

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 May 15, 2008.

PRESENT - Hon. Jonathan Lippman,  
Peter Tom  
Angela M. Mazzaelli  
Richard T. Andrias  
David B. Saxe,

Justice Presiding,  
  
Justices.

-----X  
Castle Village Owners Corp.,  
Plaintiff,

-against-

M-1950  
Index No. 604415/05

Greater New York Mutual Insurance  
Company, et al.,  
Defendants.

-----X  
Langan Engineering and Environmental  
Service, Inc. and Langan Engineering  
and Environmental Services, Inc., P.C.,  
Defendants-Third-Party Plaintiffs,

-against-

Third-Party  
Index No. 590265/07

Goodstein Management, Inc.,  
Third-Party-Defendant.

-----X  
Langan Engineering and Langan Engineering  
and Environmental Service, Inc. and  
Langan Engineering and Environmental  
Service, Inc., P.C.,  
Defendants-Second-Third-Party  
Plaintiffs-Respondents.

-against-

Second Third-Party  
Index No. 590302/07

Mueser Rutledge Consulting Engineers,  
Second-Third-Party-  
Defendant-Appellant.


-----X

Defendants/third-party/second-third-party-plaintiffs-respondents Langan Engineering, et al., having moved for dismissal of the appeal taken from an order of the Supreme Court, New York County, entered on or about February 15, 2008 (mot. seq. no. 006),

Now, upon reading and filing the papers with respect to the motion, including the stipulation of the parties dated April 25, 2008 and due deliberation having been had thereon,

It is ordered that the motion is deemed withdrawn.

ENTER:

A handwritten signature in dark ink, appearing to be "J.W. La", written over a horizontal line. The signature is stylized and somewhat illegible.

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 May 15, 2008.

PRESENT - Hon. Jonathan Lippman, Presiding Justice,  
Peter Tom  
Angela M. Mazzairelli  
Richard T. Andrias  
David B. Saxe, Justices.

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

-against-

M-2281  
Ind. No. 95065/05

Daniel Gomez,  
Defendant-Appellant.  
-----X

An appeal having been taken from a judgment of the Supreme Court, Bronx County, rendered on or about April 27, 2007,

Now, upon reading and filing the stipulation of the parties hereto, filed May 2, 2008, 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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 March 15, 2008.

PRESENT - Hon. Jonathan Lippman, Presiding Justice,  
Peter Tom  
Angela M. Mazzairelli  
Richard T. Andrias  
David B. Saxe, Justices.

-----X  
Gilda Schwartz and Richard Schwartz,  
Plaintiffs-Respondents,

-against-

M-2309X  
Index No. 117013/04

Palm Restaurant and The Palm Management Corporation,  
Defendants-Appellants.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about December 19, 2007 (mot. seq. no. 004),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" May 5, 2008, 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 May 15, 2008.

PRESENT - Hon. Jonathan Lippman, Presiding Justice,  
Peter Tom  
Angela M. Mazzairelli  
Richard T. Andrias  
David B. Saxe, Justices.

-----X  
Andrew Cawley and Eleanor Cawley,  
Plaintiffs,

-against-

M-2264  
Index No. 115579/02

New York University, Brennan  
Construction Corp., George  
Breslaw & Sons, Inc. & Breslaw  
Plumbing, Inc.,  
Defendants-Respondents.

-----X  
New York University and Brennan  
Construction Corp.,  
Third-Party-Plaintiffs-Respondents.

-against-

Third-Party  
Index No. 590883/05

Matrix Mechanical Corp., and Paragon  
Sheet Metal, Inc.,  
Third-Party-Defendants-Appellants.

-----X  
New York University and Brennan  
Construction Corp.,  
Second-Third-Party-  
Plaintiffs-Respondents,

-against-

Second-Third-Party  
Index No. 590824/06

Fox Electric, Inc.  
Second-Third-Party-  
Defendants-Appellants.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about December 19, 2007 (mot. seq. no. 012),

Now, upon reading and filing the stipulation of the parties hereto, dated April 19, 2008, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected for the June 2008 Term, is withdrawn in accordance with the aforesaid stipulation.

ENTER:

A handwritten signature in dark ink, appearing to read "J. W. La". The signature is stylized with a large, sweeping initial "J" and a long horizontal stroke.

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 May 15, 2008.

