

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 October 22, 2009.

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

-----X
In the Matter of

Marcus W.,
A Person Alleged to be a Juvenile
Delinquent,

M-4319
Docket No. D4921/08

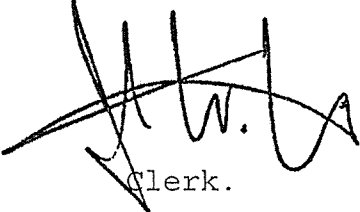
Respondent-Appellant.
-----X

An appeal having been taken from the order of the Family Court, Bronx County, entered on or about July 29, 2008,

Now, upon reading and filing the correspondence of Judith Waksberg, Esq., The Legal Aid Society, counsel for appellant, dated September 18, 2009, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid correspondence.

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 October 22, 2009.

Present - Hon. Luis A. Gonzalez, Peter Tom Angela M. Mazzarelli Richard T. Andrias David B. Saxe,	Presiding Justice, Justices.
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-----X
In the Matter of

Deandre H.,

A Person Alleged to be a Juvenile
Delinquent,

M-4320
Docket No. D-14711/07

Respondent-Appellant.
-----X

An appeal having been taken from the order of the Family Court, New York County, entered on or about February 21, 2008,

Now, upon reading and filing the correspondence of Judith Waksberg, Esq., The Legal Aid Society, counsel for appellant, dated September 18, 2009, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid correspondence.

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 October 22, 2009.

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

-----X
LaSalle Bank, N.A., etc.,

Plaintiff-Respondent,

-against-

Allscripts Healthcare Solutions,
Inc.,

Defendant-Appellant.
-----X

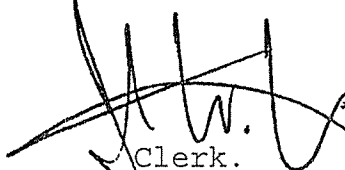
M-4469X
Index No. 650340/08

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about April 1, 2009 (mot. seq. no. 001),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" September 29, 2009, 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 October 22, 2009.

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

-----X

Rosy Kessler,

Plaintiff-Respondent,

-against-

M-4535X

Index No. 101509/06

215 East 68th Street, L.P., et al.,

Defendants-Appellants.

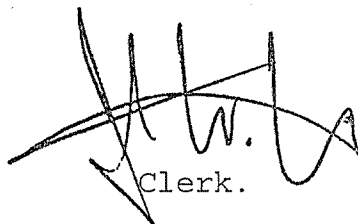
-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about August 26, 2008 (mot. seq. no. 001),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" October 1, 2009, 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 October 22, 2009.

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

-----X
In the Matter of a Proceeding Under
Article 6 and 8 of the Family Court Act.

Caroline I. S.,
Petitioner,

-against-

M-4542
Docket Nos. 016273/09
V243-06/09

Jose A. L.,
Respondent-Respondent.

Erin Burkavage, Esq.,
The Children's Law Center,
Law Guardian/Appellant.

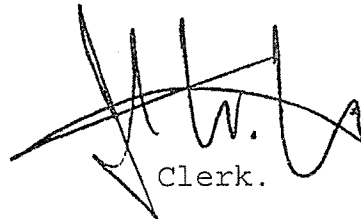
-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, Integrated Domestic Violence Part, entered on or about July 16, 2009,

Now, upon reading and filing the correspondence of Janet Neustaetter, Esq., Appellant Law Guardian, dated September 29, 2009, and due deliberation having been had thereon,

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

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 October 22, 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-

Tommie Dixon,

Defendant-Appellant.
-----X

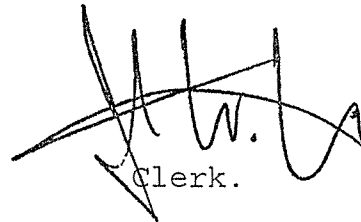
M-4552
Ind. No. 6003/07

An appeal having been taken from the judgment of the Supreme Court, New York County, rendered on or about May 14, 2008,

Now, upon reading and filing the stipulation of the parties hereto, dated September 23, 2009, 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 October 22, 2009.

Present - Hon. Luis A. Gonzalez, 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-4558
Ind. No. 6929/06

Todd Bailey,

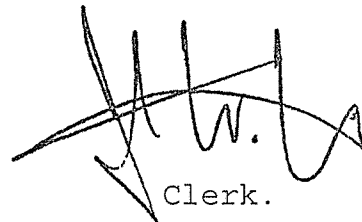
Defendant-Appellant.
-----X

An appeal having been taken from the judgment of the Supreme Court, New York County, rendered on or about August 6, 2008,

Now, upon reading and filing the stipulation of the parties hereto, dated October 1, 2009, 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 October 22, 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-4572
Ind. No. 164/75

Jose Lopez,

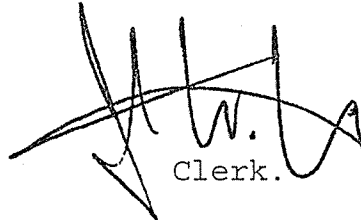
Defendant-Appellant.
-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about October 1, 2008,

Now, upon reading and filing the stipulation of the parties hereto, dated September 30, 2009, 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 October 22, 2009.

