

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 November 12, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

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

Sonia V.,
Petitioner-Respondent,

Confidential
M-7504

Docket Nos. V-37999/14
V-43253/14

-against-

Fitzroy F.,
Respondent-Appellant.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal taken from an order of the Family Court, New York County, entered on or about August 26, 2019, 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 the certification of Jonathan A. Nelson, Esq., dated September 19, 2019, 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, Lewis S. Calderon, Esq., 153-03 Jamaica Avenue, Jamaica, New York 11432, Telephone No. 718-883-1560, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor¹ **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3)

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

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) directing appellant to perfect this appeal, in compliance with Section 1250.9 of the Practice Rules of the Appellate Division, **within 60 days** of the filing of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

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 November 12, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

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

ShaAsia W.,
Petitioner-Respondent,

Confidential
M-7519

-against-

Docket No. V-18984/18

Melissa M.,
James E.,
Respondents-Respondents.

Randall Carmel, Esq.,
Attorney for the Child-Appellant.

-----X
Elliot Podhorzer, Esq., court attorney for the subject child having moved on said child's behalf for leave to prosecute, as a poor person, the appeal taken from an order of the Family Court, New York County, entered on or about August 25, 2019, 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 the certification of Elliot Podhorzer, Esq., dated September 14, 2019, 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, Randall Carmel, Esq., 410 Jericho Turnpike, Suite 302, Jericho, New York 11753, Telephone No. 603-313-1951, 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

State of New York from funds available therefor¹ **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) directing appellant to perfect this appeal, in compliance with Section 1250.9 of the Practice Rules of the Appellate Division, **within 60 days** of the filing of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTERED:



CLERK

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on November 12, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X
Carter Ledyard & Milburn LLP,
Plaintiff-Respondent,

M-7575

-against-

Action No. 1
Index No. 150470/18

Lilaahar Bical,
Defendant-Appellant.

- - - - -

Lilaahar ("Sammy") Bical,
Plaintiff-Appellant,

-against-

Action No. 2
Index No. 451850/18

G. Michael Bellinger, et al.,
Defendants,

-and-

Carter Ledyard & Milburn LLP,
Defendant-Respondent.

-----X

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about March 25, 2019,

Now, upon reading and filing the stipulation of the parties hereto, dated September 23, 2019, and due deliberation having been had thereon,

It is ordered that the appeal is deemed 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 November 12, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X

Georgios Glykas and Katerina Glykas,
Plaintiffs-Respondents,

-against-

M-7577

M-7644

Index No. 654169/13E

Roosevelt Island Operating Corporation,
Putnam Holding Company, LLC, Urban
American Management Corp. and Roma
Scaffolding, Inc.,
Defendants-Respondents.

-----X

Roosevelt Island Operating Corporation,
Putnam Holding Company, LLC, Urban
American Management Corp.,
Third-Party Plaintiffs-Respondents,

-against,

Third-Party

Index No. 590018/14E

EVCO Mechanical Corporation, Inc.,
Third-Party Defendant-Appellant.

-----X

EVCO Mechanical Corporation, Inc.,
Second Third-Party Plaintiff-Appellant,

-against-

Index No. 595364/15

USA Electrical Corp.,
Second Third-Party Defendant-Appellant.

-----X

Appeals having been taken from an order of the Supreme Court, New York County, entered on or about March 25, 2019,

Now, upon reading and filing the correspondence from counsel for Second/Third-Party Defendant-Appellant USA Electrical Corp., dated September 20, 2019, and counsel for third-party defendant/second third-party plaintiff-appellant EVCO Mechanical Corporation, Inc., dated September 23, 2019 and due deliberation having been had thereon,

It is ordered that the appeals are deemed withdrawn in accordance with the aforesaid correspondence.

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 November 12, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X
Eduardo Sandoval, an Incapacitated
Person by His Co-Guardians, Mayra
Sandoval and Alfredo Sandoval,
Plaintiffs-Respondents/
Respondents,

-against-

Leake & Watts Services, Inc.,
Defendant-Appellant,

M-7579X
Index No. 303187/13

Wendell Chavies, et al.,
Defendants,

-and-

Asialone Edwards,
Defendant-Appellant.

