

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 December 8, 2011.

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-4419
Ind. No. 3668/09

Richard McDaniel,

Defendant-Appellant.
-----X

An appeal having been taken from the judgment of the Supreme Court, New York County, rendered on or about October 5, 2010,

Now, upon reading and filing the stipulation of the parties hereto, dated September 23, 2011, 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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 December 8, 2011.

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

-----X

Luis Moncayo,
Plaintiff-Respondent,

-against-

M-4432X
Index No. 303654/07

Beechwood RB Shorehaven, LLC,
Defendant,

City Tile & Marble, Ltd.,
Defendant-Appellant.

-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about June 2, 2011,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" September 28, 2011, 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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 December 8, 2011.

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

-----X
Dorothy Claire Stone,
Plaintiff-Appellant,

-against-

M-4433X
Index No. 350578/05

Victor Andrade,
Defendant-Respondent.
-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about April 11, 2011 (mot. seq. no. 011),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" September 27, 2011, 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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 December 8, 2011.

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

-----X
Nadine Shanker,
Plaintiff-Respondent,

-against-

M-4434X
Index No. 350159/08

Steven Shanker,
Defendant-Appellant.
-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about December 28, 2010 (mot. seq. nos. 008-009),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" September 27, 2011, 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 December 8, 2011.

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-4470
Ind. No. 3229/09

Eric Santiago,
Defendant-Appellant.

-----X

An appeal having been taken from the judgment of the Supreme Court, New York County, rendered on or about October 28, 2010,

Now, upon reading and filing the stipulation of the parties hereto, dated September 30, 2011, 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 December 8, 2011.

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

-----X
Petra CRE CDO 2007-1 Ltd., etc.,
Plaintiff-Appellant,

-against-

Keru Development, LLC, et al.,
Defendants-Respondents.

M-4502X
Index No. 601559/09

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about January 27, 2011 (mot. seq. no. 003-006),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" October 4, 2011, 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 December 8, 2011.

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

-----X
Dupoux Design Inc., etc.,
Plaintiff-Respondent,

-against-

M-4505X
Index No. 600513/10

Petra CRE CDO 2007-1, Ltd., by and
through Petra Capital Servicer LLC,
as Special Servicer,
Respondent-Appellant.
-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about January 27, 2011 (mot. seq. nos. 003-006),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" October 4, 2011, 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 December 8, 2011.

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

-----X
QBE Insurance Corporation and
Cooke & Krupa, LLC,
Plaintiffs-Appellants,

-against-

Illinois Union Insurance Company, et al.,
Defendants-Respondents.
-----X

M-4531X
Index No. 601139/09

An appeal having been taken from the judgment of the Supreme Court, New York County, entered on or about July 8, 2011,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" October 5, 2011, 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 December 8, 2011.

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

-----X
Cheri Dorr, et al.,
Plaintiffs-Respondents,

-against-

M-4549X
Index No. 105451/06

London Terrace Towers Owners, Inc.,
et al.,
Defendants-Appellants,

Westfair Restoration Services, Inc.,
et al.,
Defendants.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about May 11, 2011 (mot. seq. no. 007),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" October 7, 2011, 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 December 8, 2011.

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

-----X
Daniel Collin,
Plaintiff-Appellant,

-against-

M-4560X
Index No. 601652/09

Philip Tanen, et al.,
Defendants-Respondents.

(And a third-party action)

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about April 12, 2011,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" October 6, 2011, 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 December 8, 2011.

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

-----X
iStar Tara LLC,
Plaintiff-Respondent,

-against-

M-4792X
Index No. 651048/10

Clark Butler and John A. Williams,
Defendants-Appellants.
-----X

Appeals having been taken from the order of the Supreme Court, New York County, entered on or about May 18, 2011, and from the judgment of said Court entered on or about June 29, 2011, respectively,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" October 18, 2011, and due deliberation having been had thereon,

It is ordered that the appeals 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 December 8, 2011.

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,
Appellant,

-against-

M-4793
Ind. No. 2973/10

Traquana Darden,
Defendant-Respondent.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about January 6, 2011,

Now, upon reading and filing the stipulation of the parties hereto, dated October 17, 2011, 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 December 8, 2011.

