

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 14, 2012.

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

-----X

Natalia Ermakova, et al.,

Plaintiffs-Appellants,

-against-

M-2573X

Index No. 651208/11

Tatiana Backman, etc., et al.,

Defendants-Respondents.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about October 11, 2011,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" May 30, 2012, 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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 14, 2012.

PRESENT - Hon: Luis A. Gonzalez, Presiding Justice,
Richard T. Andrias
David B. Saxe
Leland G. DeGrasse
Nelson S. Román, Justices.

-----X
John T. Gunn, et al.,
Plaintiffs-Respondents,

-against-

M-1744
Index No. 110465/09

Are-East River Science Park, LLC,
Turner Construction Company,
Defendants-Respondents,

Site Safety, LLC,
Defendant-Appellant.

-----X
Site Safety, LLC,
Third-Party Plaintiff-
Appellant/Respondent,

-against-

Third-Party
Index No. 590175/10

Falcon Steel Company, Inc.,
Third-Party Defendant.

Helmark Steel, Inc.,
Third-Party Defendant-
Respondent-Appellant.

(And another action)

-----X

An appeal having been taken by third-party defendant Helmark Steel, Inc., from the order of the Supreme Court, New York County, entered on or about October 24, 2011 (mot. seq. no. 003), and said appeal having been perfected,

And an appeal having been taken by defendant third-party plaintiff Site Safety, LLC from the order of same Court and Justice entered on or about October 24, 2011 (mot. seq. no. 005), and said appeal having been perfected,

And third-party defendant appellant Helmark Steel, Inc. having moved for a preference in the hearing of its aforesaid appeal, and for related relief,

Now, upon reading and filing the papers with respect to the motion including the correspondence from Pauline E. Glasser, Esq., dated May 1, 2012, and due deliberation having been had thereon,

It is ordered that the motion is deemed withdrawn, in accordance with the aforesaid correspondence.

ENTER:

A handwritten signature in black ink, appearing to read "Susan R. Jones", written in a cursive style.

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 14, 2012.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
Richard T. Andrias
David B. Saxe
Leland G. DeGrasse
Nelson S. Román, Justices.

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

-against-

M-2029
Ind. No. 998/11

Anthony Caro,
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 October 26, 2011, 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 as 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, setting forth the terms of defendant's retainer agreement with trial counsel, Manuel Portelo, 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 14, 2012.

PRESENT: Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
Karla Moskowitz
Dianne T. Renwick
Sheila Abdus-Salaam, Justices.

-----X

Augusto Leyva,
Plaintiff-Respondent,

-against-

M-2167
Index No. 310425/08

Cora Realty Co., LLC,
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 25, 2011,

Now, upon reading and filing the papers with respect to the motion, including the stipulation between the parties dated May 3, 2012, and due deliberation having been had thereon,

It is ordered that the motion is deemed withdrawn.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 14, 2012.

Present - Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
James M. Catterson
Karla Moskowitz
Nelson S. Román, Justices.

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

-against-

M-2292
Ind. No. 2486/10

John Lasso, also known as John Doe,
Defendant-Appellant.

-----X

Defendant having renewed his 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 9, 2011, 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 14, 2012.

Present - Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
Karla Moskowitz
Rolando T. Acosta
Sheila Abdus-Salaam, Justices.

-----x
Gaetano D'Attore,

Claimant-Appellant,

-against-

State of New York, et al.,

Defendants-Respondents.
-----x

M-2239
Claim Nos. 119773
119845A
119846A
119847A

Claimant-appellant having moved for leave to prosecute the appeal the order of the Court of Claims, State of New York, entered on or about May 16, 2011, as a poor person, 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.

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 14, 2012.

PRESENT - Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
Dianne T. Renwick
Leland G. DeGrasse
Sheila Abdus-Salaam, Justices.

-----X

The People of the State of New York,

Respondent,

-against-

M-1784

Ind. No. 4543/11

Zaleka Davis,

Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about March 2, 2012, 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, including the amount and sources of his income and listing his property with its value, and an explanation why similar funds are not available to prosecute this 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 14, 2012.

