

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 6, 2016.

PRESENT: Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Paul G. Feinman
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X
Wilfredo Lorenzo,
Plaintiff,

-against-

M-5043
Index No. 24436/05

343 LLC, Alisa Construction Co., Inc.,
Eliou Steel Fabrication, Inc., Siegel
Bros. Supply Co., Inc., and Shaw
Belting Co., Inc.,
Defendants-Appellants.

-----X
343 LLC and Alisa Construction Co., Inc.,
Third-Party Plaintiffs,

Third-Party
Index No. 852748/06

-against-

Ebenezer Construction Inc.,
Third-Party Defendant.

-----X
Eliou Steel Fabrication, Inc.,
Second Third-Party Plaintiff,

-against-

Second Third-Party
Index No. 85331/06

Ebenezer Construction Inc., Siegel Bros.
Supply Co., Inc. and Shaw Belting Co.,
Inc.,
Second Third-Party Defendants.

-----X
Shaw Belting Co., Inc.,
Third Third-Party Plaintiff,

-against-

Third Third-Party
Index No. 83981/08

Southern Weaving Co.,
Third Third-Party Defendant.

-----X

-----X

Shaw Belting Co., Inc.,
Fourth Third-Party Plaintiff,

-against-

Fourth Third-Party
Index No. 84140/08

Kemper Corporation,
Fourth Third-Party Defendant.

-----X

Shaw Belting Co., Inc. & Siegel Bros.
Supply Co., Inc.
Fifth Third-Party Plaintiffs,

-against-

Ebenezer Construction, Inc.,
Fifth Third-Party Defendant.

-----X

Defendants-appellants Siegel Bros. Supply Co., Inc. and Shaw Belting Co., Inc. having moved for an enlargement of time to perfect their appeal from an order of the Supreme Court, Bronx County, entered on or about October 19, 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 enlarging the time to perfect the appeal to the April 2017 Term.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the first Judicial Department in the County of New York on December 6, 2016.

PRESENT - Hon. David Friedman,
Richard T. Andrias
Karla Moskowitz
Judith J. Gische
Ellen Gesmer,

Justice Presiding,

Justices.

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

-against-

CONFIDENTIAL

M-4659

Ind. No. 4722/15

Dever Campbell,
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 April 8, 2016, 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 8 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) 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.

Seymour W. James, Jr., Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. (212) 577-3688, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 6, 2016.

PRESENT - Hon. David Friedman, Justice Presiding,
Richard T. Andrias
Karla Moskowitz
Judith J. Gische
Ellen Gesmer, Justices.

-----X

The People of the State of New York,

Respondent,

-against-

M-4633

Ind. No. 5858/14

Charles Barton,

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 23, 2016, 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 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 December 6, 2016.

PRESENT: Hon. David Friedman, Justice Presiding,
Richard T. Andrias
Karla Moskowitz
Judith J. Gische
Ellen Gesmer, Justices.

-----X
Barbara Oldham and David Oldham,
Plaintiffs-Appellants,

-against-

M-4695
Index No. 150578/13

The City of New York, 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 March 4, 2016,

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

It is ordered that the motion is denied, as premature.
(See Rule 600.11[a][3]).

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 6, 2016.

Present:	Hon. David Friedman,	Justice Presiding,
	Richard T. Andrias	
	Karla Moskowitz	
	Judith J. Gische	
	Ellen Gesmer,	Justices.

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

-against-

M-4880
Ind. No. 5251/07

Wayne Hunter,
Defendant.

-----X

Defendant having moved for an enlargement of time to file a notice of appeal taken from an order of the Supreme Court, New York County, entered on or about March 31, 2016,

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 appeal is dismissed (CPL Sections 450.10 and 450.15).

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme
Court held in and for the First Judicial Department
in the County of New York on December 6, 2016.

PRESENT: Hon. David Friedman, Justice Presiding,
Richard T. Andrias
Karla Moskowitz
Judith J. Gische
Ellen Gesmer, Justices.

