

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 27, 2008.

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

-----X  
Shelton Stewart,  
Plaintiff-Respondent,

-against-

M-2480X  
Index No. 13911/99

New York City Transit Authority,  
Defendant-Appellant.  
-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about July 17, 2007,

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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 27, 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-2546  
Ind. No. 6872/06

Michael Anthony,  
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about October 4, 2007,

Now, upon reading and filing the stipulation of the parties hereto, dated May 8, 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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 27, 2008.

PRESENT: Hon. Jonathan Lippman, Presiding Justice,  
Peter Tom  
Luis A. Gonzalez  
John T. Buckley  
Dianne T. Renwick, Justices.

-----X  
Flora Soto Hernandez, also known as  
Flora Soto,  
Plaintiff-Appellant,

-against-

Estate of Ziess,  
Defendant-Respondent.  
-----X

M-2085  
M-2310  
Index No. 125594/02

Defendant-respondent having moved to dismiss the appeal taken from the order of the Supreme Court, New York County, entered on or about December 10, 2007 (M-2085),

And, plaintiff-appellant having cross-moved for an enlargement of time in which to perfect said appeal (M-2310),

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

It is ordered that the motion to dismiss the appeal is granted unless the appeal is perfected for the October 2008 Term. Upon failure to so perfect, an order dismissing the appeal may be entered ex parte, provided respondent serve a copy of this order upon the appellant within 10 days after the date of entry hereof. The cross-motion is granted to the extent indicated.

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 27, 2008.

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

-----X  
In the Matter of

Mark Anthony McQ., II, also  
known as Mark McQ., also known  
as Marc McQ. and Tyrhiek Davon C.,  
also known as Tyrhiek C.,

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

- - - - -  
SCO Family of Services, et al.,  
Petitioners-Respondents,

M-1604A  
Docket Nos. B25919/03  
B25920/03

Mark McQ.,  
Respondent-Appellant.

- - - - -  
Steven Banks, Esq., The Legal Aid  
Society, Juvenile Rights Division,  
Law Guardian for the Children.

-----X

Petitioners-respondents having moved for dismissal of the appeal taken from orders of the Family Court, Bronx County, entered on or about April 18, 2007,

Now, upon reading and filing the papers with respect to the motion, including the stipulation between the parties filed April 3, 2008, and due deliberation having been had thereon,

It is ordered that the motion is deemed withdrawn.

The Clerk is directed to calendar the appeal to be heard in the next available Term of Court. The order of this Court entered on May 6, 2008 (M-1604) is herewith recalled and vacated.

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 27, 2008.

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

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

-against-

M-2218  
Ind. No. 2694/06

Donnell Alston,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about April 1, 2008, 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 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 27, 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-2219  
Ind. No. 3676/07

Norman Cajigas,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about February 21, 2008, 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 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.

Steven Banks, Esq., 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 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 27, 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-2220  
Ind. No. 4567/07

Travis Harry,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about February 11, 2008, 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 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 27, 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-2221  
Ind. No. 3820/07

Ronald Hudson,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about January 25, 2008, 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 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 27, 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-2222  
Ind. No. 3986/07

Francisco Rodriguez,  
Defendant-Appellant.  
-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about April 23, 2008, 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 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 27, 2008.

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

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

-against-

M-2223  
Ind. No. 2244/07

David Sanders, Jr.  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about February 13, 2008, 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 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 27, 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-2224  
Ind. Nos. 20282/07  
20004/08

Louis Saunders,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about March 27, 2008, 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 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 27, 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-2225  
Ind. No. 4481N/07

Mario Valdivia,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about April 22, 2008, 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 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.

Steven Banks, Esq., 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 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 27, 2008.

Present: Hon. Jonathan Lippman, Presiding Justice,  
David Friedman  
John W. Sweeny, Jr.  
Karla Moskowitz, Justices.

-----X  
In the Matter of

Bernadette F.,  
Petitioner-Respondent,

**M-1603**  
Docket No. F23880/05

-against-

Richard S.,  
Respondent-Appellant.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from the order of the Family Court, Bronx County, entered on or about February 7, 2008, 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, with leave to renew upon submission of proof of service of the moving papers upon Corporation Counsel pursuant to CPLR 1101(c).

