

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 5, 2009.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
Richard T. Andrias  
David B. Saxe, Justices.

-----X  
Kevin Brine,  
Plaintiff-Respondent,

-against-

M-1901X  
Index No. 602197/07

65<sup>th</sup> Street Townhouse LLC and  
James Rinzler,  
Defendants-Appellants,

Andrew Fredman Architect LLC, et al.,  
Defendants.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about August 22, 2008 (mot. seq. nos. 001 and 002),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" April 22, 2009, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

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 5, 2009.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
Richard T. Andrias  
David B. Saxe, Justices.

-----X  
Michiel Schuit,  
Plaintiff-Appellant,

-against-

M-1902X  
Index No. 603299/06

Tree Line Management Corp.,  
doing business as The Treeline  
Companies,  
Defendant-Respondent.  
-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about January 6, 2009 (mot. seq. no. 004),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" April 21, 2009, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

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 5, 2009.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
Richard T. Andrias  
David B. Saxe, Justices.

-----X  
Eli Levi and Roberta Levi,  
Plaintiffs-Appellants-Respondents,

-against-

M-1900X  
Index No. 404860/06

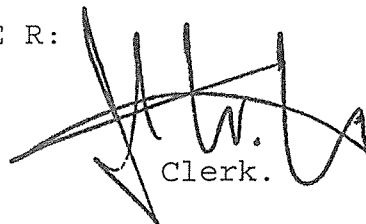
Ventana Condominiums and the Board of  
Managers of Ventana Condominiums,  
Defendants-Respondents-Appellants.  
-----X

An appeal and cross appeal having been taken from the order of the Supreme Court, New York County, entered on or about July 29, 2008,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" April 21, 2009, and due deliberation having been had thereon,

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

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 5, 2009.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
Richard T. Andrias  
David B. Saxe, Justices.

-----X  
William Gordon,  
Plaintiff-Respondent,

-against-

M-1443  
Index No. 14149/06

Marc Brown,  
Defendant-Appellant.

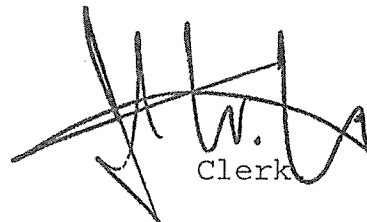
-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about April 25, 2008,

Now, upon reading and filing the stipulation of the parties hereto, filed March 12, 2009, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected for the May 2009 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 5, 2009.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
John T. Buckley  
James M. Catterson  
James M. McGuire  
Dianne T. Renwick, Justices.

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

-against-

M-1535  
Ind. No. 2214/04

Clifford Johnson,  
Defendant-Appellant.

-----X

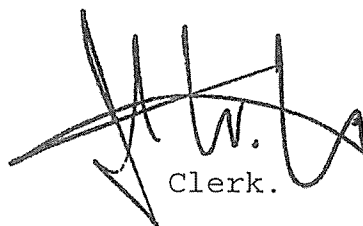
An appeal having been taken from the judgment of the Supreme Court, New York County, rendered on or about September 6, 2007,

And assigned counsel, Steven Banks, Esq., having moved for an order dismissing the aforesaid appeal by reason of the defendant's deportation,

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 withdrawn.

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 5, 2009.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzairelli  
Richard T. Andrias  
David B. Saxe, Justices.

-----X  
Joseph Schaefer and Cindy Schaefer,  
Plaintiffs,

-against-

M-1606  
Index No. 115693/04

New York City Transit Authority,  
et al.,  
Defendants.

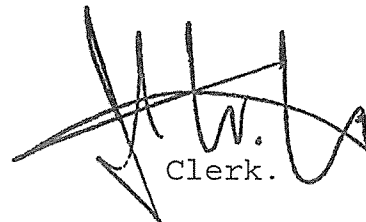
-----X

Plaintiffs having moved for an enlargement of time in which to perfect the appeal taken from the order of the Supreme Court, New York County, entered on or about June 24, 2008 (mot. seq. no. 004),

Now, upon reading and filing the papers with respect to the motion, including the correspondence from plaintiff's counsel, dated April 16, 2009; and due deliberation having been had thereon,

It is ordered that the motion is deemed withdrawn, said appeal having been withdrawn by stipulation after pre-argument conference. (See the order of this Court entered April 14, 2009 [M-1552X]).

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 5, 2009.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
John W. Sweeny, Jr.  
John T. Buckley  
Rolando T. Acosta, Justices.

-----X  
In the Matter of the Application  
of Carlos Rueda, M.D., Chairman  
in the Department of Psychiatry,  
Montefiore North Medical Center,  
Petitioner-Respondent,

-against-

M-1576  
Index No. 82/09

For an Order authorizing the  
Involuntary Treatment of  
Anastasia S., a patient at  
Montefiore North Medical Center,  
Respondent-Appellant.

