

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, 2015.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

-----X
In the Matter of

Derick L.,

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

M-2728A
Docket Nos. NN-31802/12
V-04045/13
V-03373/13

- - - - -
Administration for Children's Services,
Petitioner-Respondent,

Catherine W.,
Respondent-Appellant.

- - - - -
Randall Carmel, Esq.,
Attorney for the Child.

-----X

Mina MacFarlane, Esq., trial counsel for the subject child, having moved on the child's behalf for leave to respond, as a poor person, to the appeal from the order of the Family Court, Bronx County, entered on or about September 10, 2014, 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, Randal Carmel, Esq., 53 Jackson Avenue, Syosset, NY 11791, Telephone No. 516-921-8800, 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 that one copy of such brief be served upon the attorney

for respondent-appellant and 8 copies thereof are filed with this Court. This perfected appeal is adjourned to the November 2015 Term. (The order of this Court entered on July 9, 2015 [M-2728] is hereby recalled and vacated.)

ENTER:

A handwritten signature in black ink, appearing to read "Susan R. Jones". The signature is written in a cursive style with a prominent initial "S".

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, 2015.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr., Justices.

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

Evgeny A. F., Docket Nos. V-27137/09
Petitioner-Appellant-Respondent, V-50162/09

-against-

Inessa B.,
Respondent-Respondent-Appellant.

Steven N. Feinman, Esq.,
Attorney for Subject Child.

-----X

Simon Turkel, Esq., Family Court attorney for the subject child, having moved on said child's behalf for leave to respond, as a poor person, to the appeal and cross appeal from the Final Order of the Family Court, New York County, entered on or about January 30, 2015, 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 appointing, pursuant to 22 NYCRR 36, Steven N. Feinman, Esq., One North Broadway, Suite #412, White Plains, NY 10601, Telephone No. (914)-949-8214, as counsel for the child for purposes of responding to the appeal and cross appeal. (The order of this Court entered on July 2, 2015 [M-1778] is hereby recalled and vacated.)

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 14, 2015.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
Angela M. Mazzarelli
Rolando T. Acosta
Darcel D. Clark
Barbara R. Kapnick, Justices.

-----X

In the Matter of a Support Proceeding
Under Article 4 of the Family Court
Act.

M-1708

Docket No. F-46708/14

Anna Y.,
Petitioner,

-against-

Alexander S.,
Respondent.

-----X

An order of the Family Court, New York County, having been entered on or about March 12, 2015,

And petitioner having moved for leave to appeal to this Court from the aforesaid order, and for stay of an impending support hearing pending hearing and determination of said 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, to the extent it seeks leave to appeal to this Court, is granted. So much of the motion which seeks the stay of the support hearing in Family Court, New York County, 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 July 14, 2015.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
John W. Sweeny, Jr.
Dianne T. Renwick
David B. Saxe
Paul G. Feinman, Justices.

-----X
Lassana Kenneh, et al.,
Plaintiffs-Respondents,

-against-

M-2451
Index No. 300630/13

Jey Livery Service, et al.,
Defendants-Appellants.
-----X

Defendants-appellants having moved for a stay of trial pending hearing and determination of the appeal taken from the order of the Supreme Court, Bronx County, entered on or about February 3, 2015, 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 staying the trial pending hearing and determination of the aforesaid appeal 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 July 14, 2015.

PRESENT - Hon. Peter Tom, Justice Presiding,
Rolando T. Acosta
Richard T. Andrias
Karla Moskowitz
Darcel D. Clark, Justices.

-----X
In the Matter of

Rita Fisher,
Petitioner-Appellant,

-against-

M-2498
Index No. 101665/13

Darryl C. Townes,
Respondent-Respondent.

-----X

Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about June 24, 2014, and for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, for an enlargement of time to perfect the appeal, and for other relief,

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

It is ordered that the motion is granted to the extent of 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 attorney for respondent and file 8 copies of such brief, together with the original record, with this Court on or before August 10, 2015 for the October 2015 Term. 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 July 14, 2015.

