

February 24, 2015

CASES

1 No. 14
Julie Conason, et al.,
 Respondents,
 v.
Megan Holding, LLC, et al.,
 Appellants.

Order modified, without costs, by remitting to Supreme Court, New York County, for further proceedings in accordance with the opinion herein and, as so modified, affirmed, and certified question answered in the negative.
Opinion by Judge Read.
Chief Judge Lippman and Judges Rivera and Abdus-Salaam concur.
Judge Pigott dissents and votes to reverse and dismiss the complaint in an opinion.
Judges Stein and Fahey took no part.

4 No. 73 SSM 31
The People &c.,
 Respondent,
 v.
Robert J. Cooke,
 Appellant.

On review of submissions pursuant to section 500.11 of the Rules, order affirmed, in a memorandum.
Chief Judge Lippman and Judges Read, Pigott, Rivera, Abdus-Salaam and Stein concur.
Judge Fahey took no part.

3 No. 23
In the Matter of Jill A. Dunn, An Attorney.

Committee on Professional Standards,
 Respondent;
Jill A. Dunn,
 Appellant.

Order reversed, with costs, and matter remitted to the Appellate Division, Third Department, for further proceedings in accordance with the opinion herein.
Opinion Per Curiam.
Chief Judge Lippman and Judges Read, Pigott, Rivera and Abdus-Salaam concur.
Judges Stein and Fahey took no part.

1 No. 19
Front, Inc.,
 Plaintiff,
 v.
Philip Khalil, et al.,
 Defendants.

Philip Khalil,
 Third-Party Appellant,
 v.
Jeffrey A. Kimmel, et al.,
 Third-Party Respondents.

2 No. 22
In the Matter of Mehran Manouel, et al.,
 Appellants,
 v.
Board of Assessors, et al.,
 Respondents.

Order affirmed, with costs.
Opinion by Judge Abdus-Salaam.
Chief Judge Lippman and Judges Read, Pigott and
Rivera concur.
Judges Stein and Fahey took no part.

Order affirmed, with costs.
Opinion by Judge Rivera.
Chief Judge Lippman and Judges Read and Abdus-
Salaam concur.
Judge Pigott dissents in an opinion.
Judges Stein and Fahey took no part.

MOTIONS

1 Mo. No. 2014-1197
In the Matter of Kevin Aoki, et al.,
 Respondents,
 v.
Echo Aoki, et al.,
 Respondents,
Keiko Ono Aoki,
 Appellant.

Motion for leave to appeal granted.

3 Mo. No. 2015-77
The People &c.,
 Respondent,
 v.
Christopher Baker,
 Appellant.

Motion for leave to appeal denied.

2 Mo. No. 2015-27
Arthur Blake,
 Appellant,
 v.
State of New York,
 Respondent.

Motion for reargument of motion for leave to appeal
denied.
Judges Stein and Fahey took no part.

2 Mo. No. 2015-118
In the Matter of Christopher Chunn,
 Appellant,
 v.
Salvatore Modica, &c. et al.,
 Respondents.

Motion for leave to appeal denied.

4 Mo. No. 2015-19
In the Matter of of Geraldine Coles,
 Appellant,
 v.
New York State Division of Human Rights et
al.,
 Respondents.

Motion for leave to appeal denied with one hundred dollars costs and necessary reproduction disbursements.

1 Mo. No. 2015-109
Ryan J. Coutu,
 Respondent,
 v.
Andres Santo Domingo,
 Appellant.

Motion for leave to appeal dismissed upon the ground that the order sought to be appealed from does not finally determine the action within the meaning of the Constitution.

3 Mo. No. 2015-28
In the Matter of Samuel DD.

Albany County Department for Children,
Youth and Families,
 Respondent;
Margaret DD.,
 Appellant.

Motion for leave to appeal denied.
Judge Stein took no part.

2 Mo. No. 2015-101
Steven DeMilo, et al.,
 Appellants,
 v.
Weinberg Brothers, LLC,
 Respondent.

Motion for leave to appeal dismissed as untimely (see CPLR 5513[b]).

