

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 June 16, 2011.

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

-----X
Hugo Figueroa,
Plaintiff-Respondent,

-against-

M-1996X
Index No. 25924/04

Menlo Associates, LLC, et al.,
Defendants,

Racanelli Construction Company,

Defendant-Appellant.

-----X
Menlo Associates, LLC,
Third-Party Plaintiff-Respondent,

-against-

Third Party
Index No. 84642/05

Eckerd Corporation,
Third-Party Defendant-Appellant,

Unicorp National Development, Inc.
Third-Party Defendant.

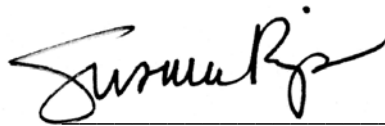
And another action
-----X

Appeals having been taken from the order of the Supreme Court, Bronx County, entered on or about April 20, 2010,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" April 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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 June 16, 2011.

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

-----X
Joshua Klarsfeld,
Plaintiff-Appellant,

-against-

M-2007X
Index No. 309320/09

Christina Klarsfeld,
Defendant-Respondent.

-----X

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

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" April 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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 June 16, 2011.

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

-----X
Yoel Borgenicht,

Plaintiff-Respondent,

-against-

Thomas Gerald Seifert,

Defendant-Appellant.
-----X

M-2037X
Index No. 602070/07

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about October 21, 2010,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" April 29, 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 June 16, 2011.

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

-----X
Patrick Pinsent,
Plaintiff-Respondent,

-against-

The Hudson River Park Trust,
Defendant-Appellant,

-and-

M-2038X
Index No. 110754/07

Skanska USA Building, Inc.,
Defendant-Appellant,

-and-

J. D'Annunzio & Sons, Inc.,
Defendant.

-----X

Separate appeals having been taken to this Court from the orders of the Supreme Court, New York County, entered on or about January 5, 2011 (mot. seq. nos. 002, 003),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" April 26, 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 June 16, 2011.

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

-----X
Megan Zacher,

Plaintiff-Appellant,

-against-

Calico Jacks, LLC, et al.,

Defendants-Respondents.
-----X

M-2039X
Index No. 116563/06

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about December 13, 2010 (mot. seq. no. 004),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" April 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 June 16, 2011.

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

-----X
In the Matter of the Application of
Robert Doar, etc.,

Petitioner-Respondent,

-against-

M-2087
Index No. 401255/10

For the Appointment of a Guardian of the
Personal Needs and Property Management of
Sharon Vassallo,

A Person Alleged to be Incapacitated,

Respondent.

-----X
In the Matter of the Application of
Robert Doar, etc.,

Petitioner-Respondent,

-against-

Index No. 401256/10

For the Appointment of a Guardian of the
Personal Needs and Property Management of
Louis Anthony Vassallo,

A Person Alleged to be Incapacitated,

Respondent,

Transition Holdings, LLC,

Landlord-Appellant.

-----X

An appeal and cross-appeal having been taken by landlord-appellant Transition Holdings, LLC., from the order of the Supreme Court, New York County, entered on or about March 14, 2011,

Now, upon reading and filing the stipulation of the parties hereto, filed May 4, 2011, and due deliberation having been had thereon,

It is ordered that the appeal and cross appeal, previously perfected for the June 2011 Term, 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 June 16, 2011.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Richard T. Andrias
Karla Moskowitz
Helen E. Freedman, Justices.

-----X

The People of the State of New York,

Respondent,

-against-

M-1691
Ind. No. 1289/09

Lorenzo Padin,

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 5, 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 facts sufficient to establish that defendant has no funds or assets with which to prosecute 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 June 16, 2011.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
John W. Sweeny, Jr.
Helen E. Freedman
Sheila Abdus-Salaam, Justices.

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

-against-

Frantzy Morisset,

Defendant.

M-1526
Ind. Nos. 3839/07
1526/08

-----X

Defendant having moved for an extension of time in which to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about May 23, 2008, 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. (CPL 460.30 [Subd.1])

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 June 16, 2011.

Present: Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
Rolando T. Acosta
Leland G. DeGrasse
Nelson S. Román, Justices.

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

Respondent,

-against-

M-1485
Ind. No. 3824/07

Amaya Mauro, also known as Mauto
Amaya, also known as Mauro Amaya,

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 July 30, 2009, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

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

Robert S. Dean, Esq., Center for Appellate Litigation, 74 Trinity Place, 11th Floor, New York, New York 10006, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 16, 2011.