-----X

Separate appeals having been taken to this Court from an order of the Supreme Court, Bronx County, entered on or about January 2, 2019,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" September 19, 2019, and due deliberation having been had thereon,

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

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 November 12, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X

Willard James,
Plaintiff-Appellant,

-against-

M-7580X
Index No. 301182/16

Samantha Marie Leonick, Tony W.
Leonick, Jose D. Cruz-Escobar, JDC
Transport Corp., Raymond E. Ciprian,
Baldor Specialty Foods, Inc., Milea
Leasing Corp., Jason Salvatore Pisano,
Budget Truck Funding, LLC.,
Defendants-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about March 12, 2019,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" September 20, 2019, and due deliberation having been had thereon,

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

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 November 12, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X
Rodrigo Mosquera,
Plaintiff-Respondent-Appellant,

-against-

M-7582
Index No. 157650/16

Term Fulton Realty Corp., 56 Fulton
Street LLC and Bravo Builders, LLC,
Defendants-Appellants-Respondents.
-----X

An appeal and cross-appeal having been taken from an order of the Supreme Court, New York County, entered on or about November 30, 2018,

Now, upon reading and filing the correspondence from counsel for plaintiff-respondent-appellant dated September 20, 2019, and due deliberation having been had thereon,

It is ordered that the cross-appeal is deemed withdrawn in accordance with the aforesaid correspondence.

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 November 12, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X
IN RE NEW YORK CITY ASBESTOS LITIGATION
-----X

Stanley Peterson and Debby Peterson,
Plaintiffs-Respondents,

M-7583X
M-7584X

-against-

Index No. 190169/18

Occidental Chemical Corporation,
Individually and as Successor to Diamond
Shamrock and Rubber Corp. of America,
et al.,
Defendants-Respondents,

Minerals Technologies, Inc.,
Non-Party Appellant.

-----X

Appeals having been taken from two orders (Mot. Seq. Nos. 002 and 003) of the Supreme Court, New York County, entered on or about April 15, 2019,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" September 25, 2019, and due deliberation having been had thereon,

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

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 November 12, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X

Michael Mousouroulis,
Plaintiff-Respondent-Appellant,

-against-

M-7585

M-7643

Index No. 158420/15

Memorial Sloan-Kettering Cancer Center
and Hunter Roberts Construction Group,
L.L.C.,
Defendants-Appellants-Respondents.

-----X

An appeal and cross-appeal having been taken from an order of the Supreme Court, New York County, entered on or about March 29, 2019,

Now, upon reading and filing the correspondence from counsel for plaintiff-respondent-appellant dated September 16, 2019 and counsel for defendants-appellants-respondents dated September 23, 2019, and due deliberation having been had thereon,

It is ordered that the appeal and cross-appeal are deemed withdrawn in accordance with the aforesaid correspondence.

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 November 12, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X

Teledata Technology Solutions, Inc.,
et al.,

Plaintiffs-Respondents,

-against-

M-7586

Index No. 655866/17

Sandton Credit Opportunities
Fund I, LP,

Defendant-Appellant.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about October 23, 2018,

Now, upon reading and filing the stipulation of the parties hereto, dated September 13, 2019, and due deliberation having been had thereon,

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

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 November 12, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X
Capstone Business Funding, LLC.,
individually, and as assignee of
Mountaineer Mining Corp.,
Plaintiff-Appellant,

-against-

M-7588
Index No. 650965/16

Samrat Container Lines,
Defendant,

Euler Hermes North America Insurance
Company,
Defendant-Respondent,

Mountaineer Mining Corp.,
Additional Defendant on
Counterclaim-Respondent.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about April 4, 2019,

Now, upon reading and filing the correspondence from counsel for plaintiff-appellant dated September 3, 2019, and due deliberation having been had thereon,

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

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 November 12, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X

Reina Carter and Tyrone Walker,
Plaintiffs-Appellants,

-against-

M-7638X

Index No. 305130/14

Joelle Busman and Kenneth Busman,
Defendants-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about December 18, 2018,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" September 25, 2019, and due deliberation having been had thereon,

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

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 November 12, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X
Kenia A. Justo Santos,

Plaintiff-Appellant,

-against-

Idania G. Obando, et al.,

Defendants-Respondents.
-----X

M-7639X
Index No. 25870/16E

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about February 4, 2019,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" September 25, 2019, and due deliberation having been had thereon,

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

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 November 12, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

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

The Board of Education of the City
School District of the City of New York,
Petitioner-Respondent,

For a Judgment Pursuant to Article 75
of the Civil Practice Law and Rules.