2 Mo. No. 2015-85
In the Matter of Michael Flournoy,
 Appellant,
 v.
Supreme Court Clerk, &c., et al.,
 Respondents.

Motion for leave to appeal denied.

1 Mo. No. 2014-1253
Arie Genger, et al.,
Appellants,
v.
Sagi Genger, et al.,
Respondents.

Motions for leave to appeal denied with one hundred dollars costs and necessary reproduction disbursements.

1 Mo. No. 2014-1171
In the Matter of Deborah Glick, et al.,
Appellants,
v.
Rose Harvey, &c., et al.,
Respondents,
New York University,
Third-Party Respondent.

Motion for leave to appeal granted.

2 Mo. No. 2015-91
So Young Han, et al.,
Appellants,
v.
Barry Furst, et al.,
Respondents,
et al.,
Defendants.

Motion for leave to appeal denied with one hundred dollars costs and necessary reproduction disbursements.

3 Mo. No. 2015-57
In the Matter of Maryann E. Hanna,
Appellant.
Commissioner of Labor,
Respondent.

Motion for leave to appeal denied.
Motion for poor person relief dismissed as academic.

2 Mo. No. 2014-1297
Gloria Hinz,
Appellant,
v.
Ronald Hinz et al.,
Respondents.

Motion for leave to appeal denied with one hundred dollars costs and necessary reproduction disbursements.

2 Mo. No. 2015-48
The People &c.,
 Respondent,
 v.
Dwayne Houston,
 Appellant.

Motion for leave to appeal denied.

2 Mo. No. 2015-108
The People &c.,
 Respondent,
 v.
Robert Jennings,
 Appellant.

Motion for leave to appeal denied.

1 Mo. No. 2014-1113
In the Matter of Joshua Kiess,
 Appellant,
 v.
Raymond Kelly, &c., et al.,
 Respondents.

Motion for leave to appeal denied with one hundred
dollars costs and necessary reproduction
disbursements.
Judge Abdus-Salaam took no part.

4 Mo. No. 2015-37
In the Matter of Zoe L. et al.

Motion for leave to appeal denied.
Judge Fahey took no part.

Erie County Department of Social Services,
 Respondent;
Melissa L.,
 Appellant,
et al.,
 Respondent.

1 Mo. No. 2014-1209
In the Matter of Sylvan Lawrence,
Deceased.

Richard S. Lawrence, et al.,
Respondents,

v.

Graubard Miller, et al.,
Appellants,

Richard S. Lawrence, et al.,
Intervenors-Respondents.

Motions for reargument denied with one hundred dollars costs and necessary reproduction disbursements.

Judge Abdus-Salaam took no part.

4 Mo. No. 2014-1137
David Leathers et al.,
Appellants,

v.

Zaepfel Development Company, Inc., et al.,
Respondents.

Motion for leave to appeal denied.

Judges Pigott and Fahey took no part.

1 Mo. No. 2014-1263
In the Matter of Maria Lopez,
Appellant,

v.

New York City Housing Authority,
Respondent.

Motion for leave to appeal denied.

1 Mo. No. 2014-1259
Miller Tabak + Co., LLC,
Appellant,

v.

Senetek PLC,
Respondent.

Motion for leave to appeal denied with one hundred dollars costs and necessary reproduction disbursements.

2 Mo. No. 2015-155
Teddy Moore,
 Appellant,
 v.
Frank Guerra,
 Defendant,
Christopher Bramwell, et al.,
 Respondents.

Motion for reargument of motion for leave to appeal denied.
Judges Stein and Fahey took no part.

3 Mo. No. 2014-1180
In the Matter of Kevin Morris,
 Appellant,
 v.
D. Venettozzi, &c., et al.,
 Respondents.

Motion for leave to appeal dismissed upon the ground that the order sought to be appealed from does not finally determine the proceeding within the meaning of the Constitution.
Judge Stein took no part.

2 Mo. No. 2014-1222
MRI Enterprises, Inc.,
 Appellant,
 v.
Comprehensive Medical Care of New York,
P.C.,
 Respondent.

Motion for leave to appeal denied with one hundred dollars costs and necessary reproduction disbursements.

