

**257 Church Holdings LLC v Talos Capital Designated
Activity Co., formerly Known as Talos Capital Ltd., acting by
& through its special servicer, Green Loan Servs. LLC**

Motion No: 2023-03684

Slip Opinion No: 2023 NY Slip Op 73743(U)

Decided on September 21, 2023

Appellate Division, First Department, Motion Decision

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This motion is uncorrected and is not subject to publication in the
Official Reports.

Supreme Court of the State of New York
Appellate Division, First Judicial Department

Present – Hon. Dianne T. Renwick,
Ellen Gesmer
Tanya R. Kennedy
Julio Rodriguez III
Llinét M. Rosado,

Presiding Justice,

Justices.

Talos Capital Designated Activity Company,
formerly known as Talos Capital Limited,
acting by and through its special servicer,
Green Loan Services LLC,
Plaintiff-Respondent,

-against-

257 Church Holdings LLC, et al.,
Defendants,

Ben Ashkenazy,
Defendant-Appellant,

Friedman Kaplan Seiler Adelman & Robbins
LLP,

Non-Party Appellant.

Motion No. **2023-03684**
Index No. 651458/20
Case Nos. 2023-00699
2023-01307
2023-02909
2023-03061
2023-03567
2023-03859

SEALED

An appeal having been taken to this Court from an order of the Supreme Court, New York County, entered on or about December 23, 2022 (Case No. 2023-00699) and an appeal having been taken to this Court from an order of the same Court and Justice, entered on or about February 07, 2023 (Case No. 2023-01307), and said appeals having been perfected together on a single Record and set of briefs,

And appeals having been taken to this Court from an order of the same Court and Justice, entered on or about June 07, 2023 (Case No. 2023-02909), and from an order and judgment (one paper) of the same Court and Justice, entered on or about July 24, 2023 (Case No. 2023-03859), and an appeal having been taken to this Court from an order of the same Court and Justice, entered on or about June 13, 2023 (Case No. 2023-03061), and an appeal having been taken to this Court from an order of the same Court and Justice, entered on or about July 17, 2023 (Case No. 2023-03567), and said appeals having been perfected together on a single Joint Record and on separate briefs,

Case Nos. 2023-00699
2023-01307
2023-02909
2023-03061
2023-03567
2023-03859

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And defendant-appellant having moved for an order (1) consolidating the aforesaid appeals, and scheduling them to be heard together; (2) granting plaintiff-respondent leave to file a single respondent's brief responding to the appeals under Case Nos. 2023-00699 and 2023-01307; and a single, separate respondent's brief responding to each of defendant-appellant's and non-party appellant's appeals under Case Nos. 2023-02909, 2023-03061, 2023-03567, 2023-03859; (3) granting defendant-appellant leave to file a single reply brief for Case Nos. 2023-00699 and 2023-01307, and a single reply brief for Case Nos. 2023-02909, 2023-03061, 2023-03567, 2023-03859; and (4) granting non-party appellant leave to file a single reply brief for its 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 directing the Clerk of this Court to place all the appeals on the same calendar date within the December 2023 Term of this Court, to which Term the appeals are adjourned, and directing that (1) plaintiff-respondent file a single respondent's brief responding to the appeals under Case Nos. 2023-00699 and 2023-01307 and a single respondent's brief responding to both of defendant-appellant's and non-party appellant's appeals under Case Nos. 2023-02909, 2023-03061, 2023-03567, 2023-03859; and (2) defendant-appellant file a reply brief with respect to each of its appeals under Case Nos. 2023-00699 and 2023-01307 and Case Nos. 2023-02909, 2023-03061, 2023-03567, and 2023-03859; and (3) that non-party appellant file a reply brief with respect to its appeal under Case Nos. 2023-02909 and 2023-03859.

ENTERED: September 21, 2023



Susanna Molina Rojas
Clerk of the Court