M-7642
Index No. 450712/16

-against-

Howard Honigsfeld,
Respondent-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about March 13, 2018,

Now, upon reading and filing the correspondence from counsel for respondent-appellant dated October 1, 2019, and the stipulation of Dismissal and Discontinuance of the parties dated September 24, 2019 and due deliberation having been had thereon,

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

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 November 12, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X
Thomas Galgano, et al.,
Plaintiffs-Respondents,

-against-

National Railroad Passenger Corp.,
et al.,
Defendants-Respondents,

M-7646
Index No. 159411/14

-and-

Ad-Tech Enterprises, Ltd., Metropolitan
Transportation Authority and MTA Capital
Construction Company,
Defendant-Appellants.

- - - - -
[And a third-party action.]

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about May 9, 2019,

Now, upon reading and filing the correspondence from the attorneys for defendants-appellants dated September 24, 2019, and due deliberation having been had thereon,

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

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 November 12, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X
Patrick Lynch, as President of the
Patrolmen's Benevolent Association of
the City of New York, Inc., on behalf of
the Police Officers Who Have Been or May
in the Future Be Aggrieved, and the
Patrolmen's Benevolent Association of the
City of New York, Inc.,
Plaintiffs-Appellants,

M-7647
Index No. 652761/15

-against-

Robert W. Johnson, Brian Fusco, Joseph
Anthony, Michael Hernandez, Shea
Communications, LLC, and John and Jane
Does 1 through 30,
Defendants-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about November 27, 2018,

Now, upon reading and filing the correspondence from counsel for plaintiffs-appellants dated September 25, 2019, and due deliberation having been had thereon,

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

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 November 12, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X

Liddle & Robinson, L.L.P.,
Plaintiff-Respondent,

-against-

M-7648
Index No. 654268/18

Barry Willman,
Defendant-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about April 11, 2019,

Now, upon reading and filing the correspondence from defendant-appellant dated September 30, 2019, and due deliberation having been had thereon,

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

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 November 12, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X

Stone & Broad Inc.,
Plaintiff-Respondent,

-against-

Nextel of New York, Inc., et al.,
Defendants-Respondents,

M-7650
Index No. 156297/18

-and-

Tech Nel Electric, Inc.,
Defendant-Appellant.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about March 28, 2019,

Now, upon reading and filing the correspondence from counsel for defendant-appellant dated September 27, 2019, and due deliberation having been had thereon,

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

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 November 12, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X

Maria Mason and Lawrence Mason,
Plaintiffs-Respondents,

-against-

M-7652

Index No. 805293/15E

Bruce Milner, D.D.S.,
Michael Heller, M.D., Beth Israel
Medical Center, Ilan Bohm, D.C.,
Defendants,

Zachary Scott Wilson, M.D., Jeffrey A.
Glassberg, M.D., The Mount Sinai Hospital,
and herein as Mount Sinai Hospital,
Defendants-Appellants.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about February 7, 2019,

Now, upon reading and filing the correspondence from counsel for defendants-appellants dated September 27, 2019, and due deliberation having been had thereon,

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

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 November 12, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X
Crystal Richards,

Plaintiff-Respondent,

-against-

M-7653
Index No. 23743/16E

New York City Housing Authority,

Defendant-Appellant.
-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about March 1, 2019,

Now, upon reading and filing the correspondence from counsel for defendant-appellant dated September 29, 2019, and due deliberation having been had thereon,

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

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 November 12, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X
IN RE: NEW YORK CITY ASBESTOS LITIGATION
-----X
Richard Carlstrand and Anna Carlstrand,
Plaintiffs-Respondents,

M-7654

M-7664

-against-

Index No. 190194/17

Burnham, LLC,
Defendant-Appellant,

AERCO International, Inc., et al.
Defendants.

-----X

Appeals having been taken from orders of the Supreme Court, New York County, entered on or about August 1, 2019 and August 21, 2019, and the appeal from the order entered on or about August 1, 2019 having been perfected,

Now, upon reading and filing the stipulation of the parties hereto, dated September 27, 2019, and due deliberation having been had thereon,

It is ordered that the appeals are deemed withdrawn in accordance with the aforesaid stipulation.

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 November 12, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----x

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

Derek G.,
Petitioner-Appellant,

CONFIDENTIAL

M-7656
Docket No. V-24985-16

-against-

Alice M.,
Respondent-Respondent,

Kenneth M. Tuccillo, Esq.,
Attorney for the Child.