Present: Hon. Peter Tom, Justice Presiding
Angela M. Mazzarelli
Rolando T. Acosta
Leland G. DeGrasse
Nelson S. Román, Justices.

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

-against-

M-1543
Ind. No. 1760/10

Robin Ogando,
Defendant-Appellant.

-----X

Defendant having renewed the motion for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about November 15, 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 nine 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 June 16, 2011.

Present: Hon. Peter Tom, Justice Presiding,
David B. Saxe
James M. Catterson
Karla Moskowitz
Sallie Manzanet-Daniels, Justices.

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

John Whitfield,
Petitioner-Appellant,

M-1762
Index No. 110706/08

For a Judgment, etc.,

-against-

Patricia J. Bailey, FOIL Officer, of
the New York County District Attorney's
Office,
Respondent-Respondent.

-----X

Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County, entered on or about November 30, 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.

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 June 16, 2011.

Present - Hon. Peter Tom, Justice Presiding,
James M. Catterson
Karla Moskowitz
Helen E. Freedman
Rosalyn H. Richter, Justices.

-----X
In the Matter of the Commitment of

Alexis Kaliyah H.,
Anthony Kenneth H.,
Ashley R.,
Jayquan Tyrik R., and
Treyvaughn Andrew H.,

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

M-2381
Docket Nos. B25005/07
B25006/07
B25007/07
B25008/07
B25009/07

Catholic Guardian Society & Home
Bureau, et al.,
Petitioners-Respondents,

Latarsha R.,
Respondent-Appellant.

David Eskin, Esq.,
Attorney for the Children
Treyvaughn Andrew H., Anthony
Kenneth H., Alexis Kaliyah H.
and Ashley R.,

Kevin Gomez, Esq.,
Attorney for the Child
Jayquan Tyrik R.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from orders of the Family Court, Bronx County, entered on or about April 21, 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, Israel P. Inyama, Esq., 244 Fifth Avenue, Suite 2582, New York, New York 10001, Telephone No. (646) 595-9090, 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 June 16, 2011.

Present: Hon. Peter Tom, Justice Presiding,
Angela M. Mazzairelli
Rolando T. Acosta
Leland G. DeGrasse
Nelson S. Román, Justices.

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

-against-

M-1538
Ind. No. 6380/09

Joan Polanco,
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 August 20, 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, in compliance with CPLR 1101(a), setting forth the terms of defendant's retainer agreement with trial counsel, Rudy Velez, Esq., as well as the amount and sources of funds for trial counsel's fee 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 June 16, 2011.

PRESENT: Hon. Peter Tom, Justice Presiding,
Angela M. Mazzairelli
Rolando T. Acosta
Leland G. Degrasse
Nelson S. Román, Justices.

-----X

In the Matter of the Application of

Isabelita Gonzalez, Michael James,
Emadeldin Omar and Luise Trabucchi,
Petitioners-Appellants,

For a Judgment Pursuant to Article 78
of the CPLR,

M-1704
Index No. 400151/08

-against-

Division of Housing and Community
Renewal of the State of New York,
168-70 West 25th Street Associates
and Irving Ledereich,
Respondents-Respondents.

-----X

Respondent-respondent, Irving Ledereich, having moved to dismiss the appeal taken by petitioner-appellant Emadeldin Omar from the order of the Supreme Court, New York County, entered on or about May 6, 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 dismissing the appeal unless it is perfected for the September 2011 Term. Sua sponte, if both appellants Omar and Gonzalez perfect their appeals for said Term, the Clerk is directed to calendar them for hearing together on the same day during the next available Term after said September 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 June 16, 2011.

Present: Hon. Peter Tom, Justice Presiding
David B. Saxe
James M. Catterson
Karla Moskowitz
Sallie Manzanet-Daniels, Justices.

-----X
Donald Golden, et al.,
Plaintiffs-Appellants-Respondents,

-against-

M-1845
Index No. 650616/09

Dennis A. Ausiello, et al.,
Defendants-Respondents-Appellants,

-and-

Pfizer, Inc.,
Nominal 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 July 1, 2010 (mot. seq. no. 002),

And plaintiffs-appellants-respondents having moved for an enlargement of time in which to perfect their 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 appeal and cross-appeal to the November 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 June 16, 2011.