Present: Hon. Peter Tom, Justice Presiding,
John W. Sweeny, Jr.
Karla Moskowitz
Rosalyn H. Richter, Justices.

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

-against-

M-1705

Docket No. 2010BX074092

Jason Martinez,
Defendant-Appellant.

-----X

An appeal from a judgment of the Supreme Court, Bronx County, rendered on or about June 26, 2013, having been taken to the Appellate Term of the Supreme Court, First Department,

And defendant having moved for leave to prosecute said appeal in this Court, as a poor person, 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 in this Court on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The court reporter shall promptly make and file with the criminal court (CPL §460.70) two transcripts of the stenographic minutes of any proceedings pursuant to CPL §210.20, Arts. 710 and 730, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Seymour W. James, Jr., Esq., Legal Aid Society, 199 Water Street, 5th Floor, New York, New York 10004, 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 July 14, 2015.

PRESENT: Hon. Peter Tom, Justice Presiding,
Dianne T. Renwick
Karla Moskowitz
Sallie Manzanet-Daniels
Paul G. Feinman, Justices.

-----X
The People of the State of New York
ex rel. Richard Meyers,
Petitioner-Appellant,

-against-

Warden, Riker's Island,
Respondent-Respondent.

M-2387
Index No. 100401/15
Ind. No. 1184/14

-----X

Petitioner, pro se, having moved for leave to prosecute, as a poor person, the appeal from an order of the Supreme Court, New York County, entered on or about April 1, 2015, 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 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 serve 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 July 14, 2015.

PRESENT: Hon. Peter Tom, Justice Presiding,
Dianne T. Renwick
Karla Moskowitz
Sallie Manzanet-Daniels
Paul G. Feinman, Justices.

-----X
Coast to Coast Energy, Inc., et al.,
Plaintiffs-Appellants,

Margaret M. Spence, et al.,
Plaintiffs,

-against-

M-2419
Index No. 651670/10

Mark Gasarch, et al.,
Defendants-Respondents.

-----X

Plaintiffs-appellants having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, New York County, entered on or about July 24, 2014 (mot. seq. no. 019),

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the October 2015 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, 2015.

PRESENT: Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
Paul G. Feinman
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X
M.S., by her Parents, Nicole S.
and Daniel S.,
Plaintiffs-Respondents,

-against-

M-2410
Index No. 21252/05

Ashlesha Dayal, M.D., et al.,
Defendants-Appellants.

-----X

Defendants-appellants having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, Bronx County, entered on or about August 6, 2014,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the November 2015 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, 2015.

PRESENT: Hon. Peter Tom, Justice Presiding,
Rolando T. Acosta
Richard T. Andrias
Karla Moskowitz
Darcel D. Clark, Justices.

-----X
Skyline Steel, LLC,
Petitioner-Appellant,

-against-

M-2365
Index No. 650531/15

Pilepro LLC, et al.,
Respondents-Respondents.
-----X

Petitioner-appellant having moved for an order staying arbitration in the above-entitled action pending hearing and determination of an appeal purportedly taken from the order of the Supreme Court, New York County, entered on or about April 15, 2015,

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 July 14, 2015.

PRESENT: Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
Paul G. Feinman
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X
Verlene Gause,
Plaintiff-Respondent,

-against-

M-2483
Index No. 303876/12

2405 Marion Corp. and Rosario Marino,
Defendants-Appellants.

-----X

Defendants-appellants having moved for a stay of all proceedings pending hearing and determination of the appeal taken from the order of the Supreme Court, Bronx County, entered on or about April 10, 2015,

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 July 14, 2015.

PRESENT - Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
David B. Saxe
Leland G. DeGrasse
Barbara R. Kapnick, Justices.

-----X

Douglas L. Leight, et al.,
Plaintiffs-Respondents,

-against-

M-2671
Index No. 104686/11

W7879 LLC, et al.,
Defendants-Appellants.