PRESENT - Hon. Jonathan Lippman, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
Richard T. Andrias  
David B. Saxe, Justices.

-----X  
Patricia Farkas,

Plaintiff-Appellant,

-against-

M-2300

Index No. 111694/03

TRF Operating Corp., also known as  
Windfall Lounge & Grill,  
Defendant-Respondent.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about June 1, 2007 (mot. seq. no. 005),

Now, upon reading and filing the stipulation of the parties hereto, dated May 1, 2008, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected for the June 2008 Term, 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 May 15, 2008.

Present: Hon. Jonathan Lippman, Presiding Justice,  
Angela M. Mazzarelli  
John W. Sweeny, Jr.  
Karla Moskowitz  
Dianne T. Renwick, Justices.

-----X  
Red Apple Supermarkets, Inc., et al.,  
Plaintiffs-Appellants,

M-1728

-against-

Index No. 600420/06

Hudson Towers Housing Company, Inc.,  
et al.,  
Defendants-Respondents.

-----X

Appeals having been taken from the order of the Supreme Court, New York County, entered on or about May 17, 2007 (mot. seq. no. 002) and from the judgment of said Court, entered on or about October 4, 2007,

And plaintiffs having moved for an enlargement of time in which to perfect 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, sua sponte, the appeal taken from the order entered on or about May 17, 2007 is dismissed as subsumed in the appeal taken from the judgment entered on or about October 4, 2007. The time in which to perfect the appeal taken from said judgment is enlarged to the September 2008 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 May 15, 2008.

Present: Hon. Jonathan Lippman, Presiding Justice,  
Angela M. Mazzarelli  
John W. Sweeny, Jr.  
Karla Moskowitz  
Dianne T. Renwick, Justices.

-----X  
A-1 Capital Corp.,  
Plaintiff-Respondent,

-against-

**M-1733**  
Index No. 14418/06

Jehova Shalom, Inc.,  
Defendant-Appellant,

New York City Environmental Control Board,  
Defendant.

-----X

Defendant-appellant having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, Bronx County, entered on or about March 28, 2007,

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the September 2008 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 May 15, 2008.

Present: Hon. Jonathan Lippman, Presiding Justice,  
Richard T. Andrias  
Eugene Nardelli  
Rolando T. Acosta  
Leland G. DeGrasse, Justices.

-----X  
Kevin Tejada, an Infant Under the Age  
of 14 Years by his Parent and Natural  
Guardian Ana Pichardo, and Ana Pichardo,  
Individually,  
Plaintiffs-Appellants,

M-2066 & M-2257  
Index No. 22319/97

-against-

Woodycrest Realty, L.L.C,  
Defendant-Respondent.

-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about June 5, 2007, and said appeal having been perfected for the September 2008 Term,

And defendant-respondent having moved for an order dismissing plaintiffs' appeal or, in the alternative, directing plaintiffs to remove and redact certain material from said record on appeal and brief (M-2066),

And plaintiffs-appellants having cross-moved for an order of waiver or, in the alternative, for leave to re-file the record on appeal and brief (M-2257),

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 and cross motion are granted to the extent of striking plaintiffs-appellants' record on appeal and brief and directing appellants to re-file, in conformance with Rule 600.10(1)(d)(iii), on or before July 7, 2008 for the September 2008 Term. The Clerk is directed to accept the filing without further fee.

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 May 15, 2008.

PRESENT - Hon. Jonathan Lippman, Presiding Justice,  
David Friedman  
Luis A. Gonzalez  
James M. Catterson, Justices.

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

-against-

M-1646  
Ind. No. 57/06

Eddy Momplaisir,  
Defendant-Appellant.

-----X

Defendant having renewed his motion for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about October 4, 2007, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 10 reproduced copies of such brief, together with the original record, with this Court.

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

Robert S. Dean, Esq., Center for Appellate Litigation, 74 Trinity Place, 11th Floor, New York, New York 10006, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 15, 2008.

PRESENT - Hon. Jonathan Lippman, Presiding Justice,  
Angela M. Mazzarelli  
David B. Saxe  
Milton W. Williams  
John T. Buckley, Justices.

-----X  
Neil Bachrow, et al.,  
Plaintiffs-Respondent,

-against-

Turner Construction Corporation,  
et al.,  
Defendants/Third-Party-  
Plaintiffs-Respondents,

M-1003  
Index Nos. 8696/04  
84055/04

-against-

Lowy & Donnath, Inc.,  
Third-Party-Defendant-Appellant.