-----X

In the Matter of the Application of
Quanisha Smith and Anthony Colavecchio,
individually and on behalf of all others
similarly situated,

Plaintiffs-Respondents,

M-4887

Index No. 400903/10

For a Judgment Pursuant to Article 78
and Section 3001 of the Civil Practice
Law and Rules,

-against-

Kristin M. Proud, as Commissioner of the
New York State Office of Temporary and
Disability Assistance, and Robert Doar,
as Commissioner of the New York City
Human Resources Administration,
Defendants-Appellants.

-----X

Appeals having been taken from orders of the Supreme Court,
New York County, entered on or about August 15, 2013 and
April 28, 2015, respectively,

And an order of this Court having been entered on May 19,
2016 (M-1402), consolidating appeals taken by defendant-appellant
Robert Doar, as Commissioner of the New York City Human Resources
Administration from orders of the Supreme Court, New York County,
entered on or about August 15, 2013 and April 28, 2015,

And the State defendant having moved for an enlargement of
time to perfect the 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 to perfect the consolidated appeals to the May 2017 Term.

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 December 6, 2016.

PRESENT: Hon. David Friedman,	Justice Presiding,
Richard T. Andrias	
Karla Moskowitz	
Judith J. Gische	
Ellen Gesmer,	Justices.

-----X
Othilda Wynter, as Administratrix
of the Estate of Clifton Wynter and
Othilda Wynter,

Plaintiff-Appellant,	M-4491
	M-4847
-against-	M-4499
	M-5035
Our Lady of Mercy Medical Center,	M-5050
et al.,	Index No. 23492/91

Defendants-Respondents.
-----X

Plaintiff-appellant having moved for an enlargement of time
to perfect the appeal from the order of the Supreme Court, Bronx
County, entered on or about August 6, 2015 (M-4491),

And defendants-respondents Our Lady of Mercy Medical Center,
Patricia Scanlon, M.D., and Jerry Balentine, M.D. having cross-
moved to dismiss the appeal (M-4847),

And defendant-respondent Stephen Weitz, M.D., having cross-
moved for an order dismissing the appeal (M-4899),

And plaintiff-appellant having cross-moved for an order
deeming the appeal from the order entered August 6, 2015 to be a
timely filed appeal from the subsequent judgment entered
September 15, 2015 in which the order was subsumed (M-5035),

And defendant-respondent New York City Health and Hospitals
Corporation having cross-moved for an order dismissing the appeal
(M-5050),

December 6, 2016

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

It is ordered that the motion and cross motion by plaintiff-appellant are granted to the extent of deeming plaintiff's notice of appeal from the August 6, 2015 order to be from the three judgments entered on or about September 15, 2015 and September 24, 2015, and enlarging the time to perfect the appeal to the May 2017 Term (M-4491/M-5035).

The cross motions are granted to the extent of dismissing the appeal unless plaintiff perfects for said May 2017 Term (M-4847/M-4899/M-5050).

ENTER:

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

CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 6, 2016.

Present - Hon. David Friedman,
Richard T. Andrias
David B. Saxe
Paul G. Feinman
Marcy L. Kahn,

Justice Presiding,

Justices.

-----x

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

- - - - -
Doris F.,
Petitioner-Respondent,

CONFIDENTIAL

M-4516
Docket No. O-46635/14

-against-

Ari T.,
Respondent-Appellant.

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

- - - - -
Ari T.,
Petitioner-Appellant,

Docket No. O-32708/15

-against-

Doris F.,
Respondent-Respondent.

-----x

Appeals having been taken to this Court by appellant Ari T. from orders of the Supreme Court, New York County, both entered on or about November 17, 2015,

And appellant Ari T. having moved for consolidation of the aforesaid appeals,

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

It is ordered that the motion is granted to the extent of permitting appellant to prosecute the consolidated appeal upon 9 copies of one record and one set of appellant's points

covering the consolidated appeal. The attention of the parties is directed to 22 NYCRR § 600.11. The time to perfect the consolidated appeal is enlarged to on or before January 3, 2017 for the March 2017 Term.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 6, 2016.