-----X

Plaintiffs-respondents having moved for reargument of or, in the alternative, leave to appeal to the Court of Appeals from the decision and order of this Court entered on May 5, 2015 (Appeal No. 15000),

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

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

"Was the order of Supreme Court, as reversed by this Court, properly made?"

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

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, 2015.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Rolando T. Acosta
Dianne T. Renwick
Richard T. Andrias, Justices.

-----X

In the Matter of a Proceeding for Custody and/or Visitation Under Article 6 of the Family Court Act.

- - - - -

Lisette R.,
Petitioner-Appellant,

M-2724
Docket Nos. V-20216-7/13
V-20316-7/13

-against-

Coral T. C. and Joan A.S.,
Respondents-Respondents,

Shirim Nothenberg, Esq.,
Lawyers for Children,
Attorney for the Children Leryangies
T. and Ashley S.

-----X

Appeals having been taken from an order of the Family Court, New York County, entered on or about May 15, 2014,

And petitioner-appellant having moved to withdraw the aforesaid appeals,

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

Ordered that the motion is granted and the appeals 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 July 14, 2015.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Rolando T. Acosta
Dianne T. Renwick
Richard T. Andrias, Justices.

-----X
In the Matter of the Application of
Lisette Mercedes Navaez,
Petitioner-Appellant,

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

M-2465
Index No. 101629/13

-against-

New York City Housing Authority,
Defendant-Respondent.
-----X

Defendant-respondent having moved for dismissal of the appeal taken from an order of the Supreme Court, New York County, entered on or about June 25, 2014, for failure to timely perfect,

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 dismissed.

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, 2015.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Rolando T. Acosta
Richard T. Andrias, Justices.

-----X
Paul Barnes,
Plaintiff-Appellant,

-against-

M-2585
Index No. 106057/08

Jewish Association Foundation,
Defendant-Respondent.
-----X

Defendant-respondent having moved for dismissal of the appeal taken from an order of the Supreme Court, New York County, entered on or about May 2, 2014, for failure to timely perfect,

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 dismissed.

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, 2015.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Rolando T. Acosta
Dianne T. Renwick
Richard T. Andrias, Justices.

-----X

GCS Software, LLC,

Plaintiff-Respondent,

-against-

M-2739

Index No. 111614/11

Spira Footwear, Inc.,

Defendant-Appellant.

-----X

Plaintiff-respondent having moved for dismissal of the appeal taken from an order of the Supreme Court, New York County, entered on or about September 20, 2013, for failure to timely perfect,

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 dismissed.

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, 2015.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
Rosalyn H. Richter
Darcel D. Clark, Justices.

-----x

The People of the State of New York,

Respondent,

-against-

M-2604
Ind. No. 5583/03

Oscar Santos,

Defendant-Appellant.

-----x

An order of this Court having been entered on December 3, 2013 (M-4718), inter alia, granting defendant's motion for leave to appeal to this Court from an order of the Supreme Court, New York County, entered on or about August 1, 2013,

And defendant-appellant having moved for leave to file a late notice of appeal or, in the alternative, to deem the motion papers for same as a timely filed notice of 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 deeming the moving papers a timely filed notice of appeal.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 14, 2015.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Rolando T. Acosta
Richard T. Andrias, Justices.

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

-against-

M-2713
Ind. No. 2761/13

Chukwidike Enemuo,
Defendant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from a judgment of the Supreme Court, Bronx County, rendered on or about February 14, 2014,

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 July 14, 2015.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Rolando T. Acosta
Dianne T. Renwick
Richard T. Andrias, Justices.

-----X

In the Matter of the Application of
Susan Crawford and Anjali Dalal,
Petitioners-Appellants,

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

SEALED

M-2716

M-2976

Index No. 104275/12

-against-

New York City Department of Information
Technology and Telecommunications,
Respondent-Respondent.

