

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 January 20, 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-5804
Ind. No. 3624/08

Benjamin Arroyo,
Defendant-Appellant.

-----X

An appeal having been taken from judgment of the Supreme Court, Bronx County, rendered on or about January 29, 2009,

Now, upon reading and filing the stipulation of the parties hereto, dated November 15, 2010, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

E N T E R:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 20, 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-5809
Ind. No. 306/09

Jermaine Jones,
Defendant-Appellant.

-----X

An appeal having been taken from judgment of the Supreme Court, New York County, rendered on or about December 17, 2009,

Now, upon reading and filing the stipulation of the parties hereto, dated November 13, 2010, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

E N T E R:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 20, 2011.

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

-----X
Renaud Pelletier,
Plaintiff-Respondent,

-against-

M-5963X
Index No. 100636/07

Jesse Kaplan, et al.,
Defendants,

-and-

Club Suede, etc., et al.,
Defendants-Appellants.

-----X
Club Suede, etc., et al.,
Third-Party Plaintiffs-
Appellants,

-against-

Third-Party
Index No. 590327/09

Remarkable Security, Incorporated,
Third-Party Defendant-
Respondent.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about September 29, 2010 (mot. seq. no. 007),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" December 2, 2010, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

E N T E R:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 20, 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-

Hakim Goding,
Defendant-Appellant.

M-6008
Ind. Nos. 219/09
2653/09

-----X

An appeal having been taken from the judgment of the Supreme Court, New York County, rendered on or about November 4, 2009,

Now, upon reading and filing the stipulation of the parties hereto, dated November 30, 2010, and due deliberation having been had thereon,

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

E N T E R:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 20, 2011.

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

-----X
Fluxo-Cane Overseas Ltd.,
Plaintiff-Appellant,

-and-

Manoel Fernando Garcia,
Plaintiff,

-against-

M-6038X
Index No. 600809/08

Newedge USA, LLC, formerly known as
Fimat USA LLC,
Defendant-Respondent.

-----X

An appeal having been taken from the amended judgment of the Supreme Court, New York County, entered on or about August 4, 2010,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" December 6, 2010, and due deliberation having been had thereon,

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

E N T E R:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 20, 2011.

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

-----X
Juan Nivir and Binicia Rivera,
Plaintiffs-Respondents,

-against-

M-6097
Index No. 105985/08

Aluisine Zubairu,
Defendants,

-and-

Juan Nivar & Tomas & Lepido Corp.,
Defendants-Appellants.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about January 26, 2010,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" December 10, 2010, and due deliberation having been had thereon,

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

E N T E R:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 20, 2011.

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

-----X
Jian-Guo Yu, Hui-Di Tu,
Plaintiffs-Respondents,

-against-

M-6160
Index No. 116885/05

Greenway Mews Realty LLC, Little Rest
Twelve, Inc.,
Defendants-Appellants,

-and-

David Aim, et al.,
Defendants.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about December 15, 2009 (mot. seq. no. 002),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" December 16, 2010, and due deliberation having been had thereon,

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

E N T E R:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 20, 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-

Russell Harris,

Defendant-Appellant.
-----X

M-6307
Ind. No. 4369/09

An appeal having been taken from judgment of the Supreme Court, New York County, rendered on or about March 24, 2010,

Now, upon reading and filing the stipulation of the parties hereto, dated December 23, 2010, and due deliberation having been had thereon,

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

E N T E R:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 20, 2011.

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

-----X
Brock Capital Group LLC and Alain Lebec,
Plaintiffs Counterclaim
Defendants-Appellants,

-against-

M-6049X
Index No. 600801/09

The Tori Group Inc., Douglas B. Leeds
and Storeboard Media LLC,
Defendants Counterclaim
Plaintiffs-Respondents.

-----X
The Tori Group Inc., Douglas B. Leeds
and Storeboard Media LLC,
Third-Party Plaintiffs-
Respondents-Appellants,

-against-

Third-Party
Index No. 590049/08

Charles L. Brock,
Third-Party Defendant-
Appellant-Respondent.

-----X
An appeal and cross appeal having been taken from the order of the Supreme Court, New York County, entered on or about July 26, 2010 (mot. seq. no. 002),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" December 6, 2010, 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 January 20, 2011.