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

-----X
E.M. Rinehart Inc., also known as
Rinehart,

Plaintiff-Appellant-Respondent,

-against-

Zawacki, Everett, Gray & McLaughlin,

Defendant-Respondent-Appellant.
-----X

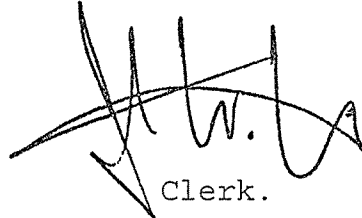
M-4534X
Index No. 601119/05

An appeal and cross appeal having been taken from an order of the Supreme Court, New York County, entered on or about September 12, 2008 (mot. seq. no. 003),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" October 2, 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.

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 October 22, 2009.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
David Friedman
James M. McGuire
Rolando T. Acosta, Justices.

-----X
Ava, also known as Maximilia Cordero,
Plaintiff-Respondent-Appellant,

-against-

M-3368
Index No. 115597/07

NYP Holdings, Inc., doing business as
New York Post, et al.,
Defendants-Appellants-Respondents,

News Corporation, etc., et al.,
Defendants.

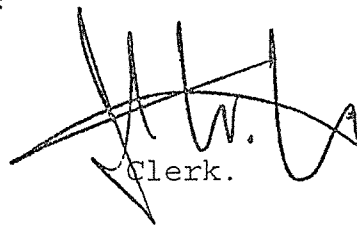
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Plaintiff-respondent-appellant having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on July 2, 2009 (Appeal No. 4944),

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 October 22, 2009.

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

-----X

Bleecker Street Tenants Corp.,
Plaintiff-Appellant,

-against-

M-3434
Index No. 600053/08

Bleeker Jones LLC, et al.,
Defendants-Respondents,

Buffinton Ltd., etc., et al.,
Defendants.

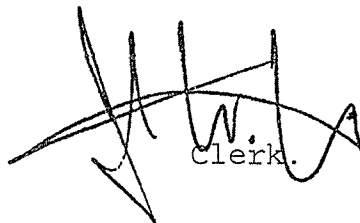
-----X

Defendants-respondents having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on June 23, 2009 (Appeal No. 393),

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 October 22, 2009.

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

-----X
1725 York Venture,
Petitioner-Appellant,

-against-

M-3704
Index No. 570327/06

Michael Block, et al.,
Respondents-Respondents.

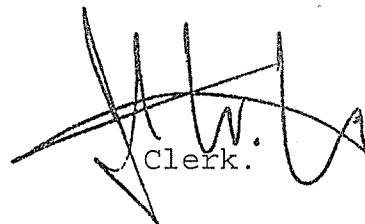
-----X

Petitioner-appellant having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on July 28, 2009 (Appeal No. 167), 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 October 22, 2009.

Present - Hon. Peter Tom, Justice Presiding,
David B. Saxe
Dianne T. Renwick
Leland G. DeGrasse
Rosalyn H. Richter, Justices.

-----x
CPS Operating Company LLC,

Plaintiff-Respondent,

-against-

M-4670
Index No. 604262/07 -

Pathmark Stores, Inc.,

Defendant-Appellant.
-----x

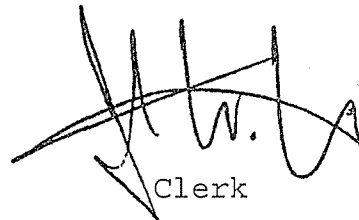
An appeal having been taken to this Court from orders of the Supreme Court, New York County, entered on or about February 27, 2009 (mot. seq. no. 002, 003), and said appeal having been perfected,

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 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 October 22, 2009.

PRESENT: Hon. Peter Tom, Justice Presiding,
David B. Saxe
Dianne T. Renwick
Leland G. DeGrasse
Rosalyn H. Richter, Justices.

-----X
Board of Managers of 60 East 88th
Street Condominium Association,

Plaintiff-Appellant-Respondent,

-against-

M-4632
Index No. 109715/03

Andrew Stein and David Kuo Liang Yang,

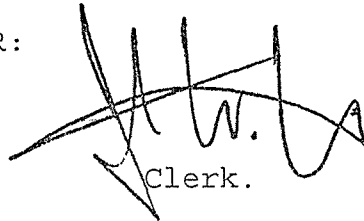
Defendants-Respondents-Appellants.
-----X

Plaintiff-appellant having moved for a stay of trial pending hearing and determination of the appeal taken from the order of the Supreme Court, New York County, entered on or about May 29, 2009 (mot. seq. no. 017),

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 October 22, 2009.

PRESENT - Hon. Peter Tom, Justice Presiding,
Eugene Nardelli
James M. Catterson
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X
In re Leroy M.,

A Person Alleged to be
a Juvenile Delinquent,
Appellant.

M-4290
Docket No. D-2476/08

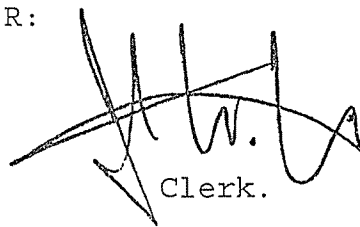
-----X
Presentment Agency.