-----X

An appeal having been taken from an order and judgment (one paper) of the Supreme Court, New York County, entered on or about March 27, 2014, and said appeal having been perfected,

And respondent-respondent having moved for dismissal of the aforesaid appeal (M-2716),

And petitioner-appellant having cross-moved for leave to appeal a certain sealing order (M-2976),

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

It is ordered that the motion for dismissal of the appeal is denied, without prejudice to raising issues in respondent's brief (M-2716). The cross-motion is denied as moot (M-2976).

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, 2015.

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

-----X
NYCTL 2011-A Trust and the Bank of
New York Mellon, as Collateral-Agent
and Custodian,
Plaintiff,

-against-

M-1862

M-1888

Da'Jue Properties Inc.,
Defendant-Respondent,

Index No. 304621/12

New York City Transit Authority
Transit Adjudication Bureau, et al.,
Defendants,

Fay Capital Corp.,
Non-Party Appellant.

-----X

An appeal having been taken from two orders of the Supreme Court, Bronx County, both entered on or about January 15, 2015, and said appeal having been perfected,

And non-party appellant having moved for a preliminary appellate injunction, staying defendant-respondent and plaintiff from taking certain actions with respect to the subject property (M-1862),

And defendant-respondent having moved to dismiss the aforesaid appeal, or alternatively, to enlarge the record on appeal (M-1888),

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

Ordered that non-party appellant's motion is granted, to the extent set forth in appellant's notice of motion (M-1862). Defendant-respondent's motion, to the extent it seeks dismissal of the appeal is denied, without prejudice to raising the issue of mootness on appeal. So much of defendant-respondent's seeking an enlargement of the record on appeal is denied (M-1888).

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, 2015.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Rolando T. Acosta
Dianne T. Renwick
Richard T. Andrias, Justices.

-----X
The People of the State of New York
ex rel. Johnny Mason,
Petitioner-Appellant,

-against-

M-2727
Index No. 100609/15

Warden, Karen Collins, Riker's Island,
Respondent-Respondent.
-----X

Petitioner-appellant, pro se, having moved for leave to prosecute, as a poor person, the appeal from an order of the Supreme Court, New York County, entered on or about April 28, 2015, which dismissed a habeas corpus proceeding, 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 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 serve 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 July 14, 2015.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
Leland G. DeGrasse
Sallie Manzanet-Daniels
Paul G. Feinman
Judith J. Gische, Justices.

-----X
Adrienne Faye Saunders,
Plaintiff-Respondent,

-against-

Richard Mark Guberman,
Defendant.

M-548
Index No. 350015/12

- - - - -
Advocate & Lichtenstein, LLP,
Non-Party Appellant.
-----X

Non-party appellant having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on January 6, 2015 (Appeal Nos. 13896N-13897N),

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

It is ordered that the motion, to the extent it seeks reargument, is granted and upon reargument, the decision and order of this Court entered on January 6, 2015 (Appeal Nos. 13896N-13897N) is recalled and vacated and a new decision and order substituted therefor. (See Appeal Nos. 13896N-13897N, decided simultaneously herewith.) The motion, to the extent it seeks leave to appeal to the Court of Appeals, 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 July 14, 2015.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
Leland G. DeGrasse
Darcel D. Clark, Justices.

-----X
Robert E. Wilson, III,
Plaintiff-Appellant,

-against-

M-2434

Index No. 650915/12

Daniel Valente Dantas, et al.,
Defendants-Respondents,

Opportunity Equity Partners, L.P.,
et al.,
Defendants.

-----X

Defendants-respondents having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on April 14, 2015 (Appeal No. 13412N),

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 this Court, pursuant to CPLR 5713, certifies that the following question of law, decisive of the correctness of its determination, has arisen, which in its opinion ought to be reviewed by the Court of Appeals:

"Was the order of Supreme Court, as modified, and otherwise affirmed by this Court, properly made?"

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

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, 2015.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Dianne T. Renwick
Barbara R. Kapnick, Justices.