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

-----X
Louvenia C. Grant,
Plaintiff-Appellant-Respondent,

-against-

M-6159X
Index No. 17048/07

Joseph Fritz Menelas and Joshua Nyarko,
Defendants-Respondents-Appellants,

-and-

Danielle Rigging, Inc. and Eugenio Perez,
Defendants-Respondents.

-----X

An appeal and cross appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about August 4, 2010,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" December 15, 2010, and due deliberation having been had thereon,

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

E N T E R:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 20, 2011.

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

-----X

Alexander Davidis,
Plaintiff-Appellant-Respondent,

-against-

M-6242X
Index No. 311289/09

Alexandra Mathysen-Gerst,
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 October 22, 2010 (mot. seq. nos. 003, 004),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" December 21, 2010, and due deliberation having been had thereon,

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

E N T E R:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 20, 2011.

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

-----X
Michael Berr,
Plaintiff-Respondent,

-against-

M-6351
Index No. 306370/08

Elaine R. Berr,
Defendant-Appellant.
-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about September 11, 2009 (mot. seq. no. 003),

Now, upon reading and filing the stipulation of the parties hereto, filed December 29, 2010, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected for the September 2010 Term, is withdrawn in accordance with the aforesaid stipulation.

E N T E R:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 20, 2011.

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

-----X
Andrea Mendez,
Plaintiff-Appellant,

-against-

M-6041
Index No. 13554/06

HOF Realty LLC, and New Atlantis
Management Corp.,
Defendants-Respondents.
-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about December 24, 2009,

Now, upon reading and filing the stipulation of the parties hereto, dated November 22, 2010, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected for the January 2011 Term, is withdrawn in accordance with the aforesaid stipulation.

E N T E R:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 20, 2011.

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

-----X
Michael Berr,
Plaintiff-Appellant,

-against-

M-6358
Index No. 306370/08

Elaine R. Berr,
Defendant-Respondent.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about June 8, 2010,

Now, upon reading and filing the stipulation of the parties hereto, dated October 13, 2010, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected for the February 2011 Term, is withdrawn in accordance with the aforesaid stipulation.

E N T E R:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 20, 2011.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
David B. Saxe
James M. Catterson
Rolando T. Acosta
Sallie Manzanet-Daniels, Justices.

-----X
In the Matter of

William Jamal W.,

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

M-5576
Docket No. B17385/09

Edwin Gould Services for Children and
Families,
Petitioner-Respondent,

Malorie C.,
Respondent-Appellant.

Kao Pin Lew, Esq.,
Attorney for the Child.

-----X
An appeal having been taken from the order of the Family Court, New York County, entered on or about April 22, 2010,

And petitioner-respondent having moved for an order dismissing the aforesaid appeal,

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

Ordered that the motion is denied, with leave to renew 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 January 20, 2011.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Angela M. Mazzairelli
John W. Sweeny, Jr.
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

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

-against-

M-5546
Ind. No. 4594/07

John Buckley,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about January 19, 2010, 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.

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 January 20, 2011.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
David B. Saxe
James M. Catterson
Rolando T. Acosta, Justices.

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

-against-

M-5873
Ind. No. 37989C/08

Jefferson Bonilla,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about June 24, 2010, 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, 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.

Robin Steinberg, Esq., The Bronx Defenders, 860 Courtland Avenue, Bronx, New York 10451, Telephone No. 718-838-7878, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

E N T E R:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 20, 2011.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
Angela M. Mazzarelli
John W. Sweeny, Jr.
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X
Joan Ochei,
Claimant-Appellant,

-against-

M-5802
Court of Claims

The State of New York,
The City of New York,
Defendants-Respondents.

-----X

Claimant-appellant having moved for leave to prosecute, as a poor person, the appeal from the order of the Court of Claims, State of New York, Albany, New York (Thomas S. Scuccimarra, J.), entered on or about August 26, 2010, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, and for other relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard upon the original record and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the attorney for respondent and file 8 copies of such brief, together with the original record, with this Court. Appellant is permitted to dispense with payment of the required fee for the subpoena and filing of the record. The attention of the parties is directed to 22 NYCRR § 600.11.

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 January 20, 2011.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
Angela M. Mazzarelli
John W. Sweeny, Jr.
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X

The People of the State of New York,

Respondent,

-against-

M-5552
Ind. No. 4433/07

James Jimenez,

Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about September 7, 2010, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is denied, with leave to renew upon defendant's submission of a detailed notarized affidavit, pursuant to CPLR 1101(a), setting forth the amount and sources of funds to pay trial counsel's fee, and to post the \$50,000 bail in the Supreme Court, the disposition thereof, and an explanation as to why similar funds are not available to prosecute the appeal. (The application shall include an affidavit of the source[s] of all funds utilized by defendant.)

