

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 October 20, 2015.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr., Justices.

-----X

In Re: New York City Asbestos Litigation

-----X

Mary Andrucki, etc., et al.,  
Plaintiffs-Respondents,

-against-

M-3427

Index No. 190377/10

Aluminum Company of America (ALCOA),  
et al.,  
Defendants,

-and-

The Port Authority of New York and  
New Jersey,  
Defendant-Appellant.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about June 15, 2015,

And plaintiff-respondent having moved for an order requiring defendant-appellant to perfect the appeal within 30 days, and related relief,

Now, upon reading and filing the stipulation of the parties hereto, dated September 1, 2015, and due deliberation having been had thereon,

It is ordered that the motion is withdrawn in accordance with the aforesaid stipulation.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 20, 2015.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr., Justices.

-----X  
Amanda C.,  
Petitioner-Respondent,

-against-

Jonathan Z.,  
Respondent-Appellant.

M-4250  
Docket No. V-17155-13/14C  
V-17155-13/14D

-----X

An appeal having been taken from the order of the Family Court, Bronx County, entered on or about August 10, 2015,

And respondent-appellant having moved for a stay of the aforesaid order,

Now, upon reading and filing the correspondence from the movant, dated September 10, 2015, and due deliberation having been had thereon,

It is ordered that the motion is withdrawn in accordance with the aforesaid correspondence.

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 October 20, 2015.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr., Justices.

-----X  
Vandale Limited Partnership,  
Plaintiff-Respondent,

-against-

Liberty Chevrolet, Inc., etc.,  
Defendant-Appellant.  
-----X

M-4445X  
Index No. 16108/07

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about May 11, 2015,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" September 8, 2015, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 20, 2015.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzairelli  
David Friedman  
John W. Sweeny, Jr., Justices.

-----X

Albert Ramos,  
Plaintiff-Respondent,

-against-

M-4506X  
Index No. 302830/11

Larry Scher, M.D.,  
Defendant-Appellant.

-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about March 6, 2015,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" September 11, 2015, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 20, 2015.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzairelli  
David Friedman  
John W. Sweeny, Jr., Justices.

-----X  
Raymond Morrison,  
Plaintiff-Respondent,

-against-

M-4537X  
Index No. 305000/10

The Port Authority of New York  
and New Jersey, et al.,  
Defendants-Appellants.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about March 24, 2015,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" September 14, 2015, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 20, 2015.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzairelli  
David Friedman  
John W. Sweeny, Jr., Justices.

-----X  
William Rivera and Jeanine Rivera,  
Plaintiffs-Respondents,

-against-

M-4544X  
Index No. 305840/12

The Port Authority of New York  
and New Jersey, et al.,  
Defendants-Appellants.

-----X

An appeal having been taken from orders of the Supreme Court, Bronx County, entered on or about April 24, 2015 and April 25, 2015, respectively,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" September 14, 2015, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:

  
\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 20, 2015.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzairelli  
David Friedman  
John W. Sweeny, Jr., Justices.

-----X  
Clinton Capital Corporation,  
Judgment Creditor-Respondent,

-against-

635 Realty Corp.,  
Judgment Debtor,

M-4094  
Index Nos. 112366/96  
15461/96

Massud Rahbar,  
Judgment Debtor-Appellant.

-----  
(And another action)  
-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about September 19, 2014,

Now, upon reading and filing the stipulation of the parties hereto, dated May 8, 2015, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected, is withdrawn in accordance with the aforesaid stipulation.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 20, 2015.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzairelli  
David Friedman  
John W. Sweeny, Jr., Justices.

-----X  
Sandor Frankel, P.C. and Frankel & Abrams,  
Plaintiffs-Appellants,

-against-

Cleveland Entertainment Company, Inc.,  
et al.,  
Defendants-Respondents.

M-4209  
Index No. 653039/11

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about December 17, 2013 (mot. seq. no. 002),

Now, upon reading and filing the stipulation of the parties hereto, dated June 1, 2015, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected, is withdrawn in accordance with the aforesaid stipulation.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 20, 2015.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzairelli  
David Friedman  
John W. Sweeny, Jr., Justices.

-----X  
Rosalie Izzo-Leto, etc., et al.,  
Plaintiffs-Respondents,

-against-

M-4357  
Index No. 305991/09

Sforza Bros., and 1552 Williamsbridge  
Realty, LLC,  
Defendants-Appellants.

-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about September 16, 2013,

Now, upon reading and filing the stipulation of the parties hereto, dated September 2, 2015, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected, is withdrawn in accordance with the aforesaid stipulation.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 20, 2015.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzairelli  
David Friedman  
John W. Sweeny, Jr., Justices.

-----X  
Peter Kosovsky, M.D.,  
Plaintiff-Respondent,

-against-

M-4457  
Index No. 602813/07

Park South Tenants Corp., Board of  
Directors of Park South Tenants  
Corporation and Rose Associates, Inc.,  
Defendants-Appellants,

AM & G Waterproofing, LLC, et al.,  
Defendants-Respondents.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about November 12, 2014 (mot. seq. no. 007),

Now, upon reading and filing the stipulation of the parties hereto, dated September 2, 2015, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected, is withdrawn in accordance with the aforesaid stipulation.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 20, 2015.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzairelli  
David Friedman  
John W. Sweeny, Jr., Justices.