-----  
United States Fire Insurance Company,  
amicus curiae

-----X

Third-party-defendant-appellant Lowy & Donnath, Inc.,  
having moved for clarification of the decision and order of this Court  
entered on December 20, 2007 (Appeal No. 2379), or in the alternative,  
for leave to appeal to the Court of Appeals,

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

It is ordered that the motion, to the extent it seeks  
clarification, is granted and the aforesaid decision and order of this  
Court entered on December 20, 2007 (Appeal No. 2379) is clarified to  
the extent that:

The decision and order of this Court entered on December 20,  
2007 did not constitute a ruling as to the appropriate measure of  
damages should defendant, Turner Construction Corporation, prevail on  
its breach of contract claim.

So much of the motion which 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 May 15, 2008.

Present: Hon. Jonathan Lippman, Presiding Justice,  
Luis A. Gonzalez  
John T. Buckley  
John W. Sweeny, Jr., Justices.

-----X

Naomi C.,

Petitioner-Appellant,

**M-1309**

-against-

Docket No. V15302/03

Russell A.,

Respondent-Respondent.

-----X

Petitioner-appellant having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on February 5, 2008 (Appeal No. 2542),

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 May 15, 2008.

Present - Hon. Jonathan Lippman, Presiding Justice,  
Angela M. Mazzairelli  
Richard T. Andrias  
John T. Buckley  
John W. Sweeny, Jr., Justices.

-----X  
Peter Tighe,  
Plaintiff-Respondent,

-against-

M-1314  
Index No. 108884/04

Hennegan Construction Co., Inc., et al.,  
Defendants-Appellants-Respondents,

Carpet Cycle, LLC,  
Defendant,

Liberty Contracting Corp.,  
Defendant-Respondent-Appellant.

-----X

Defendant-respondent-appellant having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on February 5, 2008 [corrected order March 7, 2008] (Appeal No. 2287),

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.

E N T E R:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in in the County of New York on May 15, 2008.

PRESENT - Hon. Jonathan Lippman, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
Richard T. Andrias  
David B. Saxe, Justices.

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

-against-

M-2200  
Case No. 39431C/05

Seth Ritchie,  
Defendant-Appellant.

-----X  
An order of this Court having been entered on December 4, 2007 (M-5820), inter alia, assigning Steven Banks, Esq., as counsel to prosecute defendant's appeal from a judgment of the Supreme Court, Bronx County, rendered on or about October 16, 2007,

And assigned counsel, Steven Banks, Esq., having moved for an order to be relieved as counsel for defendant and to substitute other counsel to prosecute defendant's 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 striking the designation of assigned counsel Steven Banks, Esq., as counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Robert S. Dean, Esq., Center for Appellate Litigation, 74 Trinity Place, 11<sup>th</sup> Floor, New York, New York 10006, Telephone No. 212-577-2523, as such counsel. The poor person relief previously granted is continued, and appellant's time in which to perfect the appeal is enlarged until 120 days from the date of this order or the filing of the record, whichever is later.

ENTER:

  
Clerk

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 15, 2008.

PRESENT - Hon. Peter Tom, Justice Presiding,  
Richard T. Andrias  
Eugene Nardelli  
Milton W. Williams, Justices.

-----X  
Peter Garibaldi, Jr. and  
Theresa Garibaldi,  
Plaintiffs-Respondents,

-against-

Celestial/Newmark Associates, Inc., M-1776  
Celestial Capital Group, Inc., Index No. 108748/04  
Defendants-Appellants,

Best Plumbing Supply, Inc. and  
Maple Leaf Associates, Inc.,  
Defendants-Respondents.

-----X

Defendant-respondent Maple Leaf Associates, Inc. having moved for dismissal of the appeal taken from an order of the Supreme Court, New York County, entered on or about March 30, 2007 (mot. seq. no. 004),

Now, upon reading and filing the papers with respect to the motion, and the correspondence from Mark A. Tausine, Esq., counsel for defendants-appellants, dated May 5, 2008, and due deliberation having been had thereon,

It is ordered that the motion and appeal are deemed withdrawn in accordance with the aforesaid correspondence, the underlying action having been settled.

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 May 15, 2008.