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 January 20, 2011.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
Angela M. Mazzairelli
John W. Sweeny, Jr.
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X

The People of the State of New York,

Respondent,

-against-

M-5549
Ind. No. 3139/09

Darnell Credel,

Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about October 14, 2010, for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is denied, with leave to renew upon defendant's submission of a detailed notarized affidavit, pursuant to CPLR 1101(a), setting forth the amount and sources of funds to post the \$15,000 bail in the Supreme Court, the disposition thereof, and an explanation as to why similar funds are not available to prosecute the appeal. (The application shall include an affidavit of the source[s] of all funds utilized by defendant.)

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 January 20, 2011.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Angela M. Mazzarelli
Karla Moskowitz
Rolando T. Acosta
Nelson S. Román, Justices.

-----X
Yamilet Mendoza, an infant under the age of fourteen (14) years, by her mother and natural guardian, Carolina Pelaez, and Carolina Pelaez, individually,
Plaintiffs-Respondents,

-against-

M-5853
Index No. 109483/07

Mortlen Realty Corp., Attilio A. Alfano
and John Ross,
Defendants-Appellants.

-----X

Defendants-appellants having moved for an enlargement of time in which to perfect the appeal from an order of the Supreme Court, New York County, entered on or about January 22, 2010,

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the June 2011 Term.

E N T E R:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 20, 2011.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
David B. Saxe
James M. Catterson
Rolando T. Acosta, Justices.

-----X
Ricarda Velez,
Plaintiff-Appellant,

-against-

M-5876
Index No. 301944/08

Luis Manuel Almonte and
Miguel Sierra,
Defendants-Respondents.
-----X

Plaintiff having moved for an enlargement of time in which to perfect the appeal from an order of the Supreme Court, Bronx County, entered on or about December 21, 2009,

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the June 2011 Term.

E N T E R:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 20, 2011.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
Angela M. Mazzarelli
John W. Sweeny, Jr.
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

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

-against-

M-5912
Ind. No. 3758/07

Michael Gilles, also known as Hertz
Sanon,
Defendant-Appellant.

-----X

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

And defendant-appellant having moved for an adjournment 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 to the extent of adjourning the appeal to the June 2011 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 January 20, 2011.

PRESENT: Hon. Luis A. Gonzalez, Justice Presiding,
Angela M. Mazzarelli
Karla Moskowitz
Rolando T. Acosta
Nelson S. Román, Justices.

-----X
Nilda Rivera,
Plaintiff-Appellant,

-against-

M-5957
Index No. 302448/07

Bilynn Realty Corp.,
Defendant-Respondent.
-----X

Plaintiff-appellant having moved for an enlargement of time in which to perfect the appeal from an order of the Supreme Court, Bronx County, entered on or about November 24, 2009,

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the June 2011 Term.

E N T E R:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 20, 2011.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Angela M. Mazzarelli
Karla Moskowitz
Rolando T. Acosta
Nelson S. Román, Justices.

-----X
Donna Spagnoli-Scheman and Donald
Scheman,
Plaintiffs-Appellants,

-against-

M-5959
Index No. 6077/05

Thomas G. Bellew and Martin J. Bellew,
Defendants-Respondents.
-----X

Plaintiffs-appellants having moved for an enlargement of time in which to perfect the appeal from a judgment of the Supreme Court, Bronx County, entered on or about March 2, 2010,

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the June 2011 Term.

E N T E R:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 20, 2011.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
David B. Saxe
James M. Catterson
Rolando T. Acosta, Justices.

-----X
Joseph Cohen and Molly Cohen,
Plaintiffs-Appellants,

-against-

Business Payment Systems,
Defendant-Respondent.

M-6132
Index No. 601936/08

-----X

Plaintiffs-appellants having moved for an enlargement of time in which to perfect the appeal from an order of the Supreme Court, New York County, entered on or about March 3, 2010 (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 to the extent of enlarging the time in which to perfect the appeal to the June 2011 Term.

E N T E R:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 20, 2011.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
David B. Saxe
James M. Catterson
Rolando T. Acosta, Justices.