Present - Hon. Peter Tom, Justice Presiding,
John W. Sweeny, Jr.
Dianne T. Renwick
Helen E. Freedman
Sheila Abdus-Salaam, Justices.

-----X
Barbara Kulig Hochmuller,

Plaintiff-Appellant,

-against-

M-2128
Index No. 400113/12

New York City Department of Housing,

Defendant-Respondent.
-----X

Plaintiff-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 April 17, 2012, and for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for other relief,

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

It is ordered that said 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 14, 2012.

Present - Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
David B. Saxe
Karla Moskowitz
Rolando T. Acosta, Justices.

-----X
Latipac Corp.,

Plaintiff-Respondent,

-against-

M-2161
Index No. 603299/09

Thomas R. Birchard, et al.,

Defendants-Appellants.

-----X

Defendants-appellants having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, New York County, entered on or about June 23, 2011,

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the November 2012 Term.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 14, 2012.

Present: Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
Karla Moskowitz
Rolando T. Acosta
Sheila Abdus-Salaam, Justices.

-----X
Liberty Architectural Products, Inc.
and Aspen Specialty Insurance,
Plaintiffs-Respondents-Appellants,

-against-

M-2255

Index No. 111731/08

A-Tech Restoration, Inc.,
Defendant-Appellant-Respondent,

American Safety Casualty Insurance Co.,
Defendants-Respondents-Respondents.

-----X
A-Tech Restoration, Inc.,
Third-Party Plaintiff-Appellant-
Respondent,

-against-

Third-Party
Index No. 591059/08

Hanson & Ryan, Inc.,
Third-Party Defendant-Appellant-
Respondent,

-against-

Fairmont Insurance Brokers, Ltd.,
Third-Party Defendant-Respondent-
Respondent.

-----X

Appeals and a cross appeal having been taken from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about August 16, 2011,

And third-party defendant-appellant-respondent, Hanson & Ryan, Inc., having moved for an enlargement of time in which to perfect its 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 sua sponte consolidating the direct appeals of A-Tech Restoration Inc., and Hanson & Ryan, Inc. and enlarging the time in which to perfect the aforesaid consolidated appeals and cross appeal to the November 2012 Term. The parties attention is directed to 22 NYCRR § 600.11(d).

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 14, 2012.

PRESENT: Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
Karla Moskowitz
Rolando T. Acosta
Sheila Abdus-Salaam, Justices.

-----X

KAMCO Supply Corp., on behalf of
itself and all other persons
similarly situated as trust fund
beneficiaries of Lien Law trusts
of which Nevada Construction and
Drywall Inc. and Abcon Associates
are trustees,
Plaintiff-Respondent,

-against-

M-2257
Index No. 105487/01

Nevada Construction and Drywall Inc.,
et al.,
Defendants-Respondents,

-and-

Abcon Associates, Inc., Michael Zenobio,
Jr., Christopher Zenobio, also known as
Chris Zenobio,
Defendants-Appellants.

-----X

Defendants-appellants having moved for an order enlarging the time in which to perfect the appeals from the order of the Supreme Court, New York County, entered on or about July 21, 2011 and an order from the same Court and Justice entered on or about November 17, 2011, 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 granted to the extent of enlarging the time in which to perfect the appeals, which are sua sponte consolidated, to the November 2012 Term. Appellants are directed to prosecute the appeals upon 9 copies of one record and one copy of appellants' points covering the aforesaid appeals.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 14, 2012.

Present - Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
Karla Moskowitz
Rolando T. Acosta
Sheila Abdus-Salaam, Justices.

-----X

The People of the State of New York,

Respondent,

-against-

M-2319
Ind. No. 3581/09

Leigh Morse,

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 July 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 to the extent of enlarging the time in which to perfect the appeal to the November 2012 Term.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 14, 2012.

PRESENT: Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
Karla Moskowitz
Rolando T. Acosta
Sheila Abdus-Salaam, Justices.