-----X

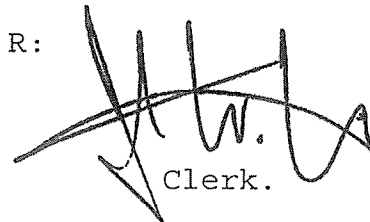
An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about March 20, 2009,

And respondent-appellant having moved to stay enforcement of the aforesaid order, pending hearing and determination of the appeal,

Now, upon reading and filing the papers with respect to the motion, including the stipulation of the parties hereto, dated April 17, 2009; and due deliberation having been had thereon, it is

Ordered that the motion is deemed withdrawn.

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 5, 2009.

Present - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
James M. Catterson  
Rosalyn H. Richter  
Sheila Abdus-Salaam, Justices.

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

-against-

M-1465  
Ind. No. 1407/07

Alana Gordian,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about March 13, 2009, 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 the correspondence from Risa Gerson, Esq., of the Office of the Appellate Defender, dated April 20, 2009, and due deliberation having been had thereon,

It is ordered that the motion is deemed withdrawn in accordance with the aforesaid correspondence, without prejudice to renewal.

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 5, 2009.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
John W. Sweeny, Jr.  
John T. Buckley  
Rolando T. Acosta, Justices.

-----X  
National Union Fire Insurance Co. of  
Pittsburgh, et al.,

Plaintiffs-Appellants,

-against-

Arch Insurance Company, et al.,

Defendants-Respondents.  
-----X

M-1381  
Index No. 112734/07

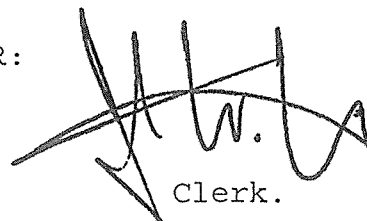
An amended appeal having been taken from the order of the Supreme Court, New York County, entered on or about December 16, 2008 (mot. seq. no. 003),

And defendants-respondents having moved to dismiss the aforesaid appeal,

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

Ordered that the motion is denied.

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 5, 2009.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Angela M. Mazzarelli  
David B. Saxe  
Karla Moskowitz  
Rosalyn H. Richter, Justices.

-----X  
One Hundred Grand, Inc.,  
Petitioner-Respondent,

-against-

Karen Chaplin, formerly known as  
Karen Rochon,  
Respondent-Appellant.

M-1344  
M-1584  
Index No. 570709/06

-----X

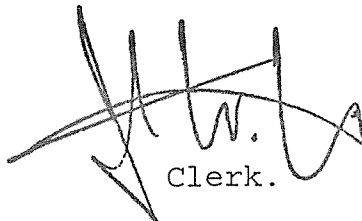
Petitioner-respondent having moved to dismiss the appeal taken from the decision and order of the Appellate Term entered in the office of the Clerk of the Supreme Court, New York County, on or about May 12, 2008,

And respondent-appellant having cross-moved for an enlargement of time in which to perfect the appeal,

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 is granted to the extent of dismissing the appeal unless it is perfected for the September 2009 Term. Upon failure to so perfect, an order dismissing the appeal may be entered ex parte, provided that petitioner-respondent serve a copy of this order upon appellant within 10 days from 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 5, 2009.

PRESENT - Hon. Luis A. Gonzalez, 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-1703  
Ind. No. 2367/04

Quinn Jenkins,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of **resentence** of the Supreme Court, New York County, rendered on or about March 6, 2009, 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 **resentence**. 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.

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 5, 2009.

PRESENT - Hon. Luis A. Gonzalez, 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-1704  
Ind. No. 8414/99

Lashawn Mackey,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of **resentence** of the Supreme Court, New York County, rendered on or about March 26, 2009, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

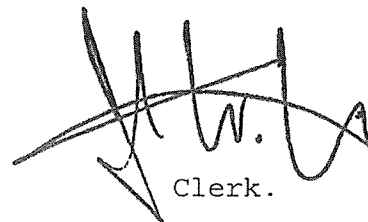
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

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 **resentence**. 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.

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 5, 2009.

PRESENT - Hon. Luis A. Gonzalez, 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-1706  
Ind. No. 4618/08

Michael McCoy,  
Defendant-Appellant.  
-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about February 17, 2009, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

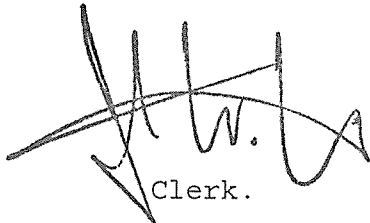
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

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, 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.

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 5, 2009.

PRESENT - Hon. Luis A. Gonzalez, 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-1707  
Ind. No. 5235/07

Dwight McNair,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about March 4, 2009, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

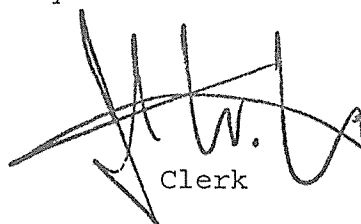
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

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.

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.

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 5, 2009.

PRESENT - Hon. Luis A. Gonzalez, 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-1708  
Ind. No. 6129/08

Paul Mitchell,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about January 28, 2009, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

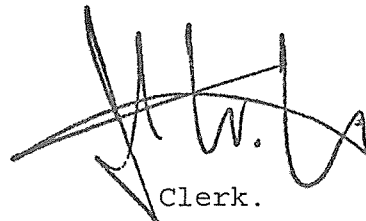
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

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, 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.