-----X
GFC II Holdings LLC,
Plaintiff-Respondent,

-against-

M-6158
Index No. 651087/10

Dagmara Kopala, et al.,
Defendants-Appellants.

-----X

An appeal having been taken from orders of the Supreme Court, New York County, entered on or about November 19, 2010 (mot. seq. no. 005) and December 20, 2010, respectively,

And an order of a Justice of this Court having been entered on December 23, 2010, denying defendants-appellants a stay of eviction from the unit known as Apartment 1 at 421 West 144th Street, New York, New York, with the exception that said eviction not take place before January 3, 2011,

And defendants-appellants having moved for a further stay of ejection pending hearing and determination of the aforesaid appeal,

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

It is ordered that the motion is denied.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 20, 2011.

Present: Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
John W. Sweeny, Jr.
Leland G. DeGrasse
Nelson S. Román, Justices.

-----X

Tag 380, LLC,

Plaintiff-Appellant,

-against-

M-5577

Index No. 101396/04

Estate of Howard P. Ronson, et al.,

Defendants-Respondents.

-----X

Defendants-respondents having jointly moved for an order dismissing plaintiff-appellant's appeal taken from the order of the Supreme Court, New York County, entered on or about June 21, 2010,

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

It is ordered that the motion to dismiss the appeal is granted unless the appeal is perfected on or before March 21, 2011 for the June 2011 Term. Upon failure to so perfect, an order dismissing the appeal may be entered ex parte, provided defendants-respondents serve a copy of this order upon the plaintiff-appellant within 10 days after the date of entry hereof.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 20, 2011.

Present: Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
David B. Saxe
Helen E. Freedman
Sallie Manzanet-Daniels, Justices.

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

-against-

M-5644
Ind. No. 3460/09

Okiko M. Soundiata,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about September 13, 2010, for leave to prosecute the appeal as a poor person, on the original record and upon a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted only to the extent of deeming the notice of appeal timely filed.

The motion, to the extent that it seeks poor person relief, is denied, with leave to renew upon defendant's submission of a notarized affidavit, pursuant to CPLR 1101(a), setting forth the amount and sources of funds to post the \$5,000 bail in the Supreme Court, and the disposition thereof, and an explanation as to why similar funds are not available to prosecute this appeal. (The application shall include an affidavit of the source[s] of all funds utilized by defendant.)

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 January 20, 2011.

Present - Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
David B. Saxe
Helen E. Freedman
Sallie Manzanet-Daniels, Justices.

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

-against-

M-5634
Ind. No. 3687/09

William Paige,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from a judgment of the Supreme Court, New York County, rendered on or about July 1, 2010, for leave to prosecute the appeal as a poor person 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 deeming the moving papers as a timely filed notice of appeal and permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 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.

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 January 20, 2011.

Present: Hon. Peter Tom, Justice Presiding,
David Friedman
James M. Catterson
Diane T. Renwick
Sheila Abdus-Salaam, Justices.

-----X
William F. Bonez,

Petitioner,

-against-

M-5726
Index No. 400138/09

Patrick M. Gallivan, et al.,

Respondent.
-----X

Petitioner having moved for leave to prosecute, as a poor person, the purported appeal from the order of the Supreme Court, New York County, entered on or about September 1, 2009, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, 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 denied, with leave to renew upon submission of motion papers which include a properly filed notice of 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 January 20, 2011.

Present - Hon. Peter Tom, Justice Presiding,
David Friedman
James M. Catterson
Diane T. Renwick
Sheila Abdus-Salaam, Justices.

-----x
Seatrade Maritime Corporation,
Plaintiff-Appellant,

-against-

Hellenic Mutual War Risks Association
(Bermuda) Limited, et al.,
Defendant-Respondents,

M-6014
Index No. 602648/02

-against-

George Christy Peters,
Additional Defendant on
Counterclaims.

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

An appeal having been taken from the judgment of the Supreme Court, New York County, entered on or about June 9, 2009, and said appeal having been heard and decided by order entered December 21, 2010 (Appeal No. 3939),

And plaintiff-appellant Seatrade Maritime Corporation and counter-claim defendant George Christy Peters having jointly moved for leave to file a supplemental 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, as moot.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 20, 2011.

Present: Hon. Peter Tom, Justice Presiding,
Angela M. Mazzaelli
David Friedman
Diane T. Renwick
Leland G. DeGrasse, Justices.