-----X
Amy Chin,
Plaintiff-Appellant,

-against-

M-2321
Index No. 113585/08

New York City Housing Authority,
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, New York County, entered on or about July 12, 2011, and the judgment of the same Court and Justice entered on or about August 16, 2011,

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the November 2012 Term.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 14, 2012.

PRESENT -Hon. Angela M. Mazzarelli, Justice Presiding,
David Friedman
James M. Catterson
Dianne T. Renwick
Helen E. Freedman, Justices.

-----X
In the Matter of

Luis V.,

A Person Alleged to Be a Juvenile
Delinquent,

M-2238
Docket No. D-15296/10

Respondent-Appellant.
-----X

An appeal having been taken from the order of the Family Court, Bronx County, entered on or about December 17, 2010,

And respondent-appellant's assigned counsel having renewed his motion to withdraw 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 and the appeal is deemed withdrawn.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 14, 2012.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
James M. Catterson
Leland G. DeGrasse
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

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

-against-

Anthony Smith,
Defendant-Appellant.

M-2129
Ind. No. 3606/08
SCI No. 3542/03

-----X

The People having moved for dismissal of the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about October 6, 2009,

Now, upon reading and filing the papers with respect to the motion, including the correspondence from the Office of the New York County District Attorney (Yuval Simchi-Levi, Esq.), dated May 14, 2012, and due deliberation having been had thereon,

It is ordered that the motion is deemed withdrawn.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 14, 2012.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
David Friedman
James M. Catterson
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

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

-against-

M-1741
Case No. 36944C/05

Oneil Edwards,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, Bronx County (Tallmer, J.) entered on or about April 2, 2012, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect 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 on the original record 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 Clerk of the Supreme Court shall expeditiously have made and file with the criminal court (CPL 460.70) two transcripts of the stenographic minutes of the SORA hearing and any other proceedings before Justice Tallmer as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, Robert S. Dean, Esq., without charge, the transcripts to be returned to this Court when appellant's brief is filed.

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 14, 2012.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
Karla Moskowitz
Rolando T. Acosta
Sheila Abdus-Salaam, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-2289
Ind. No. 3606/09

Cesar Zuniga, also known as Cears
Zuniga, also known as Carlos Zuniga,
Defendant-Appellant.

-----X

Defendant having renewed his motion 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 13, 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 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 reproduced 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.

Richard M. Greenberg, Esq., Office of the Appellate Defender, 11 Park Place, Room 1601, New York, New York 10007, Telephone No. (212)402-4100, 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 14, 2012.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
Karla Moskowitz
Rolando T. Acosta
Sheila Abdus-Salaam, Justices.

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

-against-

M-2303
Ind. No. 857/10

Kasien Adderley,
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 12, 2011, for leave to have the appeal heard on 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 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 serve one copy of such brief upon the District Attorney of said county and file 10 reproduced copies of such brief, together with the original record, with this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, 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.

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 14, 2012.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Rosalyn H. Richter
Sheila Abdus-Salaam, Justices.

-----X

In the Matter of the Commitment of and
for the Custody and Guardianship of

Anyiah Imani M., and
Lenea'jah F.,

Dependent Children Under 18 Years of Age
Pursuant to §384-b(4)(b) and (c) of the
Social Services Law of the State of
New York.

M-2473
Docket Nos. B-42771/10
B-42772/10

- - - - -
Abbott House Children's Services,
Petitioners-Respondents,

Makeba T. S.,
Respondent-Appellant.

- - - - -
Sandrine Valentine, Esq.,
Legal Aid Society - Juvenile Rights
Practice,
Attorney for the Children.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from orders of the Family Court, New York County, entered on or about April 2, 2012, and from an order of the same Court and Justice entered on or about April 13, 2012, 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, Michael S. Bromberg, Esq., 44 Hampton Street, Sag Harbor, NY 11963, Telephone No. 631-725-0641, 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 14, 2012.