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 5, 2009.

PRESENT - Hon. Luis A. Gonzalez, 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-1710  
Ind. No. 1654/07

Victor Quintana,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about March 17, 2009, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

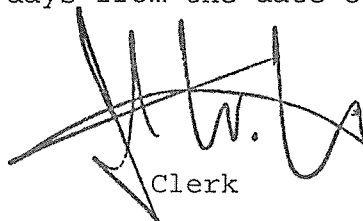
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

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.

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.

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 5, 2009.

PRESENT - Hon. Luis A. Gonzalez, 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-1711  
Ind. No. 829/08

Nathan Sams,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about March 31, 2009, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

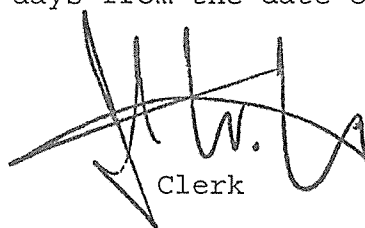
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

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.

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.

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 5, 2009.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
James M. Catterson  
Rosalyn H. Richter  
Sheila Abdus-Salaam, Justices.

-----X  
In the Matter of

Thelma Bradley,  
Petitioner-Appellant,

For a Judgment Pursuant to Article 78  
of the CPLR,

M-1392  
Index No. 106283/08

-against-

Joel I. Klein, etc.,  
Respondent-Defendant.

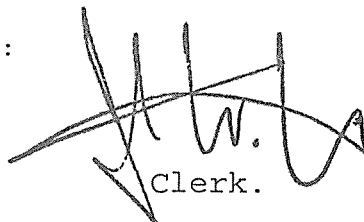
-----X

Petitioner having moved for leave to prosecute, as a poor person, the appeal from the order and judgment of the Supreme Court, New York County, entered on or about December 16, 2008, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the appeal, and for other 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 attorney for respondent and file 10 copies of such brief, together with the original record, with this Court. Appellant is permitted to dispense with payment of the required fee for the subpoena and filing of the record. Appellant's time in which to perfect the appeal is enlarged to the January 2010 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 5, 2009.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
Angela M. Mazzairelli  
David B. Saxe  
Karla Moskowitz  
Rosalyn H. Richter, Justices.

-----X  
Sigmundo and Hanna Fridman,  
Plaintiffs-Respondents,

-against-

M-1596  
Index No. 104486/06

William and Alla Broeksmit,  
Defendants-Appellants,

Silverlining Interiors, Inc.,  
Defendant-Appellant.  
-----X

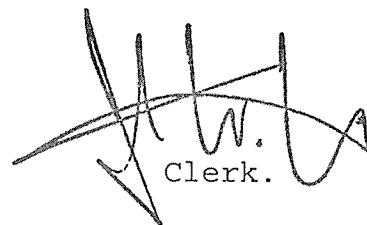
Appeals having been taken from the amended order of the Supreme Court, New York County, entered on or about September 5, 2008,

And respective defendants-appellants having jointly moved to stay trial, pending hearing and determination of 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 the motion is granted and defendants are directed to perfect their respective appeals, which are sua sponte consolidated, on or before July 13, 2009 for the September 2009 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 5, 2009.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
John T. Buckley  
James M. Catterson  
James M. McGuire  
Dianne T. Renwick, Justices.

-----X  
In Re: New York Lipitor Products Administrative  
Liability Litigation Index No. 76700/07  
-----X  
Beverly Ann Avery,  
Plaintiff-Appellant,  
  
-against- Index No. 115492/07  
  
Pfizer, Inc.,  
Defendant-Respondent.  
-----X  
Mary Irene Bain,  
Plaintiff-Appellant,  
  
-against- Index No. 112530/06  
  
Pfizer, Inc.,  
Defendant-Respondent.  
-----X  
Bruce M. Bryant,  
Plaintiff-Appellant,  
  
-against- Index No. 115493/07  
  
Pfizer, Inc.,  
Defendant-Respondent.  
-----X  
Michael G. Christiani,  
Plaintiff-Appellant,  
  
-against- Index No. 109837/06  
  
Pfizer, Inc.,  
Defendant-Respondent.  
-----X



-----X  
 Vincent M. Janczy,  
 Plaintiff-Appellant,

-against-

Index No. 112536/06

Pfizer, Inc.,  
 Defendant-Respondent.

-----X  
 Phyllis J. Kratz,  
 Plaintiff-Appellant,

-against-

Index No. 112532/06

Pfizer, Inc.,  
 Defendant-Respondent.

-----X  
 Hugo W. Krave III, also known as  
 Tripp Krave,  
 Plaintiff-Appellant,

-against-

Index No. 109846/06

Pfizer, Inc.,  
 Defendant-Respondent.

-----X  
 Jose G. Rodriguez,  
 Plaintiff-Appellant,

-against-

Index No. 112534/06

Pfizer, Inc.,  
 Defendant-Respondent.

-----X

-----X

Gerald M. Ward,  
Plaintiff-Appellant,

-against-

Index No. 109852/06

Pfizer, Inc.,  
Defendant-Respondent.