The presentment agency having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on August 25, 2009 (Appeal No. 775),

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 October 22, 2009.

Present - Hon. Peter Tom, Justice Presiding,
John T. Buckley
James M. Catterson
Helen E. Freedman
Sheila Abdus-Salaam, Justices.

-----x
Debra Weissman,
Plaintiff-Appellant,

-against-

M-4165
Index No. 101314/07

Ellyn D. Kessler, Esq., et al.,
Defendants-Respondents.
-----x

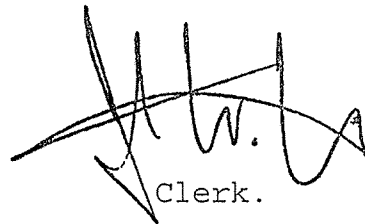
Appeals having been taken to this Court by plaintiff from orders of the Supreme Court, New York County, all entered on or about November 28, 2008 (mot. seq. nos. 002, 003, 004 and 005), respectively,

And plaintiff-appellant having moved for an enlargement of time in which to perfect the aforesaid appeals,

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

It is ordered that appellant's time in which to perfect the appeals, which are sua sponte consolidated, is enlarged to the February 2010 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.

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 October 22, 2009.

PRESENT: Hon. Peter Tom, Justice Presiding,
John T. Buckley
James M. Catterson
Helen E. Freedman
Sheila Abdus-Salaam, Justices.

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

-against-

M-4178
Ind. No. 2404/06

Rodney McNeil,
Defendant-Appellant.

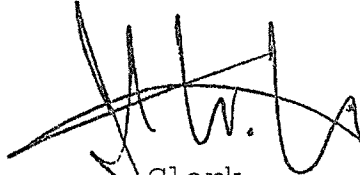
-----X

Defendant-appellant having moved for leave to file a pro se supplemental brief in connection with an appeal from a judgment of the Supreme Court, New York County, rendered on or about January 29, 2008, and for an enlargement of time in which to file said 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 December 7, 2009 for the February 2010 Term, to which Term the appeal is adjourned.

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 October 22, 2009.

Present - Hon. Peter Tom, Justice Presiding,
John T. Buckley
James M. Catterson
Helen E. Freedman
Sheila Abdus-Salaam, Justices.

-----x
In the Matter of the Application of
Shelly Goldberg,
Petitioner-Appellant,

For a Judgment Pursuant to Article 78
of the CPLR,

M-4181
Index No. 105967/09

-against-

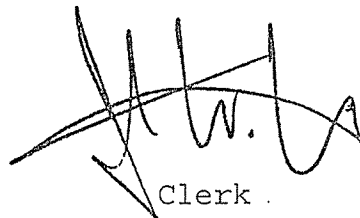
New York State Division of Housing
and Community Renewal, et al.,
Respondents-Respondents.
-----x

Petitioner having moved for an enlargement of time in which to perfect the appeal from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about August 14, 2009 (mot. seq. no. 001),

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

It is ordered that the motion is denied, as presently unnecessary.

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 October 22, 2009.

PRESENT: Hon. Peter Tom, Justice Presiding,
John T. Buckley
James M. Catterson
Sheila Abdus-Salaam, Justices.

-----X
Gryphon Domestic VI, LLC, OCM
Opportunities Fund II, L.P.,
OCM Opportunities Fund III, L.P.,
Columbia/HCA Master Retirement
Trust and Gramercy Emerging
Markets Fund,
Plaintiffs/Judgment Creditors-
Appellants-Respondents,

-and-

Warner Mansion Fund,
Plaintiffs/Judgment Creditor,

M-4412
Index No. 603315/02

-against-

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

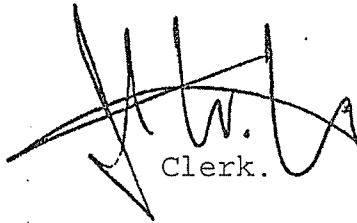
-----X

Appellants and cross appellants having moved for an enlargement of time of the parties in which to perfect their respective appeals and cross appeals from the orders of the Supreme Court, New York County, entered on or about July 13, 2005, April 27, 2006, May 20, 2008 June 24, 2008,

Now, upon reading and filing the papers with respect to the motion, including the stipulation of the parties dated September 25, 2009, 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 and cross appeals to the April 2010 Term, in accordance with the aforesaid stipulation. (See M-4413 and M-4425, 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 October 22, 2009.

PRESENT - Hon. Peter Tom, Justice Presiding,
John T. Buckley
James M. Catterson
Sheila Abdus-Salaam, Justices.

-----X
Gryphon Domestic VI, LLC, OCM
Opportunities Fund II, L.P., OCM
Opportunities Fund III L.P.,
Columbia/HCA Master Retirement
Trust and Gramercy Emerging
Markets Fund,
Plaintiffs/Judgment Creditors-
Appellants-Respondents,

-and-

Warner Mansion Fund,
Plaintiff/Judgment Creditor,

-against-

APP International Finance Company, B.V., M-4413
P.T. Lontar Papyrus Pulp & Paper Index No. 603315/02
Industry and Asia Pulp & Paper
Company, Ltd.,
Defendants,

-and-

Indah Kiat International Finance Company,
B.V., and P.T. Indah Kiat Pulp & Paper
Corporation
Defendants/Judgment Debtors,

-and-

Schnader Harrison Segal & Lewis LLP,
Jones Day and Pillsbury Winthrop LLP,
Non-Party Respondents,

-and-

White & Case LLP,
Non-Party Respondents-Appellants.