Present: Hon. Peter Tom, Justice Presiding,  
Milton L. Williams  
James M. Catterson  
Rolando T. Acosta, Justices.

-----X  
Myrna Dawn Felshman,  
Plaintiff-Respondent,

-against-

M-1964  
Index No. 101051/05

Dover Enterprises, Inc.,  
Defendant-Appellant.  
-----X

Appeals having been taken from the order of the Supreme Court, New York County, entered on or about October 4, 2006 (mot. seq. no. 005), and from the judgment of said Court entered on or about June 21, 2007, respectively,

And an order of this Court having been entered on August 30, 2007 (M-3889), consolidating the aforesaid appeals and enlarging the time in which to perfect same to the April 2008 Term,

And plaintiff-respondent having moved for an order dismissing the aforesaid consolidated 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 and the consolidated appeals are dismissed.

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 15, 2008.

Present: Hon. Peter Tom, Justice Presiding,  
Richard T. Andrias  
Eugene Nardelli  
Milton L. Williams, Justices.

-----X

In the Matter of

Deiby C.,

M-1929

A Person Alleged to Be a Juvenile  
Delinquent,  
Petitioner-Appellant.

Docket No. D26113/07

-----X

Petitioner-appellant having moved for leave to prosecute the appeal from the orders of the Family Court, Bronx County, entered on or about November 9, 2007 and February 25, 2008, respectively, as a poor person, 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 Section 35 of the Judiciary Law and Section 1120 of the Family Court Act, Robert S. Dean, Esq., Center for Appellate Litigation, 74 Trinity Place, 11th Floor, New York, New York 10006, Telephone No. 212-577-2523, 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 therefor;<sup>1</sup> **within 60 days of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for transferring the record from the Family Court to this Court; and (4) enlarging the time to perfect the appeal until 120 days from the date of filing of the record. Assigned counsel is directed to immediately subpoena the record from the Family Court and to 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 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 May 15, 2008.

Present: Hon. Peter Tom, Justice Presiding,  
Milton L. Williams  
James M. Catterson  
Rolando T. Acosta, Justices.

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

-against-

M-1884  
Ind. No. 6176/07

Jose Diaz,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County (Carol Berkman, J.) entered on or about March 19, 2008, 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 10 reproduced copies of such brief, together with the original record, with this Court.

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

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 May 15, 2008.

Present: Hon. Peter Tom, Justice Presiding,  
Richard T. Andrias  
Eugene Nardelli  
Milton L. Williams, Justices.

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

- - - - -  
Tonya A.,  
Petitioner-Respondent,

**M-1925**  
Docket Nos. V19696/02  
V19696/02-02A  
V19696/02/05C  
V19696/02/05D

-against-

Hal H., also known as Hal H. H.,  
Respondent-Appellant.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeals from the orders of the Family Court, Bronx County, entered on or about June 13, 2003, and the orders of said Court, entered on or about December 31, 2007, and for assignment of counsel, a free copy of the transcript, and related relief,

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

Ordered that the motion is denied and, sua sponte, the appeals taken from the orders of said Court entered on or about June 13, 2003 under Docket No. 019419/02 are dismissed.

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 15, 2008.

Present - Hon. Peter Tom, Justice Presiding,  
Milton L. Williams  
James M. Catterson  
Rolando T. Acosta, Justices.

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

Respondent,

-against-

John Nevarez,

M-1805  
Ind. Nos. 3633/06  
6046/06

Defendant-Appellant.  
-----x

Defendant-appellant having moved for an enlargement of time in which to perfect the appeal from the judgment of the Supreme Court, New York County, rendered on or about June 25, 2007,

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the September 2008 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 May 15, 2008.

Present - Hon. Peter Tom, Justice Presiding,  
Milton L. Williams  
James M. Catterson  
Leland G. DeGrasse, Justices.

-----X  
Rosalee DeJesus, etc., et al.,  
Plaintiffs-Respondents, M-1852

-against- Index No. 112753/00

191<sup>st</sup> Street Associates, LLP, et al.,  
Defendants-Appellants.

-----  
191<sup>st</sup> Street Associates, LLP, et al.,  
Third-Party Plaintiffs-Appellants,

-against- Index No. 591057/01

Star Industrial Service Co., Inc.,  
Third-Party Defendant-Respondent.