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

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

-against-

M-2140
Ind. No. 708/79

David Rodriguez,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County (McCullough, J.) entered on or about April 25, 2012, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect 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 on the original record 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 Clerk of the Supreme Court shall expeditiously have made and file with the criminal court (CPL 460.70) two transcripts of the stenographic minutes of the SORA hearing and any other proceedings before Justice McCullough as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, Robert S. Dean, Esq., without charge, the transcripts to be returned to this Court when appellant's brief is filed.

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 14, 2012.

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

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

-against-

M-2160
Ind. No. 3578/09

Aaron Hand,
Defendant-Appellant.

-----X

Retained counsel having moved to be relieved as counsel and on defendant's behalf 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 21, 2010, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect 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 enlarging the time in which to perfect the appeal to the December 2012 Term. So much of the motion which seeks poor person relief and assignment of counsel is denied, with leave to renew upon defendant's submission of a detailed notarized affidavit, in compliance with CPLR 1101(a), setting forth the terms of defendant's retainer agreement with trial counsel, Lee Ginsburg, Esq., the amount and sources of funds for trial counsel's fees 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.) The motion is otherwise denied as unnecessary.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 14, 2012.

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

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

-against-

M-2218
Ind. No. 3044/09

Marvel Jones,
Defendant-Appellant.

-----X

An order of this Court having been entered on June 30, 2011 (M-2021), inter alia, granting defendant's motion for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about March 30, 2011, under Indictment No. 3044/90, and assigning counsel therefor,

And defendant-appellant having moved for an order amending the notice of appeal and the aforementioned order to include the judgment of said Court, rendered on or about September 22, 2010, under the same Indictment number,

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

It is ordered that said motion is granted to the extent of amending defendant's notice of appeal and the aforementioned order to include the judgment rendered on or about September 22, 2010, and extending the poor person relief previously granted to cover same.

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 14, 2012.

PRESENT - Hon. Richard T. Andrias, Justice Presiding,
David Friedman
John W. Sweeny, Jr.
Sallie Manzanet-Daniels
Nelson S. Román, Justices.

-----X
Elie Hirschfeld,
Plaintiff-Respondent-Appellant,

-against-

M-2280
Index No. 114340/09

Richard F. Czaja and Gregg Wolpert,
etc.,
Defendants-Appellants-Respondents,

Stahl Associates Co.,
Nominal Defendant.

-----X
Richard F Czaja and Gregg Wolpert,
etc.,
Third-Party Plaintiffs
Respondents-Appellants

-against-

Ethel J. Griffin, et al.
Third-Party Plaintiffs,

Rachel Hirschfeld,
Third-Party Defendant
Appellant-Respondent.

-----X

An appeal and cross appeals having been taken from the order of the Supreme Court, New York County, entered on or about March 7, 2012 (mot. seq. no. 002),

And plaintiff-respondent Elie Hirschfeld having moved to dismiss the appeal taken by Richard F. Czaja and Greg Wolpert 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 dismissing the appeal of Richard F. Czaja and Greg Wolpert unless it is perfected for the January 2013 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 14, 2012.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,
David Friedman
John W. Sweeny, Jr.
Sallie Manzanet-Daniels
Nelson S. Román, Justices.

-----X
In the Matter of

Janiyah T.,

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

M-2402
Docket No. NN-6047/11

- - - - -
Administration for Children's Services,
Petitioners-Respondents,

Nyree T.,
Respondent-Appellant.

- - - - -
Jessica Thomas, Esq., The Legal Aid
Society - Juvenile Rights,
Attorney for the Child.

-----X

Respondent-appellant mother having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, New York County, entered on or about April 11, 2012, 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, Tennille M. Tatum-Evans, Esq., 260 Convent Avenue, Suite #34, New York, NY 10031, Telephone No. (347)645-6660, 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 14, 2012.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,
David Friedman
John W. Sweeny, Jr.
Sallie Manzanet-Daniels
Nelson S. Román, Justices.