-----X
Michael Flomenhaft,
Plaintiff-Appellant,

-against-

M-2556
Index No. 156597/13

Andrew G. Finkelstein, et al.,
Defendants-Respondents.
-----X

Plaintiff-appellant having moved for reargument of or, in the alternative, leave to appeal to the Court of Appeals from the decision and order of this Court entered on April 28, 2015 (Appeal No. 14237),

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 July 14, 2015.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Rolando T. Acosta
Dianne T. Renwick
Richard T. Andrias, Justices.

-----X

Koya Abe,
Plaintiff-Appellant,

-against-

M-2802
Index No. 105985/10

New York University, et al.,
Defendants-Respondents.

-----X

An appeal having been taken from orders of the Supreme Court, New York County, entered on or about February 3, 2015 and April 9, 2015, respectively,

And plaintiff-appellant having moved to stay execution of the aforesaid orders pending hearing and determination of the appeal taken therefrom,

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

It is ordered that the motion is denied and the interim relief granted by an order of a Justice of this Court, dated June 12, 2015, is hereby vacated.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 14, 2015.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Rolando T. Acosta
Dianne T. Renwick
Richard T. Andrias, Justices.

-----X
Citibank, N.A.,

Plaintiff-Respondent,

-against-

M-2827

Index No. 650691/15

Bombshell Taxi LLC, et al.,
Defendants-Appellants,

-and-

New York City Taxi and Limousine
Commission,
Defendant.

-----X

Defendants-appellants having moved for a stay of all proceedings pending hearing and determination of the appeal taken from the orders of the Supreme Court, New York County, entered on or about June 12, 2015,

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 staying endorsement of the order in discretion of the Court upon a posting by defendants of an undertaking in the amount of \$50 million, and on further condition defendants-appellants perfect their appeal for the November 2015 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, 2015.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Rolando T. Acosta
Dianne T. Renwick
Richard T. Andrias, Justices.

-----X
Cornwall Management Ltd. and Oleg
Soloviev,
Plaintiffs-Respondents,

-against-

M-2746
Index No. 653675/13

Peter Kamolin, et al.,
Defendants,

-and-

Abraham Bennun, et al.,
Defendants-Appellants.

-----X

Defendants-appellants having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, New York County, entered on or about August 11, 2014,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the October 2015 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, 2015.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
David B. Saxe
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X
Mauricio Fernholz and Carla Arellano,
Plaintiffs-Respondents,

-against-

M-2613
Index No. 106980/11

Craig Hart, et al.,
Defendants-Appellants.

-----X

Defendant-appellant The Board of Managers of the Washington Irving Condominium having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, New York County, entered on or about July 25, 2014,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the October 2015 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, 2015.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Rolando T. Acosta
Dianne T. Renwick
Richard T. Andrias, Justices.

-----X
Ivana Polini,
Plaintiff-Respondent,

-against-

M-2535
Index No. 107572/11

Schindler Elevator Corporation
and Palace 43 LLC,
Defendants-Appellants.

-----X

Defendant-appellant Schindler Elevator Corporation having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, New York County, entered on or about July 29, 2014,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the October 2015 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, 2015.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Rolando T. Acosta
Dianne T. Renwick
Richard T. Andrias, Justices.

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

-against-

M-2220
Ind. No. 700/00

Claudio Concepcion,
Defendant-Appellant.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about March 4, 2014,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the November 2015 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, 2015.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Rolando T. Acosta
Dianne T. Renwick
Richard T. Andrias, Justices.

-----X
Maricela Jorge Corniel,
Plaintiff-Respondent,

-against-

M-2678
Index No. 21145/11

Eliav Michael Abbott,
Defendant-Respondent,

Frito-Lay, Inc. et al.,
Defendants-Appellants.

-----X

Defendants-appellants having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, Bronx County, entered on or about July 25, 2014,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the November 2015 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, 2015.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Rolando T. Acosta
Dianne T. Renwick
Richard T. Andrias, Justices.

-----X
Remediation Capital Funding LLC,
Plaintiff-Appellant,

-against-

M-2726
Index No. 652491/11

Paul J. Noto,
Defendant-Respondent,

-and-

Michal Attia, et al.,
Defendants.