Present: Hon. Peter Tom, Justice Presiding
David B. Saxe
James M. Catterson
Karla Moskowitz
Sallie Manzanet-Daniels, Justices.

-----X
Sheryl R. Menkes, as administratrix of
the Estate of Dita Menkes, Deceased,

Plaintiff-Appellant,

-against-

M-1614
Index No. 29302/02

Beth Abraham Health Services,

Defendant-Respondent.
-----X

Plaintiff-appellant having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, Bronx County, entered on or about June 17, 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 November 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 June 16, 2011.

Present: Hon. Peter Tom, Justice Presiding,
David B. Saxe
James M. Catterson
Karla Moskowitz
Sallie Manzanet-Daniels, Justices.

-----X
Bernard W. Goonewardena,

Petitioner-Appellant,

-against-

M-1539

Index No. 114583/08

State of New York Workers' Compensation Board,

Defendant-Respondent.
-----X

Petitioner-appellant having moved for an enlargement of time in which to perfect the appeal from the judgment of the Supreme Court, New York County, entered on or about October 15, 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 on or before October 3, 2011 for the December 2011 Term.

ENTER:


CLERK

CORRECTED ORDER - June 29, 2011

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 June 16, 2011.

Present - Hon. Peter Tom, Justice Presiding,
James M. Catterson
Karla Moskowitz
Helen E. Freedman
Rosalyn H. Richter, Justices.

-----X
Caprice Dillon,

Petitioner-Appellant,

-against-

New York City Housing Authority,

Respondent-Respondent.
-----X

M-2339
Index No. 401890/10

An appeal having been taken to this Court by petitioner from the judgment of the Supreme Court, New York County, entered on or about March 2, 2011,

And petitioner-appellant having moved for a stay of eviction 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 June 16, 2011.

Present: Hon. Angela M. Mazzarelli, Justice Presiding
John W. Sweeny, Jr.
Rolando T. Acosta
Dianne T. Renwick
Leland G. DeGrasse, Justices.

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

-against-

M-1797
Ind. No. 6960/04

Vito Genzale,
Defendant-Appellant.

-----X

An appeal having been taken to this Court from the judgment of **resentence** of the Supreme Court, New York County, rendered on or about April 13, 2010,

And the People having moved for dismissal 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

CORRECTED ORDER - June 29, 2011

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 June 16, 2011.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Leland G. DeGrasse
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X
In the Matter of

Diego A.
and Kelly A.,

M-1558

Docket Nos. NN27972/08
NN27973/09

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

Administration for Children's Services,
Petitioner-Respondent,

Ghyslaine G.,
Respondent-Appellant.

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

Respondent-appellant mother having moved for leave to prosecute, as a poor person, the appeal from the order of the Family Court, Bronx County, entered on or about August 10, 2010 and August 11, 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, Steven N. Feinman, Esq., 19 Court Plaza, Suite 201, White Plains, NY 10601, Telephone No. (914) 949-8214, as counsel for purposes of prosecuting the appeal;

CORRECTED ORDER -- June 29, 2011

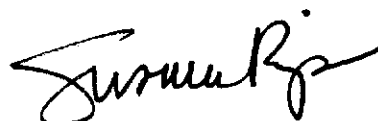
(M-1558)

-2-

June 16, 2011

(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 June 16, 2011.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Karla Moskowitz
Diane T. Renwick
Nelson S. Román, Justices.

-----X

In the Matter of

Sjuqwan Anthony Zion Perry M.,
also known as Sjuqwan M.,

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

- - - - -
Lutheran Social Services of
Metropolitan New York, et al.,
Petitioners-Respondents,

M-2094
Docket No. B-3212/07

Steven M.,
Respondent-Appellant.

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

-----X

Respondent-appellant father 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 March 28, 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, Todd D. Kadish, Esq., 1412 Avenue M, #2264, Brooklyn, New York 11230, Telephone No. (718) 787-0172, 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 June 16, 2011.

Present: Hon. Angela M. Mazzarelli, Justice Presiding
John W. Sweeny, Jr.
Rolando T. Acosta
Dianne T. Renwick
Leland G. DeGrasse, Justices.