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 27, 2008.

PRESENT - Hon. Jonathan Lippman, Presiding Justice,  
Peter Tom  
Luis A. Gonzalez  
John T. Buckley,  
Dianne T. Renwick, Justices.

-----X  
Roberto Romero,  
Plaintiff-Appellant,

-against-

M-2177  
Index No. 28336/02

Twin Parks Southeast Houses Inc.,  
et al.,  
Defendants-Respondents.

-----X

Plaintiff-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 July 5, 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 appellant's time in which to perfect the appeal to the October 2008 Term.

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 27, 2008.

PRESENT: Hon. Jonathan Lippman, Presiding Justice,  
Peter Tom  
Luis A. Gonzalez  
John T. Buckley  
Dianne T. Renwick, Justices.

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

Anita L.,  
Petitioner-Respondent,

-against-

Damon N.,  
Respondent-Appellant.

M-2216  
Docket Nos. 024599/06  
V5625-01/06I  
V5625-01/06J  
V5625-01/06K  
V5625-01/06M

-----X  
Appeals having been taken to this Court from final orders of the Family Court, Bronx County, entered on or about October 31, 2007,

And respondent-appellant having moved to enlarge the record on appeal to include all papers and order(s) submitted with respect to a motion filed by said respondent in Family Court in this action on or about May 7, 2007, and the order of said Court entered with respect thereto,

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. Movant is directed to file with the Clerk of Family Court copies of the papers related to the motion for inclusion in the record, said papers to be forwarded to the Clerk of this Court immediately subsequent to such filing.

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 27, 2008.

PRESENT - Hon: Jonathan Lippman, Presiding Justice,  
Angela M. Mazzarelli  
David B. Saxe  
Eugene Nardelli  
John T. Buckley, Justices.

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

-against-

Anthony Hyatt, also known as Hyatt  
Layten, also known as Layten Garth  
Anthony Hyatt,

M-1898  
Ind. Nos. 1376N/05  
4249/05

Defendant.  
-----X

An order of this Court having been entered on January 17, 2008 (M-6190), granting the People's motion for dismissal of the appeal taken by defendant from the judgments of the Supreme Court, New York County, rendered on or about July 11, 2005 and September 19, 2005, respectively,

And an order of this Court having been entered on March 11, 2008 (M-616), denying defendant's motion for reinstatement of the aforesaid appeal and for related relief,

And defendant having moved for reargument of the aforesaid order entered on March 11, 2008 (M-616),

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 27, 2008.

Present: Hon. Jonathan Lippman, Presiding Justice,  
Angela M. Mazzarelli  
Milton L. Williams  
John W. Sweeny, Jr.  
Rolando T. Acosta, Justices.

-----X  
Michael Pagliaro,  
Plaintiff-Respondent,

-against-

M-2277  
Index No. 112042/03

The City of New York, et al.,  
Defendants,

Judlau Contracting, Inc.,  
Defendant-Appellant.  
-----X

Defendant-appellant 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, New York County, entered on or about February 29, 2008 (mot. seq. no. 011),

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 27, 2008.

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

-----X  
CDR Créances, S.A.,  
Plaintiff-Respondent,

-against-

Leon Cohen, also known as Leon Levy,  
et al.,  
Defendants,

M-2110  
Index No. 600448/06

Blue Ocean Finance, Ltd., et al.,  
Defendants.

-----X  
CDR Créances, S.A.,  
Plaintiff-Respondent,

-against-

Maurice Cohen and World Business  
Center, Inc.,  
Defendants,

M-2111  
Index No. 109565/03

Iderval Holdings, Ltd., et al.,  
Defendants.

-----X

Purported appeals having been taken with respect to a Compliance Conference Order issued by Supreme Court, New York County, on or about April 3, 2008,

And purported appellants Maurice Cohen, Sonia Cohen, Leon Cohen, Iderval Holdings, Ltd. and World Business Center, Inc. having moved, by separate motions, for a stay of discovery pending appeal in the respective actions (Ind. No. 600448/06 [M-2110]) and (Ind. No. 109565/03 [M-2111]),

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

It is ordered that the motions are dismissed.

ENTER:

  
Clerk

CORRECTED ORDER - May 27, 2008

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 6, 2008.