-----X

Darren R. West,  
Plaintiff-Appellant,

-against-

Index No. 112533/06

Pfizer, Inc.,  
Defendant-Respondent.

-----X

Linda D. Westbrook, also known as  
Lindy Westbrook,  
Plaintiff-Appellant,

-against-

Index No. 109851/06

Pfizer, Inc.,  
Defendant-Respondent.

-----X

Charles M. Wilson,  
Plaintiff-Appellant,

-against-

Index No. 107932/06

Pfizer, Inc.,  
Defendant-Respondent.

-----X

An appeal having been taken by non-resident plaintiff Charles M. Wilson (Index No. 107932/06) from the order of the Supreme Court, New York County, entered on or about June 17, 2008, inter alia, dismissing the action upon the grounds of forum non conveniens upon certain conditions,

And appeals having been taken by non-residents plaintiffs in the above captioned actions from orders/judgments of Supreme Court, inter alia, similarly dismissing those actions,

And plaintiffs-appellants having jointly moved for consolidation of the aforesaid appeals, for an enlargement of time in which to perfect said appeals, and for related relief,

Now, upon reading and filing the papers with respect to the motion, including a document delineated Stipulation of Conditional Dismissal Without Prejudice To Appellate Rights annexed to the moving papers as Exhibit C, and due deliberation having been had thereon,

It is ordered that consolidation is granted to the extent of directing the Clerk to calendar the appeals for hearing together upon a single set of briefs and one record on appeal, and with unitary argument. The time in which to perfect the appeals is enlarged to the September 2009 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 5, 2009.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
James M. Catterson  
Rosalyn H. Richter  
Sheila Abdus-Salaam, Justices.

-----X  
Gryphon Domestic VI, LLC, et al.,  
Plaintiffs/Judgment Creditors-  
Respondents-Appellants,

Warner Mansion Fund,  
Plaintiffs/Judgment Creditors,

M-1860  
Index No. 603315/02

-against-

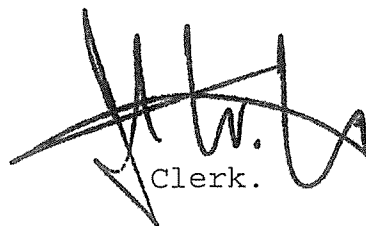
APP International Finance Company,  
B.V., P.T. Lontar Papyrus Pulp &  
Paper Industry, Asia Pulp & Paper  
Company Ltd., Indah Kiat International  
Finance Company B.V. and P.T. Indah  
Kiat Pulp & Paper Corporation,  
Defendants/Judgment Debtors-  
Appellants-Respondents.

-----X  
Plaintiff/judgment creditor/respondent-appellant Gramercy Emerging Market Fund having moved for an enlargement of time in which to perfect the respective appeal and cross appeal from the order of the Supreme Court, New York County, entered on or about June 24, 2008 (mot. seq. no. 046),

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 and cross appeal to the December 2009 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 5, 2009.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
John W. Sweeny, Jr.  
John T. Buckley  
Rolando T. Acosta, Justices.

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

Shady Al's Sports Bar Corp.,  
Petitioner,

M-1506  
Index No. 102160/09

For a Judgment, etc.,

-against-

New York State Liquor Authority,  
Respondent.

-----X

An Article 78 proceeding to review a determination of 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 16, 2009,

And petitioner having moved for a stay of further proceedings with respect to the revocation of petitioner's on-premise liquor license, pending hearing and determination of the proceeding,

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 26, 2009, is 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 5, 2009.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
John T. Buckley  
James M. Catterson  
James M. McGuire  
Dianne T. Renwick, Justices.

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

Respondent,

-against-

M-1565  
Ind. No. 1256/07

Rodney Freeman,

Defendant-Appellant.  
-----X

An order of this Court having been entered on November 25, 2008 (M-4928), inter alia, granting defendant leave to file a pro se supplemental brief in connection with the appeal from a judgment of the Supreme Court, New York County, rendered on or about October 31, 2007,

And defendant having moved for an extension of time in which to file the pro se supplemental brief,

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 defendant to serve and file 10 copies of his pro se supplemental brief on or before July 13, 2009 for the September 2009 Term, to which Term the appeal is adjourned. The appeal will not be heard unless and until all material furnished to appellant has been returned.

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 5, 2009.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Richard T. Andrias  
John T. Buckley  
Rolando T. Acosta, Justices.

-----X  
Irina Zak,  
Plaintiff-Appellant,

-against-

M-1717  
Index No. 406168/07

Dr. Betty J. Mintz,  
Defendant-Respondent.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about December 4, 2008 (mot. seq. no. 002),

And an order of this Court having been entered on March 26, 2009 (M-1013), inter alia, denying plaintiff-appellant's motion for a stay of proceedings pending hearing and determination of the aforesaid appeal,

And plaintiff-appellant having moved for reargument of so much of the aforesaid order (M-1013) which denied a stay of proceedings 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 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 5, 2009.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
James M. Catterson  
Rosalyn H. Richter  
Shelia Abdus-Salaam, Justices.