-----X

In the Matter of

Lashae M., and
Jullian M., and
James T., Jr.,

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

- - - - -
Commissioner of Social Services of the City of New York,
Petitioner-Appellant,

M-1261
Docket Nos. NN-26266/10
NN-26267/10
NN-26268/10

James W., also known as
James T., Sr., and Jennifer M.,
Respondents-Respondents.

- - - - -
Frederic P. Schneider, Esq.,
Attorney for the Child Lashae M.

Daniel R. Katz, Esq.,
Attorney for the Children
Jullian M., and James T., Jr.

-----X

Respondent mother having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, Bronx County, entered on or about December 16, 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, George E. Reed, Jr., Esq., 222 Mamaroneck Ave., White Plains, New York 10605, Telephone No. 914-946-5000, 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.** The appeal is adjourned to the September 2011 Term. (See M-980/M-1766 decided simultaneously herewith).

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 June 16, 2011.

Present: Hon. Angela M. Mazzarelli, Justice Presiding
John W. Sweeny, Jr.
Rolando T. Acosta
Dianne T. Renwick
Leland G. DeGrasse, Justices.

-----X

In the Matter of

Lashae M., and
Jullian M., and
James T., Jr.,

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

- - - - -
Commissioner of Social Services of the City of New York,
Petitioner-Appellant,

M-980
Docket Nos. NN-26266/10
NN-26267/10
NN-26268/10

James W., also known as
James T., Sr., and Jennifer M.,
Respondents-Respondents.

- - - - -
Frederic P. Schneider, Esq.,
Attorney for the Child Lashae M.

Daniel R. Katz, Esq.,
Attorney for the Children
Jullian M., and James T., Jr.

-----X

An appeal having been taken to this Court from the order of the Family Court, Bronx County, entered on or about December 16, 2010,

And Jessica Brown, Esq., having moved for an order to be relieved as attorney for the subject child Lashae M., and to assign other counsel to respond to the appeal,

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

Ordered that the motion is granted to the extent of assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Frederic P. Schneider, Esq., 40 Wall Street, 28th Floor, New York, New York 10005, Telephone No. 646-512-5730, as attorney for the child for purposes of responding to the appeal. (See M-1261/M-1766, decided simultaneously herewith).

ENTER :

A handwritten signature in black ink, appearing to read "Susan R. Jones", written in a cursive style. The signature is positioned above a horizontal line.

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 June 16, 2011.

Present: Hon. Angela M. Mazzarelli, Justice Presiding
John W. Sweeny, Jr.
Rolando T. Acosta
Dianne T. Renwick
Leland G. DeGrasse, Justices.

-----X

In the Matter of

Lashae M., and
Jullian M., and
James T., Jr.,

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

- - - - -
Commissioner of Social Services of the City of New York,
Petitioner-Appellant,

M-1766
Docket Nos. NN-26266/10
NN-26267/10
NN-26268/10

James W., also known as
James T., Sr., and Jennifer M.,
Respondents-Respondents.

- - - - -
Frederic P. Schneider, Esq.,
Attorney for the Child Lashae M.

Daniel R. Katz, Esq.,
Attorney for the Children
Jullian M., and James T., Jr.

-----X

An appeal having been taken to this Court from the order of the Family Court, Bronx County, entered on or about December 16, 2010,

And David J. Eskin, Esq., having moved for an order to be relieved as attorney for the subject children Jullian M., and James T., Jr., and to assign other counsel to respond to the appeal,

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

Ordered that the motion is granted to the extent of assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Daniel R. Katz, Esq., 339 West 88th Street, Apt. No. 3, New York, New York 10024, Telephone No. 212-579-5719, as attorney for the children for purposes of responding to the appeal. (See M-980/M-1261, decided simultaneously herewith).

ENTER:

A handwritten signature in black ink, appearing to read "Susan R. Katz", written in a cursive style. The signature is positioned above a horizontal line.

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 June 16, 2011.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
Karla Moskowitz
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X

In the Matter of

Habib J.,

M-1732

A Person Alleged to be a Juvenile
Delinquent,

Docket No. D21011/10

Respondent-Appellant.