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

-----x  
Private Capital Group LLC, et al.,  
Plaintiffs-Respondents,

-against-

Private Capital Management, LLC, et al.,  
Defendants,

Thomas B. Donovan, et al.,  
Defendants-Appellants,

M-1858  
M-1859  
M-1913  
Index No. 600926/07

Christopher Chalavoutis, et al.,  
Defendants-Appellants,

John Riley, et al.,  
Defendants-Appellants.

- - - - -  
(And other actions)

-----x  
Separate appeals having been taken to this Court by the aforesaid defendants from the order of the Supreme Court, New York County, entered on or about April 4, 2008 (mot. seq. no. 021),

And the aforesaid defendants-appellants having moved, pursuant to CPLR 5519(c), for a stay of so much of the aforesaid order directing them to put into escrow certain mortgages and funds held by them, pending hearing and determination of the aforesaid appeals,

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

It is ordered that the motions are granted only to the extent of continuing the interim relief granted by order of a Justice of this Court dated April 7, 2008, on condition that each

CORRECTED ORDER - May 27, 2008

(M-1858/M-1859/M-1913)

-2-

May 6, 2008

set of appellants perfect their respective appeal for the September 2008 Term, and the motions are otherwise denied. Upon failure to so perfect, an order **vacating the stay** of respective appellants may be entered ex parte, provided respondent serves a copy of this order upon each set of 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 27, 2008.

PRESENT - Hon. Peter Tom, Justice Presiding,  
Angela M. Mazzarelli  
Richard T. Andrias  
Milton L. Williams, Justices.

-----X  
Private Capital Group LLC, et al.,  
Plaintiffs-Respondents,

-against-

M-1772  
Index No. 600926/07

Private Capital Management, LLC,  
et al.,  
Defendants,

Thomas B. Donovan, Christopher  
Chalavoutis, Chalavoutis & Co.  
CPA's PC, Virginia Donovan,  
Pamela Donovan, Scott Burgwin,  
Alissa Gladstone and Peter Kamran,  
Defendants-Appellants.

- - - - -  
(And another action)

-----X  
Defendants-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 May 31, 2007 (mot. seq. nos. 002 and 004),

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 appellants' time in which to perfect the appeal to the September 2008 Term. Sua sponte, the Clerk is directed to calendar for hearing together the aforesaid appeal with related respective appeals from the order of said court entered on or about April 4, 2008 for the September 2008 Term. (See M-1858/M-1859/M-1913 entered May 6, 2008 [Corrected Order May 27, 2008]).

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 27, 2008.

Present: Hon. Peter Tom, Justice Presiding,  
Angela M. Mazzairelli  
Richard T. Andrias  
Milton L. Williams, Justices.

-----X  
In the Matter of

Ibrahim B., also known as  
Ibrahim Majeed B.;  
Yusef M., also known as  
Yusef Shaheed A-M.;  
and Hajja A-M., also known as  
Shahidah A-M.,

**M-1419**  
Docket Nos. B6081/05  
B6082/05  
B7866/05

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

- - - - -  
Family Support Systems Unlimited,  
Inc., et al.,  
Petitioners-Respondents,

Shahidah A-M.,  
Respondent-Appellant.

- - - - -  
Hal Silverman, Esq.,  
Law Guardian for the Children.

-----X

Petitioners-respondents having moved for an order dismissing respondent-appellant's appeal taken from the order of the Family Court, New York County, entered on or about July 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 to dismiss the appeal is granted unless the appeal is perfected for the September 2008 Term. Upon failure to so perfect, an order dismissing the appeal may be entered ex parte, provided respondents serve a copy of this order upon the appellant within 10 days after the date of entry hereof.

ENTER:

A handwritten signature in black ink, appearing to be "J.W.L.", 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 27, 2008.

Present: Hon. Peter Tom, Justice Presiding,  
David Friedman  
Eugene Nardelli  
John T. Buckley  
Dianne T. Renwick, Justices.

-----X  
Monica G. Meza,

Plaintiff-Respondent,

-against-

M-2274  
Index No. 109666/04

Proud Transit, Inc., et al.,

Defendants-Appellants.  
-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about February 22, 2008,

And defendants-appellants having moved for a stay of inquest, 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 on condition that the appeal is perfected for the September 2008 Term. Upon failure to so perfect, an order vacating the stay may be entered ex parte, provided that respondent serve 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 27, 2008.

