an appeal and cross appeal having been taken from the order of said Court entered on or about December 11, 2008, respectively,

And defendant-respondent/respondent-appellant Disability Management Services having moved for an enlargement of time in which to perfect the appeal from the order entered on or about October 17, 2008, and the appeal and cross appeal from the order entered on December 11, 2008,

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 of the parties in which to perfect the cross appeal to the June 2010 Term, with no further enlargements to be granted.

ENTERED



Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 2, 2010.

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

-----X
The Bank of New York Mellon,
Plaintiff-Appellant,

-against-

M-398
Index No. 111251/08

Cobblestone Estates, Inc., 380
Nassau LLC, Stoneridge Organization,
Inc., The Spencer Group, LLC,
Housescapes, Ltd., Sheridan
Gardens, Inc., Gary Marcus and
Ranjan Batheja,
Defendants-Respondent.

-----X

Plaintiff-appellant having moved for an enlargement of time in which to perfect the appeal from an order of the Supreme Court, New York County, entered on or about August 19, 2009 under Index No. 111251/08 the "Constructive Trust Action" (mot. seq. no. 002),

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 September 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 March 2, 2010.

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

-----X
Commandment Keepers Ethiopian
Hebrew Congregation of the Living
God, Pillar and Ground of Truth,
Inc.,
Plaintiff-Appellant,

M-483
Index No. 106102/07

-against-

31 Mount Morris Park, LLC, et al.,
Defendants-Respondents.
-----X

Plaintiff-appellant having moved for an enlargement of time in which to perfect the consolidated appeals from the order and judgment of the Supreme Court, New York County, entered on or about February 4, 2009 (mot. seq. no. 005) and February 5, 2009, respectively, and from the order of said Court entered on or about March 27, 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 consolidated appeals to the June 2010 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 March 2, 2010.

PRESENT: Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Eugene Nardelli
Dianne T. Renwick, Justices.

-----X
Gryphon Domestic VI, LLC, OCM
Opportunities Fund II, L.P.,
OCM Opportunities Fund III, L.P.,
Columbia/HCA Master Retirement
Trust and Gramercy Emerging
Markets Fund,
Plaintiffs/Judgment Creditors-
Appellants,

-and-

Warner Mansion Fund,
Plaintiff/Judgment Creditor,

M-409
Index No. 603315/02

-against-

APP International Finance Company,
B.V., P.T. Lontar Papyrus Pulp &
Paper Industry, Asia Pulp & Paper
Company Ltd. and Indah Kiat International
Finance Company B.V.,
Defendants/Judgment Debtors,

-and-

P.T. Indah Kiat Pulp & Paper Corporation,
Defendant/Judgment Debtor-Respondent,

-and-

ABN Amro Bank N.V., DBS Bank Ltd., and
White & Case LLP,
Non-Party 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 February 15, 2005 (mot. seq. no. 018),

Now, upon reading and filing the papers with respect to the motion, including the stipulation of the parties dated January 21, 2010, 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 September 2010 Term, in accordance with the aforesaid stipulation, with no further enlargements to be granted. (See M-410 and M-411, decided simultaneously herewith).

ENTER:

A handwritten signature in cursive script that reads "David Apobony". The signature is written in dark ink and is positioned to the right of the word "ENTER:". The signature is somewhat slanted and has a fluid, connected style.

Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 2, 2010.

PRESENT - Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Eugene Nardelli
Dianne T. Renwick, Justices.

-----x
Gryphon Domestic VI, LLC, OCM
Opportunities Fund II, L.P., OCM
Opportunities Fund III L.P.,
Columbia/HCA Master Retirement
Trust and Gramercy Emerging
Markets Fund,
Plaintiffs/Judgment Creditors-
Appellants-Respondents,

-and-

Warner Mansion Fund,
Plaintiff/Judgment Creditor,

-against-

APP International Finance Company, B.V., M-410
P.T. Lontar Papyrus Pulp & Paper Index No. 603315/02
Industry and Asia Pulp & Paper
Company, Ltd.,
Defendants,

-and-

Indah Kiat International Finance Company,
B.V., and P.T. Indah Kiat Pulp & Paper
Corporation
Defendants/Judgment Debtors,

-and-

Schnader Harrison Segal & Lewis LLP,
Jones Day and Pillsbury Winthrop LLP,
Non-Party Respondents,

-and-

White & Case LLP,
Non-Party Respondent-Appellant.