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

David D.,
Petitioner-Respondent,

to appoint a guardian for Lea D.,
also known as Claire H., also
known as Claire D.,

An Alleged Incapacitated Person,
Respondent,

Marisa Falero, Esq.,
Former Co-Guardian-Appellant.

-----X

SEALED

M-5867

M-6012

M-6130

Index No. 500065/09

An appeal having been taken by Marisa Falero, Esq., as former co-guardian of alleged AIP Lea D., also known as Claire H., also known as Claire D., from the order of the Supreme Court, New York County, entered on or about October 25, 2010,

And said appellant having moved for a stay of enforcement of the aforesaid order of the Supreme Court entered on or about October 25, 2010, and for related relief (M-5867),

And petitioner-respondent having moved to dismiss the aforesaid appeal (M-6012),

And former co-guardian-appellant having moved for poor person relief and for an expedited hearing of the appeal (M-6130),

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

Ordered that the motions are denied.

ENTER:


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 January 20, 2011.

Present: Hon. Peter Tom, Justice Presiding,
David Friedman
James M. Catterson
Diane T. Renwick
Sheila Abdus-Salaam, Justices.

-----X
In Re: New York City
Asbestos Litigation

Shelly Bernard,
Plaintiff-Respondent,

M-5907
Index No. 107211/08

-against-

Brookfield Properties Corp., et al.,
Defendants,

Colgate-Palmolive Company,
Defendant-Appellant.

-----X
Lori Konopka-Sauer and Richard Konopka,
as Executors of the Estate of Karen
Tedrick,

Plaintiffs-Respondents,

Index No. 190078/08

-against-

Colgate-Palmolive Company,
Defendant-Appellant.

-----X

Appeals having been taken by defendant, Colgate-Palmolive Company, from orders of the Supreme Court, New York County, entered on or about July 9, 2010 (mot. seq. no. 004), on or about October 20, 2010 (mot. seq. no. 015) under Index No. 190078/08 and on or about November 23, 2010 (mot. seq. no. 018) under Index No. 107211/08,

And defendant, Colgate-Palmolive Company, 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 consolidating the two appeals taken in the matter *Konopko-Sauer v Colgate-Palmolive Company* (Index No. 190078/08) and the Clerk is directed to place said consolidated appeals on the same day calendar as the appeal taken in the matter *Bernard v Brookfield Properties Corp.* (Index No. 107211/08) upon perfection of the aforesaid appeals. Appellant is permitted to prosecute the consolidated appeals, in *Konopko-Sauer v Colgate-Palmolive Company* (Index No. 190078/08), upon 9 copies of one record and of one set of appellant's points covering the appeals. The parties attention is directed to 22 NYCRR 600.11.

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 January 20, 2011.

Present - Hon. Angela M. Mazzairelli, Justice Presiding,
Richard T. Andrias
David Friedman
John W. Sweeny, Jr.
Karla Moskowitz, Justices.

-----X

The State of New York,
Petitioner-Appellant,

-against-

M-6271
Index. No. 251397/08

Steven R.,
Respondent-Respondent.

for Civil Management Pursuant to Article 10
of the Mental Hygiene Law.

-----X

Petitioner-appellant having moved for leave to withdraw the appeal from the order of the Supreme Court, Bronx County, entered on or about October 21, 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 and the appeal is deemed withdrawn.

E N T E R:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 20, 2011.

Present: Hon. Angela M. Mazzairelli, Justice Presiding,
Rolando T. Acosta
Rosalyn H. Richter
Sheila Abdus-Salaam
Nelson S. Román, Justices.

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

Drita F., M-4815
Petitioner-Respondent, Docket No. O-13867-08/09A

-against-

Joseph I. R.,
Respondent-Appellant.

-----X

Respondent-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 July 14, 2010, 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 January 20, 2011.

Present: Hon. Richard T. Andrias, Justice Presiding,
David B. Saxe
John W. Sweeny, Jr.
James M. McGuire
Rolando T. Acosta, Justices.

-----X
In the Matter of the Application of
David D.,
Petitioner-Respondent,

SEALED

to appoint a guardian for Lea D.,
also known as Claire H., also
known as Claire D.,

M-2621
Index No. 500065/09

An Alleged Incapacitated Person,
Respondent-Appellant.
-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about December 16, 2009,

And respondent-appellant having moved for a stay of the guardianship and actions of said guardians, and for related relief,

Now, upon reading and filing the stipulation of the parties hereto, dated June 21, 2010, 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 January 20, 2011.