-----X

In the Matter of

I-Majestic A. and I-Conscious R.,

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

M-2361
Docket Nos. NA13207-8/08

- - - - -

Administration for Children's
Services,
Petitioner-Respondent,

George S., also known as Sun A.,
Respondent-Appellant.

- - - - -

Steven Banks, Esq.,
Attorney for the Children.

-----X

Appeals having been taken from an order of the Family Court, New York County, entered on or about October 22, 2009 and from two orders of said Family Court both entered on or about March 19, 2010,

And orders of this Court having been entered on August 25, 2011 (M-1836/M-1827B), sua sponte, consolidating the aforesaid appeals and enlarging the time to perfect same with related relief,

And respondent-appellant father having moved for a further enlargement of time in which to perfect the aforesaid consolidated appeals,

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the consolidated appeals to the November 2012 Term.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 14, 2012.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,
David Friedman
John W. Sweeny, Jr.
Sallie Manzanet-Daniels
Nelson S. Román, Justices.

-----X
Lorna Pannell-Thomas,
Plaintiff-Respondent-Appellant,

-against-

M-2487
Index No. 303014/10

Gurprit S. Bath,
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 October 31, 2011, and said appeal having been perfected,

And defendant-appellant-respondent having moved for a stay of trial pending hearing and determination of the aforesaid appeal and cross appeal,

Now, upon reading and filing the papers with respect to the motion, including the stipulation between the parties dated May 21, 2012, 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 14, 2012.

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

-----X
In the Matter of the Application of
Anastasia Pazana,
Petitioner-Appellant,

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

-against-

M-2071
Index No. 106019/11

New York City Department of Housing
Preservation & Development,
Respondent-Respondent,

-and-

Village View Housing Corporation,
Respondent-Respondent.

-----X

Petitioner-appellant having moved for a stay of all proceedings pending hearing and determination of the appeal taken from the order of the Supreme Court, New York County, entered on or about October 24, 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 petitioner perfects the appeal for the November 2012 Term and on further condition petitioner remain current in rent and expenses related to the subject apartment.

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 14, 2012.

PRESENT: Hon. Richard T. Andrias, Justice Presiding,
James M. Catterson
Dianne T. Renwick
Rosalyn H. Richter
Nelson S. Román, Justices.

-----X
Rigoberto Ortiz, et al.,
Plaintiffs-Appellants,

-against-

3115 Broadway Development Fund,
Defendant-Respondent,

LDM General Contracting, Inc., et al.,
Defendants

-----X
(And other actions)
-----X

M-3128
M-3746
Ind. No. 14896/02

Defendant-respondent having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on May 13, 2010 (Appeal No. 2801N) [M-3128],

And defendant-respondent having moved for relief in the nature of CPLR 5704(a) with respect to certain relief denied by a Justice of the Supreme Court, New York County, on or about July 7, 2010 [M-3746],

Now, upon reading and filing the papers with respect to the motion, including the correspondence from Carol Anne Herlihy, Esq., filed May 29, 2012, and due deliberation having been had thereon,

It is ordered that the motions are deemed withdrawn.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 14, 2012.

PRESENT: Hon. David B. Saxe, Justice Presiding,
John W. Sweeny, Jr.
Karla Moskowitz
Sallie Manzanet-Daniels, Justices.

-----X

In re Shirley Saunders,
Petitioner-Appellant,

-against-

M-1581
Index No. 402300/10

John B. Rhea, etc., et al.,
Respondents-Respondents.

-----X

Petitioner-appellant having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on February 28, 2012 (Appeal No. 6471),

Now, upon reading and filing the papers with respect to the motion, including the stipulation between the parties dated May 18, 2012, and due deliberation having been had thereon,

It is ordered that the motion is deemed withdrawn.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 14, 2012.

PRESENT: Hon. David B. Saxe, Justice Presiding,
James M. Catterson
Rolando T. Acosta
Leland G. DeGrasse
Rosalyn H. Richter, Justices.

-----X
905 5th Associates, Inc. and
Pamela Lipkin, M.D.,
Plaintiffs-Respondents,

-against-

M-2213
Index No. 100662/06

907 Corporation, et al.,
Defendants-Respondents,

My Home Remodeling, Inc.,
Defendant-Appellant.