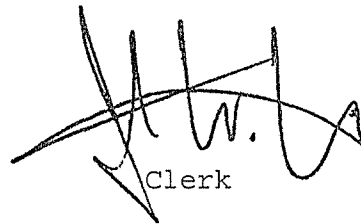
-----X

Appellants and cross appellants having moved for an enlargement of the time of the parties in which to perfect the appeal and cross appeal from the consolidated orders of the Supreme Court, New York County, entered on or about January 19, 2006 (mot. seq. nos. 024, 025, 026, 027 and 028),

Now, upon reading and filing the papers with respect to the motion, including the stipulation of the parties dated September 25, 2009 and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of enlarging the time of the parties in which to perfect the appeal and cross appeal to the April 2010 Term, in accordance with the aforesaid stipulation. (See M-4412 and M-4425, 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 October 22, 2009.

PRESENT: Hon. Peter Tom, Justice Presiding,
John T. Buckley
James M. Catterson
Sheila Abdus-Salaam, Justices.

-----X
Gryphon Domestic VI, LLC, OCM
Opportunities Fund II, L.P.,
OCM Opportunities Funds III, L.P.,
Columbia/HCA Master Retirement
Trust and Gramercy Emerging
Markets Fund,
Plaintiffs/Judgment Creditors-
Appellants,

-and-

Warner Mansion Fund,
Plaintiff/Judgment Creditor,

M-4425
Index No. 603315/02

-against-

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

-and-

P.T. Indah Kiat Pulp & Paper Corporation,
Defendant/Judgment Debtor-Respondent,

-and-

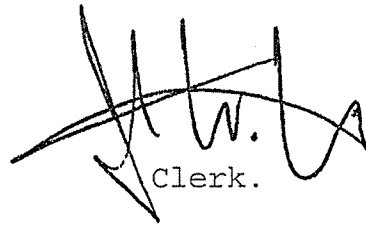
ABN Amro Bank N.V., DBS Bank Ltd., and
White & Case LLP,
Non-Party Respondents.

-----X
Plaintiffs-appellants having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, New York County, entered on or about February 15, 2005 (mot. seq. no. 018),

Now, upon reading and filing the papers with respect to the motion, including the stipulation of the parties dated September 25, 2009, 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 April 2010 Term, in accordance with the aforesaid stipulation (See M-4412 and M-4413 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 October 22, 2009.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Karla Moskowitz
Rolando T. Acosta
Helen E. Freedman
Rosalyn H. Richter, Justices.

-----X
In the Matter of

Eustace B.,

A Dependent Child Under 18 Years
of Age Alleged to be Abused and/or
Neglected Under Article 10 of the
Family Court Act.

M-3549A
Docket No. NN2784/08

- - - - -
Administration for Children's
Services, et al.,
Petitioners-Respondents,

Shondella M.,
Respondent-Appellant.

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

-----X

Respondent-appellant mother having moved for leave to prosecute, as a poor person, the appeal from the orders of the Family Court, New York County, entered on or about June 5, 2009 and June 24, 2009, respectively, and for assignment of counsel, a free copy of the transcript, and related relief,

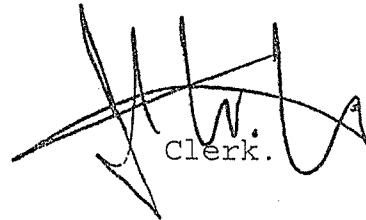
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon, it is

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Susan Jacobs, Esq., Center for Family Representation, Inc., 116 John Street, 19th Floor, New York, New York 10038, Telephone No. (212) 691-0950, as

October 22, 2009

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 therefor¹ 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 the transfer of the record from the Family Court to this Court. The Clerk of the Family Court shall transfer the record upon receipt of this order and; (4) directing appellant to perfect this appeal within 60 days of receipt of the transcripts. Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court. The order of this Court entered on September 29, 2009 (M-3549) is hereby recalled and vacated.

ENTER:



Clerk.

¹Service 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 October 22, 2009.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
Karla Moskowitz
Rolando T. Acosta
Helen E. Freedman
Rosalyn H. Richter, Justices.

-----X
In the Matter of

Nathael A.,

A Child Under 18 Years Alleged to be Neglected Pursuant to §384-b of the Social Services Law of the State of New York.

Catholic Home Bureau, et al.,
Petitioners-Respondents,

M-3857
Docket No. NN13427/05

Adwoa A., also known as
Adwoa M.,
Respondent-Appellant.