-----X

An order of this Court having been entered on April 21, 2011 (M-142A), granting respondent-appellant leave to prosecute, as a poor person, the appeal taken from orders of the Family Court, Bronx County, entered on or about September 13, 2010 and December 9, 2010, respectively, and from a post-dispositional order of the same Court entered on or about February 18, 2011 and assigning George E. Reed, Jr., Esq., as counsel on the appeal,

And respondent-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 appeals are consolidated and the poor person relief previously granted by the order of this Court entered April 21, 2011 (M-142A) is continued.

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 June 16, 2011.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Rolando T. Acosta
Diane T. Renwick
Leland G. DeGrasse, Justices.

-----X

Frantz J. Leon,
Plaintiff-Appellant,

-against-

M-1592

Index No. 115641/07

New York City Transit Authority,
Defendant-Respondent.

-----X

Appeals having been taken from the judgment of the Supreme Court, New York County, entered on or about December 3, 2009 and from the order of said Court entered on or about February 17, 2011 (mot. seq. no. 002),

And plaintiff-appellant having moved for consolidation of the aforesaid appeals and for an enlargement of time in which to perfect said 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 appellant to prosecute the consolidated appeals upon 10 copies of one record and of one set of appellant's points covering the consolidated appeals. The time in which to perfect said consolidated appeals is enlarged to November 2011 Term.

ENTER:



CLERK

CORRECTED ORDER - June 29, 2011

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 June 16, 2011.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Rolando T. Acosta
Diane T. Renwick
Leland G. DeGrasse, Justices.

-----X
Armand Retamozzo,
Plaintiff,

-against-

M-1765
Index No. 113920/09

Diana Friedland, et al.,
Defendants.
-----X

An order of this Court having been entered on March 10, 2011 (M-6146/M-50), inter alia, dismissing plaintiff's appeals, purportedly taken from orders of the Supreme Court, New York County, entered on or about October 8, 2010 and on or about December 1, 2010 (mot. seq. no. 003),

And plaintiff having moved to vacate the aforesaid order of this Court entered on or about March 10, 2011 (M-6146/M-50) dismissing his appeals, and for other 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 June 16, 2011.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
David Friedman
James M. Catterson
Sallie Manzanet-Daniels
Nelson S. Román, Justices.

-----x
George Bundy Smith, Sr., Individually
and on behalf of Twenty Plus Members
of Grace Congregational Church of
Harlem, Inc./United Church of Christ,
Plaintiff-Appellant,

-against-

M-2060
Index No. 111455/10

The United Church of Christ, et al.,
Defendants-Respondents.

-----x
Plaintiff-respondent having moved for relief in the nature of a preliminary appellate injunction pending hearing and determination of the appeal taken from the order of the Supreme Court, New York County, entered on or about February 25, 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

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 June 16, 2011.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Rolando T. Acosta
Diane T. Renwick
Leland G. DeGrasse, Justices.

-----X
Mauricio Salazar,
Plaintiff-Appellant,

-against-

M-1661
Index No. 101725/05

Fives 160th, LLC, et al.,
Defendants-Respondents,

-and-

Hadia 99¢ or Less, also known as
Ninety-Nine Hadia, et al.,
Defendants.

-----X

Plaintiff-appellant having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, New York County, entered on or about June 24, 2010 (mot. seq. no. 007),

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the November 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 June 16, 2011.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Karla Moskowitz
Diane T. Renwick, Justices.

-----x
In the Matter of the Application of
Geneva Aiken,
Petitioner-Appellant,

-against-

M-2220
Index No. 105145/10

City of New York, et al.,
Respondents-Respondents,

To Vacate a Decision of a Hearing
Officer Pursuant to Education Law
Section 3020-a and CPLR Section 7511.

-----x

Petitioner-appellant having moved for an enlargement of time in which to perfect the appeal from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about August 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 on or before September 6, 2011 for the November 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 June 16, 2011.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
Karla Moskowitz
Rosalyn H. Richter
Sheila Abdus-Salaam, Justices.

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

-against-

M-2373
Ind. No. 6804/01

Dwight Giles,
Defendant-Appellant.

-----X

Defendant-appellant having moved for leave to file a pro se supplemental brief in connection with an appeal from a judgment of the Supreme Court, New York County, rendered on or about August 18, 2009, for a copy of the trial transcripts and for an enlargement of time in which to file said pro se supplemental brief, and for the assignment of an investigator,

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

It is ordered that the motion is granted to the extent of directing defendant to serve and file 8 copies of his pro se supplemental brief on or before September 6, 2011 for the November 2011 Term, to which Term the appeal is adjourned. The Clerk of the Court is directed to forward to the Warden at the State correctional facility wherein defendant is incarcerated a transcript of the minutes relating to defendant's appeal, said transcript to be made available to appellant and returned by appellant to this Court when submitting the pro se supplemental brief hereto. The appeal will not be heard unless and until all material furnished to appellant has been returned. The motion, to the extent it seeks the assignment of an investigator, 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 June 16, 2011.