-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, New York County, entered on or about August 11, 2014,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the November 2015 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, 2015.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Rolando T. Acosta
Dianne T. Renwick
Richard T. Andrias, Justices.

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

David B.,
Petitioner-Respondent,

-against-

CONFIDENTIAL

M-2937
Docket Nos. V-15743-10/13E
V-15744-10/13E
V-15743-10/13F
V-15744-10/13F

Katherine G.,
Respondent-Appellant.

Randall Carmel, Esq.,
Attorney for the Children.

-----X
Appeals having been taken from an order of the Family Court, New York County, entered on or about January 23, 2015,

And respondent-appellant mother having moved for an enlargement of time to perfect her 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 to perfect respondent-appellant's appeal to the November 2015 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, 2015.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Rolando T. Acosta
Richard T. Andrias, Justices.

-----X
In the Matter of the Application of
Ernest West,
Petitioner-Respondent,

-against-

M-2750
Index No. 250077/14

Tina Stanford, Chairperson,
New York State Division of Parole,
Respondent-Appellant.

-----X

Respondent-appellant having moved for an enlargement of time to perfect the appeal from an order and judgment (one paper) of the Supreme Court, Bronx County, entered on or about September 11, 2014,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the November 2015 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, 2015.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Rolando T. Acosta
Dianne T. Renwick
Richard T. Andrias, Justices.

-----X
Cortlandt Street Recovery Corp.,
Plaintiff-Appellant,

-against-

M-2950
Index No. 651693/10

Hellas Telecommunications, S.ã.r.l.,
et al.,
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for an order enlarging the time to perfect the appeals from orders of the Supreme Court, New York County, entered on or about September 17, 2014,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeals to the November 2015 Term. The appeals are, sua sponte, consolidated and appellants are permitted to prosecute the consolidated appeals upon 9 copies of one record and one copy of appellant's 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 July 14, 2015.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
David B. Saxe
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X
Fortress Value Recovery Fund I, LLC,

Plaintiff-Appellant,

-against-

Greg L. Rhodes, et al.,

Defendants-Respondents.
-----X

M-2738
Index No. 601118/07

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, New York County, entered on or about August 27, 2014,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the November 2015 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, 2015.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Rolando T. Acosta
Dianne T. Renwick
Richard T. Andrias, Justices.

-----X
260 Apartments Corp.,
Respondent-Appellant,

-against-

M-2748
Index No. 101135/13

Barrie Aguirre, as Executrix of
the Estate of Florence Weinbaum,
Petitioner-Respondent.

-----X

Respondent-appellant having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, New York County, entered on or about September 15, 2014,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to on or before October 5, 2015 for the December 2015 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, 2015.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Rolando T. Acosta
Dianne T. Renwick
Richard T. Andrias, Justices.

-----X
Mary Anne Fletcher,
Plaintiff-Appellant,

-against-

M-2849
Index No. 114698/07

Boise, Schiller & Flexner LLP, et al.,
Defendants-Respondents.

-----X

Separate appeals having been taken from the order of the Supreme Court, New York County, entered on or about September 26, 2013 and from the judgment of the same Court, entered on or about August 25, 2014,

And an order of this Court having been entered on February 26, 2015 (M-6115) having consolidated the aforesaid appeals,

And the parties having stipulated, by letter dated May 28, 2015, to an enlargement of time to perfect the consolidated appeals upon defendants' request,

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

Ordered that the motion is granted to the extent of enlarging the time to perfect the consolidated appeals to the December 2015 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, 2015.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Rolando T. Acosta
Dianne T. Renwick
Richard T. Andrias, Justices.

-----X

Quirino Madia, et al.,
Plaintiffs-Respondents,

-against-

M-2897

Index No. 301718/13

CBS Corporation, et al.,
Defendants-Appellants.

-----X

Defendants-appellants having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, Bronx County, entered on or about August 18, 2014,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to on or before October 5, 2015 for the December 2015 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, 2015.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Rolando T. Acosta
Dianne T. Renwick
Richard T. Andrias, Justices.