1 Mo. No. 2015-61
In the Matter of Louise Neathway,
 Appellant,
 v.
Hon. Daniel Conviser, &c., et al.,
 Respondents.

Motion for leave to appeal denied.

1 Mo. No. 2015-45
In the Matter of New York City Asbestos
Litigation.

Ruby E. Konstantin, &c.,
Respondent,
v
630 Third Avenue Associates, et al.,
Defendants,
Tishman Liquidating Corporation,
Appellant.

Motion to dismiss appeal denied.

1 Mo. No. 2015-78
Olsenhaus Pure Vegan, LLC,
Appellant,
v.
Electric Wonderland, Inc., &c.,
Respondent.

Motion for leave to appeal denied with one hundred
dollars costs and necessary reproduction
disbursements.

1 Mo. No. 2014-1294
Christopher Pannone,
Appellant,
v.
Daniel P. Silberstein, Esq.,
Respondent,
et al.,
Defendant.

Motion for leave to appeal denied with one hundred
dollars costs and necessary reproduction
disbursements.
Judge Rivera took no part.

1 Mo. No. 2014-1217
Joseph Pipia, et al.,
Respondents,
v.
Turner Construction Company, et al.,
Appellants,
J.E.S. Plumbing & Heating Corp.,
Respondent.

Motion for leave to appeal dismissed upon the
ground that the order sought to be appealed from
does not finally determine the action within the
meaning of the Constitution.
Judge Rivera took no part.

1 Mo. No. 2015-112
Plymouth Financial Company, Inc.,
Appellant,
v.
Plymouth Park Tax Services LLC,
Respondent.

Motion for leave to appeal denied with one hundred dollars costs and necessary reproduction disbursements.

2 Mo. No. 2015-100
In the Matter of Manuel H. Quintana, &c., et
al.,
Respondents,
v.
Board of Zoning Appeals of Incorporated
Village of Muttontown,
Appellant.

Motion for leave to appeal denied with one hundred dollars costs and necessary reproduction disbursements.

1 Mo. No. 2015-42
In the Matter of Donovan Jermaine R., &c.

Jamie R.,
Appellant,
SCO Family of Services,
Respondent.

Motion for leave to appeal denied.
Motion for poor person relief dismissed as academic.

3 Mo. No. 2014-1286
In the Matter of Otes G. Rodriguez,
Appellant,
v.
Thomas LaValley, &c.,
Respondent.

Motion for reconsideration of this Court's May 1, 2014 dismissal order denied.
Judges Pigott and Stein took no part.

2 Mo. No. 2015-17
In the Matter of Dayshawn S. (Anonymous),
Appellant.

Motion for leave to appeal denied.
Motion for poor person relief dismissed as academic.

1 Mo. No. 2014-1139
Eldrid Sequeira,
 Appellant,
 v.
Rachel Sequeira,
 Respondent.

Motion for leave to appeal denied.
Judge Abdus-Salaam took no part.

1 Mo. No. 2014-1240
The People &c.,
 Respondent,
 v.
Julian Silva,
 Appellant.

Motion for reargument denied.
Judge Abdus-Salaam took no part.

1 Mo. No. 2015-22
Strauss Painting, Inc.,
 Appellant-Respondent,
 v.
Mt. Hawley Insurance Company,
 Respondent-Appellant,
Metropolitan Opera Association, Inc.,
 Respondent.

Motion for reargument denied.
Judges Stein and Fahey took no part.

2 Mo. No. 2015-36
Elaine Sutton, &c.,
 Appellant,
 v.
City of New York, et al.,
 Respondents.

Motion for leave to appeal denied.

2 Mo. No. 2014-1287
George Vieyra, &c.,
 Appellant,
 v.
Penn Toyota, Ltd., et al.,
 Respondents.

Motion, insofar as it seeks leave to appeal from so much of the Appellate Division order as affirmed the Supreme Court order denying renewal, dismissed upon the ground that such portion of the order does not finally determine an action or proceeding within the meaning of the Constitution; motion for leave to appeal otherwise denied.

1 Mo. No. 2014-1277
The People &c.,
 Respondent,
 v.
Samuel Winfield,
 Appellant.

Motion for leave to appeal denied.
Motion for poor person relief dismissed as academic.