-----x

Rachel Seger Cobos, Esq., court attorney for the subject child Amani-Lydia G., having moved on said child's behalf for leave to respond, as a poor person, to the appeal taken from an order of the Family Court, Bronx County, entered on or about July 11, 2019, 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 the certification of Rachel Seger Cobos, Esq., dated September 27, 2019, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to §1120 of the Family Court Act, Kenneth M. Tuccillo, Esq., 591 Warburton Avenue, No. 576, Hastings on Hudson, New York, 10701, Telephone No.: 914-439-4843, as counsel for purposes of responding to the appeal; (2) permitting movant to respond to the appeal upon a reproduced

respondent's brief, on condition that one copy of such brief be served upon the attorney for each party to the appeal, and an original and five hard copies, and if represented by counsel, one digital copy of such brief, are filed with this court, pursuant to 22 NYCRR Section 1250.9.

ENTERED:

A handwritten signature in black ink, appearing to read "Susan R. Jones", written over a horizontal line.

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 November 12, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X

Andrea Rosales,
Plaintiff-Respondent,

-against-

Cactus Holdings, Inc., et al.,
Defendants,

M-7679
Index No. 22417/13E

-and-

J. Caiazzo Plumbing & Heating Corp.,
Defendant-Appellant.

[And a third-party action.]

-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about October 1, 2018, and said appeal having been perfected,

Now, upon reading and filing the stipulation of the parties hereto, dated October 9, 2019, and due deliberation having been had thereon,

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

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 November 12, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X

Symonette Nelson Nugent,
Plaintiff-Respondent,

-against-

M-7680
Index No. 155991/12

The City of New York, New York Department of Transportation, The New York City Department of Environmental Protection, Defendants-Appellants,

Consolidated Edison, Inc., Keyspan Energy Corp. and "John Doe" Construction Company, Defendants.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about April 8, 2019,

Now, upon reading and filing the Notice of Withdrawal of Appeal of the appellants dated October 3, 2019, and due deliberation having been had thereon,

It is ordered that the appeal is deemed withdrawn in accordance with the aforesaid Notice of Withdrawal of Appeal.

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 November 12, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X
Anne Furuya,
Plaintiff-Appellant,

-against-

M-7681
Index No. 150632/17

AMC Entertainment Inc. doing business
as AMC Loews Lincoln Square 13,
Defendant-Respondent.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about March 15, 2019,

Now, upon reading and filing the correspondence from counsel for plaintiff-appellant, dated October 1, 2019, and due deliberation having been had thereon,

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

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 November 12, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X
Andres Romero, as Administrator of the
Estate of Josefina Martinez, Deceased,
Plaintiff-Respondent,

-against-

Eastchester Rehabilitation & Healthcare
Center, LLC,
Defendant-Appellant,

M-7684
Index No. 23238/14E

-and-

Salvatore Conte, M.D.,
Defendant.

-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about January 30, 2019,

Now, upon reading and filing the correspondence from counsel for defendant-appellant dated October 3, 2019, and due deliberation having been had thereon,

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

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 November 12, 2019.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X
David H. Ostad,

Plaintiff-Appellant-Respondent,

-against-

Behzad Nehmadi, etc., et al.,

Defendants-Respondents-Appellants.
-----X

M-7687
M-7688
M-7689
Index No. 650460/10

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about April 2, 2019,

And an appeal and cross-appeal having been taken from an order of the same court entered on or about July 29, 2019,

Now, upon reading and filing correspondence from counsel for plaintiff (M-7688) and counsel for defendants (M-7687 and M-7689) dated September 16, 2019, and due deliberation having been had thereon,

It is ordered that the appeals and cross-appeal are deemed withdrawn in accordance with the aforesaid correspondence.

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 November 12, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X

Patricia Brown,
Plaintiff-Respondent,

-against-

M-7691X
Index No. 302415/15

Albert Moore,
Defendant-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about April 25, 2019,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" September 16, 2019, and due deliberation having been had thereon,

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

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 November 12, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X

Kimberly A. Dore,
Plaintiff-Respondent,

-against-

M-7692X
Index No. 20628/17E

Emeline M. Jones, et al.,
Defendants,

Abby B. Bergman,
Defendant-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about April 15, 2019,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" October 7, 2019, and due deliberation having been had thereon,

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

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 November 12, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X
Cypress Group Holdings, Inc.,
Plaintiff-Respondent-Appellant,

-against-

M-7693X
Index No. 653408/15

Onex Corporation, et al.,
Defendants-Appellants-Respondents.
-----X

Appeals and cross appeals having been taken from a judgment of the Supreme Court, New York County, entered on or about May 9, 2019 and from an order, same court, entered on or about March 28, 2019,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" October 7, 2019, and due deliberation having been had thereon,

It is ordered that the appeals and cross appeals are withdrawn in accordance with the aforesaid stipulation.