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

-----X

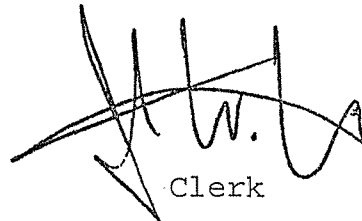
Respondent-appellant mother having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, Bronx County, entered on or about June 11, 2009, and for assignment of counsel, a free copy of the transcript, and for related relief,

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, Nancy Botwinik, Esq., 309 West 82nd Street, New York, NY 10024, Telephone No. (212) 787-1501, 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 therefor¹ 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 the transfer of the record from the Family Court to this Court. The Clerk of the Family Court shall transfer the record upon receipt of this order; and (4) appellant is directed to perfect this appeal within 60 days of receipt of the transcripts. Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.

ENTER:



Clerk

¹Service 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 October 22, 2009.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Karla Moskowitz
Rolando T. Acosta
Helen E. Freedman
Rosalyn H. Richter, Justices.

-----X
In the Matter of

Allysa Genevieve C., also known as
Allysa C-McG.,

M-3858
Docket No. B14335/06

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

The New York Foundling Hospital,
et al.,
Petitioners-Respondents,

Laura Marie McG., also known as
Laura McG.,
Respondent-Appellant.

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

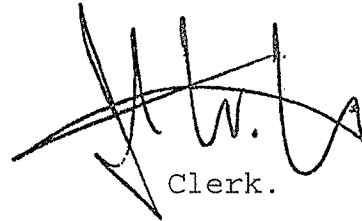
-----X
Respondent-appellant mother having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, New York County, entered on or about June 12, 2009, and for assignment of counsel, a free copy of the transcript, and related relief,

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 granted to the extent of
(1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Jay Maller, Esq., 30 Vesey Street, Suite 1803, New York, NY 10007, Telephone No. (212) 732-4818,

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 therefor¹ 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 the transfer of the record from the Family Court to this Court. The Clerk of the Family Court shall transfer the record upon receipt of this order and; (4) directing appellant to perfect this appeal within 60 days of receipt of the transcripts. Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.

ENTER:



Clerk.

¹Service 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 October 22, 2009.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
David Friedman
James M. Catterson
Dianne T. Renwick
Sheila Abdus-Salaam, Justices.

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

-against-

M-4004
Ind. No. 5507/01

Pedrito Mendez,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from an order of the Supreme Court, New York County, entered on or about July 15, 2009, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

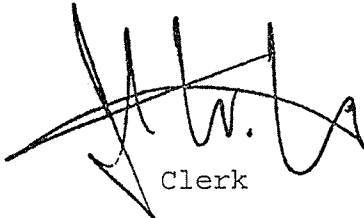
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

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, 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 October 22, 2009.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
Eugene Nardelli
John T. Buckley
Helen E. Freedman, Justices.

-----X

Michael Bumbury,
Plaintiff-Respondent,

-against-

M-3009
Index No. 8518/05

City of New York,
Defendant-Appellant.

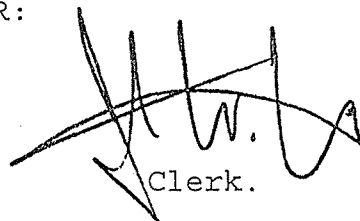
-----X

Defendant-appellant having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on May 28, 2009 (Appeal No. 4394),

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 October 22, 2009.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,
David B. Saxe
James M. Catterson
Leland G. DeGrasse
Sheila Abdus-Salaam, Justices.

-----X
William Caban, et al.,
Plaintiffs-Respondents,

-against-

M-4151
Index No. 109711/06

Maria Estela Houses I
Associates, L.P., et al.,
Defendants-Appellants.

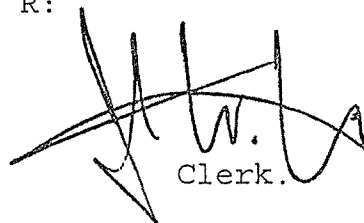
-----X

Defendants-appellants having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on June 30, 2009 (Appeal No. 954),

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 October 22, 2009.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
David Friedman
James M. Catterson
Dianne T. Renwick, Justices.

-----x
Jonathan R. Steinberg,

Plaintiff-Appellant-Respondent,

-against-

M-4102
Index No. 114728/99

Queens Import Motors, et al.,

Defendants-Respondents-Appellants.
-----x

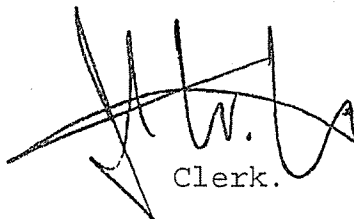
An appeal and cross appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about August 25, 2008,

And plaintiff-appellant-respondent having moved for an order enlarging the time of plaintiff in which to perfect the direct appeal, to direct defendants-respondents-appellants to prepare the joint record on 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 enlarging the time in which to perfect the appeal and cross appeal to the January 2010 Term, with no further enlargements to be granted. Should plaintiff fail to so perfect, defendants are directed to perfect their cross appeal as direct appellants for the next available Term of Court. The motion is other wise denied. The attention of the parties is directed to Rule 600.11(d) of this Court with respect to a joint record and costs thereof.

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 October 22, 2009.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
James M. Catterson
James M. McGuire
Rolando T. Acosta
Dianne T. Renwick, Justices.