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

-----X  
Suzanne Dodson,

Plaintiff-Respondent,

-against-

John Dodson,

Defendant-Appellant.  
-----X

M-2068  
Index No. 350353/05

Defendant-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 13, 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 deeming the appeal filed for 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 27, 2008.

PRESENT - Hon. Richard T. Andrias, Justice Presiding,  
David B. Saxe  
John W. Sweeny, Jr.  
Karla Moskowitz  
Leland G. DeGrasse, Justices.

-----X  
Joseph Chai Corp.,  
Plaintiff-Appellant,

-against-

M-2050  
Index No. 600080/07

Gemological Institute of America,  
Defendant-Respondent.

-----X  
Gemological Institute of America,  
Third-Party Plaintiff-  
Defendant-Respondent,

Index No. 590083/07

-against-

Lazare Kaplan International Inc.,  
Third-Party Defendant-Respondent.

-----X

Plaintiff-appellant having moved for an enlargement of time in which to perfect the appeals from the orders of the Supreme Court, New York County, entered on or about August 8, 2007 (mot. seq. no. 001) and August 13, 2007 (mot. seq. no. 002), respectively,

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 appeals, which are sua sponte consolidated, to the November 2008 Term. Appellant is permitted to prosecute the consolidated appeals upon 10 copies of one record and one set of appellant's points covering the appeals.

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 27, 2008.

Present - Hon. Richard T. Andrias, David Friedman John T. Buckley James M. Catterson Rolando T. Acosta,	Justice Presiding,    Justices.
---	---

-----x  
In the Matter of the Application of

Go West Entertainment Inc.,  
Petitioner,

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

M-2288  
Index No. 103482/08

-against-

New York State Liquor Authority,  
Respondent.

-----x

An Article 78 proceeding to review a determination respondent having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, New York County, entered on or about March 11, 2008, and said proceeding having been perfected for the September 2008 Term,

And an order of this Court having been entered on April 15, 2008 (M-1530), denying petitioner's motion for a stay of revocation of its liquor license pending hearing and determination of the aforesaid proceeding,

And an order of this Court having been entered on April 29, 2008 (M-2020), denying so much of the motion seeking reconsideration/reargument of the order of this Court entered on April 15, 2008, and denying so much of the motion seeking preference in hearing of the proceeding, without prejudice to renewal,

And petitioner having moved for reconsideration of so much of the order of this Court entered on April 29, 2008 (M-2020) with respect to the denial of petitioner's motion for preference in hearing 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 granted to the extent of directing the Clerk to maintain the proceeding on the Court's calendar for hearing in 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 27, 2008.

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

-----X  
BDP International Finance Corporation,  
et al.,  
Plaintiffs-Appellants,

M-2091

-against-

Index No. 600409/06

Pedro Castillo, et al.,  
Defendants-Respondents.

-----X

Appeals having been taken from the orders of the Supreme Court, New York County, entered on August 22, 2006, April 25, 2007 (mot. seq. no. 005), September 11, 2007 (mot. seq. no. 007) and December 11, 2007 (mot. seq. no. 006), and from the order and judgment (one paper) of said Court, entered on or about March 6, 2008, respectively,

And plaintiffs-appellants having moved to withdraw the appeal taken from the order of said Court entered on or about August 22, 2006, to consolidate the appeals taken from the order and judgment (one paper) entered on March 6, 2008 with the appeals taken from the orders entered on April 25, 2007 (mot. seq. no. 005), September 11, 2007 (mot. seq. no. 007) and December 11, 2007 (mot. seq. no. 006), respectively, and to enlarge the record on appeal to include certain transcripts,

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 to withdraw the appeal from the order entered on August 22, 2006 is granted; the motion to the extent it seeks to consolidate the remaining appeals is denied, and, sua sponte, the appeals taken from the orders entered on April 25, 2007 (mot. seq. no. 005), September 11, 2007 (mot. seq. no. 007) and December 11, 2007 (mot. seq. no. 006) are dismissed as subsumed by plaintiffs' appeal taken from the order and judgment (one paper) entered on or about March 6, 2008. So much of the motion which seeks to enlarge the record on appeal 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 27, 2008.