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 November 12, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X

The People of the State of New York,
Respondent,

CONFIDENTIAL

M-7350

-against-

Ind. No. 4609/16

Jayquaine Seignious,
Defendant-Appellant.

-----X

Defendant-appellant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about April 30, 2019, for leave to have the appeal heard 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 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 an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) one transcript 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.

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 180 days from the date of receipt of the complete record.

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 November 12, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X

The People of the State of New York,
Respondent,

CONFIDENTIAL
M-7361

-against-

Ind. No. 3439/16

Amat B. Kasmoin,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from the order of the Supreme Court, New York County (Dwyer, J.), entered on or about August 1, 2019, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the appeal, and for related relief,

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

Ordered that the motion 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 District Attorney of said county and files an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

The Clerk of the Supreme Court shall expeditiously make and file with the criminal court (CPL 460.70) one transcript of the stenographic minutes of the SORA hearing and any other proceedings before Justice Dwyer as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, Janet E. Sabel, Esq., without charge, the transcripts to be returned to this Court when appellant's brief is filed.

(M-7361)

-2-

November 12, 2019

Janet E. Sabel, Esq., The Legal Aid Society, 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 180 days from the date of receipt of the complete record.

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 November 12, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-7366
Ind. No. 1391/18

Henchauti Martinez,
Defendant-Appellant.

-----X

Defendant-appellant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about July 31, 2019, for leave to have the appeal heard 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 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 an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) one transcript 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.

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 180 days from the date of receipt of the complete record.

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 November 12, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-7400
Ind. No. 1853/18

Joshua Serrano,
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about February 11, 2019,

Now, upon reading and filing the stipulation of the parties hereto, dated September 16, 2019, and due deliberation having been had thereon,

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

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 November 12, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X

The People of the State of New York,
Respondent,

CONFIDENTIAL

M-7513

-against-

Ind. No. 2979/13

Francis G. Parra,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from the order of the Supreme Court, New York County (Carro, J.), entered on or about August 9, 2019, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the appeal, and for related relief,

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

Ordered that the motion 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 District Attorney of said county and files an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

The Clerk of the Supreme Court shall expeditiously make and file with the criminal court (CPL 460.70) one transcript of the stenographic minutes of the SORA hearing and any other proceedings before Justice Carro as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, Janet E. Sabel, Esq., without charge, the transcripts to be returned to this Court when appellant's brief is filed.

(M-7513)

-2-

November 12, 2019

Janet E. Sabel, Esq., The Legal Aid Society, 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 180 days from the date of receipt of the complete record.

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 November 12, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X

The People of the State of New York,
Respondent,

M-7600

-against-

Ind. No. 2846/17

Shakim Pierce,
Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on or about June 5, 2019, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, Bronx County, rendered on or about June 5, 2019,

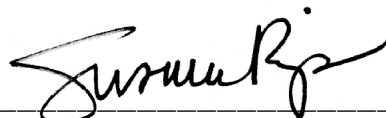
Now, upon reading and filing the order which granted defendant poor person relief on appeal, and the notice of appeal filed on defendant's behalf,

It is ordered that the appeal is permitted 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 an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) one transcript 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.

Janet E. Sabel, Esq., The Legal Aid Society, 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 180 days from the date of receipt of the complete record.

ENTERED:

A handwritten signature in black ink, appearing to read "Susan R. Jones", written over a horizontal line.

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 November 12, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X

The People of the State of New York,
Respondent,

M-7601

-against-

Ind. No. 2330/17

John McDaniels,
Defendant-Appellant.

-----X

An order of the Supreme Court, Bronx County, having been entered on or about June 6, 2019, inter alia, granting defendant poor person relief with respect to the appeal taken from the judgment of the Supreme Court, Bronx County, rendered on or about June 5, 2019,

Now, upon reading and filing the order which granted defendant poor person relief on appeal, and the notice of appeal filed on defendant's behalf,

It is ordered that the appeal is permitted 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 an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) one transcript 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.

Janet E. Sabel, Esq., The Legal Aid Society, 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 180 days from the date of receipt of the complete record.

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 November 12, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Rosalyn H. Richter, Justices.