-----X
John R. Linton, et al.,
Plaintiffs-Respondents,

-against-

M-2907
Index No. 104906/04

Muhammad Nawaz, et al.,
Defendants-Appellants.
-----X

Defendants-appellants having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on May 7, 2009 (Appeal No. 4305),

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 that it seeks reargument, is denied. To the extent that the motion seeks leave to appeal to the Court of Appeals, the motion is granted and this Court, pursuant to CPLR 5713, certifies that the following question of law, decisive of the correctness of its determination, has arisen, which in its opinion ought be reviewed by the Court of Appeals:

"Was the order of this Court, which modified the order of the Supreme Court, properly made?"

This Court further certifies that its determination was made as a matter of law and not in the exercise of discretion.

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 October 22, 2009.

Present - Hon. David B. Saxe, Justice Presiding,
Eugene Nardelli
John T. Buckley
Rolando T. Acosta
Helen E. Freedman, Justices.

-----x
Kim Francis,
Plaintiff, M-2637
-against- Index No. 20756/03

Cohen Brother Realty Corp., et al.,
Defendants-Respondents.

J.T. Magen & Company, Inc.,
Third-Party Plaintiff-Respondent,

-against-

Manhattan Mechanical Service, Inc.,
Third-Party Defendant, Index No. 84870/05

-and-

Manhattan Mechanical Contractors,
Inc.,
Third-Party Defendant-Appellant.

[and other actions.]

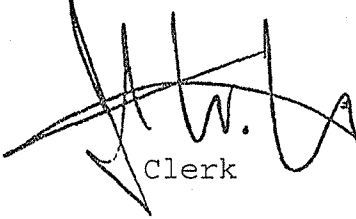
-----x
An appeal having been taken to this Court by Manhattan Mechanical Contractors, Inc. from the order of the Supreme Court, Bronx County, entered on or about December 19, 2008,

And defendants/fourth party plaintiffs Cohen Brothers Realty Corp. and 622 Third Avenue Company, LLC., and defendant/third-party plaintiff/fourth party plaintiff JT Magen & Company, Inc. having moved for dismissal of the appeal as untimely taken,

Now, upon reading and filing the papers with respect to the motion, and the correspondence from Emily Chew, Esq., of London Fischer LLP, counsel for movants, dated September 18, 2009, and due deliberation having been had thereon,

It is ordered that the motion is deemed withdrawn in accordance with the aforesaid correspondence.

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 October 22, 2009.

PRESENT: Hon. David B. Saxe, Justice Presiding,
Eugene Nardelli
John T. Buckley
Rolando T. Acosta
Helen E. Freedman, Justices.

-----x
Ruby Cole, Nathalie Fermin, Rafael
Fermin, Elba Fermin-Cabrera, Julia
Fermin, Millie Rodriguez and Azad Ally,
Plaintiffs-Respondents-
Appellants/Respondents,

-against-

M-4099
Index No. 302277/07

1015 Concourse Owners Corp., M 1015 G.C.,
LLC, John Milevoi, M&L Milevoi Management
Inc.,

Defendants-Appellants-
Respondents/Appellants,

Andrew M. Cuomo, Attorney General
of the State Of New York,
Defendant-Respondent.

-----x
An appeal and cross appeal having been taken to this Court from an order of the Supreme Court Bronx County, entered on or about November 20, 2008,

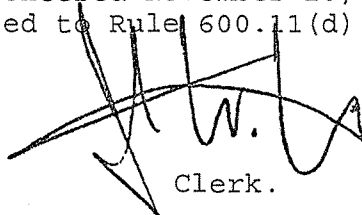
And an appeal having been taken from the order of said Court entered on or about July 2, 2009,

And defendants-appellants having moved for an enlargement of time in which to perfect the appeal from the order of said Court entered on or about November 20, 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 and cross appeal to the February 2010 Term, for which Term the defendants are directed to perfect the appeal from the order entered November 20, 2008. The attention of the parties is directed to Rule 600.11(d) with respect to a joint record and costs thereof.

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 October 22, 2009.

Present - Hon. David Friedman, Justice Presiding,
James M. McGuire
Karla Moskowitz
Rolando T. Acosta
Leland G. DeGrasse, Justices.

-----x
Brad Bonaparte,
Plaintiff-Respondent, M-4294

-against- Index No. 8241/04

Target Stores, Inc., et al.,
Defendants-Respondents.

Kingsbridge Associates, LLC, et al.,
Third-Party Plaintiffs-Respondents,

-against-

Index No. 85028/06
Amthor Steel Inc., et al.,
Third-Party Defendants-Respondents,

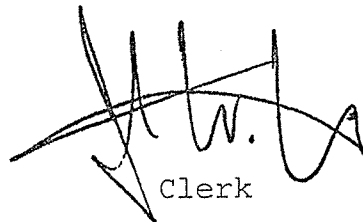
Westchester Fire Insurance Company,
Third-Party Defendant-Appellant.
-----x

Third-party defendant-appellant Westchester Fire Insurance Company having moved to withdraw the notice of appeal from the judgment of the Supreme Court, Bronx County, entered on or about September 26, 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 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 October 22, 2009.