-----X

Chaim Katzap,  
Plaintiff-Respondent-Appellant,

-against-

M-4458  
Index No. 650251/07

Knickerbocker Village, Inc., et al.,  
Defendants-Appellants-Respondents.

-----X

Appeals having been taken from the order of the Supreme Court, New York County, entered on or about October 29, 2014 (mot. seq. nos. 002-003),

Now, upon reading and filing the stipulation of the parties hereto, dated September 11, 2015, and due deliberation having been had thereon,

It is ordered that the appeals, previously perfected, are withdrawn in accordance with the aforesaid stipulation.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 20, 2015.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzairelli  
David Friedman  
John W. Sweeny, Jr., Justices.

-----X  
Belkis Acosta,  
Plaintiff-Respondent,

-against-

M-4210  
Index No. 20917/05

Riverdale Development, LLC, et al.,  
Defendants-Respondents-Appellants,

Otis Elevator Company,  
Defendant-Appellant-Respondent,

Prometheus Assisted Living, LLC,  
et al.,  
Defendants.

-----X

An appeal and cross appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about May 27, 2014,

Now, upon reading and filing the stipulation of the parties hereto, dated July 7, 2015, and due deliberation having been had thereon,

It is ordered that the appeal and cross appeal, previously perfected, are withdrawn in accordance with the aforesaid stipulation.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 20, 2015.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzairelli  
David Friedman  
John W. Sweeny, Jr., Justices.

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

-against-

M-1955  
Ind. No. 5501/94

Omar Alvarez,  
Defendant-Appellant.

-----X

An appeal having been taken from the judgment of the Supreme Court, New York County, rendered on or about January 30, 1996,

And defendant-appellant having moved for relief in the nature of a writ of error coram nobis, and related relief,

Now, upon reading and filing the stipulation of the parties hereto, dated June 4, 2015, and due deliberation having been had thereon,

It is ordered that the motion is withdrawn in accordance with the aforesaid stipulation.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 20, 2015.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr., Justices.

-----X

In the Matter of

Heaven F.  
and Zhane F.,

Dependent Children Under 18 Years of Age Pursuant to §384-b of the Social Services Law.

**M-3207**  
Docket Nos. B-30088/13  
B-30089/13

- - - - -  
Catholic Guardian Society and Home Bureau,  
Petitioner-Respondent,

Andrea F.,  
Respondent-Appellant.

- - - - -  
Seymour W. James, Jr., Esq., The Legal Aid Society, Juvenile Rights Division,  
Attorney for the Child.

-----X

Respondent-appellant mother having moved for leave to prosecute, as a poor person, the appeal from orders of the Family Court, New York County, entered on or about May 12, 2015, 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, Larry S. Bachner, Esq., 153-01

Jamaica Avenue, Suite #201, Jamaica, NY 11432, Telephone No. (917) 378-0176, 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 therefor;<sup>1</sup> **within 30 days (FCS 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, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of the receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTER:



CLERK

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<sup>1</sup>Service 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 October 20, 2015.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr., Justices.

-----X

In the Matter of

Kimberly F.,

A Child Under 18 Years of Age Alleged to be Abused and/or Neglected Under Article 10 of the Family Court Act.

**M-3420**  
Docket No. NA-04404/13

- - - - -

Administration for Children's Services,  
Petitioner-Respondent,

Maria F.,  
Respondent-Appellant.

- - - - -

Seymour W. James, Jr., Esq.,  
The Legal Aid Society,  
Juvenile Rights Division,  
Attorney 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, New York County, entered on or about October 27, 2014, 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, Richard L. Herzfeld, Esq., 104 West 40<sup>th</sup> Street, 20<sup>th</sup> Floor, New York, NY 10018, Telephone No. (212) 818-9019, 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 therefor;<sup>1</sup> **within 30 days (FCS 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, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of the receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTER:



CLERK

---

<sup>1</sup>Service 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 October 20, 2015.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr., Justices.

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

-----  
Berliz P., Docket No. **M-3422** V-43807-14/14A  
Petitioner-Respondent, V-43115-14/14A

-against-

Juan B.,  
Respondent,

Jayden B.,  
Respondent-Appellant.

-----  
Richard L. Herzfeld, Esq.,  
Attorney for the Child,  
Jayden B.

-----X

Philip Katz, Esq., Family Court attorney for the subject child, Jayden B., having moved on said child's behalf, for leave to prosecute, as a poor person, the appeal from an order of the Family Court, New York County, entered on or about June 30, 2015, 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, Richard L. Herzfeld, Esq.,

104 West 40<sup>th</sup> Street, 20<sup>th</sup> Floor, New York, NY 10018, Telephone No. (212) 818-9019, as counsel for purposes of prosecuting the appeal on said child's behalf; (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 State of New York from funds available therefor;<sup>1</sup> **within 30 days (FCS 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, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of the receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTER:



CLERK

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<sup>1</sup>Service 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 October 20, 2015.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr., Justices.

-----X

In the Matter of

Corine G.,

A Child Under 18 Tears of Age Alleged to be Abused and/or Neglected Under Article 10 of the Family Court Act.

**M-3548**  
Docket No. NN-4890/12

-----  
Commissioner of the Administration for Children's Services,  
Petitioner-Respondent,

William G.,  
Respondent-Appellant.