-----X
Ephraim Kutner,
Plaintiff-Respondent,

-against-

M-2905
Index No. 652210/13

Greystone Funding Corporation
and Stephen Rosenberg,
Defendants-Appellants.

-----X
Greystone Funding Corporaton,
Third-Party Plaintiff-Appellant,

-against-

Yonasan Kutner, also known as Jonathan
Kutner, et al.,
Third-Party Defendants.

-----X

Appellants having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, New York County, entered on or about September 5, 2014,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the January 2016 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, 2015.

PRESENT: Hon. David Friedman, Justice Presiding,
Richard T. Andrias
David B. Saxe
Rosalyn H. Richter
Judith J. Gische, Justices.

-----X
JPMorgan Chase Bank, N.A.,
Plaintiff-Respondent,

-against-

Wein Reis Family Trust, et al.,
Defendants-Appellants.

-----X

M-2284
Index No. 102007/09

Plaintiff-respondent having moved for dismissal of the appeal taken from an order of the Supreme Court, New York County, entered on or about April 4, 2014,

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 dismissed.

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, 2015.

Present: Hon. David Friedman, Justice Presiding,
Richard T. Andrias
David B. Saxe
Rosalyn H. Richter
Judith J. Gische, Justices.

-----X
Tribeca Lending Corp.,
Plaintiff-Respondent,

-against-

M-2303

Index No. 105275/07

Gregory M. Bartlett, formerly known
as Gregory Hill,
Defendant-Appellant,

NYS Department of Taxation & Finance,
et al.,
Defendants.

-----X

An appeal having been taken from orders of the Supreme Court, New York County, entered on or about June 5, 2013, April 14, 2014 and May 6, 2014, respectively,

And plaintiff-respondent having moved to dismiss the aforesaid appeal, and for imposition of costs and sanctions,

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 dismissed. So much of the motion which seeks costs and sanctions 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 July 14, 2015.

Present: Hon. David Friedman, Justice Presiding,
Rolando T. Acosta
David B. Saxe
Sallie Manzanet-Daniels
Judith J. Gische, Justices.

-----X
Osqugama F. Swezey, et al.,
Petitioners-Respondents,

-against-

M-2636

Merrill Lynch, Pierce, Fenner & Smith
Inc.,
Respondent-Respondent,

Index No. 155600/13

New York City Department of Finance,
Respondent,

Philippine National Bank, et al.,
Intervenors-Appellants.

- - - - -
The United State of America,
Amicus Curiae.

-----X

An order of this Court having been entered on May 12, 2015 (M-947) denying petitioners-respondents' motion to vacate the stay re-imposed by the decision and order of this Court entered on November 18, 2014 (Appeal No. 13525),

And petitioners-respondents having renewed their motion to vacate the aforesaid stay,

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 July 14, 2015.

PRESENT - Hon. David Friedman, Justice Presiding,
Richard T. Andrias
David B. Saxe
Rosalyn H. Richter
Judith J. Gische, Justices.

-----X
In the Matter of

Angie O.,

A Child Under 18 Years of Age Alleged to be Neglected Under Article 10 of the Family Court Act.

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

Maria C.,
Respondent-Appellant.

M-2482
Docket No. NN-34022/12

- - - - -
Seymour W. James, Jr., Esq.,
The Legal Aid Society,
Juvenile Rights Division,
Attorney for the Child.

-----X

Respondent-appellant having moved for an enlargement of time to perfect the appeal from the order of the Family Court, New York County, entered on or about July 24, 2014,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the October 2015 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, 2015.

PRESENT - Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
David B. Saxe
Sallie Manzanet-Daniels
Judith J. Gische, Justices.

-----X
GEM Holdco, LLC,
Plaintiff-Appellant-Respondent,

-against-

M-2267
Index No. 650841/13

Changing World Technologies, L.P.,
et al.,
Defendants,

CWT Canada II Limited Partnership,
et al.,
Defendants-Respondents-Appellants.