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

-----X

Victoria Wong,
Plaintiff-Respondent,

-against-

M-4825X
Index No. 307050/08

Ricky Wong,
Defendant-Appellant.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about May 11, 2011 (mot. seq. no. 002),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" October 20, 2011, 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 December 8, 2011.

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

-----X

Keith Griffin,
Plaintiff-Appellant,

-against-

M-4826
Index No. 102756/07

Magnolia Associates, Ltd., et al.,
Defendants,

My Most Favorite 45th St. Corp., et al.,
Defendants-Appellants.

(And a third-party action)

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about July 23, 2010,

Now, after preargument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" October 11, 2011, 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 December 8, 2011.

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

-----X
Jose L. Galarza, et al.,
Plaintiffs-Respondents,

-against-

M-4827X
Index No. 104771/07

Lincoln Center for the Performing Arts,
Inc., et al.,
Defendants-Appellants.
-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about June 2, 2011 (mot. seq. no. 002),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" October 20, 2011, 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 December 8, 2011.

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

-----X
Jet Acceptance Corporation,
Plaintiff-Respondent,

-against-

M-4828X
Index No. 602789/08

Quest Mexicana S.A. de C.V., et al.,
Defendants-Appellants.
-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about March 24, 2011 [as amended March 31, 2011] (mot. seq. no. 004),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" October 20, 2011, 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 December 8, 2011.

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

-----X
Jacqueline Stein,
Plaintiff-Respondent,

-against-

M-4888X
Index No. 109133/08

1394 Housing Corp.,
Defendant-Appellant,

Due Restaurant, Inc.,
Defendant.

-----X
1394 Housing Corp.,
Third-Party Plaintiff-
Appellant-Respondent,

-against-

Third-Party
Index No. 590248/09

Tower National Insurance Company,
Third-Party Defendant-
Respondent-Appellant.

-----X

An appeal and cross appeal having been taken from the order of the Supreme Court, New York County, entered on or about April 19, 2011 (mot. seq. no. 003),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" October 25, 2011, 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 December 8, 2011.

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

-----X

Aurelius Capital Master, Ltd. and
Aurelius Capital Partners, LP, as
assignees,
Plaintiffs-Respondents-Appellants,

-against-

M-4830X
Index No. 601483/08

David A. Stockman and W. Gerald McConnell,
Defendants-Appellants-Respondents,

J. Michael Stepp, et al.,
Defendants.

-----X

Appeals and cross appeals having been taken from the orders of the Supreme Court, New York County, all entered on or about November 8, 2010 (mot. seq. nos. 017-023), and an appeal having been taken from the judgment of said Court entered on or about December 28, 2010, respectively,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" October 20, 2011, and due deliberation having been had thereon,

It is ordered that the appeals and cross appeals 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 December 8, 2011.

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

-----X
William F. Ryan Community Health
Center, Inc.,
Petitioner-Respondent,

-against-

M-4878
Index No. 109693/08

New York City Department of Finance
and the Tax Commission of the City
of New York,
Respondents-Appellants.
-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about April 13, 2009,

Now, upon reading and filing the stipulation of the parties hereto, filed October 26, 2011, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected for the May 2011 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 December 8, 2011.

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

-----X
In the Matter of the Application of
Brandon Marmol, by his mother and
natural guardian Francys Rodriguez,
and Francys Rodriguez, individually,
etc.,

Petitioners-Respondents,

M-4786

Index No. 260350/09

-against-

The City of New York and New York
City Department of Education,

Respondents-Appellants.

-----X
An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about February 3, 2010,

Now, upon reading and filing the stipulation of the parties hereto, filed October 18, 2011, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected for the September 2011 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 December 8, 2011.

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

-----X
23KT Gold Collectibles Ltd., and The
Merrick Mint, Ltd.,
Plaintiffs-Appellants,

M-4581
Index No. 651931/10

-against-

Daily News, L.P.,
Defendant-Respondent.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about March 24, 2011,

Now, upon reading and filing the stipulation of the parties hereto, filed October 11, 2011, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected for the October 2011 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 December 8, 2011.