-----  
Seymour W. James, Jr., Esq.,  
The Legal Aid Society,  
Juvenile Rights Division,  
Attorney 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 June 15, 2015, 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, Neal D. Futerfas, Esq., 50 Main

Street, Suite 1000, White Plains, NY 10606, Telephone No. (914) 552-6076, 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 therefor;<sup>1</sup> **within 30 days (FCS 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, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of the receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTER:



CLERK

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<sup>1</sup>Service 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 October 20, 2015.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr., Justices.

-----X  
In the Matter of a Family Offense  
Proceeding Under Article 8 of the  
Family Court Act.

-----  
Leonardo Thomas B.,  
Petitioner-Respondent,

**M-3605**  
Docket No. O-2101/15

-against-

Katherine F.,  
Respondent-Appellant.

-----  
Seymour W. James, Jr., Esq.,  
The Legal Aid Society,  
Juvenile Rights Division,  
Attorney 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 May 21, 2015, 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, Geoffrey P. Berman, Esq., 2005 Palmer Avenue, #176, Larchmont, NY 10538, Telephone No. (914) 419-8407, 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 therefor;<sup>1</sup> **within 30 days (FCS 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, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of the receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTER:



CLERK

---

<sup>1</sup>Service 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 October 20, 2015.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
David Friedman  
John W. Sweeny, Jr., Justices.

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

-against-

M-3213  
Ind. No. 5291/98

Curtis Van Stuyvesant,  
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on September 19, 2002 (Appeal No. 1586/1586A), unanimously affirming a judgment of the Supreme Court, New York County (John Stackhouse, J.), rendered on July 6, 1999,

And defendant-appellant having moved, in the nature of a writ of error coram nobis, for a review of his claim of ineffective assistance of appellate counsel, and for related relief,

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

It is ordered that said application is denied.

ENTER:



\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 20, 2015.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Angela M. Mazzarelli  
John W. Sweeny, Jr.  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X  
Daniel W. Dienst and Jill C. Dienst,  
Plaintiffs,

-against-

M-4263  
Index No. 651450/13

Paik Construction, Inc.,  
Defendant.

-----X  
Paik Construction, Inc.,  
Third-Party/Plaintiff-Respondent,

-against-

Performance Mechanical Corp., et al.,  
Third-Party/Defendants-Appellants.

-----X

Third-party/defendant-appellant The Private Bank and Trust Company having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, New York County, entered on or about October 20, 2014,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the February 2016 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 October 20, 2015.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
John W. Sweeny, Jr.  
Dianne T. Renwick  
David B. Saxe  
Paul G. Feinman, Justices.

-----X

Mergent Services,  
Plaintiff,

John Bal,  
Plaintiff-Appellant,

-against-

M-3825  
Index No. 601777/07

ITEX Corporation, et al.,  
Defendants-Respondents,

New York Daily News,  
Defendant.

-----X

Plaintiff-appellant John Bal 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 July 2, 2015 (Appeal No. 15616),

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 October 20, 2015.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Angela M. Mazzarelli  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X

Hearst Magazines; A Division of  
Hearst Communications, Inc.,  
Plaintiff-Respondent,

-against-

Leslie Greene, LLC,  
Defendant-Appellant.

M-4520

M-4783

Index No. 154021/12

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about October 30, 2014 and from a judgment of the Supreme Court, New York County, entered on or about March 17, 2015, and said appeal having been perfected,

And plaintiff-respondent having moved to strike the joint record on appeal and to dismiss the appeal taken from the ordered entered on or about October 30, 2014 (M-4520),

And defendant-appellant having cross-moved to deny plaintiff's motion [4520], for an order granting the parties leave to settle the transcript and for leave to submit a supplemental record on appeal (M-4783),

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

It is ordered that the motion is granted to the extent of directing defendant-appellant to file a supplemental record on appeal on or before December 7, 2015 for the February 2016 Term, to which Term the perfected appeals are adjourned and otherwise denied (M-4520). The cross motion is granted to the extent of granting defendant-appellant leave to file a supplemental record on appeal containing plaintiff's trial exhibits and the Mermel

Affirmation in Opposition dated October 10, 2014 at defendant's expense. The parties are granted leave to settle the transcript on appeal with the supplemental record. Defendant is directed to include the settled transcript with the supplemental record at defendant's expense (M-4783).

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 October 20, 2015.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Angela M. Mazzarelli  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X  
30 Carmine LLC,  
Petitioner-Appellant,

-against-

M-4451  
Index No. 153247/14

Lab Chong et al.,  
Respondents-Respondents.  
-----X

Petitioner-appellant having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, New York County, entered on or about October 29, 2014,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the January 2016 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 October 20, 2015.

PRESENT - Hon. Peter Tom, Justice Presiding,  
Angela M. Mazzarelli  
Dianne T. Renwick  
Judith J. Gische, Justices.

-----X  
Matthew Serino, et al.,  
Plaintiffs,

-against-

M-3560  
Index No. 604396/02

Kenneth Lipper,  
Defendant-Appellant,

PricewaterhouseCoopers LLP,  
Defendant-Respondent,

Lipper & Company, Inc., et al.,  
Defendants.

-----X

Defendant-appellant Kenneth Lipper having moved for reargument of the decision and order of this Court entered on September 30, 2014 (Appeal No. 12722-12723),

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 October 20, 2015.