-----X

Defendants-respondents-appellants having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on April 23, 2015 (Appeal No. 14522),

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 - April 5, 2018

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, 2015.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Richard T. Andrias
Karla Moskowitz
Judith J. Gische, Justices.

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

-against-

Jamel Santiago,
Defendant-Appellant.

M-1607
M-1717
Ind. No. 1886/12

-----X

An appeal having been taken from the judgment of the Supreme Court, Bronx County, rendered on or about December 11, 2014,

And an order of a Justice of this Court, dated December 14, 2014, inter alia, having granted defendant bail and a stay of execution of the aforesaid judgment for 120 days upon certain conditions,

And the People having moved to remit to Supreme Court, for the execution of the judgment, and defendant having cross moved for the reinstatement and extension of the December 14, 2014 stay, and for poor person's 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 People's motion to remit to Supreme Court for execution of sentence is denied; and

It is further ordered that the cross motion is granted to the extent that the stay of execution of the aforesaid judgment is reinstated upon the same terms and conditions as stated in the order of a Justice of this Court dated December 14, 2014, and upon further condition that defendant perfects the aforesaid appeal for the January 2016 Term. Upon failure to comply with the foregoing conditions within the time specified, defendant shall surrender himself to Supreme Court, Bronx County for the execution of the judgment,

CORRECTED ORDER - April 5, 2018

(M-1607/M-1717)

-2-

July 14, 2015

It is further ordered that defendant's application for poor person relief is granted to the extent of allowing 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 attorney for respondent and files 8 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) one transcript 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.

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 10, 2015.

Present - Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
Paul G. Feinman
Judith J. Gische
Barbara R. Kapnick, Justices.

-----x
United States Fidelity & Guaranty
Company and St. Paul Fire & Marine
Insurance Company,
Plaintiffs-Respondents,

-against-

M-2662
Index No. 604517/02

American Re-Insurance Company,
Defendant-Appellant,

-and-

ACE Property and Casualty Insurance
Company and Century Indemnity Company,
Defendants-Appellants.
-----x

Separate appeals having been taken to this Court by the above-said defendants from the order of the Supreme Court, New York County, entered on or about June 3, 2015 (mot. seq. no. 036),

And defendants-appellants having jointly moved for a stay of all proceedings pending hearing and determination of the aforesaid appeals,

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

It is ordered that the motion is granted on condition that the appeals are perfected for the November 2015 Term, with no further enlargements to be granted.

ENTER:


CLERK

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

BEFORE: Hon. Richard T. Andrias
Justice of the Appellate Division

-----X
Pelham Bay Owners Corp.,
Plaintiff,

M-6068
Index. No. 23095/2013E

- against -

CERTIFICATE
DENYING LEAVE

Sandy Adelsberg, et al.

Defendant.

-----X
Middletown Ave, et al.,

Petitioners,

Index No. 260034/14

-against-

James Spameni, et al.,

Respondents,

Harrin Platzner and Platzner
International Group, Ltd.,

Respondent-Movants.

-----X

Respondent Harrin Platzner and Platzner International Group Ltd. having moved, pursuant to 5701(c), for leave to appeal from an order of the Supreme Court, New York County (John A. Barone, J.) entered on or about November 19, 2014, 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, to the extent it seeks leave to appeal, is denied. The remainder of the motion is denied as

academic (movant's application for a stay deemed withdrawn in accordance with the affidavit of John Kolbrenner dated June 26, 2015).


Justice of the Appellate Division

Dated: July 1, 2015
New York, New York

ENTERED: JUL 14 2015

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

BEFORE: Hon. Rosalyn H. Richter
Justice of the Appellate Division

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

M-1801
Ind. No. 3906/11
5118/11

-against-

CERTIFICATE
DENYING LEAVE

Jai David Ortiz,

Defendant.

-----X

I, Rosalyn H. Richter, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon the application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, entered on or about March 20, 2015, is hereby denied.



Hon. Rosalyn H. Richter

Dated: June 24, 2015
New York, New York

ENTERED: JUL 14 2015