Present - Hon. David Friedman, Justice Presiding,
James M. McGuire
Karla Moskowitz
Rolando T. Acosta
Leland G. DeGrasse, Justices.

-----x
61 West 62 Owners Corp.,

Plaintiff-Appellant,

-against-

M-4149
Index No. 107341/09.

CGM EMP LLC, et al.,

Defendants-Respondents.
-----x

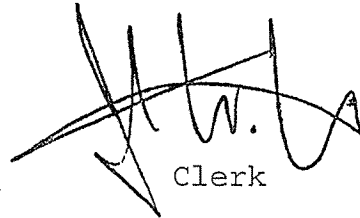
An appeal having been taken to this Court by plaintiff from the order of the Supreme Court, New York County, entered on or about June 23, 2009,

And plaintiff-appellant having moved for an order in the nature of a preliminary appellate injunction pursuant to CPLR 5518 enjoining defendants-respondents from perpetrating a nuisance by causing or permitting unreasonably loud music and/or crowd noise to emanate from non-enclosed areas of the Empire Hotel Rooftop Bar, pending hearing and determination of the aforesaid appeal, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and the stipulation of the parties dated September 21, 2009, and due deliberation having been had thereon,

It is ordered that the motion is deemed 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 October 22, 2009.

Present - Hon. David Friedman, Justice Presiding,
James M. McGuire
Karla Moskowitz
Rolando T. Acosta
Leland G. DeGrasse, Justices.

-----X
Manuel J. Parrish, etc.,

Plaintiff-Appellant,

-against-

M-4274
Index No. 603786/04 -

Unidisc Music, Inc., et al.,

Defendants-Respondents.
-----X

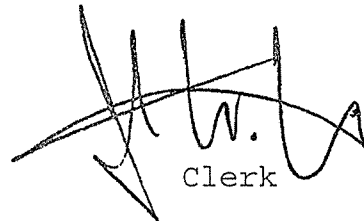
An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about September 26, 2008, and said appeal having been perfected,

And plaintiff-appellant having moved for an order striking portions of the respondent's appellate brief or, in the alternative, enlarging the record on 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, without prejudice to addressing the issue upon hearing of the appeal.

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 October 22, 2009.

Present - Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Eugene Nardelli
Rolando T. Acosta
Rosalyn H. Richter, Justices.

-----X
In re Yolanda Strong,
Petitioner-Respondent,

-against-

M-2978
Index No. 406141/07

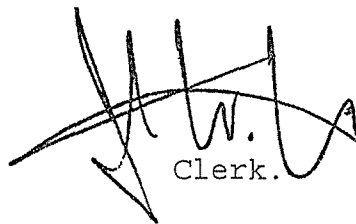
The New York City Department of Education,
Respondent-Appellant.
-----X

Petitioner-respondent having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on May 26, 2009 (Appeal Nos. 645N-645NA),

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 October 22, 2009.

Present - Hon. David Friedman, Justice Presiding,
James M. McGuire
Karla Moskowitz
Rolando T. Acosta
Leland G. DeGrasse, Justices.

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

Respondent,

-against-

M-4299
Ind. No. 5540/07

Ricardo Flores,

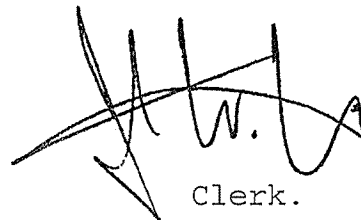
Defendant-Appellant.
-----X

An order of this Court having been entered on January 22, 2009 (M-5858), granting defendant leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about May 1, 2008, and assigning Steven Banks, Esq., as counsel to prosecute the appeal; and a motion having been made to relieve such counsel, and for related relief,

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

It is ordered that the motion is granted to the extent of striking the designation of assigned counsel Steven Banks, Esq., as counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Richard M. Greenberg, Esq., Office of the Appellate Defender, 11 Park Place, Room 1601, New York, New York, 10007, Telephone No. 212-402-4100, as such counsel. The poor person relief previously granted is continued, and appellant's time in which to perfect the appeal is enlarged until 120 days from the date of this order or the filing of the record, whichever is later.

ENTER:


Clerk.

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

BEFORE: Hon. Richard T. Andrias,
Associate Justice

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

M-3607
SCI No. 1731/94
Ind. Nos. 1792/99
4016/99
4874/99

-against-

CERTIFICATE
DENYING LEAVE

Sheldon N. Messer,

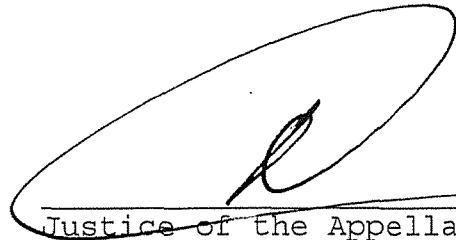
Defendant.

-----X

I, Richard T. Andrias, 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, Bronx County, (Megan Tallmer, J.), entered on or about June 19, 2009, which denied defendant's motion pursuant to CPL 440.10 and 440.20, is hereby denied.