PRESENT: Hon. Peter Tom, Justice Presiding,  
Rolando T. Acosta  
Karla Moskowitz  
Rosalyn H. Richter, Justices.

-----X  
Roslyn Curry,  
Plaintiff-Appellant,

-against-

M-4326  
Index No. 101192/12

Hundreds of Hats, Inc., et al.,  
Defendants-Respondents.  
-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, New York County, entered on or about September 18, 2014,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the February 2016 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 October 20, 2015.

PRESENT: Hon. Peter Tom, Justice Presiding,  
Rolando T. Acosta  
Karla Moskowitz  
Rosalyn H. Richter, Justices.

-----X  
Sotheby's International Realty, Inc.,  
Plaintiff-Respondent,

-against-

M-4283  
Index No. 650078/11

Donald Deutsch, et al.,  
Defendants-Appellants.

-----X

Defendants-appellants having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, New York County, entered on or about October 23, 2014, and from a judgment of the same Court and Justice entered on or about November 24, 2014,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the February 2016 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 October 20, 2015.

PRESENT: Hon. Peter Tom, Justice Presiding,  
Rolando T. Acosta  
Karla Moskowitz  
Rosalyn H. Richter, Justices.

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

-against-

M-4206  
Ind. No. 2948/08

Bevon Burgan,  
Defendant-Appellant.

-----X

Defendant-appellant having moved for an enlargement of time to perfect the appeal taken from the judgment of the Supreme Court, Bronx County, rendered on or about January 10, 2014,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the aforesaid appeal to the February 2016 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 October 20, 2015.

PRESENT: Hon. Peter Tom, Justice Presiding,  
Rolando T. Acosta  
Karla Moskowitz  
Rosalyn H. Richter, Justices.

-----X  
Anderson & Anderson LLP - Guangzhou,  
Beijing Kaiming Law Offices and  
GuangDong Huatu Law Firm,  
Plaintiffs-Appellants,

-against-

M-4294  
Index No. 651010/11

North American Foreign Trading  
Corp.,  
Defendants-Respondents.

-----X

Plaintiffs-appellants having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, New York County, entered on or about October 23, 2014,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the February 2016 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 October 20, 2015.

PRESENT: Hon. Peter Tom, Justice Presiding,  
Rolando T. Acosta  
Karla Moskowitz  
Rosalyn H. Richter, Justices.

-----X  
John D. Mastrobattista, et al.,  
Plaintiffs-Respondents,

-against-

M-4424  
Index No. 111452/06

Raquel Moura Borges, et al.,  
Defendants-Appellants.  
-----X

Defendant-appellant Pier Head Associates Ltd., having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, New York County, entered on or about November 17, 2014,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the February 2016 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 October 20, 2015.

PRESENT - Hon. Peter Tom, Justice Presiding,  
Rolando T. Acosta  
Richard T. Andrias  
Karla Moskowitz, Justices.

-----X  
Elizabeth Elting, etc.,  
Plaintiff-Appellant,

-against-

M-3666  
Index No. 651423/14

Philip Shawe,  
Defendant-Respondent,

Transperfect Global, Inc., et al.,  
Nominal Defendants.

-----  
In re Elizabeth Elting, etc.,  
Petitioner-Appellant,

For the Dissolution of Transperfect  
Translations International, Inc.,  
-----

Kramer Levin Naftalis & Frankel LLP,  
Nonparty Appellant.  
-----X

Defendant-respondent Philip Shawe having moved for reargument of or, in the alternative, leave to appeal to the Court of Appeals from the decision and order of this Court entered on June 30, 2015 (Appeal No. 15576N),

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 October 20, 2015.

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

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

-against-

M-4182  
Ind. No. 5073/96

Manuel Martinez,  
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about May 9, 2008, and said appeal having been perfected,

And defendant-appellant, pro se, having moved to strike certain portions of the People's respondent 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 October 20, 2015.

Present: Hon. Angela M. Mazzairelli, Justice Presiding,  
John W. Sweeny, Jr.  
Rolando T. Acosta  
Diane T. Renwick  
Richard T. Andrias, Justices.

-----X  
Sobro Local Development Corporation,  
Petitioner-Respondent,

-against-

**M-2986**  
Index No. 67609/13

Messiah Ali Bey,  
Respondent-Appellant,

-and-

King Justice Ellah El, et al.,  
Respondents.

-----X

Respondent-appellant having moved for leave to appeal to this Court from an order of the Appellate Term entered in the office of the Clerk of the Supreme Court, New York County, on or about December 30, 2014, and for leave to prosecute the appeal as a poor person,

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 October 20, 2015.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,  
John W. Sweeny, Jr.  
Richard T. Andrias  
David B. Saxe  
Rosalyn H. Richter, Justices.

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

-against-

**M-2289**

Ind. No. 4299/11

Allen Proctor,  
Defendant-Appellant.

-----X

An order of this Court having been entered on April 7, 2015 (M-6211) granting defendant leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about April 27, 2012, and assigning Seymour W. James, Jr., 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 Seymour W. James, Jr., Esq., as counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Richard M. Weinstein, Esq., 1133 Broadway, Suite 708, New York, NY 10010-8065, Telephone No. (212) 330-7623, 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 October 20, 2015.