-----X  
Randall Co. LLC,  
Plaintiff-Respondent,

-against-

M-1594  
Index No. 100982/08

281 Broadway Holdings LLC and  
The John Buck Company,  
Defendants-Appellants,

"John Doe", et al.,  
Defendants.

-----X  
(And a third-party action)

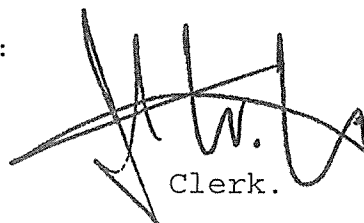
An appeal having been taken from the order of the Supreme Court, New York County, entered on or about January 29, 2009,

And defendants-appellants having moved for an order directing that defendants' appeal be placed on the same day calendar as the appeal taken in the matter of *Yenem Corp. v 281 Broadway Holdings* (Index No. 116156/07) from the order of the Supreme Court, New York County, entered on or about September 18, 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 granted to the extent of directing the Clerk to calendar the appeals for hearing together on condition that the respective appeals are perfected for the September 2009 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 5, 2009.

Present - Hon. Peter Tom, Justice Presiding,  
Richard T. Andrias  
David Friedman  
James M. Catterson, Justices.

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

-----  
Timothy F.,  
Petitioner-Respondent,

-against-

M-7024A  
Docket Nos. V1532/06  
V6485/06

Melanie M.,  
Respondent-Appellant.

-----  
Llinet Beltre-Rosado, Esq.,  
Children's Law Center,  
Law Guardian for the Child.

-----X  
Respondent-appellant mother having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, Bronx County, entered on or about December 1, 2006, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Steven N. Feinman, Esq., 19 Court Plaza, Suite 201, White Plains, New York 10601, Telephone No. (914) 949-8214, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged

against the City of New York from funds available therefor<sup>1</sup> within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk; (3) permitting appellant to dispense with any fee for transferring the record from the Family Court to this Court; and (4) directing appellant to perfect this appeal within 60 days of receipt of the transcripts. 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. The order of this Court entered on February 15, 2007 (M-7024) is hereby recalled and vacated.

ENTER:



Clerk

---

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

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on May 5, 2009.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,  
John W. Sweeny, Jr.  
Eugene Nardelli  
Helen E. Freedman  
Rosalyn H. Richter, Justices.

-----X

Nuri Taub,  
Plaintiff-Appellant,

-against-

M-1769  
Index No. 103988/04

The Art Students League of New York,  
Defendant,

-and-

American Construction, Inc.,  
Defendant-Respondent.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about June 9, 2008, and said appeal having been perfected,

And defendant-respondent having moved for an order amending the caption, 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 only to the extent of striking the reference to The Art Students League of New York as a defendant-respondent and the caption is amended as indicated. The motion is otherwise denied. Appellant is directed to immediately correct the covers of the briefs and appendix heretofore filed with the 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 5, 2009.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,  
David B. Saxe  
Eugene Nardelli  
Dianne T. Renwick  
Helen E. Freedman, Justices.

-----X  
Robert A. Denenberg, etc.,  
Plaintiff-Respondent-Appellant,

-against-

M-1461  
Index No. 110441/06

Warren Rosen and Warren Rosen & Co.,  
Defendants,

Bankers Life of New York, also  
known as Bankers Life Insurance  
Company of New York,  
Defendant-Appellant-Respondent,

Indianapolis Life Insurance Company,  
Defendant,

Kenneth R. Hartsein, ECI Pension  
Services, LLC and Economic Concepts,  
Inc.,  
Defendants-Appellants-Respondents,

Gary L. Thornhill and The Private  
Consulting Group,  
Defendants-Appellants-Respondents,

Richard C. Smith, Esq., Bryan Cave  
LLP, John Repetti and Graf Repetti  
& Co. LLP,  
Defendants-Appellants-Respondents.

-----X

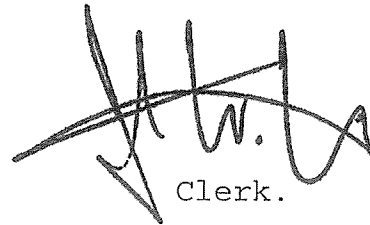
Appeals and a cross appeal having been taken from the order of the Supreme Court, New York County, entered on or about February 21, 2008,

And defendants-appellants-respondents Gary L. Thornhill and The Private Consulting Group having moved for leave to file a supplemental record on appeal containing exhibits attached to their moving papers, specifically a notice of appeal and pre-argument statement, and to deem their appellants' brief as timely filed,

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 appellants Gary L. Thornhill and The Private Consulting Group are directed to expeditiously file 10 copies of a supplemental record on appeal containing the aforesaid exhibits with 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 5, 2009.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,  
Richard T. Andrias  
Eugene Nardelli  
James M. Catterson  
Leland G. DeGrasse, Justices.

-----X  
Armando Gonzalez, as Auxiliary  
Executor for the Estate of Antonio  
Laurentino Turbel, et al.,

Plaintiffs-Appellants,

M-1438

Index No. 605012/98

-against-

Societe Generale,

Defendant-Respondent.  
-----X

Plaintiffs-appellants having moved for an enlargement of time in which to perfect the appeal from the judgment of the Supreme Court, New York County, entered on or about November 24, 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 granted to the extent of enlarging the time in which to perfect the appeal to the September 2009 Term, with no further enlargements to be granted.