PRESENT: Hon. David Friedman, Justice Presiding,  
Milton W. Williams  
James M. Catterson  
Rolando T. Acosta, Justices.

-----X  
Children's Corner Learning Center,  
Plaintiff,

-against-

M-2262  
Index No. 22026/05

A. Miranda Contracting Corp. and  
Henry Loheac, P.C.,  
Defendants.

-----X  
Henry Loheac, P.C.,  
Third-Party Plaintiff-Respondent,

-against-

George E. Berger & Associates, LLC,  
Third-Party Defendant-Appellant,

Index No. 85253/06

MF Electrical Service Co., Inc.,  
Jam Consultants, Inc., Hutch Metro  
Center, LLC, Hutch Realty Partners,  
LLC, Simone Development Company, LLC,  
Highrise Fire Protection Corp. and  
Center Management Associates, Inc.,  
Third-Party Defendants.

-----X

Third-party defendant-appellant, George E. Berger & Associates, LLC, having moved for an enlargement of time in which to perfect the appeal from an order of the Supreme Court, Bronx County, entered on or about July 16, 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 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 27, 2008.

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

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

Keymarroo Guiden,

Petitioner-Appellant,

M-2276  
Index No. 92255/07

For the Appointment of a Guardian  
for Veronica W., an Alleged  
Incapacitated Person,

Sallie Floyd and Corlinda Nicholson,

Respondents-Respondents.  
-----X

Petitioner-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 May 17, 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 27, 2008.

Present: Hon. Luis A. Gonzalez,  
James M. Catterson  
James M. McGuire  
Karla Moskowitz,

Justice Presiding,  
  
Justices.

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

-against-

M-1895  
Ind. No. 6279/06

David Natt,  
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about February 27, 2008, and for leave to prosecute the appeal as a poor person on the original record and upon a reproduced appellant's brief, and for assignment of counsel,

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

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

Steven Banks, Esq., 199 Water Street, 5th Floor, New York, New York 10038, Tel. 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 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 27, 2008.

Present: Hon. Luis A. Gonzalez, Justice Presiding,  
Milton L. Williams  
James M. Catterson  
Karla Moskowitz, Justices.

-----X  
Wells Fargo Bank, N.A., etc.,  
Plaintiff-Respondent,

-against-

M-2000  
Index No. 109815/06

Denise Carney,  
Defendant-Appellant,

Aldencort Corp.,  
Defendant,

New York City Parking Violations  
Bureau, et al., etc.,  
Defendants-Appellants.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about July 9, 2007 (mot. seq. no. 003),

And an order of this Court having been entered on November 8, 2007 (M-4912), granting defendant-appellant, Denise Carney, a conditional stay of conveyance of certain real property, pending hearing and determination of the aforesaid appeal,

And a decision and order of this Court having been entered on April 1, 2008 (Appeal No. 3246), affirming the aforesaid order of the Supreme Court, New York County, entered on or about July 9, 2007 (mot. seq. no. 003),

And defendant-appellant having moved for an order returning to appellant those funds deposited by appellant on or about December 7, 2007 in the amount of \$686,068.86 in compliance with the aforesaid conditional stay order of this Court entered on November 8, 2007 (M-4912),

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 New York City Commissioner of Finance and the New York City Department of Finance are directed to pay to defendant-appellant, Denise Carney, the amount of \$686,068.85, heretofore deposited pursuant to the order of the Appellate Division of the Supreme Court, First Judicial Department on November 8, 2007 (M-4912) upon service of a **certified** copy of this order.

ENTER:



Clerk.

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

BEFORE: Hon. Peter Tom  
Justice of the Appellate Division

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

M-1299  
Ind. No. 658/01

-against-


CERTIFICATE  
DENYING LEAVE

John Oliveri,

Defendant.

-----X

I, Peter Tom, 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 6, 2008 is hereby denied.



\_\_\_\_\_  
Hon. Peter Tom  
Associate Justice

Dated: May 16, 2008  
New York, New York

Entered: May 27, 2008

SUPREME COURT OF THE STATE OF NEW YORK

APPELLATE DIVISION : FIRST JUDICIAL DEPARTMENT

BEFORE: **Hon. Luis A. Gonzalez,**

Justice.