Dated: New York, New York
October 14, 2009

ENTERED OCT 22 2009


Justice of the Appellate Division

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

BEFORE: Hon. Richard T. Andrias,
Associate Justice

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

M-3612
Ind. No. 910/05

-against-

CERTIFICATE
DENYING LEAVE

Lawrence Jackson,


Defendant.

-----X

I, Richard T. Andrias, 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, (Robert M. Stolz, J.), entered on or about June 17, 2009, which denied defendant's motion pursuant to CPL 440.10, is hereby denied.

Dated: New York, New York
October 14, 2009

ENTERED OCT 22 2009



Justice of the Appellate Division

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

BEFORE: Hon. Richard T. Andrias,
Associate Justice

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

M-3718
Ind. Nos. 9473/94
2036/84

-against-

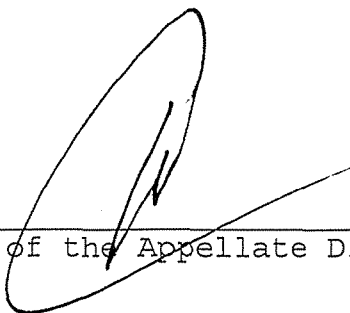
CERTIFICATE DENYING
REARGUMENT OF LEAVE
TO APPEAL

Arthur Blake a/k/a Ronald Boyd,

Defendant.

-----X
I, Richard T. Andrias, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for reargument of his motion for a certificate pursuant to Criminal Procedure Law Section 460.15, which motion was denied by order entered June 25, 2009 (M-2374), 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 defendant's motion to reargue his motion for permission to appeal from the Order of the Supreme Court, New York County (Rena K. Uviller, J.) entered March 12, 2008, which denied defendant's motion pursuant to CPL 440.20, is hereby denied.

Dated: New York, New York
October 14, 2009



Justice of the Appellate Division

ENTERED OCT 22 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-3629
Ind. No.6549-03

-against-

CERTIFICATE
DENYING LEAVE

Michael Nash

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, dated July 1, 2009, is hereby denied.



Associate Justice

Dated: October 8, 2009
New York, New York

ENTERED: OCT 22 2009

PM ORDERS

ENTERED

OCTOBER 20, 2009

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 October 20, 2009.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
David Friedman
Eugene Nardelli
Karla Moskowitz, Justices.

-----x
Aurelio Carrazana,

Plaintiff-Respondent,

-against-

Stratford Five Realty LLC,

Defendant-Appellant.
-----x

M-4375
Index No. 8180/07

An appeal having been taken to this Court from the order of the Supreme Court, Bronx County, entered on or about April 8, 2009, and said appeal having been perfected,

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 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 October 20, 2009.

Present: Hon. John W. Sweeny, Jr., Justice Presiding,
John T. Buckley
Leland G. DeGrasse
Helen E. Freedman
Sheila Abdus-Salaam, Justices.

-----X
Barbara Cassidy,
Plaintiff-Respondent,

-against-

M-4126

M-4292

Lexreal Associates Limited
Partnership, et al.,
Defendants,

Index No. 114187/06

Slattery Skanska, Inc., et al.,
Defendants-Appellants.

-----X
Lexreal Associates Limited
Partnership, et al.,
Third-Party Plaintiffs-
Respondents,

Third-Party
Index No. 590103/07

-against-

New York City Transit Authority,
et al.,
Third-Party Defendants,

Slattery Skanska, Inc., et al.,
Third-Party Defendants-
Appellants.

-----X

Appeals having been taken from orders of the Supreme Court, New York County, entered on or about December 3, 2008 (mot. seq. no. 001) and on or about March 30, 2009 (mot. seq. no. 003), respectively,

And appellants having moved for an enlargement of time in which to perfect the aforesaid appeals (M-4126) and for a stay of trial, pending hearing and determination of appeals (M-4292),

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 (M-4126) is granted to the extent of enlarging the time in which to perfect the appeals to on or before November 9, 2009 for the January 2010 Term, with no further enlargements to be granted. The motion (M-4292) for a stay of trial 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 October 20, 2009.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
Karla Moskowitz
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X
Lisa Harris,
Plaintiff-Respondent-Appellant,

-against-

IG Greenpoint,
Defendant-Appellant-Respondent,

-and-

M-4244
Index No. 100776/07

The China Club Late Night
Management, Inc., and Nightlife
Enterprises, L.P.,
Defendants-Respondents.

-----X

Defendant-appellant-respondent IG Greenpoint having moved for a stay of trial pending hearing and determination of the perfected appeal and cross appeal taken from the order of the Supreme Court, New York County, entered on or about November 20, 2008 (mot. seq. no. 002),

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.

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 October 20, 2009.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
David Friedman
Eugene Nardelli
Karla Moskowitz, Justices.

-----X
Ormit John, et al.,
Plaintiffs-Respondents,

-against-

M-4509
Index No. 20895/99

SRM Construction Corporation, et al.,
Defendants-Appellants,

-and-

Clintonville Construction Corp.,
and Seaboard Surety Company,
Defendants.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about October 10, 2008,

And plaintiffs-respondents having moved to strike defendants' appeal which has been perfected for the November 2009 Term,

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.