Present: Hon. Richard T. Andrias, Justice Presiding
John W. Sweeny, Jr.
James M. Catterson
Dianne T. Renwick
Sallie Manzanet-Daniels, Justices.

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

Gina C.,
Petitioner-Respondent,

-against-

M-1414
Docket Nos. O-28812/07
V-18406/06
V-18627/06

Michael C.,
Respondent-Appellant.

Elisa Barnes, Esq.,
Attorney for the Child.

-----X
Separate appeals having been taken to this Court from the orders of the Family Court, Bronx County, entered on or about October 30, 2009 and September 1, 2010, respectively,

And Elisa Barnes, Esq., attorney for the subject child, having moved for dismissal 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 denied, with leave to renew upon submission of proof of service on appellant himself at his last known address.

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 June 16, 2011.

Present - Hon. Richard T. Andrias, Justice Presiding,
David Friedman
John W. Sweeny, Jr.
Diane T. Renwick
Nelson S. Román, Justices.

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

- - - - -
Drita F.,
Petitioner-Respondent,

M-2459
Docket No. O-13867-08/09A

-against-

Joseph I. R.,
Respondent-Appellant.

-----x

Petitioner-respondent having moved for leave to respond, as a poor person, to 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, Elisa Barnes, Esq., 350 Broadway, Suite 1100, New York, New York 10013, Telephone No. 212-693-2330, as counsel for purposes of responding to the appeal; (2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition one copy of such brief be served upon the attorney for appellant and 8 copies thereof are filed with this Court.

ENTER:


CLERK

CORRECTED ORDER – June 29, 2011

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 June 16, 2011.

Present: Hon. Richard T. Andrias, Justice Presiding,
David Friedman
Helen E. Freedman
Rosalyn H. Richter, Justices.

-----X
Olga Batyreva,

Plaintiff-Appellant,

-against-

M-1881

Index No. 117451/09

New York City Department of Education,
et al.,

Defendants-Respondents.
-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about June 22, 2010,

And plaintiff-appellant having moved for an enlargement of time in which to perfect the appeal, for leave to prosecute said appeal as a poor person, and for certain appellate injunctive relief pursuant to CPLR 5518 pending hearing and disposition of the appeal,

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the November 2011 Term, and it is further

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 files 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. So much of the motion which seeks certain appellate injunctive relief pursuant to CPLR 5518(a) 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 June 16, 2011.

Present: Hon. Richard T. Andrias, Justice Presiding
David Friedman
Helen E. Freedman
Rosalyn H. Richter
Nelson S. Román, Justices.

-----X
Ifeytaya Nayo Bulow,

Plaintiff-Appellant,

-against-

M-1985
Index No. 1683/03

Women In Need, Inc., et al.,

Defendants-Respondents.

-----X

Plaintiff-appellant having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, Bronx County, entered on or about April 13, 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 October 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 June 16, 2011.

Present: Hon. Richard T. Andrias, Justice Presiding,
David Friedman
Helen E. Freedman
Rosalyn H. Richter
Nelson S. Román, Justices.

-----X

Gerald I. Chives,

Plaintiff-Appellant,

-against-

Columbia University,

Defendant-Respondent.

-----X

M-2006
Index No. 116036/09

Plaintiff-appellant having moved for an enlargement of time in which to perfect the appeal from the judgment of the Supreme Court, New York County, entered on or about May 25, 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 October 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 June 16, 2011.

Present: Hon. Richard T. Andrias, Justice Presiding
David Friedman
Helen E. Freedman
Rosalyn H. Richter, Justices.

-----X
Norma Iris Maldonado,
Plaintiff-Respondent,

-against-

M-1804
Index No. 14892/99

The New York City Board of Education,
et al.,
Defendants-Appellants,

-and-

The City of New York,
Defendant.

-----X

Defendants-appellants having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, Bronx County, entered on or about February 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 November 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 June 16, 2011.