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

-----X
Jung Ja Cho & Byung Mo Cho,
Plaintiffs-Respondents,

-against-

M-4489

Index No. 407148/07

New York City Transit Authority
and Metropolitan Transportation
Authority,
Defendants-Appellants,

-and-

City of New York,
Defendant.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about January 13, 2011 (mot. seq. no. 002),

Now, upon reading and filing the stipulation of the parties hereto, filed October 27, 2011, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected for the December 2011 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 December 8, 2011.

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, **M-4743**
DC #93
-against- Ind. No. 1534/06

Dexter Roman,
Defendant-Appellant.
-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, Bronx County, rendered on or about January 5, 2009,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on October 27, 2011, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the March 2012 Term of this Court and counsel is directed to so perfect.

ENTER:


CLERK


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 December 8, 2011.

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,

M-4755

DC #105

-against-

Ind. No. 1610/09

Abdul Taylor,
Defendant-Appellant.

-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about November 20, 2009,

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on October 27, 2011, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion, it is

Ordered that appellant's time in which to perfect the appeal is enlarged to the March 2012 Term of this Court and counsel is directed to so perfect.

ENTER:


CLERK


CLERK


CLERK


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 December 8, 2011.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
James M. Catterson
Rosalyn H. Richter
Nelson S. Román, Justices.

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

- - - - -
Wilda C., M-4609
Petitioner-Appellant, Docket No. V33384/11

-against-

Miguel R.,
Respondent-Respondent.
- - - - -

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

-----X

Petitioner-appellant 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 October 5, 2011, 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, Andrew Baer, Esq., 299 Broadway, Suite 1415, New York, NY 10007, Telephone No. (212) 233-0318, 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, in compliance with Rule 600.11 of the Rules of this Court, **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 December 8, 2011.

Present - Hon. Luis A. Gonzalez,	Presiding Justice,
John W. Sweeny, Jr.	
James M. Catterson	
Leland G. DeGrasse	
Rosalyn H. Richter,	Justices.

-----x

Raymond Armstrong,
Plaintiff-Appellant,

-against-

M-4962
Index No. 108277/08

B.R. Fries & Associates, Inc.,
Defendant-Respondent.

- - - - -

(And a third-party action)

-----x

Appeals having been taken to this Court by plaintiff from orders of the Supreme Court New York County, entered on or about October 13, 2010 and October 26, 2010 (mot. seq. no. 002), respectively,

And plaintiff-appellant having moved for consolidation 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 to the extent of permitting plaintiff-appellant to prosecute the consolidated appeals upon 8 copies of one record and one set of appellant's points covering the consolidated appeals. The attention of the parties is directed to 22 NYCRR § 600.11. The time to perfect the consolidated appeals is enlarged to the May 2012 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 December 8, 2011.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
David Friedman
Leland G. DeGrasse
Helen E. Freedman
Sallie Manzanet-Daniels, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-3846
Ind. No. 2138/99

Gordon Vasquez,
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on January 8, 2004 (Appeal No. 2664), unanimously affirming a judgment of the Supreme Court, New York County (Richard Carruthers, J.), rendered on August 1, 2000,

And defendant-appellant having moved, in the nature of a writ of error coram nobis, for a review of his claim of ineffective assistance of appellate counsel, and for related relief,

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

It is ordered that said application is denied.

ENTER:



CLERK

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 December 8, 2011.

Present - Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
James M. Catterson
Sheila Abdus-Salaam
Nelson S. Román, Justices.

-----x

Peter McHugh, etc., et al.,

Plaintiffs-Respondents,

-against-

M-4864
Index No. 8726/07

New York City Transit Authority, et al.,

Defendants-Appellants.

-----x

Defendants-appellants having moved for an enlargement of time to perfect the appeal from the judgment of the Supreme Court, Bronx County, entered on or about January 5, 2011,

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 to perfect the appeal to the April 2012 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 December 8, 2011.

Present - Hon. Peter Tom,	Justice Presiding,
Richard T. Andrias	
James M. Catterson	
Sheila Abdus-Salaam	
Nelson S. Román,	Justices.

-----X
Cadles of Grassy Meadows II, L.L.C.,
Plaintiff-Respondent,

-against-

Edward B. Lapidus,	M-4974
Defendant-Appellant,	Index No. 106421/06

-and-

David Glaser,
Defendant.