-----X

<b>The People of the State of New York,</b>	:	<b>M-6505</b>
- against -	:	<b>CERTIFICATE</b>
	:	<b>DENYING LEAVE</b>
<b>Thomas Kelly,</b>	:	
Defendant.	:	<b>Indictment No.</b>
	:	<b>6314/97</b>

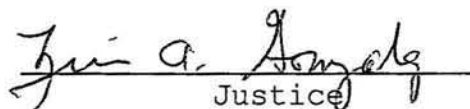
-----X

I, Luis A. Gonzalez, 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 Section 460.15 of the Criminal Procedure Law, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, (Bruce Allen, J.), entered on or about October 26, 2007, is hereby denied.

Dated: New York, New York

May 19, 2008

Entered: May 27, 2008

  
Justice

SUPREME COURT OF THE STATE OF NEW YORK  
APPELLATE DIVISION : FIRST JUDICIAL DEPARTMENT  
BEFORE: **Hon. Luis A. Gonzalez,**

Justice.

-----X  
**The People of the State of New York,** : **M-6525**  
 :  
 - against - : **CERTIFICATE**  
 : **DENYING LEAVE**  
**Luis Roldan,** :  
 : **Indictment No.**  
 Defendant. : **6360/03**  
-----X

I, Luis A. Gonzalez, 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 Section 460.15 of the Criminal Procedure Law, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, (Gregory Carro, J.), entered on or about November 28, 2007, is hereby denied.

Dated: New York, New York

May 19, 2008

Entered: May 27, 2008

  
Justice

SUPREME COURT OF THE STATE OF NEW YORK  
APPELLATE DIVISION : FIRST JUDICIAL DEPARTMENT  
BEFORE: **Hon. Luis A. Gonzalez,**

Justice.

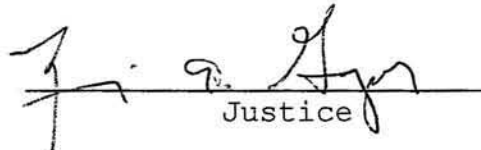
-----X  
**The People of the State of New York,** : **M-6701**  
 :  
 - against - : **CERTIFICATE**  
 : **DENYING LEAVE**  
**Julian Bell,** :  
 : **Indictment No.**  
 Defendant. : **3688/88**  
-----X

I, Luis A. Gonzalez, 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 Section 460.15 of the Criminal Procedure Law, 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, (Robert E. Torres, J.), entered on or about December 3, 2007, is hereby denied.

Dated: New York, New York

May 19, 2008

Entered: May 27, 2008

  
Justice

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

BEFORE: Hon. Eugene L. Nardelli  
Justice of the Appellate Division

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

M-1986  
Ind. No. 167/81

-against-

CERTIFICATE  
DENYING LEAVE

Charles Grosso,

Defendant.

-----X

I, Eugene L. Nardelli, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, section 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, entered on or about March 12, 2008, is hereby denied.

  
\_\_\_\_\_  
Justice of the Appellate Division

Dated: New York, New York

Entered May 27, 2008

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

BEFORE: Hon. Dianne T. Renwick  
Justice of the Appellate Division

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

M- 1985  
Ind. No. 9241/99

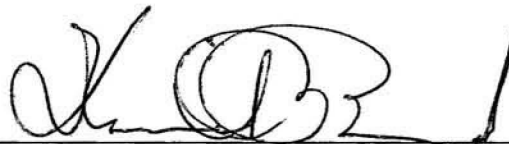
-against-

CERTIFICATE  
DENYING LEAVE

UBALDO ROMERO,  
Defendant.

-----X

I, Dianne T. Renwick, 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, New York County, entered on or about March 19, 2008, is hereby denied.



Hon. Dianne T. Renwick  
Associate Justice

Dated: May 19, 2008  
New York, New York

ENTERED: May 27, 2008



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 27, 2008.

PRESENT: Hon. David B. Saxe, Justice Presiding,  
Eugene Nardelli  
James M. Catterson  
James M. McGuire, Justices.