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 5, 2009.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,  
John W. Sweeny, Jr.  
Eugene Nardelli  
Helen E. Freedman  
Rosalyn H. Richter, Justices.

-----X  
Michael San Filippo,

Petitioner,

For a Judgment, etc.,

-against-

M-1531  
Index No. 117280/07

The New York City Department of Buildings, et al.,

Respondents.  
-----X

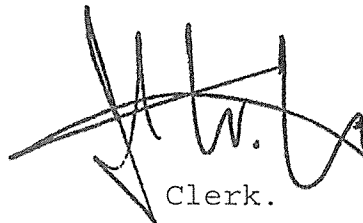
An Article 78 proceeding to review a determination of respondents having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, New York County, entered on or about May 14, 2008 (mot. seq. no. 001),

And petitioner having moved for an enlargement of time in which to perfect the aforesaid proceeding,

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 proceeding to the September 2009 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 5, 2009.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,  
Richard T. Andrias  
Eugene Nardelli  
James M. Catterson  
Leland G. DeGrasse, Justices.

-----X  
Sandra Delgado, etc., et al.,  
Plaintiffs-Respondents,

-against-

M-1540  
Index No. 14684/95

The City of New York and New York  
City Police Department,  
Defendants-Appellants,

New York City Housing Authority,  
New York City Housing Police  
Department and Nicholas Witkowitch,  
Defendants-Appellants,

Brian Washington and James Masiello,  
Defendants-Appellants,

John Connolly, et al.,  
Defendants.

-----X

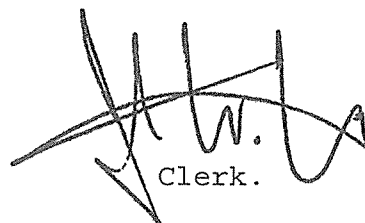
Appeals having been taken from the order of the Supreme Court, Bronx County, entered on or about June 13, 2008,

And defendants-appellants, New York City Housing Authority, et al., having moved for an enlargement of time in which appellants may 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 the motion is granted to the extent of enlarging the time in which to perfect the respective appeals to the January 2010 Term, with leave to seek a further enlargement, if necessary.

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 5, 2009.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,  
Richard T. Andrias  
Eugene Nardelli  
James M. Catterson  
Leland G. DeGrasse, Justices.

-----X  
Jayden McKenzie-Tirado, an Infant  
by his Mother and Natural Guardian,  
Barbara McKenzie, and Barbara  
McKenzie, Individually,

Plaintiffs-Appellants,

M-1331 & M-1655  
Index No. 25070/04

-against-

Michael Bebbington, M.D., et al.,

Defendants-Respondents.  
-----X

An appeal having been taken from the judgment of the Supreme Court, Bronx County, entered on or about May 2, 2008,

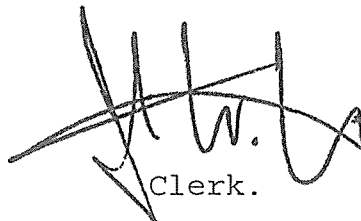
And plaintiffs-appellants having moved for an enlargement of time in which to perfect the aforesaid appeal (M-1331),

And defendants-respondents having cross-moved to strike plaintiffs' notice of appeal (M-1655),

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 is granted to the extent of enlarging the time in which to perfect the appeal to the September 2009 Term. The cross motion to dismiss is granted unless plaintiffs perfect the appeal for said September 2009 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 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 5, 2009.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,  
David B. Saxe  
Eugene Nardelli  
Dianne T. Renwick  
Helen E. Freedman, Justices.

-----X  
Kevin Seger and Maria Seger,

Plaintiffs-Respondents,

-against-

M-1783

Index No. 116564/06

Turner Construction Company and  
Memorial Sloan Kettering Hospital  
Center,

Defendants-Appellants.  
-----X

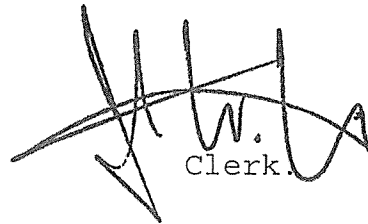
An appeal having been taken from the order of the Supreme Court, New York County, entered on or about October 3, 2008,

And defendants-appellants having moved for an order staying trial, 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 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 5, 2009

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,  
Richard T. Andrias  
Eugene Nardelli  
James M. Catterson  
Leland G. DeGrasse, Justices.

-----X  
In the Matter of the Application of  
Wesley Lakins and Diana Lakins,  
Petitioners-Appellants,

-against-

M-1309  
Index No. 401204/08

New York City Housing Authority,  
Respondent-Respondent.