-----X

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about October 6, 2011 (mot. seq. no. 015),

And defendant-appellant having moved for a stay of enforcement of the aforesaid order pending hearing and determination of the appeal taken therefrom,

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

It is ordered that the motion is denied, and the interim relief granted by the order of a Justice of this Court dated October 28, 2011, 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 December 8, 2011.

Present: Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
Rolando T. Acosta
Helen E. Freedman
Rosalyn H. Richter, Justices.

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

-against-

M-4445
Ind. No. 4341/08

Sixto Alvarez,
Defendant-Appellant.

-----X

An appeal having been taken from the judgment of the Supreme Court, New York County, rendered on or about February 5, 2009,

And Richard M. Greenberg, Esq., assigned counsel for defendant, having moved to dismiss the appeal as abandoned by reason of appellant'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 only 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 December 8, 2011.

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

-----x
Muriel Norton, et al.,

Plaintiffs-Appellants,

-against-

M-5059
Index No. 117134/08

The Port Authority of New York and
New Jersey,

Defendant-Respondent.
-----x

Plaintiffs-appellants having moved for an enlargement of time to perfect the appeal from the judgment of the Supreme Court, New York County, entered on or about January 21, 2011,

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 to perfect the appeal to the April 2012 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 December 8, 2011.

Present - Hon. Richard T. Andrias, Justice Presiding,
David B. Saxe
John W. Sweeny, Jr.
Rolando T. Acosta
Sallie Manzanet-Daniels, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-5225
Ind. No. 1721/06

Frankie Ramos,
Defendant-Appellant.

-----X

An order of a Justice of this Court having been entered on October 20, 2011 (M-2941), granting defendant leave to appeal to this Court from the order of the Supreme Court, Bronx County, entered on or about May 27, 2010,

And defendant-appellant having moved, both pro se and by counsel, The Legal Aid Society, for leave to prosecute the aforesaid appeal as a poor person, 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of 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 December 8, 2011.

Present - Hon. Richard T. Andrias, Justice Presiding,
David B. Saxe
John W. Sweeny, Jr.
Rolando T. Acosta
Sallie Manzanet-Daniels, Justices.

-----x
Executive Risk Indemnity Inc.,

Plaintiff-Appellant,

-against-

M-5105
Index No. 601693/07

Starwood Hotels & Resorts Worldwide,
Inc., et al.,

Defendants-Respondents.
-----x

An appeal having been taken to this Court from an order of the Supreme Court, New York County, entered on or about August 1, 2011, and said appeal having been perfected,

And plaintiff-appellant having moved for an order sealing certain portions of the record on appeal pursuant to the Stipulation and Order for the Production and Exchange of Confidential Information (Exhibit A to the moving papers),

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 Volume III of the record on appeal is deemed filed under seal.

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 December 8, 2011.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,
David B. Saxe
John W. Sweeny, Jr.
Rolando T. Acosta
Sallie Manzanet-Daniels, Justices.

-----x
In the Matter of the Application of
Hilary Best,
Petitioner,

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

-against-

M-5221
Index No. 61966/11

New York County Criminal Court,
Respondent.
-----x

Petitioner having moved, pursuant to CPLR 5704, for affirmative relief denied by a Justice of the Supreme Court, New York County on or about November 16, 2011, pending hearing and determination of the above captioned proceeding, and for related relief, including leave to prosecute the proceeding as a poor person,

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 December 8, 2011.

Present - Hon. Richard T. Andrias, Justice Presiding,
David B. Saxe
John W. Sweeny, Jr.
Rolando T. Acosta
Sallie Manzanet-Daniels, Justices.

-----x
Albert Otero, by his parent and natural
guardian Jacqueline Vasquez and
Jacqueline Vasquez, personally,
Plaintiffs,

-against-

M-5154
Index No. 16931/05

L&M Hub Associates, LLC, C&C Affordable
Management, LLC and Great American
Construction Corp.,
Defendants.

-----x
Defendant Great American Construction Corp. having moved,
pursuant to CPLR 5704, for affirmative relief denied by a Justice
of the Supreme Court, Bronx County, on November 4, 2011,

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

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

BEFORE: Hon. Helen E. Freedman
Justice of the Appellate Division

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

Plaintiff,

M-5160
Index No. 4962/08

-against-

Danny Martin,

CERTIFICATE
GRANTING LEAVE TO APPEAL
TO THE COURT OF APPEALS

Defendant.
-----X

I, Helen E. Freedman, a Justice of the Appellate Division, Supreme Court, First Department, do hereby certify that in the record and proceedings herein* questions of law are involved which ought to be reviewed by the Court of Appeals and pursuant to CPL 460.20, it is

ORDERED that permission hereby is granted to the above-named appellant to appeal to the Court of Appeals.