-----X  
Merrill Lynch, Pierce, Fenner & Smith  
Incorporated and Merrill Lynch Capital  
Services, Inc.,  
Plaintiffs-Appellants,

-against-

M-2314  
Index No. 601012/08

Global Strat, Inc., also known as  
Global Strategies, Inc., Excel  
Global Opportunities Fund, Ltd.,  
Inversiones Patagonia International,  
S.A., Saluc Limited, Ezequiel Nasser,  
Raymond Nasser and Albert Nasser,  
Defendants-Respondents.

-----X

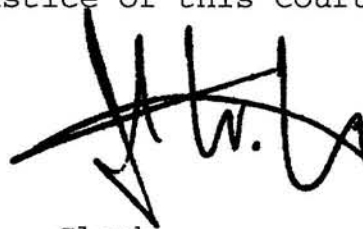
Plaintiffs-appellants having taken an appeal from the order of the Supreme Court, New York County, entered on or about May 5, 2008 inter alia prospectively vacating a temporary restraining order issued by said Court on or about April 7, 2008 with respect to the above named individual defendants,

And, plaintiffs-appellants having moved in the nature of a preliminary appellate injunction staying vacatur of the aforesaid temporary restraining order 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 and the interim relief granted by an order of a Justice of this Court, dated May 6, 2008, is hereby vacated.

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 27, 2008.

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

-----X  
Saul Rudes,  
Plaintiff-Respondent,

-against-

Index No. 114298/04

Kenneth Heller,  
Defendant-Appellant.

-----X  
Kenneth Heller,  
Plaintiff-Appellant,

-against-

**M-2345**

Index No. 114466/05

Saul Rudes,  
Defendant-Respondent.

-----X

Appellant Kenneth Heller having moved for a stay of all proceedings including trial and/or any inquest with respect to the above captioned actions, pending hearing and determination of the appeals taken from the orders of the Supreme Court, New York County, entered on or about February 7, 2008, February 13, 2008, February 29, 2008 and April 16, 2008, respectively,

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 in all respects denied.

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 27, 2008.

Present: Hon. Peter Tom, Justice Presiding,  
David Friedman  
Eugene Nardelli  
John T. Buckley, Justices.

-----X  
Torreon Hillview LLC, etc.,  
et al.,

Plaintiffs-Respondents,

-against-

M-2273  
Index No. 600402/08

Allegiance Hillview Management, LLC,  
etc., et al.,

Defendants-Appellants.  
-----X

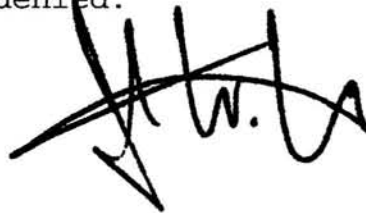
Appeals having been taken from the orders of the Supreme Court, New York County, entered on or about April 11, 2008 and April 29, 2008, respectively,

And defendants-appellants having moved to stay so much of the aforesaid orders as they related to defendants' maintenance of certain lis pendens filed in Texas, 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 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 27, 2008.

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

-----X  
In the Matter of the Application of  
Cardinal McCloskey Services for the  
Custody and Guardianship of

Nehemiah C.,

A Dependent Child under 18 Years  
of Age Pursuant to §384-b of the  
Social Services Law.

**M-1958 & M-2279**

Docket No. 30B7919/05

- - - - -  
Cardinal McCloskey Services,  
Petitioner-Respondent,

Duane C., also known as Dwayne C.,  
Respondent-Appellant,

Renee A. C.,  
Respondent-Appellant,

Tashema G.,  
Respondent-Respondent,

Juan Harris,  
Intervenor-Appellant,

June Harris,  
Internevor-Appellant.

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

-----X

Appeals having been taken herein from the order of the Family Court, New York County, entered on or about January 9, 2007, which terminated the parental rights of respondent parents, denied the petition of intervenors for custody and awarded custody to the foster parent Tashema G.,

And Randall Carmel, Esq., attorney for respondent-appellant father, having moved for leave to represent the intervenor appellants (M-1958),

And said application having been partially joined in by Jay A. Maller, Esq., appellate counsel for respondent-appellant mother (M-2279),

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

Ordered that the motions, are denied.

ENTER:

A handwritten signature in black ink, appearing to be "J.W.L.", written over a horizontal line.

Clerk.