Present - Hon. David Friedman, Justice Presiding,
David B. Saxe
Rosalyn H. Richter
Judith J. Gische
Barbara R. Kapnick, Justices.

-----x

Steven Lefkoski,
Plaintiff-Respondent,

-against-

M-4503
Index No. 158143/13

Hot Potato, LLC., et al.,
Defendants-Respondents,

-and-

296 Sandwich, LLC,
Defendant-Appellant.

- - - - -

[And a third-party action]

-----x

Defendant-appellant 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 October 27, 2015,

Now, upon reading and filing the papers with respect to the motion, and the stipulation of the parties dated October 28, 2016, and due deliberation having been had thereon,

It is ordered that the motion and appeal 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 December 6, 2016.

PRESENT - Hon. John W. Sweeny, Jr., Justice Presiding,
Rolando T. Acosta
Richard T. Andrias
Sallie Manzanet-Daniels
Troy K. Webber, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-4711
Ind. No. 3088/15

Jaylene Nieves,
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 8, 2016, 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 8 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) one transcript 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,
120 Wall Street, 28th Floor, New York, New York 10005, 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 December 6, 2016.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Rolando T. Acosta
Richard T. Andrias
Sallie Manzanet-Daniels
Troy K. Webber, Justices.

-----X
In the matter of the Application of
George McClain,
Petitioner-Appellant,

For a Judgment Pursuant to Article 78 M-4879
of the Civil Practice Law and Rules, Index No. 101414/15

-against-

New York City Police Department,
Respondent-Respondent.
-----X

Petitioner-appellant, pro se, having moved for leave to prosecute, as a poor person, the appeal from an order and judgment (one paper) of the Supreme Court, New York County, entered on or about June 2, 2016, 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 December 6, 2016.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Rolando T. Acosta
Richard T. Andrias
Sallie Manzanet-Daniels
Troy K. Webber, Justices.

-----x

Alphonse Fletcher, Jr., and Fletcher
Asset Management, Inc.,
Plaintiffs-Respondents-Appellants,

M-4884

M-5123

-against-

Index No. 101289/11

The Dakota, Inc., Bruce Barnes and
Peter Nitze,
Defendants-Appellants-Respondents.

-----x

Separate appeals having been taken to this Court from orders of the Supreme Court, New York County, entered on or about April 7, 2015 and September 14, 2015, respectively,

And plaintiffs-respondents-appellants having moved for an enlargement of time to perfect their appeal from the order entered on or about September 14, 2015 (M-4884),

And defendants-appellants-respondents having cross moved for dismissal of said appeal (M-5123),

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 plaintiffs motion for an enlargement of time to perfect the appeal from the order entered on or about September 14, 2015 is denied (M-4884). The cross-motion is granted and said appeal is dismissed (M-5123).

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme
Court held in and for the First Judicial Department
in the County of New York on December 6, 2016.

PRESENT - Hon. John W. Sweeny, Jr., Justice Presiding,
Rolando T. Acosta
Richard T. Andrias
Sallie Manzanet-Daniels
Troy K. Webber, Justices.

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

-against-

M-4889
Ind. No. 2647/13

Jaime DeJesus,
Defendant-Appellant.

-----X

An order of this Court having been entered on March 8, 2016 (M-510) granting defendant leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, Bronx County, rendered on or about November 19, 2015, and assigning Robert S. Dean, Esq., as counsel to prosecute the appeal; and a motion having been made to relieve such counsel, and for related relief,

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

It is ordered that the motion is granted to the extent of striking the designation of assigned counsel Robert S. Dean, Esq., as counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Rosemary Herbert, Esq., Office of the Appellate Defender, 11 Park Place, Room 1601, New York, New York 10007, Telephone No. (212)402-4100, as such counsel. The poor person relief previously granted is continued, and appellant's time in which to perfect the appeal is enlarged until 120 days from the date of this order or the filing of the record, whichever is later.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 6, 2016.