-----x

Appellant and cross appellant having moved for an enlargement of the time of the respective parties in which to perfect the appeal and cross appeal from the consolidated orders of the Supreme Court, New York County, entered on or about January 19, 2006 (mot. seq. nos. 024, 025, 026, 027 and 028),

Now, upon reading and filing the papers with respect to the motion, including the stipulation of the parties dated January 21, 2010 and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of enlarging the time of the parties in which to perfect the appeal and cross appeal to the September 2010 Term, in accordance with the aforesaid stipulation, with no further enlargements to be granted. (See M-409 and M-411, decided simultaneously herewith).

ENTER:

A handwritten signature in cursive script that reads "David Apolony". The signature is written in dark ink and is positioned to the right of the word "ENTER:". The signature is somewhat slanted and has a long, sweeping tail.

Clerk

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 2, 2010.

PRESENT: Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Eugene Nardelli
Dianne T. Renwick, Justices.

-----X
Gryphon Domestic VI, LLC, OCM
Opportunities Fund II, L.P.,
OCM Opportunities Fund III, L.P.,
Columbia/HCA Master Retirement
Trust and Gramercy Emerging
Markets Fund,
Plaintiffs/Judgment Creditors-
Appellants-Respondents,

-and-

Warner Mansion Fund,
Plaintiffs/Judgment Creditor,

M-411
Index No. 603315/02

-against-

APP International Finance Company,
B.V., P.T. Lontar Papyrus Pulp &
Paper Industry and Asia Pulp & Paper
Company Ltd., Indah Kiat International
Finance Company B.V. and P.T. Indah
Kiat Pulp & Paper Corporation,
Defendants/Judgment Debtors-
Respondents-Appellants.

-----X

Appellants and cross appellants having moved for an enlargement of time of the parties in which to perfect their respective appeals and cross appeals from the orders of the Supreme Court, New York County, entered on or about July 13, 2005, April 27, 2006, May 20, 2008 and June 24, 2008, respectively,

Now, upon reading and filing the papers with respect to the motion, including the stipulation of the parties dated January 21, 2010, 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 appeals and cross appeals to the September 2010 Term, in accordance with the aforesaid stipulation, with no further enlargements to be granted. (See M-409 and M-410, decided simultaneously herewith).

ENTER:

David Apolony
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 2, 2010.

Present - Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Helen E. Freedman
Sheila Abdus-Salaam, Justices.

-----X
Anthony Gordon, et al.,
Plaintiffs-Appellants,

-against-

Chris Curtis,
Defendant-Respondent,

M-185
Index No. 112926/07

Laurence Toussaint-Curtis, et al.,
Defendants.
-----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 December 15, 2009 (Appeal No. 1762),

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.

STATE OF NEW YORK
APPELLATE DIVISION : FIRST DEPARTMENT

BEFORE: Hon. David B. Saxe
Justice of the Appellate Division

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

M-116
NY Co.
Indictment No.
5588/01

-against-

CERTIFICATE
DENYING LEAVE

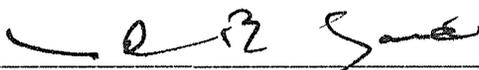
Darren Edwards,

Defendant.

-----X

I, David B. Saxe, 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 section 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 December 11, 2009, is hereby denied.

Dated: New York, New York


Justice of the Appellate Division

ENTERED

MAR 02 2010

STATE OF NEW YORK
APPELLATE DIVISION: FIRST DEPARTMENT

BEFORE: Hon. John T. Buckley
Justice of the Appellate Division

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

M-104
Ind. No. 1255/99

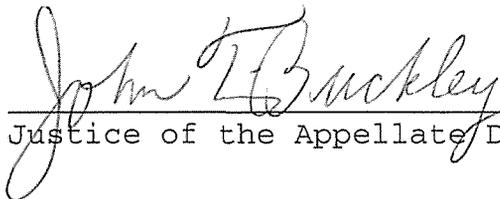
-against-

CERTIFICATE
DENYING LEAVE

Anthony Gillespie,
Defendant.

-----X
I, John T. Buckley, 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 Section 460.15 of the Criminal Procedure Law, 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, rendered September 11, 2009,
is hereby denied.

Dated: New York, New York
February 17, 2010



Justice of the Appellate Division

ENTERED

MAR 02 2010

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

BEFORE: Hon. Dianne T. Renwick
Justice of the Appellate Division

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

Plaintiff,

-against-

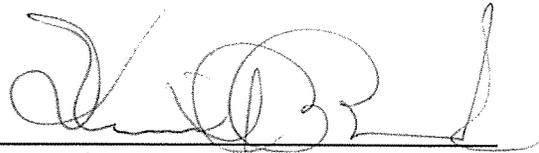
Harry Gonzalez,

Defendant.
-----X

M- 260
Ind. No. 2005/08

CERTIFICATE
DENYING LEAVE

I, Dianne T. Renwick, 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 December 11, 2009, is hereby denied.