Present: Hon. Richard T. Andrias, Justice Presiding,
David B. Saxe
John W. Sweeny, Jr.
James M. McGuire
Rolando T. Acosta, Justices.

-----X
In the Matter of the Application of
David D.,
Petitioner-Respondent,

SEALED

to appoint a guardian for Lea D.,
also known as Claire H., also
known as Claire D.,

M-2974
Index No. 500065/09

An Alleged Incapacitated Person,
Respondent-Appellant.
-----X

An appeal having been taken from the judgment of the Supreme Court, New York County, entered on or about December 16, 2009,

And respondent-appellant having moved for leave to prosecute said appeal as a poor person, 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 January 20, 2011.

PRESENT - Hon. Richard T. Andrias, Justice Presiding,
David B. Saxe
James M. Catterson
Helen E. Freedman
Sheila Abdus-Salaam, Justices.

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

-against-

M-5834
Ind. No. 4710/06

Warren Thomas,
Defendant-Appellant.

-----X

Defendant having renewed the motion for leave to appeal as a poor person, the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about January 29, 2010, 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.

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 January 20, 2011.

Present - Hon. Richard T. Andrias, Justice Presiding,
David B. Saxe
Karla Moskowitz
Rolando T. Acosta
Helen E. Freedman, Justices.

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

-against-

M-5692
Ind. No. 1573/08

Sam Allen,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from a judgment of the Supreme Court, Bronx County, rendered on or about September 28, 2010, for leave to prosecute the appeal as a poor person 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 deeming the moving papers as a timely filed notice of appeal and permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 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.

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 January 20, 2011.

Present - Hon. Richard T. Andrias, Justice Presiding,
David B. Saxe
Karla Moskowitz
Rolando T. Acosta
Helen E. Freedman, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-5710
Ind. No. 738/08

John Dawson,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to perfect the appeal from the judgment of the Supreme Court, New York County, rendered on or about May 5, 2009,

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the September 2011 Term.

E N T E R:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 20, 2011.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,
David Friedman
James M. Catterson
Dianne T. Renwick
Leland G. DeGrasse, Justices.

-----X
DaimlerChrysler Insurance Company,
as subrogee of Chrysler Financial Co.,
Plaintiff-Respondent,

-against-

M-5482
Index No. 115218/08

Aliou Seck & Cheikhou Secka,
Defendants,

Nationwide Assurance Company,
Defendant-Appellant.
-----X

Defendant-appellant Nationwide Assurance Company 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 October 26, 2010 (mot. seq. no. 005),

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 January 20, 2011.

Present - Hon. David B. Saxe, Justice Presiding,
Karla Moskowitz
Rosalyn H. Richter
Sallie Manzanet-Daniels
Nelson S. Román, Justices.

-----X
Laurie Katz,
Plaintiff-Appellant,

-against-

Board of Managers, One Union Square M-6279
East Condominium, New York, New York, Index No. 107821/07
Defendant-Respondent,

American Insurance Company,
Defendant.

-----X
An appeal having been taken to this Court from the order of the Supreme Court, New York County entered on or about November 9, 2009 (mot. seq. no. 004),

And defendant-respondent having moved for dismissal of the aforesaid appeal for failure to compile a proper record on appeal or, in the alternative, compelling plaintiff-appellant to file a supplemental record on appeal to include color photographs before the trial court,

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 requiring plaintiff to file a supplemental record on appeal to include color photographs of the subject apartment by February 4, 2011, and the motion is 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 January 20, 2011.

Present - Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
Diane T. Renwick
Helen E. Freedman
Sallie Manzanet-Daniels, Justices.

-----X

Diane I. Dua, et al.,
Plaintiffs-Appellants,

-against-

M-6166
Index No. 110344/10

New York City Department of Parks and Recreation, etc., 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 December 15, 2010,

And plaintiffs-appellants having moved for an order in the nature of a preliminary appellate injunction pursuant to CPLR 5518 enjoining defendants-respondents from enforcing Sections 1-02 and 1-05(b) of Title 56 of the Rules of the City of New York with respect to unlawful vending, 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 granted on condition the appeal is perfected on or before February 22, 2010 for the May 2011 Term. Upon failure to so perfect, an order vacating the preliminary appellate injunction may be entered ex parte, provided respondent(s) serve a copy of this order upon appellant(s) within 10 days after the date of entry hereof.

ENTER



Clerk.