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

-----X  
Julia Velez and Antonio Cortorreal,  
Plaintiffs-Appellants,

-against-

M-4196  
Index No. 800173/11

New York Presbyterian Hospital,  
et al.,  
Defendants-Respondents.

-----X

Plaintiffs-appellants having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, New York County, entered on or about August 4, 2014,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the February 2016 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 October 20, 2015.

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

-----X

Jill Humphries,  
Plaintiff-Appellant,

-against-

M-4230  
Index No. 654455/13

City University of New York,  
et al.,  
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, New York County, entered on or about November 12, 2014,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the February 2016 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 October 20, 2015.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,  
Rolando T. Acosta  
David B. Saxe  
Sallie Manzanet-Daniels, Justices.

-----X  
Murray Schwartz,  
Plaintiff-Respondent,

-against-

**M-2872**

Index Nos. 150229/12  
157070/12

Hotel Carlyle Owners Corporation,  
et al.,  
Defendants-Appellants,

New World Development Co.,  
Defendant.

[And Another Action]  
-----X

Plaintiff-respondent having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on May 19, 2015 (Appeal No. 15170),

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 reargument is granted and, upon reargument, the decision and order of this Court entered on May 19, 2015 (Appeal No. 15170) is recalled and vacated and a new decision and order substituted therefor. (See Appeal No. 15170, decided simultaneously herewith.) The motion, to the extent it seeks leave to appeal to the Court of Appeals, 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 October 20, 2015.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
Rolando T. Acosta  
Richard T. Andrias  
Sallie Manzanet-Daniels, Justices.

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

-against-

M-1649  
Ind. No. 4007/10

Francisco Rodriguez,  
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on September 30, 2014 (Appeal No. 13057), unanimously affirming a judgment of the Supreme Court, Bronx County (Ralph Fabrizio, J.), rendered on March 21, 2012,

And defendant-appellant having moved, in the nature of a writ of error coram nobis, for a review of his claim of ineffective assistance of appellate counsel, and for related relief,

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

It is ordered that said application is denied.

ENTER:



\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 20, 2015.

Present: Hon. David Friedman, Justice Presiding,  
Rolando T. Acosta  
Karla Moskowitz  
Rosalyn H. Richter  
Paul G. Feinman, Justices.

-----X  
Joan Banach,  
Plaintiff/Petitioner-Respondent-  
Appellant,

-against-

**M-4556**  
Index No. 600918/09

The Dedalus Foundation, Inc.,  
Defendant/Respondent-Appellant-  
Respondent.

-----  
Bantle & Levy LLP,  
Nonparty Respondent.

-----  
National Employment Lawyers Association/  
New York,  
Amicus Curiae.

-----X

Plaintiff having moved for clarification/ reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on June 9, 2015 (Appeal No. 15364N),

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 reargument is granted and, upon reargument, the decision and order of this Court entered on June 9, 2015 (Appeal No. 15364N) is recalled and vacated and a new decision and order substituted therefor. (See Appeal No. 15364N, decided simultaneously herewith.) The motion, to the extent it seeks leave to appeal to the Court of Appeals, 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 October 20, 2015.

PRESENT: Hon. David Friedman, Justice Presiding,  
Richard T. Andrias  
David B. Saxe  
Judith J. Gische  
Barbara R. Kapnick, Justices.

-----X

In the Matter of a Proceeding for Custody and or Visitation Under Article 6 of the Family Court Act.

-----

Myles M.,  
Petitioner-Appellant,  
  
-against-

M-3933  
Docket Nos. V-2882/10  
V-2882/10A  
V-14731/10  
V-14731/10A

Pei-Fong K.,  
Respondent-Respondent.

-----

Larry S. Bachner, Esq.,  
Attorney for the Child.

-----X

Petitioner-appellant having moved for an enlargement of time to perfect the appeal taken from the order of the Family Court, New York County, entered on or about August 20, 2014,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the February 2016 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 October 20, 2015.

PRESENT: Hon. David Friedman, Justice Presiding,  
Richard T. Andrias  
David B. Saxe  
Judith J. Gische  
Barbara R. Kapnick, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

M-4148  
Ind. No. 6051/11

William Fabre,  
Defendant-Appellant.

-----X

Defendant-appellant having moved for an enlargement of time to perfect the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about February 28, 2014,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the aforesaid appeal to the February 2016 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 October 20, 2015.

Present: Hon. David Friedman, Justice Presiding,  
David B. Saxe  
Judith J. Gische  
Barbara R. Kapnick, Justices.

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

- - - - -  
Mel A., Docket No. F-26828/10/14F  
Petitioner-Appellant,

-against-

Margarita M.,  
Respondent-Respondent.  
-----X

Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, New York County, entered on or about September 24, 2014, for the assignment of counsel, a free copy of the transcript, and an enlargement of time to perfect said appeal, and for related relief,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the January 2016 Term. So much of the motion which seeks poor person relief 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 October 20, 2015.

Present: Hon. David Friedman, Justice Presiding,  
David B. Saxe  
Judith J. Gische  
Barbara R. Kapnick, Justices.