PRESENT - Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Sallie Manzanet-Daniels
Judith J. Gische
Troy K. Webber, Justices.

-----X
Chesterfield Faring Ltd.,
Plaintiff-Respondent,

-against-

M-4367
Index No. 654192/16

Quintessential Land Development LLC and
Calakastorian Realty Group, LLC,
Defendants-Appellants.
-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about August 10, 2016,

And defendants-appellants having moved pursuant to CPLR 5704(a) for an order staying, vacating, modifying and/or limiting the temporary restraining order, pending hearing and determination of the appeal, and 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 December 6, 2016.

PRESENT - Hon: Rolando T. Acosta, Justice Presiding,
Dianne T. Renwick
David B. Saxe
Paul G. Feinman
Marcy L. Kahn, Justices.

-----X
Judith C. Wegner,
Plaintiff-Respondent,

-against-

M-4661
Index No. 309916/14

Craig Martin Beard,
Defendant-Appellant.
-----X

Defendant-appellant having moved for leave to appeal to this Court from the orders of the Supreme Court, New York County, entered on or about July 22, 2016, August 26, 2016 and September 16, 2016, respectively, and for consolidation of the aforesaid appeals, and for a stay of enforcement of the orders, pending hearing and determination of the appeals, and for other relief,

And an order of this Court entered September 1, 2016 (M-3076) consolidating the 2 orders of said Court, entered on or about April 21, 2016,

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 and consolidation, is granted. That part of the motion seeking a stay is denied. The interim stay granted by a justice of this Court, dated September 19, 2016, 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 December 6, 2016.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,
Dianne T. Renwick
Karla Moskowitz
Paul G. Feinman
Marcy L. Kahn, Justices.

-----X
Citibank, N.A. and CitiMortgage, Inc.,
Plaintiffs-Appellants,

-against-

M-5245
Index No. 651075/12

Secure Title Agency, Inc.,
Defendant-Respondent,

Keenan Powers & Andrews PC.,
et al.,
Defendants.

-----X

Plaintiffs-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 December 22, 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 enlarging the time to perfect the appeal to the March 2017 Term.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme
Court held in and for the First Judicial Department
in the County of New York on December 6, 2016.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,
Richard T. Andrias
Karla Moskowitz
Judith J. Gische
Troy K. Webber, Justices.

-----X
Alexander Weicht,
Plaintiff-Respondent,

-against-

M-5175
Index No. 300381/11

City of New York and Rockmore
Contracting Corp.,
Defendants-Appellants.

(And another action)

-----X

Defendants-appellants having moved for an enlargement of
time to perfect the appeal from the order of the Supreme Court,
Bronx County, entered on or about December 21, 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
enlarging the time to perfect the appeal to the March 2017 Term.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 6, 2016.

Present: Hon. Diane T. Renwick, Justice Presiding,
Karla Moskowitz
Barbara R. Kapnick
Marcy L. Kahn
Ellen Gesmer, Justices.

-----X
The People of the State of New York
ex rel. Anthony Baptiste,
Petitioner,

-against-

M-4400
Ind. No. 3861/15

Warden, RNDC, N.Y.C. Department of
Corrections,
Respondent.

-----X

The above-named petitioner having moved for, inter alia, a writ of habeas corpus to be issued from this Court,

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

It is ordered that the motion is denied and the writ 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 December 6, 2016.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,
Karla Moskowitz
Barbara R. Kapnick
Marcy L. Kahn
Ellen Gesmer, Justices.

-----X
Kenneth Simington,
Plaintiff-Appellant,

-against-

M-4943
Index No. 26969/03

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

-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, Bronx County, entered on or about October 23, 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 enlarging the time to perfect the appeal to the March 2017 Term.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 6, 2016.

PRESENT - Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta, Justices.