-----  
191<sup>st</sup> Street Associates, LLP, et al.,  
Second Third-Party Plaintiffs-  
Appellants,

-against- Index No. 590864/06

The Adrians Construction Corporation,  
Second Third-Party Defendant-  
Respondent.

-----X  
Defendant/third-party/second third-party plaintiffs-appellants  
having moved for an enlargement of time in which to perfect the appeal  
from the order of the Supreme Court, New York County, entered on or  
about June 27, 2007 (mot. seq. no. 003),

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

It is ordered that the motion is granted to the extent of  
enlarging the time in which to perfect the appeal to the October 2008  
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 May 15, 2008.

Present: Hon. Peter Tom, Justice Presiding,  
Milton L. Williams  
James M. Catterson  
Rolando T. Acosta, Justices.

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

Respondent,

-against-

M-2060  
Ind. No. 6877/02

Ramona Rodriguez,

Defendant-Appellant.  
-----X

Defendant-appellant having moved for an enlargement of time in which to perfect the appeal from the judgment of the Supreme Court, New York County, rendered on or about March 7, 2006,

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the October 2008 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 May 15, 2008.

Present: Hon. Peter Tom, Justice Presiding,  
Milton L. Williams  
James M. Catterson  
Rolando T. Acosta, Justices.

-----X  
In the Matter of a Proceeding for  
Support Under Article 6 of the  
Family Court Act,

Commissioner of Social Services  
on behalf of

M-1814  
Docket No. F16375/04

Maudlyn V. R.,  
Petitioner-Assignor-Respondent,

-against-

Paul C.,  
Respondent-Appellant.

-----X

Respondent-appellant having moved for an enlargement of time in which to perfect the appeal from the order of the Family Court, New York County, entered on or about March 30, 2007,

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the November 2008 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 May 15, 2008.

Present: Hon. Peter Tom, Justice Presiding,  
Milton L. Williams  
James M. Catterson  
Rolando T. Acosta, Justices.

-----X  
Adela Abana,  
Plaintiff-Appellant-Respondent,

-against-

**M-1881**  
Index No. 109045/04

The City of New York,  
Defendant,

New York City Transit Authority  
and Vernado New York RR One L.L.C.,  
Defendants-Respondents,

Payless Shoesource, Inc.,  
Defendant-Respondent-Appellant.

-----X  
Vernado New York RR One, L.L.C.,  
Third-Party Plaintiff-Respondent,

-against-

Third-Party  
Index No. 590618/05

Payless Shoesource, Inc.,  
Third-Party Defendant-Appellant.

-----X


An appeal and cross appeal having been taken from the order of the Supreme Court, New York County, entered on or about January 5, 2007 (mot. seq. no. 002),

And plaintiff-appellant-respondent having moved for an enlargement of time in which to perfect the aforesaid direct 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 and plaintiff's appeal is dismissed. The cross appeal taken by defendant Payless Shoesource, Inc., is dismissed as moot.

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 May 15, 2008.

Present - Hon. Peter Tom, Justice Presiding,  
David B. Saxe  
David Friedman  
Milton L. Williams, Justices.

-----X  
In re Raekwon Maxx A.,

A Dependent Child Under the Age of Eighteen Years, etc.,

The Children's Aid Society,  
Petitioner-Respondent,

M-891  
Docket No. B7880/05

Tawana T.,  
Respondent-Appellant,

Jermaine A.,  
Respondent.

-----X  
Respondent-appellant having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on January 10, 2008 (Appeal No. 2505),

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.

E N T E R:

  
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 May 15, 2008.

Present - Hon. Peter Tom, Justice Presiding,  
David B. Saxe  
Luis A. Gonzalez  
John T. Buckley  
James M. Catterson, Justices.

-----X  
Anthony Perrino,  
Plaintiff-Respondent,

-against-

M-1140  
Index No. 116288/03

Entergy Nuclear Indian Point 3,  
LLC, et al.,  
Defendants-Appellants.

-----X

Defendants-appellants having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on February 5, 2008 (Appeal No. 2674),

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.

E N T E R:

  
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 May 15, 2008.

Present - Hon. Peter Tom, Justice Presiding,  
Milton L. Williams  
James M. Catterson  
Rolando T. Acosta, Justices.