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

CONFIDENTIAL

M-7362

Ind. No. 2668/04

-against-

Bruce Lezama,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from the order of the Supreme Court, Bronx County (Bruce, J.), entered on or about August 9, 2019, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the appeal, and for related relief,

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

Ordered that the motion 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 District Attorney of said county and files an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

The Clerk of the Supreme Court shall expeditiously make and file with the criminal court (CPL 460.70) one transcript of the stenographic minutes of the SORA hearing and any other proceedings before Justice Bruce as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, Janet E. Sabel, Esq., without charge, the transcripts to be returned to this Court when appellant's brief is filed.

(M-7362)

-2-

November 12, 2019

Janet E. Sabel, Esq., The Legal Aid Society, 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 180 days from the date of receipt of the complete record.

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 November 12, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Rosalyn H. Richter, Justices.

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

CONFIDENTIAL

M-7545

-against-

Ind. No. 4179/82

Charles Washington,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from the order of the Supreme Court, Bronx County (Bruce, J.), entered on or about August 30, 2019, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the appeal, and for related relief,

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

Ordered that the motion 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 District Attorney of said county and files an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

The Clerk of the Supreme Court shall expeditiously make and file with the criminal court (CPL 460.70) one transcript of the stenographic minutes of the SORA hearing and any other proceedings before Justice Bruce as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, Janet E. Sabel, Esq., without charge, the transcripts to be returned to this Court when appellant's brief is filed.

(M-7545)

-2-

November 12, 2019

Janet E. Sabel, Esq., The Legal Aid Society, 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 180 days from the date of receipt of the complete record.

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 November 12, 2019.

Present: Hon. Rolando T. Acosta, Presiding Justice,
Dianne T. Renwick
Sallie Manzanet-Daniels
Anil C. Singh, Justices.

-----X
SQN Asset Servicing, LLC,
Plaintiff-Respondent,

-against-

M-7632

Index No. 652604/17

Shunfeng International Clean
Energy Ltd.,
Defendant-Appellant.

-----X

Appeals having been taken from the orders of the Supreme Court, New York County, entered on or about May 10, 2019 and September 12, 2019,

And defendant-appellant having moved for an order staying enforcement of the aforementioned orders pending hearing and determination of the appeals taken therefrom,

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.

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 November 12, 2019.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
Rosalyn H. Richter
Angela M. Mazzairelli
Troy K. Webber
Cynthia S. Kern, Justices.

-----X
D&R Global Selections, S.L.,
Plaintiff-Respondent,

-against-

Bodega Olegario Falcon Pineiro,
Defendant-Appellant.

M-7334
Index No. 603732/07

-----X

Defendant-appellant having moved for a stay of all proceedings, including trial, pending hearing and determination of the appeal taken from the order of the Supreme Court, New York County, entered on or about April 17, 2018,

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.

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 November 12, 2019.

Present - Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Rosalyn H. Richter
Angela M. Mazzaelli
Jeffrey K. Oing, Justices.

-----x
Kim Neblett, as Administratrix of the
Estate of Carol Maxwell, Deceased,
Plaintiff-Respondent,

-against-

M-7752
Index No. 300511/11

Twin Parks Northwest Houses Inc.,
et al.,
Defendants-Appellants,

-and-

Murdoch Security & Investigations, Inc.,
Defendant.

-----x

An appeal having been taken to this Court from the order of the Supreme Court, Bronx County, entered on or about November 28, 2018, and said appeal having been perfected,

And plaintiff-respondent having moved for an order compelling defendants-appellants to file a fully reproduced record on appeal rather than an Appendix,

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, without prejudice to plaintiff-respondent submitting a supplemental appendix, with costs to abide the appeal. Sua sponte, the appeal is adjourned to the January 2020 Term.

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 November 12, 2019.

Present - Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Rosalyn H. Richter
Angela M. Mazzarelli
Jeffrey K. Oing, Justices.

-----x

Nationstar Mortgage LLC,
Plaintiff-Respondent,

-against-

June Thompson,
Defendant-Appellant,

M-7753
Index No. 381260/12

Mortgage Electronic Registration
Systems, Inc., etc., et al.,
Defendants-Respondents,

-and-

Darlene Bennette, et al.,
Defendants.

-----x

An appeal having been taken to this Court from the judgment of the Supreme Court, Bronx County, entered on or about March 20, 2018, and said appeal having been perfected,

And plaintiff-respondent Nationstar Mortgage LLC 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 denied, without prejudice to movant raising the substantive arguments in support of dismissal upon hearing of the appeal. The Clerk is directed to maintain the appeal on the December 2019 Term.

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 November 12, 2019.

PRESENT: Hon. David Friedman, Justice Presiding,
Barbara R. Kapnick
Cynthia S. Kern
Jeffrey K. Oing, Justices.