-----X

Defendant-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 July 5, 2011 (mot. seq. no. 021),

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 2012 Term.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 14, 2012.

PRESENT: Hon. David B. Saxe, Justice Presiding,
James M. Catterson
Rolando T. Acosta
Leland G. DeGrasse
Rosalyn H. Richter, Justices.

-----X
Roopnarine Lall, et al.,
Plaintiffs-Respondents,

-against-

M-2250
Index No. 21763/04

Danny Ali and Hala M. Hassan,
Defendants-Appellants,

Wieslaw Kalembe,
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 1, 2011,

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the November 2012 Term.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 14, 2012.

PRESENT: Hon. David B. Saxe, Justice Presiding,
James M. Catterson
Rolando T. Acosta
Leland G. DeGrasse
Rosalyn H. Richter, Justices.

-----X
Juan Santana and Maria Fermin,
Plaintiffs-Respondents,

-against-

M-2354
Index No. 307480/10

Robert Bogg and Donlen Trust,
Defendants-Appellants.

-----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 July 14, 2011,

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the November 2012 Term.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 14, 2012.

PRESENT: Hon. David B. Saxe, Justice Presiding,
James M. Catterson
Rolando T. Acosta
Leland G. DeGrasse
Rosalyn H. Richter, Justices.

-----X
Abu Dhabi Commercial Bank P.J.S.C.,
Plaintiff-Appellant,

-against-

M-2446
Index No. 115417/10

Credit Suisse Securities (USA) LLC,
et al.,
Defendants-Respondents.

-----X

Appeals having been taken from an order of the Supreme Court, New York County, entered on or about August 4, 2011 (mot. seq. no. 002) and a judgment of the same Court and Justice entered on or about August 23, 2011, respectively,

And plaintiff-appellant having moved for an enlargement of time in which to perfect the aforesaid appeals, 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 enlarging the time in which to perfect the appeals to the November 2012 Term and otherwise denied.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 14, 2012.

PRESENT: Hon. David B. Saxe, Justice Presiding,
James M. Catterson
Rolando T. Acosta
Leland G. DeGrasse
Rosalyn H. Richter, Justices.

-----X
Katan Group, LLC, individually and
derivatively as a member of
Refinery Management LLC,
Plaintiff-Appellant,

-against-

M-2240
Index No. 650664/12

CPC Resources, Inc., et al.,
Defendants-Respondents.

-----X

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about May 1, 2012 (mot. seq. no. 002)

And plaintiff-appellant having moved pursuant to CPLR 5518 for a preliminary appellate injunction to enjoin defendant-respondent CPC Resources, Inc. from causing a jointly owned entity, Refinery Management LLC, to enter into a certain transaction with the holder of the Refinery's existing mortgage, pending hearing and determination of the aforesaid appeal, and for related relief,

Now, upon reading and filing the papers with respect to the motion, and 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 14, 2012.

Present: Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Dianne T. Renwick
Leland G. DeGrasse
Nelson S. Román, Justices.

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

-against-

M-2173

Ind. No. 1656/09

Santos Lopez,
Defendant-Appellant.

-----X

Defendant having renewed his 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 December 6, 2011, 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 14, 2012.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
James M. Catterson
Rolando T. Acosta
Helen E. Freedman
Nelson S. Román, Justices.

-----x
Mahamadu Trawally, etc., et al.,
Plaintiffs-Respondents,

-against-

Action No. 1
Index No. 20156/96

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

- - - - -

M-2445

Mahamadu Trawally, etc., et al.,
Plaintiffs-Respondents,

-against-

Action No. 2
Index No. 25939/99

41 Elliot Place, etc., et al.,
Defendants.

- - - - -

Rosenbaum & Sanders, LLP, formerly known
as Rosenbaum Faria, LLP and Corey
Rosenbaum, Esq.,
Non-Party Appellants.