Present: Hon. David B. Saxe, Justice Presiding,
Rolando T. Acosta
Leland G. DeGrasse
Sheila Abdus-Salaam
Sallie Manzanet-Daniels, Justices.

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

William Danzy,
Petitioner-Appellant,

M-1723
Index No. 401608/10

For a Judgment, etc.,

-against-

New York City Housing Authority,
Respondent-Respondent.

-----X

Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County, entered on or about March 24, 2011, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for a stay of eviction pending hearing and determination of the appeal, 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 upon the original record and upon a reproduced appellant's brief, on condition that petitioner-appellant serves one copy of such brief upon the attorney for respondent and files 8 copies of such brief, together with the original record, with this Court. Petitioner-appellant is permitted to dispense with payment of the required fee for the subpoena and filing of the record. So much of the motion which seeks a stay of eviction is granted on condition petitioner-appellant perfects the appeal on or before September 6, 2011 for the November 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 June 16, 2011.

PRESENT: Hon. David B. Saxe, Justice Presiding,
John W. Sweeny, Jr.
James M. Catterson
Helen E. Freedman
Sallie Manzanet-Daniels, Justices.

-----X
Bianca A. and Briana A., infants by
their mother and natural guardian
Benita Andrews and Benita Andrews
individually,

M-2539
Index No. 21083/05

Plaintiffs-Respondents,

-against-

876-882 Bryant Avenue, L.L.C.,

Defendant-Appellant.
-----X

Defendant-appellant 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 January 31, 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

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 June 16, 2011.

Present - Hon. David B. Saxe, Justice Presiding,
James M. Catterson
Rolando T. Acosta
Sheila Abdus-Salaam
Nelson S. Román, Justices.

-----x
Peter V. Pace, Jr. and Yolanda Pace,

Plaintiffs-Respondents,

-against-

M-1716
Index No. 301955/09

Brandon Robinson,

Defendant-Appellant.
-----x

Defendant-appellant having moved for a stay of all proceedings pending hearing and determination of the appeal from the order of the Supreme Court, Bronx County, entered on or about October 25, 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.

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 June 16, 2011.

PRESENT: Hon. David B. Saxe, Justice Presiding,
John W. Sweeny, Jr.
James M. Catterson
Helen E. Freedman
Sallie Manzanet-Daniels, Justices.

-----X

Boris Komarov, et al.,
Petitioners-Respondents,

-against-

M-2422
Index No. 114631/10

Lia Leybson,
Respondent-Appellant.

-----X

Respondent-appellant having moved for a stay of all proceedings pending hearing and determination of the appeals taken from the orders of the Supreme Court, New York County, entered on or about March 4, 2011 and May 2, 2011 (mot. seq. nos. 001 and 002), respectively,

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

It is ordered that the motion is 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 June 16, 2011.

PRESENT: Hon. David B. Saxe, Justice Presiding,
John W. Sweeny, Jr.
James M. Catterson
Helen E. Freedman
Sallie Manzanet-Daniels, Justices.

-----X
The Ogilvy Group, Inc.,
Plaintiff-Appellant,

-against-

M-2457
Index No. 650791/11

Universal Music Group, Inc.,
Defendant-Respondent.

-----X
(And another action)
-----X

Plaintiff-appellant having moved for relief in the nature of a preliminary appellate injunction enjoining defendant from taking any action to terminate its right of possession or holding plaintiff in default of a certain sublease pending hearing and determination of the appeal taken from the order of the Supreme Court, New York County, entered on or about May 19, 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 on condition that the appeal is perfected on or before August 8, 2011 for the October 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 June 16, 2011.

Present - Hon. David B. Saxe, Justice Presiding,
Leland G. DeGrasse
Helen E. Freedman
Sheila Abdus-Salaam
Sallie Manzanet-Daniels, Justices.

-----x
In the Matter of the Application of
Vincent Lavio,
Petitioner-Appellant,

For a Judgment pursuant to Article 78
of the CPLR, etc.,

M-2255
Index No. 114527/09

-against-

Raymond Kelly, etc., et al.,
Respondents-Respondents.

-----x
Petitioner-appellant having moved for an enlargement of time in which to perfect the appeal from the judgment of the Supreme Court, New York County, entered on or about June 29, 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 November 2011 Term.

ENTER:


CLERK