-----X
KPMG LLP,
Petitioner-Respondent,

-against-

M-6797
Index No. 655664/18

Marc S. Kirschner, in his capacity as
Trustee of The Millennium Corporate
Claim Trust and of the Millennium
Lender Claim Trust,
Respondent-Appellant.

-----X

Respondent-appellant having moved for a stay of the order of the Supreme Court, New York County, entered on or about August 7, 2019, which, inter alia, compelled arbitration on the issue on arbitrability and for a stay of the arbitration proceedings commenced by petitioner pursuant to said order, pending hearing and determination of the appeal taken therefrom,

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 arbitration stayed on the condition the aforementioned appeal is perfected for the March 2020 Term.

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 November 12, 2019.

Present - Hon. David Friedman, Justice Presiding,
Barbara R. Kapnick
Cynthia S. Kern
Anil C. Singh, Justices.

-----X
Artem Rybakov,
Petitioner-Appellant,

For a Judgment Pursuant to Article 78
of the Civil Practice Law and Rules,

-against-

M-7326
Index No.155288/17

City of New York and City of New York
Mayor's Office of Housing Recovery
Operations,
Respondents-Respondents.

-----X

Petitioner-appellant having moved, pro se, to vacate the dismissal of the appeal taken from an order of the Supreme Court, New York County, entered on or about August 3, 2018, and upon reinstatement, for an extension of time to perfect 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 to the extent of vacating the dismissal of appeal and enlarging the time to perfect said appeal to the March 2020 Term.

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 November 12, 2019.

Present - Hon. David Friedman, Justice Presiding,
Barbara R. Kapnick
Cynthia S. Kern
Anil C. Singh, Justices.

-----X

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

- - - - -

CONFIDENTIAL
M-7379

Douglas W.,
Petitioner-Appellant,

Docket Nos. V-32295-15/17D

-against-

Yuanning W.,
Respondent-Respondent.

- - - - -

Janet E. Sabel, Esq.,
The Legal Aid Society,
Attorney for the Children.

-----X

Petitioner-appellant, having moved to extend the time to perfect the appeal taken from an order of the Family Court, New York County, entered on or about June 27, 2018,

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 extending the time in which to perfect the appeal to the April 2020 Term.

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 November 12, 2019.

Present - Hon. David Friedman, Justice Presiding,
Barbara R. Kapnick
Cynthia S. Kern
Anil C. Singh, Justices.

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

-against-

Dennis Vargas,
Defendant-Appellant.

CONFIDENTIAL
M-7481

Ind. No. 2790/17

-----X

An order of this Court having been entered on July 30, 2019 (M-2707) granting defendant leave to prosecute, as a poor person, the appeal taken from the judgment of the Supreme Court, Bronx County, rendered on or about April 11, 2019, and assigning Robert S. Dean, Esq., Center for Appellate Litigation, as counsel to prosecute the appeal; and a motion having been made to relieve assigned counsel and substitute retained 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 Robert S. Dean, Esq., Center for Appellate Litigation, as assigned counsel to prosecute defendant's appeal, and that portion of the motion seeking substituted counsel is denied as unnecessary. The poor person relief previously granted is continued, and appellant's time in which to perfect the appeal is enlarged until March 2020 Term.

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 November 12, 2019.

Present - Hon. David Friedman,
Barbara R. Kapnick
Cynthia S. Kern
Anil C. Singh,

Justice Presiding,

Justices.

-----X

In the Matter of Xerox Corporation
Consolidated Shareholder Litigation.

M-7571
Index No. 650766/18

-----X

The Xerox defendants having moved to extend the time to perfect, or in the alternative, to vacate the dismissal of appeal taken from an order of the Supreme Court, New York County, entered on or about May 1, 2018,

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 vacating the dismissal of appeal, and upon vacatur, extending the time to perfect the appeal to the April 2020 Term.

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 November 12, 2019.

Present - Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Rosalyn H. Richter
Angela M. Mazzarelli
Jeffrey K. Oing, Justices.

-----x

Tutor Perini Building Corp.,
Plaintiff-Respondent/Respondent,

-against-

M-7292
Index No. 156211/18

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

STV Incorporated,
Defendant-Appellant.

-----x

Separate appeals having been taken to this Court from the order of the Supreme Court, New York County, entered on or about July 9, 2019,

And defendant-appellant The Port Authority of New York and New Jersey having moved for a stay of all proceedings in the trial court pending hearing and determination of the appeal,

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

It is ordered that the motion is denied.