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

-against-

M-1856  
Ind. No. 5717/06

Daniel Powell,

Defendant.  
-----X

Defendant having moved for leave to appeal to this Court from the order of the Supreme Court, New York County, entered on or about January 14, 2008, which denied defendant's speedy trial motion,

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 raising the issue upon any direct appeal from a judgment rendered by said court, as no appeal lies to this Court from the denial of a CPL 30.30 motion (see CPL 450.10; 450.15).

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 May 15, 2008.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,  
Richard T. Andrias  
David B. Saxe  
Luis A. Gonzalez  
John W. Sweeny, Jr., Justices.

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

-against- M-1892  
Ind. No. 3044/06

Luis Ortiz,  
Defendant-Appellant.

-----X

Defendant having renewed his motion for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, Bronx County, rendered on or about December 12, 2007, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard upon the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 10 reproduced copies of such brief, together with the original record, with this Court.

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

Richard M. Greenberg, Esq., Office of the Appellate Defender, 11 Park Place, Room 1601, New York, New York 10007, Telephone No. 212-402-4100, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 15, 2008.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,  
David Friedman  
John T. Buckley  
John W. Sweeny, Jr.  
Dianne T. Renwick, Justices.

-----X  
Louis Curcio,

Petitioner-Respondent,

-against-

M-2030  
Index No. 113290/06

New York City Department of  
Education, et al.,

Respondents-Appellants.  
-----X

Respondents-appellants having moved for an enlargement of time in which to perfect the appeal from an order of the Supreme Court, New York County, entered on or about June 20, 2007 (mot. seq. no. 001),

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the September 2008 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 May 15, 2008.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,  
David Friedman  
John T. Buckley  
John W. Sweeny, Jr.  
Dianne T. Renwick, Justices.

-----X  
Paula N. Frye, Individually and  
as Mother and Natural Guardian of  
Skerkell Richardlee Frye-Samuels,  
Plaintiff-Respondent,

-against-

M-2069  
Index No. 49939/02

Montefiore Medical Center, et al.,  
Defendants-Appellants,

Franlina Umali, M.D., et al.,  
Defendants.

-----X

Defendants-appellants having moved for an order staying the trial in the above-entitled action pending hearing and determination of the appeal taken from the order of the Supreme Court, Bronx County, entered on or about August 6, 2007,

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

It is ordered that the motion is granted on condition that the appeal is perfected for the October 2008 Term. Upon failure to so perfect, an order vacating the stay may be entered ex parte, provided that respondent serves a copy of this order upon appellants within 10 days after the date of entry hereof.

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 15, 2008.

Present: Hon. Richard T. Andrias, Justice Presiding,  
Eugene Nardelli  
Milton L. Williams  
James M. McGuire  
Rolando T. Acosta, Justices.

-----X  
In the Matter of

Jessica Victoria S., also known as  
Jessica S.,

A Dependent Child Under 14 Years  
of Age Pursuant to Section 384-b  
of the Social Services Law of the  
State of New York.

M-25  
Docket No. B11245/04

-----  
SCO Family of Services, formerly  
known as St. Christopher-Ottile,  
Petitioner-Respondent,

Richard Edward S., also known as  
Richard S.,  
Respondent-Appellant.

-----  
Steven Banks, Esq.,  
Law Guardian for the Child.

-----X  
Petitioner-respondent Agency having moved for dismissal of the appeal taken by respondent father from the order of the Family Court, New York County, entered on or about December 13, 2006,

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

It is ordered that the motion is granted and the appeal is dismissed.

ENTER:

  
Clerk.



At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 15, 2008.

PRESENT - Hon. Richard T. Andrias, Justice Presiding,  
David B. Saxe  
Milton W. Williams  
John W. Sweeny, Jr.  
James M. McGuire, Justices.

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

-against-

M-1804  
Ind. No. 5793/05

Waheem Allah, also known as  
Waheed Allah,  
Defendant-Appellant.

-----X

An appeal having been taken to this Court from the judgment of the Supreme Court, New York County, rendered on or about September 11, 2007,

And defendant-appellant having moved for leave to proceed pro se on the appeal, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

Now, upon reading and filing the papers with respect to the motion; and a letter having been issued by the Court to appellant on November 16, 2007, advising him of the consequences of proceeding pro se, and defendant having responded thereto on December 17, 2007; and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of allowing defendant-appellant to proceed pro se, and permitting the appeal to be heard on the original record, except that a certified copy of the indictment shall be substituted in place of the original indictment and upon a reproduced appellant's brief, on condition that appellant serve one copy of such brief upon the District Attorney of said county and file 10 reproduced copies of such brief, together with the original record, with this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, of the plea or trial and sentence.