-----X

In the Matter of  
Joseph Motta,  
Plaintiff-Respondent,

**M-3410**  
Index No. 3360/11

-against-

Jacquelin Motta,  
Defendant-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about June 25, 2015,

And defendant-appellant having moved to stay the aforesaid order to the extent it requires defendant to pay plaintiff's legal expenses, and "requests defendant to pay for all legal fees and collateral expenses plaintiff incurred during divorce proceedings,"

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

Ordered that the motion is denied with respect to legal fees incurred in connection with plaintiff's motion. Defendant's request that plaintiff pay all other legal fees is denied without prejudice to raising this issue on 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 October 20, 2015.

Present: Hon. David Friedman, Justice Presiding,  
David B. Saxe  
Judith J. Gische  
Barbara R. Kapnick, Justices.

-----X  
Prime Properties USA 2011, LLC,

Plaintiff-Appellant,

-against-

Laura Richardson, et al.,

Defendants-Respondents.  
-----X

**M-2243**  
**M-2531**  
Index No. 651891/13

Appeals having been taken from orders of the Supreme Court, New York County, entered on or about September 12, 2014 and April 8, 2015,

And defendants-respondents having moved for an order of this Court confirming that plaintiff's appeal from the order entered September 12, 2014 has been dismissed due to non-compliance with the directive of an order of this Court entered on February 3, 2015 (M-6203), granting defendants motion to dismiss said appeal unless perfected for the June 2015 Term, and for certain costs to be paid by plaintiff [M-2243],

And plaintiff-appellant having cross-moved for an enlargement of time to perfect the aforesaid appeal taken from the order entered on September 12, 2014 and to consolidate said appeal with the appeal taken from the order entered on or about April 8, 2015 [M-2531],

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 defendants' motion to dismiss the appeal is granted unless plaintiff perfects said appeal for the February 2016 Term. So much of defendants' motion seeking costs is denied [M-2243]. Plaintiff's cross motion is granted to extent of enlarging the time to perfect the appeal to said February 2016 Term. So much of plaintiff's motion which seeks consolidation of the appeals is denied [M-2531].

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 October 20, 2015.

Present: Hon. David Friedman, Justice Presiding,  
David B. Saxe  
Judith J. Gische  
Barbara R. Kapnick, Justices.

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

- - - - -  
Pamela D. W.,  
Petitioner-Respondent,

**M-3277**  
Docket No. F-32624-10/11A,  
13D, 11C, 13E

-against-

Michael H. K.,  
Respondent-Appellant.

-----X

Respondent-appellant having moved for an enlargement of time to perfect the appeal from an order of the Family Court, New York County, entered on or about September 19, 2014, and for leave to prosecute said appeal as a poor person,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the February 2016 Term. So much of the motion which seeks poor person relief 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 October 20, 2015.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,  
Dianne T. Renwick  
David B. Saxe  
Judith J. Gische, Justices.

-----X  
John D. Mastrobattista and Anne  
Roome,  
Plaintiffs-Appellants,

-against-

M-4671  
Index No. 111452/06

Pier Head Associates Ltd.,  
Defendant-Appellant,  
  
Raquel Moura Borges, et al.,  
Defendants-Respondents.

-----X

Appeals having been taken from orders of the Supreme Court, New York County, entered on or about November 12, 2014, November 14, 2014, November 17, 2014 and December 9, 2014, respectively,

And an appeal having been taken by defendant Pier Head Associates Ltd. from the aforesaid order entered on November 17, 2014, and said appeal having been perfected,

And plaintiffs-appellants having moved for an enlargement of time to perfect the remaining appeals,

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

It is ordered that the motion is granted to the extent of consolidating the aforesaid appeals taken by plaintiffs-appellants and permitting appellants to prosecute the appeals upon 8 copies of one record and one set of appellant's points covering the appeals and enlarging the time to perfect the consolidated appeals to the February 2016 Term. The Clerk of the Court is directed to place the perfected appeal by defendant Pier Head Associates Ltd. from the order entered on November 17, 2014 to be placed on the calendar on the same day of said 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 October 20, 2015.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,  
Dianne T. Renwick  
David B. Saxe  
Judith J. Gische, Justices.

-----x  
Credit Agricole Corporate and  
Investment Bank New York Branch,  
formerly known as, Calyon New York  
Branch, et al.,  
Plaintiffs-Respondents,

M-4547  
Index No. 651989/10

-against-

BDC Finance, LLC, et al.,  
Defendants-Appellants.

-----x  
Black Diamond Capital Management,  
LLC, et al.,  
Counterclaim Plaintiffs-Appellants,

-against-

Credit Agricole Corporate and  
Investment Bank New York Branch,  
formerly known as, Calyon New York  
Branch, et al.,  
Counterclaim Defendants-Respondents.  
-----x

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about July 21, 2014, and said appeal having been perfected,

And plaintiffs-respondents having moved for leave to supplement the record on appeal with an excerpt of the transcript from the Bankruptcy Court proceedings,

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 October 20, 2015.

Present: Hon. Rolando T. Acosta, Justice Presiding,  
Richard T. Andrias  
David B. Saxe  
Rosalyn H. Richter, Justices.

-----X

In re the City of New York, et al.,  
Petitioners-Respondents,

**M-3156**

-against-

Index No. 401425/11

New York State Nurses Association,  
et al.,  
Respondents-Appellants.

-----X

Petitioners-respondents having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on May 26, 2015 (Appeal No. 14417),

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 this Court, pursuant to CPLR 5713, certifies that the following question of law, decisive of the correctness of its determination, has arisen, which in its opinion ought to be reviewed by the Court of Appeals:

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

This Court further certifies that its determination was made as a matter of law and not in the exercise of discretion.