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 November 12, 2019.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Sallie Manzanet-Daniels
Angela M. Mazzarelli
Troy K. Webber
Jeffrey K. Oing, Justices.

-----x

New Rainbow Heaven LLC and Rong Yu
Lin,

Plaintiffs-Appellants,

-against-

M-7258

Index No. 655648/16

Wesco Insurance Company,

Defendant-Respondent.

-----x

Plaintiffs-appellants having moved, pursuant to 22 NYCRR 1250.10(c), to vacate the dismissal of the appeal taken from the order of the Supreme Court, New York County, entered on or about October 17, 2018 and, upon vacatur, for an enlargement of time to perfect said 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, the dismissal vacated, the appeal reinstated, and the time to perfect said appeal is enlarged to the March 2020 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 November 12, 2019.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,
Sallie Manzanet-Daniels
Angela M. Mazzarelli
Troy K. Webber
Jeffrey K. Oing, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-7299

Ind. No. 4632/17

Terrence Graham,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about June 12, 2019, for leave to have the appeal heard 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 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 an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) one transcript 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.

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 180 days from the date of receipt of the complete record.

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 November 12, 2019.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Sallie Manzanet-Daniels
Angela M. Mazzarelli
Troy K. Webber
Jeffrey K. Oing, Justices.

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

-against-

M-7364
SCI No. 1014/19

Cingue Grazette,
Defendant-Appellant.

-----X

Defendant-appellant 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 June 26, 2019,

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

It is ordered that the motion is granted to the extent of deeming the moving papers a timely filed notice of appeal.

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 November 12, 2019.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Sallie Manzanet-Daniels
Angela M. Mazzarelli
Troy K. Webber
Jeffrey K. Oing, Justices.

-----X
Kyowa Seni, Co., Ltd.,
Plaintiff-Appellant,

-against-

M-7495

Index No. 650589/17

All Nippon Airways, Co., Ltd.,
et al.,
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for an extension of time to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about July 6, 2018, or in the alternative, permitting the withdrawal of the appeal without prejudice,

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, deemed one to vacate the dismissal of the appeal, is granted to the extent of reinstating the appeal and extending the time to perfect same to the May 2020 Term, with leave to seek further enlargements if necessary.

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 November 12, 2019.

Present - Hon. Rosalyn H. Richter, Justice Presiding,
Judith J. Gische
Peter Tom
Ellen Gesmer
Peter H. Moulton, Justices.

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

Maria K.,
Petitioner-Appellant,

-against-

CONFIDENTIAL

M-7213

Docket Nos. V-183-13/18H
V-184-13/18H
V-34266-11/18J
V-34267-11/18J

Christopher B.,
Dimitra L.,
Respondents-Respondents.

Randall Carmel, Esq., Attorney for
the Child Krystyna B.,

Thomas R. Villecco, Esq., Attorney for
the Child Matthew B.
-----X

An appeal having been taken from an order of the Family Court, New York County, entered on or about January 7, 2019,

And petitioner-appellant having moved to enlarge the record on appeal, or in the alternative, for this Court to take judicial notice of two forensic reports identified as Exhibit B dated April 2, 2014 and Exhibit C dated November 6, 2016,

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.

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 November 12, 2019.

Present - Hon. Rosalyn H. Richter, Justice Presiding,
Judith J. Gische
Peter Tom
Ellen Gesmer
Peter H. Moulton, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-7319
Ind. No. 3332/18

Peter Faustin, also known as Peter
Faustian
Defendant-Appellant.

-----X

An order of this Court having been entered on August 27, 2019 (M-3176) granting defendant leave to prosecute, as a poor person, the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about March 28, 2019, and assigning Christina Swarns, Esq., Office of the Appellate Defender 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 Christina Swarns, Esq., as assigned counsel, and substituting, pursuant to Section 722 of the County Law, Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, New York 10005, 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 receipt of the complete record, whichever is later.

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 November 12, 2019.

Present - Hon. Judith J. Gische, Justice Presiding,
Troy K. Webber
Cynthia S. Kern
Peter H. Moulton, Justices.

-----x

Vasilios Pierrakeas,

Plaintiff-Respondent,

-against-

M-7663

Index No. 157414/14

137 East 38th Street LLC,

Defendant-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 4, 2018, and said appeal having been perfected,

And defendant-appellant having moved for a stay of trial herein pending hearing and determination of the aforesaid appeal,

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

It is ordered that the motion is granted, and trial is stayed pending hearing and determination of the appeal.

ENTERED:


CLERK