-----X

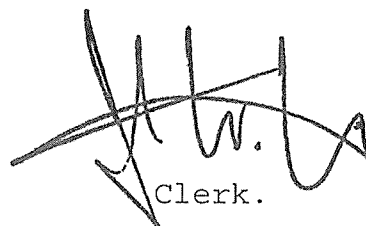
An appeal having been taken from the order of the Supreme Court, New York County, entered on or about December 15, 2008 (mot. seq. no. 001),

And petitioner-appellant Diana Lakins having moved for a stay of trial, pending hearing and determination of the aforesaid appeal, and for poor person 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 attorney for respondent and file 10 copies of such brief, together with the original record, with this Court. Appellant is permitted to dispense with payment of the required fee for the subpoena and filing of the record. Appellant's time in which to perfect the appeal is enlarged until 120 days after receipt of the transcripts. So much of the motion which seeks a stay of trial 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 5, 2009.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,  
David Friedman  
John T. Buckley  
Rolando T. Acosta  
Leland G. DeGrasse, Justices.

-----X  
Luz A. Rivera,  
Plaintiff-Respondent,

-against-

M-1583  
Index No. 16919/04

Sheridan Manor Associates Limited  
Partnership, et al.,  
Defendants,

-and-

P&T Contracting Corporation,  
Defendant-Appellant.

-----X


An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about September 16, 2008,

And defendant-appellant having moved for a stay of trial 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 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 5, 2009.

PRESENT - Hon. Richard T. Andrias, Justice Presiding,  
Eugene Nardelli  
James M. McGuire  
Rolando T. Acosta  
Leland G. DeGrasse, Justices.

-----X  
Accounting of Morton A. Smith and  
Jerome Silverman, as Surviving  
Executors of the Estate of

Edward Hyman,  
Deceased.

-----  
Morton A. Smith and Jerome Silverman,  
Petitioners-Appellants,

M-1294  
File No. 2245/1982

Hall Dickler, LLP,  
Respondent-Respondent.

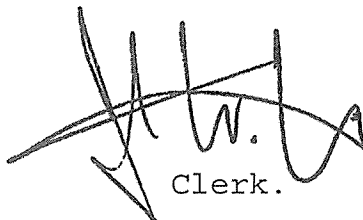
-----X  
Appeals having been taken herein by petitioners from the orders of the Surrogate's Court, New York County, entered on or about July 19, 2007 and February 1, 2008, respectively,

And respondent-respondent Hall Dickler, LLP having moved to dismiss the appeal from the order entered on or about February 1, 2008, 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 denied without prejudice to addressing the issues in the respondent's brief.

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 5, 2009.

Present - Hon. David Friedman, Justice Presiding,  
John W. Sweeny, Jr.  
James M. McGuire  
Dianne T. Renwick  
Helen E. Freedman, Justices.

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

Respondent,

-against-

M-225  
Ind. No. 6437/99

William Hogue,

Defendant-Appellant.

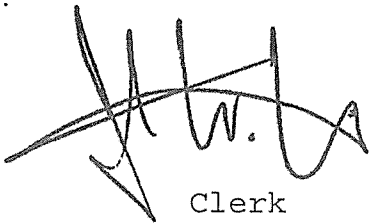
-----x

Defendant-appellant having moved for reargument or resettlement of the decision and order of this Court entered on December 23, 2008 (Appeal No. 4885),

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 granting reargument and, upon reargument, the decision and order of this Court entered on December 23, 2008 (Appeal No. 4885) is recalled and vacated and a new decision and order substituted therefor. (See Appeal No. 4885, decided simultaneously herewith.)

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 5, 2009.

Present - Hon. David Friedman, Justice Presiding,  
John W. Sweeny, Jr.  
James M. Catterson  
Dianne T. Renwick  
Helen E. Freedman, Justices.

-----x  
Hamiltonian Corporation,  
Plaintiff-Respondent,

-against-

M-1481  
Index No. 113395/06

Trinity Centre LLC,  
Defendant-Appellant.  
-----x

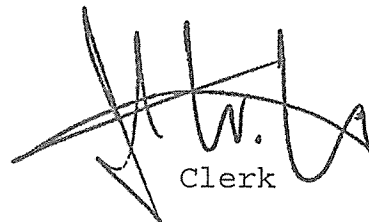
An appeal having been taken to this Court from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about March 18, 2009 (mot. seq. no. 006),

And plaintiff-respondent having moved for adjournment of the aforesaid appeal and/or for related relief, including the filing of a supplemental record,

Now, upon reading and filing the papers with respect to the motion, and the stipulation of the parties dated March 26, 2009, and due deliberation having been had thereon,

It is ordered that the appeal is adjourned to the September 2009 Term, and plaintiff-respondent is directed to immediately file a supplemental record consisting of the amended order and judgment of the Supreme Court, New York County, entered on or about March 23, 2009.

ENTER:

  
Clerk

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

BEFORE: Hon. James M. Catterson  
Justice of the Appellate Division

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

M-598  
Ind. No. 4418/2004

-against-

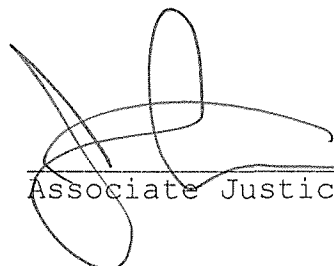
CERTIFICATE  
DENYING LEAVE

Jose Medina

Defendant

-----X

I, James M. Catterson, 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 orders of the Supreme Court, New York County, entered on or about June 11, 2008, and October 1, 2008, is hereby denied.