Justice of the Appellate Division

Dated: November 28, 2011
New York, New York

ENTERED: **DEC 08 2011**

*Description of Order:

Supreme Court, New York County, entered on March 9, 2009.
App. Div., First Dept., Appeal No. 4882, Affd on October 11, 2011.

Notice: Within 10 days from the issuance of this certificate, a preliminary appeal statement must be filed with the Clerk of the Court of Appeals pursuant to Rule 500.9 of the Court of Appeals Rules.

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 December 8, 2011.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
John W. Sweeny, Jr.
James M. Catterson
Leland G. DeGrasse
Rosalyn H. Richter, Justices.

-----X
Mahamadu Trawally, et al.,
Plaintiffs-Appellants,

Action No. 1

-against-

M-4498

Index No. 20156/96

East Clarke Realty Corp., et al.,
Defendants-Respondents.

-----X
Mahamadu Trawally, et al.,
Plaintiffs-Appellants,

Action No. 2

-against-

Index No. 25939/99

41 Elliot Place Corp., et al.,
Defendants-Respondents.

-----X

Plaintiffs-appellants having moved for a stay of trial pending hearing and determination of the appeal taken from the order of the Supreme Court, Bronx County, entered on or about July 14, 2010, and said appeal having been perfected, and argued,

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 December 8, 2011.

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

-----X
Ismael Fofana,
Plaintiff-Respondent,

-against-

City of New York, et al.,
Defendants,

M-4823
Index No. 113546/09

-and-

K W Mecanical, Inc., et al.,
Defendants-Appellants.

-----X

Defendants-appellant having moved for a stay of trial pending hearing and determination of the appeal from the order of the Supreme Court, New York County, entered on or about May 2, 2011 (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 on condition the appeal is perfected on or before February 21, 2012 for the May 2012 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 December 8, 2011.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
David Friedman
Karla Moskowitz
Rolando T. Acosta, Justices.

-----X
Larry Carr,
Plaintiff-Appellant-Respondent,

-against-

M-5115
Index No. 104602/10

Pamela D. Hayes, Esq., Regina L. Darby,
Esq., and Christina Clements,
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 June 21, 2011 (mot. seq. no. 005),

And defendant-respondent-appellant Regina L. Darby, Esq. having moved for an enlargement of time in which to perfect the cross appeal from the aforesaid order,

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 movant's cross appeal to on or before December 14, 2011 for the January 2012 Term; reply briefs to be filed on or before December 23, 2011 for said January 2012 Term, and otherwise 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 December 8, 2011.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
Dianne T. Renwick
Helen E. Freedman
Sallie Manzanet-Daniels, Justices.

-----X
H Eighth Avenue Associates, LLC,

Plaintiff-Respondent,

-against-

M-5142
Index No. 103296/10

Stessa Corp.,

Defendant-Appellant.
-----X

A appeal having been taken from the order of the Supreme Court, New York County, entered on or about November 7, 2011,

And defendant-appellant having moved for a stay of the aforesaid order pending hearing and determination of the appeal taken therefrom,

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

It is ordered that the motion is denied.

ENTER:


CLERK

CORRECTED ORDER - JULY 19, 2012

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 December 8, 2011.

Present: Hon. Peter Tom, Justice Presiding,
Karla Moskowitz
Rosalyn H. Richter
Sheila Abdus-Salaam,
Nelson S. Román, Justices.

-----X
Linda Strauss,

Plaintiff-Respondent,

-against-

M-5002

Index No. 12131/08

Babak Saadatmand,

Defendant-Appellant.

-----X
An appeal having been taken from an order of the Supreme Court, Bronx County entered on or about September 2, 2011,

And defendant having moved to stay the aforesaid order insofar as it affects custody arrangements, pending hearing and determination of the appeal,

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

It is ordered that the motion is denied.

ENTER:


CLERK