The Clerk is directed to forward to the Warden of the State correctional facility wherein defendant is incarcerated a transcript of the minutes relating to defendant's appeal, the transcript to be made available to appellant, without charge, and returned by him to this Court when submitting his pro se appellate brief.

The time in which appellant shall perfect this appeal is enlarged until 120 days from the date of filing the record or the date of this order, whichever is later. Appellant is advised that the appeal will not be heard unless and until all material furnished to him has been returned to this Court.

ENTER:



Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 15, 2008.

Present - Hon. Richard T. Andrias, Justice Presiding,  
David B. Saxe  
David Friedman  
Karla Moskowitz, Justices.

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

Respondent,

-against-

M-1908  
Ind. No. 1884/02

Herbert Long,

Defendant-Appellant.  
-----X

Defendant-appellant having moved for reargument of the decision and order of this Court entered on March 16, 2006 (Appeal No. 8107),

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.

E N T E R:

  
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 May 15, 2008.

PRESENT - Hon. David B. Saxe,  
Luis A. Gonzalez  
Eugene Nardelli  
James M. McGuire,

Justice Presiding,  
  
Justices.

-----X

Jonathan Rodriguez, an infant by his mother and natural guardian, Janice Rodriguez, and Janice Rodriguez, individually,

Plaintiffs-Respondents,

-against-

The Colley Group,  
Defendant-Appellant.

-----X

M-1820  
Index No. 20529/05

Plaintiffs-respondents having moved to dismiss the appeal from the order of the Supreme Court, Bronx County, entered on or about February 13, 2008,

Now, upon reading and filing the papers with respect to the motion, including the correspondence dated April 30, 2008 from appellant's counsel, and due deliberation having been had thereon, it is

Ordered that the motion is granted to the extent of deeming the appeal withdrawn in accordance with the aforesaid correspondence.

E N T E R:

  
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 May 15, 2008.

PRESENT - Hon. David B. Saxe, Justice Presiding,  
Luis A. Gonzalez  
Eugene Nardelli  
James M. McGuire, Justices.

-----X  
Bong Suk Chang,  
Plaintiff-Appellant,

-against-

M-1755  
Index No. 6762/06

John P. Gambino, Anthony L. Gambino,  
and Lord Mensah William, sued herein  
as Lord William Mensah,  
Defendants-Respondents.

-----X

Defendant-respondent Mensah having moved for dismissal of the appeal taken from an order of the Supreme Court, Bronx County, entered on or about May 24, 2007,

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

It is ordered that the motion is granted and the appeal is dismissed.

ENTER:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 15, 2008.

Present: Hon. David B. Saxe, Justice Presiding,  
Luis A. Gonzalez  
Eugene Nardelli  
James M. McGuire, Justices.

-----X  
Donald A. Taylor, et al.,

Plaintiffs-Appellants,

-against-

**M-1954**

Index No. 18805/03

Michael J. Sheridan, et al.,

Defendants-Respondents.  
-----X

Appeals having been taken from the order of the Supreme Court, Bronx County, entered on or about March 16, 2007, and from the judgment of said Court, entered on or about June 4, 2007,

And plaintiffs-appellants having moved for an enlargement of time in which to perfect the appeal from the order entered on or about March 16, 2007, for consolidation of said appeal with the appeal from the judgment entered on June 4, 2007, and for an enlargement of time in which to perfect the aforesaid appeals or, for alternative 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 dismissing the appeal from the order entered on or about March 16, 2007 as subsumed in the appeal from the judgment entered on or about June 4, 2007 and the time in which to perfect appeal from said judgment is enlarged to the September 2008 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 May 15, 2008.

PRESENT - Hon. David B. Saxe, Justice Presiding,  
Luis A. Gonzalez  
Eugene Nardelli  
James M. McGuire, Justices.

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

Meryl Brodsky, Mark Feinsot, and  
Elect Meryl Brodsky to City Counsel  
2005,  
Petitioners-Appellants,

M-1976  
Index No. 118316/06

For a Judgment Pursuant to Article 78  
of the CPLR,

-against-

New York City Campaign Finance Board,  
Respondent-Respondent.