  
\_\_\_\_\_  
Associate Justice

Dated: April 27, 2009  
New York, New York

ENTERED: **MAY 05 2009**

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

BEFORE: Hon. James M. Catterson  
Justice of the Appellate Division

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

M-707  
Ind. No. 2959/89

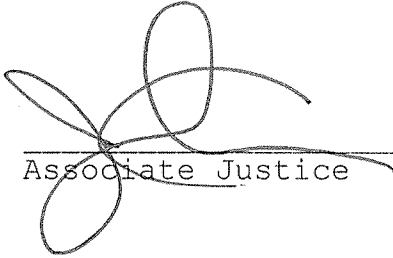
-against-

CERTIFICATE  
DENYING LEAVE

Mahmud Khabir Al-Matin

Defendant  
-----X

I, James M. Catterson, 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 January 9, 2009, is hereby denied.

  
\_\_\_\_\_  
Associate Justice

Dated: April 29, 2009  
New York, New York

ENTERED: **MAY 05 2009**

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

BEFORE: Hon. James M. Catterson  
Justice of the Appellate Division

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

M-850  
Ind. No. 3456/01

-against-

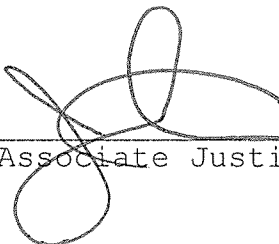
CERTIFICATE  
DENYING LEAVE

Raul Davis

Defendant

-----X

I, James M. Catterson, 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 January 15, 2009, is hereby denied.

  
\_\_\_\_\_  
Associate Justice

Dated: April 29, 2009  
New York, New York

ENTERED: **MAY 05 2009**

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

BEFORE: Hon. James M. Catterson  
Justice of the Appellate Division

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

M-1212  
Ind. No. 5991/03,  
4330/03

-against-

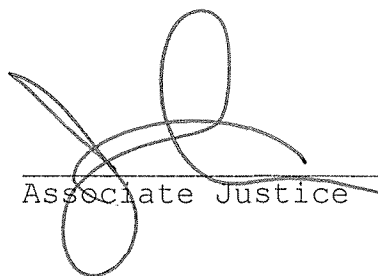
CERTIFICATE  
DENYING LEAVE

Earl Garvin

Defendant

-----X

I, James M. Catterson, 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 November 19, 2008, is hereby denied.

  
\_\_\_\_\_  
Associate Justice

Dated: April 29, 2009  
New York, New York

ENTERED: **MAY 05 2009**



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

BEFORE: Hon. James M. Catterson  
Justice of the Appellate Division

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

M-1396  
Ind. No. 132/05

-against-

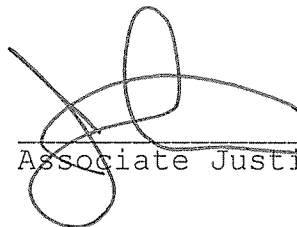
CERTIFICATE  
DENYING LEAVE

Anthony Stevens

Defendant

-----X

I, James M. Catterson, 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 February 11, 2009, is hereby denied.



Associate Justice

Dated: April 29, 2009  
New York, New York

ENTERED: **MAY 05 2009**

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

BEFORE: Hon. Rolando T. Acosta  
Justice of the Appellate Division

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

M - 1238  
Ind. No. 563/04

-against-

CERTIFICATE  
DENYING LEAVE

Gurpreet Oberoi,

Defendant.

-----X

I, Rolando T. Acosta, 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 December 23, 2008, is hereby denied.



---

Hon. Rolando T. Acosta  
Associate Justice

Dated: April 27, 2009  
New York, New York

ENTERED: MAY 05 2009

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

BEFORE: Hon. Leland G. DeGrasse  
Justice of the Appellate Division

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

M-1571  
Ind. No. 7193/83

-against-

CERTIFICATE  
DENYING LEAVE

Cedric Partee, Defendant.  
-----X

I, Hon. Leland G. DeGrasse, 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 9, 2009, is hereby denied.

Dated: New York, New York  
April 30, 2009



\_\_\_\_\_  
Hon. Leland G. DeGrasse  
Justice of the Appellate Division

**ENTERED**

MAY 05 2009

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

BEFORE: Hon. Rosalyn H. Richter  
Justice of the Appellate Division

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

M-1433  
Ind. No. 4836/78

-against-

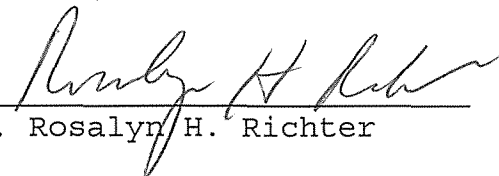
CERTIFICATE  
DENYING LEAVE

Nathan Giles

Defendant.

-----X

I, Rosalyn H. Richter, 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 January 21, 2009 is hereby denied. The portion of the motion which seeks poor person relief and assignment of counsel is denied as academic.

  
\_\_\_\_\_  
Hon. Rosalyn H. Richter

Dated: April 28, 2009  
New York, New York

ENTERED: MAY 05 2009