-----x

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about May 16, 2012 which, inter alia, denied their motion to be relieved as counsel,

And non-party appellants having moved for a stay of trial pending hearing and determination of the aforesaid appeal,

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

It is ordered that the motion is denied.

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 14, 2012.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
James M. Catterson
Rolando T. Acosta
David Friedman
Nelson S. Román, Justices.

-----x
530 West 28th Street, L.P.,
Plaintiff-Respondent/Appellant,

-against-

RN Realty LLC. and Neil R. Schwartz,
Defendants-Appellants/Respondents.
-----x

M-1365
M-2069
Index No. 651709/10

Appeals having been taken to this Court from orders of the Supreme Court, New York County, entered on or about March 8, 2012 and April 20, 2012, respectively,

And plaintiff having moved (M-2069) for a stay of that portion of the order entered on or about April 20, 2012, which directs plaintiff to pay use and occupancy in the amount of the lease rent, pending hearing and determination of the appeal taken therefrom,

And defendants having moved (M-1365) for a stay of a portion of the order entered on or about March 8, 2012, which directed counsel to appear for an ex parte examination, and for other relief,

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, and the separate interim relief granted by orders of Justices of this Court dated March 21, 2012 (M-1365) and April 24, 2012 (M-2069) are vacated.

ENTER:


CLERK

PM ORDERS
ENTERED ON
JUNE 12, 2012

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 12, 2012.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
James M. Catterson
Leland G. DeGrasse
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X

Grand Pacific Finance Corp.,
Plaintiff-Respondent,

-against-

M-2124
Index No. 100018/09

Alexander Ashkenazi, et al.,
Defendants-Respondents,

Amit Louzon,
Successful Bidder/Appellant.

-----X

Appellant Amit Louzon having moved for an order staying the sale of a certain condominium unit located at 251 West 81st Street, New York, New York, pending hearing and determination of the appeal taken from the order of the Supreme Court, New York County, entered on or about March 15, 2012 (mot. seq. no. 004),

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 12, 2012.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
James M. Catterson
Rolando T. Acosta
Helen E. Freedman
Nelson S. Román, Justices.

-----x

Ganesh Singh,
Plaintiff-Respondent,

-against-

BE Bronx Builders, LLC, et al.,
Defendants-Appellants-Respondents,

-and-

M-2538
Index No. 309068/09

L & E 89 Construction, Inc.,
Defendant-Respondent-Appellant,

-and-

Pilato Brothers Plumbing & Hearing Co.,
Inc., et al.,
Defendants.

-----x

An appeal and cross appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about July 8, 2011, and said direct appeal having been perfected,

And defendant-respondent-appellant L & E 89 Construction, Inc. having moved for an enlargement of time to perfect the cross 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 that the interim relief granted by an order of a Justice of this Court dated March 21, 2012, is modified so as to provide that defendant-respondent-appellant shall file a single brief covering both its respondent's points on the direct appeal and its appellant's points on its cross appeal, and its supplemental record on appeal, on or before July 9, 2012 for the September 2012 Term. Plaintiff-respondent is directed to file his

respondents brief in response to the direct appeal and cross appeal on or before August 8, 2012 for said September 2012 Term. Defendants-appellants-respondents BE Bronx Builders, LLC, et al., are directed to file their reply/respondents brief by August 17, 2012 for said Term; and defendant-respondent-appellant L & E 89 Construction Inc., is directed to file its reply brief on or before August 27, 2012 for the September 2012 Term.

ENTER:


CLERK

PM ORDERS
ENTERED ON
JUNE 14, 2012

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 14, 2012.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
James M. Catterson
Karla Moskowitz
Sallie Manzanet-Daniels
Nelson S. Román, Justices.

-----x
Arina Aristova,

Plaintiff-Respondent,

-against-

M-2526
Index No. 311931/10

Michael Derkach,

Defendant-Appellant.
-----x

Defendant-appellant having moved for a stay of trial pending hearing and determination of the appeal from the order of the Supreme Court, New York County, entered on or about May 9, 2012,

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