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 October 20, 2015.

Present: Hon. Karla Moskowitz, Justice Presiding,  
Rosalyn H. Richter  
Sallie Manzanet-Daniels  
Paul G. Feinman, Justices.

-----X  
Cornwall Management Ltd., and Oleg  
Soloviev,  
Plaintiffs-Respondents,

-against-

**M-3833**  
Index No. 653675/13

Peter Kambolin, et al.,  
Defendants-Appellants,

Abraham Bennun, et al.,  
Defendants-Appellants.

-----X

An appeal having been taken by defendants-appellants, Abraham Bennun, et al., from an order of the Supreme Court, New York County, entered on or about August 11, 2014, and said appeal having been perfected,

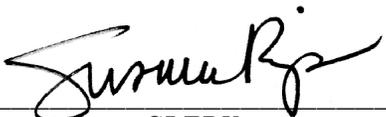
And an appeal having been taken by defendants-appellants, Peter Kamolin, et al., from the same order,

And defendants-appellants, Abraham Bennun, et al., having moved for an enlargement of time to perfect their 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 enlarging the time to perfect the appeal to the February 2016 Term, to which Term the perfected 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 October 20, 2015.

PRESENT: Hon. Karla Moskowitz, Justice Presiding,  
Rosalyn H. Richter  
Sallie Manzanet-Daniels  
Paul G. Feinman, Justices.

-----X  
Denise Noel and Llewelyn Leibert,  
Plaintiffs-Respondents,

-against-

M-3452  
Index No. 302296/07

General Growth Properties, Inc.,  
doing business as South Street  
Seaport, et al.,  
Defendants-Appellants.

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

Defendants-appellants having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, Bronx County, entered on or about October 8, 2014,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the February 2016 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 October 20, 2015.

PRESENT: Hon. Karla Moskowitz, Justice Presiding,  
Rosalyn H. Richter  
Sallie Manzanet-Daniels  
Paul G. Feinman, Justices.

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

-against-

Cathleen Torres, also known as  
Courtney Torres, also known as Cat,  
Defendant-Appellant.

M-3938  
Ind. No. 47/12  
SCI No. 4536/12

-----X

Defendant-appellant having moved for an enlargement of time to perfect the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about November 14, 2012,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the aforesaid appeal to the February 2016 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 October 20, 2015.

Present: Hon. Karla Moskowitz, Justice Presiding,  
Rosalyn H. Richter  
Sallie Manzanet-Daniels  
Paul G. Feinman, Justices.

-----X  
Gulchin Brunson,

Plaintiff-Appellant,

-against-

**M-3441**

Index No. 107010/09

Saint Vincent's Catholic Medical Centers  
of New York,

Defendant-Respondent.  
-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal taken from the order of the Supreme Court, New York County, entered on or about September 15, 2014,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the February 2016 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 October 20, 2015.

PRESENT: Hon. Karla Moskowitz, Justice Presiding,  
Rosalyn H. Richter  
Sallie Manzanet-Daniels  
Paul G. Feinman, Justices.

-----X  
Fernando Vello, et al.,  
Plaintiffs-Respondents,

-against-

M-3876  
Index No. 101824/12

Liga Chilean De Futbol, et al.,  
Defendants-Appellants.  
-----X

Defendants-appellants having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, New York County, entered on or about October 24, 2014,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the February 2016 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 October 20, 2015.

Present: Hon. Karla Moskowitz, Justice Presiding,  
Rosalyn H. Richter  
Sallie Manzanet-Daniels  
Paul G. Feinman, Justices.

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

-against- Ind. No. 4111/13

**M-3447**

Juan Mendoza,  
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 February 20, 2015, 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 notice of appeal 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 8 reproduced copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, New York 10005, 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 October 20, 2015.

PRESENT: Hon. Karla Moskowitz, Justice Presiding,  
Rosalyn H. Richter  
Sallie Manzanet-Daniels  
Paul G. Feinman, Justices.

-----X  
David Mitchell,  
Plaintiff-Appellant,

-against-  
Steven Abrams,  
Defendant-Respondent.

M-3913  
M-4149  
Index No. 110403/08

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, entered on or about October 3, 2014,

And plaintiff-appellant having moved for an enlargement of time to perfect the aforesaid appeal (M-3913),

And defendant-respondent having cross-moved to dismiss the aforesaid appeal, for failure to timely prosecuted (M-4149),

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the February 2016 Term (M-3913), the cross motion is granted to the extent of dismissing the appeal unless perfected for said February 2016 Term (M-4149).

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 October 20, 2015.

PRESENT: Hon. Karla Moskowitz, Justice Presiding,  
Rosalyn H. Richter  
Sallie Manzanet-Daniels  
Paul G. Feinman, Justices.