Hon. Dianne T. Renwick
Associate Justice

Dated:
New York, New York

ENTERED: MAR 02 2010

SUPREME COURT, APPELLATE DIVISION
FIRST JUDICIAL DEPARTMENT

MAR 2 2010

Richard T. Andrias, Justice Presiding,
David Friedman
Dianne T. Renwick
Leland G. DeGrasse
Helen E. Freedman, Justices.

-----x

In the Matter of Kehinde Oluwaranti Jobi,
a suspended attorney:

Departmental Disciplinary Committee M-263
for the First Judicial Department,
Petitioner,

Kehinde Oluwaranti Jobi,
Respondent.

-----x

Disciplinary proceedings instituted by the Departmental
Disciplinary Committee for the First Judicial Department.
Respondent, Kehinde Oluwaranti Jobi, was admitted to the Bar
of the State of New York at a Term of the Appellate Division
of the Supreme Court for the First Judicial Department on
November 20, 1995.

Alan W. Friedberg, Chief Counsel, Departmental
Disciplinary Committee, New York
(Roberta N. Kolar, of counsel), for petitioner.

Howard Benjamin, for respondent.

M-263 - January 28, 2010

IN THE MATTER OF KEHINDE OLAWARANTI JOBI, A SUSPENDED ATTORNEY
PER CURIAM

Respondent Kehinde Olawaranti Jobi was admitted to the practice of law in the State of New York by the First Judicial Department on November 20, 1995. At all times relevant to this proceeding, she has maintained an office for the practice of law within the First Judicial Department.

The Committee moves for an order pursuant to 22 NYCRR 603.11, accepting respondent's resignation and striking her name from the roll of attorneys. The Committee further moves for an order directing respondent to make monetary restitution to the Lawyers' Fund for Client Protection or to her clients who have filed claims with the Fund in accordance with Judiciary Law § 90(6-a).

Respondent's affidavit of resignation, sworn to on December 21, 2009, complies with 22 NYCRR 603.11[a][1-3] in that she states: (1) her resignation is rendered freely, voluntarily, without coercion or duress and that she is fully aware of the implications of submitting her resignation; (2) she is aware of a pending investigation based upon allegations of deceit involving the conversion of funds held in escrow, giving false testimony with respect thereto and the failure to satisfy judgments entered against her by two former clients and a third party; and (3) she

acknowledges that if charges were predicated upon the misconduct under investigation by the Committee, she could not successfully defend herself.

With respect to one of the charges of conversion, it is alleged that respondent converted the sum of \$21,250 which she deposited into her escrow account after she received the same from a real estate contract vendee named Jean John. A default judgment John subsequently obtained against respondent as a result of the conversion remains unsatisfied. Two other judgments entered against respondent in legal malpractice actions brought by former clients also remain unsatisfied. The Committee has reviewed respondent's affidavit, found it in compliance with Rule 603.11 and recommends its acceptance by this Court.

Pursuant to Judiciary Law § 90(6-a)(a), restitution may be ordered in a disciplinary proceeding where that attorney has wilfully misappropriated or misapplied money or property in the practice of law. An order directing such restitution may be entered as a civil judgment (Judiciary Law § 90[6-a][d]). Here, an order directing restitution would be futile in light of the fact that John has entered judgment against respondent as set forth above. In any event, respondent should reimburse the Lawyers' Fund for Client Protection of the State of New York as provided for by the statute.

Accordingly, the Committee's motion should be granted to the

extent that respondent's resignation be accepted, and respondent's name be stricken from the rolls of attorneys effective December 21, 2009. Additionally respondent is directed to reimburse the Lawyers' Fund for Client Protection of the State of New York for awards made to persons whose money or property was wilfully misappropriated or misapplied by respondent.

All concur.

Order filed.

PM ORDERS

ENTERED

FEBRUARY 25, 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 February 25, 2010.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
David B. Saxe
Karla Moskowitz
Rolando T. Acosta
Dianne T. Renwick, Justices.

-----X
Response Personnel, Inc.,
Plaintiff-Appellant,

-against-

M-318
Index No. 106509/08

Erik Aschenbrenner, also known as
Erik D. Aschenbrenner, et al.,
Defendants-Respondents.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about January 6, 2010 (mot. seq. no. 003),

And plaintiff-appellant having moved to stay document disclosure, 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 granted on condition that the appeal is perfected on or before March 22, 2010 for the June 2010 Term. Upon failure to so perfect, an order vacating the stay may be entered ex parte, provided that defendants-respondents serve a copy of this order upon plaintiff-appellant within 10 days after the date of entry hereof.

ENTER:


Clerk.