-----X
Larry Blumenstyk and Holly Blumenstyk
(Individually, as Trustee of the
Nathan Ledis S/E Defined Benefit Plan,
and as Trustee of the Nathan Ledis IRA,), etc.
Plaintiffs-Appellants-Respondents,

-against-

M-5296
Index No. 651018/13

Henry Singer, Has Omaha Corporation,
Dodge Mortgage LLC, 75th & Dodge I LP,
75th & Dodge II LP, John Does 1-5
(Fictitious Names) and XYZ Corps.
1-5 (Fictitious Names),
Defendants-Respondents-Appellants,

Jay Seeman,
Defendant.

-----X

An appeal and cross appeal having been taken from the order of the Supreme Court, New York County, entered on or about August 7, 2014,

Now, upon reading and filing the stipulation of the parties hereto, dated October 13, 2016, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected, and the cross-appeal, are withdrawn in accordance with the terms the aforesaid stipulation.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 6, 2016.

PRESENT - Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta, Justices.

-----X
Dorothy Jones,
Plaintiff-Respondent,

-against-

M-5532
Index No. 301984/11

New York-Presbyterian Hospital,
also known as Columbia University Medical
Center and New York Presbyterian Healthcare
System, Inc.,
Defendants-Appellants.
-----X

An appeal having been taken from the judgment of the Supreme Court, Bronx County, entered on or about May 3, 2016,

Now, upon reading and filing the stipulation of the parties hereto, dated October 20, 2016, and due deliberation having been had thereon,

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

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 6, 2016.

Present: Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta, Justices.

-----X

Daniel Betancourt,
Plaintiff-Respondent-Appellant,

M-5095

-against-

Index No. 157630/12E

Mem Co, LLC, sued herein as Memco LLC
and Leo Edelman,
Defendants-Appellants-Respondents.

-----X

Mem Co, LLC, sued herein as Memco LLC
and Leo Edelman,
Third-Party Plaintiffs-Appellants-
Respondents,

-against-

Erika Reyes,
Third-Party Defendant-Respondent.

-----X

An appeal and cross appeal having been taken from a judgment of the Supreme Court, New York County, entered on or about December 9, 2015,

And, plaintiff "Betancourt" having moved for an order enlarging the time to perfect his cross appeal,

Now, upon reading and filing the papers with respect to the motion, and the stipulation of the parties, dated October 6, 2016, and due deliberation having been had thereon, it is

Ordered that plaintiff's 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 December 6, 2016.

PRESENT - Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
David Friedman
John W. Sweeny, Jr.
Rolando T. Acosta, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-5088
Ind. No. 158/15

German Gomez,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about October 3, 2016, 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 8 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) one transcript 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, 120 Wall Street, 28th Floor, New York, New York 10005, 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 December 6, 2016.

PRESENT: Hon. Peter Tom, Justice Presiding,
John W. Sweeny, Jr.
Rosalyn H. Richter
Sallie Manzanet-Daniels
Troy K. Webber, Justices.

-----X

In the Matter of the Application of
Marie Addoo,
Petitioner-Appellant,

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

M-5135
Index No. 101569/14

-against-

NYC Board of Education,
Respondent-Respondent.

-----X

Petitioner-appellant, pro se, having moved for an enlargement of time to perfect the appeal from a judgment of the Supreme Court, New York County, entered on or about December 22, 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 enlarging the time to perfect the appeal to the April 2017 Term.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 6, 2016.

PRESENT: Hon. Peter Tom, Justice Presiding,
John W. Sweeny, Jr.
Richard T. Andrias
Troy K. Webber
Ellen Gesmer, Justices.

-----X

Martin Stoner,
Plaintiff-Appellant,

-against-

M-5085

Index No. 101399/14

Atlantic Realty Apts., LLC, et al.,
Defendants-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about September 23, 2015, and said appeal having been perfected,

And, an order of this Court entered on September 29, 2016 (M-3899/M-3900) having adjourned the aforesaid perfected appeal to the February 2017 Term and denying plaintiff's cross motion to strike defendant's motion and for related relief,

And, plaintiff having moved, pro se, to renew/reargue this Court's order entered on September 29, 2016 (M-3899/M-3900),

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

Ordered that the motion is denied.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 6, 2016.