-----X  
Barbara Molnar,  
Plaintiff-Respondent,

**Action No. 1**  
Index No. 111470/11

-against-

Pasquale Fabio Granato,  
Defendant-Appellant,  
-----X

M-4102  
M-4138

Pasquale Fabio Granato,  
Plaintiff-Appellant,

**Action No. 2**  
Index No. 158347/12

-against-

Barbara Molnar,  
Defendant-Respondent.  
-----X

Appeals having been taken from an order of the Supreme Court, New York County, entered on or about January 10, 2014 [Index No. 158347/12], and from an order of the same Court and Justice entered on or about December 8, 2014 [Index No. 111470/11],

And an order of this Court having been entered on June 11, 2015 (M-1951) having consolidated the aforesaid appeals and enlarged the time to perfect same to the October 2015 Term,

And Pasquale Fabio Granato having moved for an enlargement of time to perfect the consolidated appeals (M-4102),

And Barbara Molnar having cross-moved to dismiss the consolidated appeals and for other relief (M-4138),

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the consolidated appeals to the February 2016 Term, with no further enlargements to be granted (M-4102), the cross motion is granted to the extent of dismissing the consolidated appeals unless perfected for said February 2016 Term (M-4138).

ENTER:

A handwritten signature in black ink, appearing to read "Susan R. Jones". The signature is written in a cursive style with a prominent initial "S".

---

CLERK

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

BEFORE: Hon. Karla Moskowitz  
Justice of the Appellate Division

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

Respondent,

-against-

Robisson Santos,

Defendant.  
-----X

M-3687  
Ind. No. 0388/2003

CERTIFICATE  
DENYING LEAVE

I, Karla Moskowitz, 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, §§ 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, Bronx County, entered on or about July 8, 2015 is hereby denied.

  
\_\_\_\_\_  
Hon. Karla Moskowitz  
Associate Justice

Dated:

*September 2, 2015*  
New York, New York

ENTERED:

**OCT 20 2015**

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-1317  
NY Co.  
Indictment No.  
6148/06

-against-

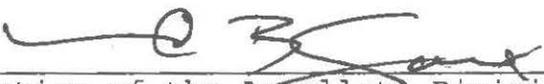
CERTIFICATE  
DENYING LEAVE

Makeda David,

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 February 24, 2015, is hereby denied.

Dated: *Sept 20, 2015*  
New York, New York

  
Justice of the Appellate Division

**ENTERED**

**OCT 20 2015**

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

BEFORE: Hon. KARLA MOSKOWITZ  
Justice of the Appellate Division

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

-against-

Eshawn Almodovar,

Defendant.

M-3984  
Ind. No. 3946/2008

CERTIFICATE  
DENYING LEAVE

-----X  
I, Karla Moskowitz, 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 that ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, Bronx County, entered on or about July 23, 2015, is hereby denied.

  
\_\_\_\_\_  
Hon. Karla Moskowitz  
Associate Justice

Dated: *September 2*, 2015  
New York, New York

ENTERED: **OCT 20 2015**

P.M. ORDERS  
FOR  
OCTOBER 20,  
2015

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 October 20, 2015.

PRESENT - Hon: Angela M. Mazzarelli, Justice Presiding,  
Rolando T. Acosta  
David B. Saxe  
Rosalyn H. Richter, Justices.

-----X

In the Matter of the Application of

Anonymous 1 and Anonymous 2,  
Petitioners,

M-4531  
M-4757  
M-4766  
M-4920

-against-

For the Appointment of a Guardian  
of the Property for Anonymous 3,

Index No. 500198/15

An Alleged Person in Need  
of a Guardian.

-----X

Purported respondent A.M. having moved pursuant to CPLR 5704(a), for an order dismissing the underlying proceeding, and awarding attorney fees and costs (M-4531),

And retained counsel Arthur W. Greig, Esq. having cross-moved for vacatur of all orders rendered by the IAS Justice in the proceeding, and other relief (M-4757),

And petitioners having cross-moved for vacatur of all stays, and other relief (M-4766),

And the Court Evaluator having cross-moved for vacatur of the interim relief granted by a Justice of this Court on September 17, 2015, and other relief (M-4920),

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 the motion by purported respondent A.M. is denied, and the interim relief granted by a Justice of this Court on September 17, 2015 is vacated (M-4531),

October 20, 2015

It is further ordered that the cross motion by retained counsel Arthur W. Greig, Esq. for the vacatur of all orders rendered by the IAS Justice is denied in its entirety (M-4757),

The motions by petitioners and the Court Evaluator are granted to the extent of vacating all interim relief granted by a Justice of this Court (M-4766/M-4920), and otherwise denied.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on October 20, 2015.

Present: Hon. David Friedman, Justice Presiding,  
Richard T. Andrias  
David B. Saxe  
Judith J. Gische  
Barbara R. Kapnick, Justices.

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

-against-

**M-4147A**  
Ind. No. 2449/12

Rayshawn Singleton,  
Defendant-Appellant.

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

-against-

Ind. No. 4095/13

Malik Hawkins,  
Defendant-Appellant.

-----X

An appeal having been taken by defendant, Rayshawn Singleton, from a judgment of the Supreme Court, New York County, rendered on or about October 24, 2013, and said appeal having been perfected,

And an appeal having been taken by defendant, Malik Hawkins, from a judgment of the Supreme Court, New York County, rendered on or about October 24, 2013, and said appeal having been perfected,

And the People having moved for consolidation of the aforesaid appeals,

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

Ordered that the motion is granted. Sua sponte, the consolidated appeal is adjourned to the February 2016 Term. (The order of this Court entered on October 13, 2015 [M-4147] is hereby recalled and vacated.)

ENTER:

  
CLERK