-----X  
Petitioners-appellants having moved for an enlargement of time in which to perfect the appeal from an order of the Supreme Court, New York County, entered on or about June 27, 2007 (mot. seq. no. 001),

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the September 2008 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 May 15, 2008.

PRESENT - Hon. David B. Saxe, Justice Presiding,  
Luis A. Gonzalez  
Eugene Nardelli  
James M. McGuire, Justices.

-----X  
First Sealord Surety, Inc.,  
Plaintiff-Appellant,

-against-

Vesta 24 LLC; HRH Construction, LLC;  
The Condominium Board of Managers of  
the Vesta 24 Condominium; Wachovia  
Bank, N.A.; and Vigilant Insurance  
Company,  
Defendants-Respondents,

M-2049  
Index No. 107152/06

The American Millennium Fund LLC,  
et al.,  
Defendants.

-----X

Plaintiff-appellant having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, New York County, entered on or about July 5, 2007 (mot. seq. no. 001),

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

Ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the October 2008 Term.

ENTER:

  
Clerk.



At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in in the County of New York on May 15, 2008.

Present - Hon. David B. Saxe, Justice Presiding,  
Luis A. Gonzalez  
Eugene Nardelli  
James M. McGuire, Justices.

-----X  
Mortgage Electronics Registration  
Systems, Inc.,  
Plaintiff-Respondent,

-against-

M-1716  
Index No. 15295/00

Orinthia Gifford,  
Defendant-Appellant.  
-----X

Defendant-appellant having moved for an order staying the transfer of title or sale of the premises known as 4160 Digney Avenue, Bronx, New York 10466, pending hearing and determination of the appeal taken from the order of the Supreme Court, Bronx County, entered on or about March 3, 2008,

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

It is ordered that the motion is denied, and the interim relief granted by an order of a Justice of this Court, dated March 27, 2008, is vacated.

E N T E R:

  
Clerk.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in in the County of New York on May 15, 2008.

Present: Hon. David B. Saxe, Justice Presiding,  
Luis A. Gonzalez  
Eugene Nardelli  
James M. McGuire, Justices.

-----X  
Dr. Simpson Gray,

Plaintiff-Appellant,

-against-

City of New York, et al.,

Defendants-Respondents.  
-----X

M-2048  
Index No. 116607/04

Plaintiff-appellant having moved for a stay of the order of the Supreme Court, New York County, entered on or about April 7, 2008 (mot. seq. nos. 007, 008, 009 and 010), 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 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 May 15, 2008.

Present: Hon. David B. Saxe, Justice Presiding,  
Luis A. Gonzalez  
John T. Buckley  
Rolando T. Acosta, Justices.

-----X  
Amador Caballero,

Plaintiff-Respondent,

-against-

Fev Taxi Corp., et al.,

Defendants-Appellants.  
-----X

M-2029  
Index No. 113429/05

Defendants-appellants having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on March 13, 2008 (Appeal No. 3086),

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 May 15, 2008.

PRESENT: Hon. Luis A. Gonzalez, Justice Presiding,  
James M. Catterson  
James M. McGuire  
Karla Moskowitz, Justices.

-----X  
Carlina Irizarry, et al.,  
Plaintiffs-Respondents,

-against-

M-1957  
Index No. 20707/00

ABM Management Corp.,  
Defendant-Appellant,

Disano Construction Inc., et al.,  
Defendants.

-----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, Bronx County, entered on or about November 21, 2007,

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.

E N T E R:

  
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 May 15, 2008.

PRESENT - Hon. Eugene Nardelli, Justice Presiding,  
Milton L. Williams  
John W. Sweeny, Jr.  
James M. McGuire, Justices.

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

-against-

M-1129  
Ind. No. 7379/01

Dennis Farrell,  
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on April 6, 2006 (Appeal No. 8239), unanimously affirming a judgment of the Supreme Court, New York County (Dorothy Cropper, J. at suppression hearing; Budd G. Goodman, J. at jury trial and sentence), rendered on April 8, 2003, as amended June 3, 2003,

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.

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

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

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

M-1350  
Ind. No. 3109/74

-against-

CERTIFICATE  
DENYING LEAVE


Reginald Swinton,

Defendant.

-----X

I, John T. Buckley, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, Bronx County, entered on or about February 7, 2008, is hereby denied.

Dated: New York, New York  
May 7, 2008

  
Justice of the Appellate Division

**ENTERED**

MAY 15 2008