Present - Hon. Peter Tom, Justice Presiding,
Rolando T. Acosta
Richard T. Andrias
Karla Moskowitz
Marcy L. Kahn, Justices.

-----x

Vanessa Dennis,
Plaintiff-Respondent,

-against-

Marie Napoli, etc., et al.,
Defendants,

M-5469
Index No. 153857/14

-and-

Paul J. Napoli,
Defendant-Appellant.

-----x

An appeal having been taken to this Court from orders of the Supreme Court, New York County, entered on or about August 22, 2015,

And plaintiff-respondent having moved for dismissal of the aforesaid appeal upon the grounds it is academic or, in the alternative, for adjournment of the aforesaid appeal,

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

It is ordered that the motion, to the extent it seeks to dismiss the aforesaid appeal, is denied, without prejudice to addressing the issue directly on appeal. The appeal is adjourned to the February 2017 Term. Sua sponte, plaintiff-respondent is granted leave to include a copy of the second amended complaint as an appendix to its respondent's brief.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 6, 2016.

Present: Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
David B. Saxe
Barbara R. Kapnick, Justices.

-----X

The People of the State of New York,
Respondent,

M-2964

-against-

Ind. No. 6029/11

Joshua Muhammad,
Defendant-Appellant

-----X

Defendant-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 March 10, 2016 (Appeal No. 468); and defendant-appellant having also moved, in the nature of a writ of error coram nobis, for a review of his claim of ineffective assistance of trial and appellate counsel, and for related relief,

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

It is ordered that the motion is denied in its entirety.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 6, 2016.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Rolando T. Acosta
Karla Moskowitz
Ellen Gesmer, Justices.

-----X

The People of the State of New York,

Respondent,

-against-

M-4472
Ind. No. 2797/14

Jean-Carlo FlamBERT,

Defendant-Appellant.

-----X

Defendant-appellant having moved for an enlargement of time to perfect the appeal from the judgment of the Supreme Court, New York County, rendered on or about August 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 granted to the extent of enlarging the time to perfect the appeal to the March 2017 Term.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 6, 2016.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,
Rolando T. Acosta
David B. Saxe
Barbara R. Kapnick
Marcy L. Kahn, Justices.

-----X
Louis M. Atlas,
Plaintiff-Respondent,

-against-

M-4890
Index No. 301091/06

Frances Smily,
Defendant-Appellant.
-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about March 4, 2016,

And plaintiff-respondent having moved to hold defendant-appellant in contempt for failing to comply with the prior orders of this Court entered August 25, 2016 (M-2158/M-2570/M-3764/M-3867), which, inter alia, granted defendant's motion to stay the order being appealed and staying enforcement of the settlement agreement in this matrimonial action, and 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 December 6, 2016.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels
Paul G. Feinman, Justices.

-----x

Daniel Venture, et al.,
Plaintiffs-Appellants,

-against-

M-4998

Index No. 155587/14

Preferred Mutual Insurance Company,
Defendant-Respondent.

-----x

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about January 21, 2016,

And plaintiffs-appellants having moved for a stay of discovery pending hearing and determination of the aforesaid appeal, and for the production of in camera documents that are subject to this 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 staying all discovery on condition plaintiffs-appellants perfect the appeal for the April 2017 Term. The motion, to the extent it seeks the production of certain in camera documents for review, is denied, without prejudice to plaintiffs-appellants seeking further relief with respect to the submission of documents by defendant-respondent, under seal, as a supplemental record on 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 December 6, 2016.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
David B. Saxe
Paul G. Feinman
Judith J. Gische, Justices.

-----X

Raul Marquez,
Plaintiff-Respondent,

-against-

171 Tenants Corp.,
Defendant-Appellant,

M-5078
Index No. 106616/11

David Kleinberg Levin and Kenneth
Cook,
Defendants-Respondents.

-----X

(And third-party actions)

-----X

Defendant/third-party plaintiff-appellant 171 Tenants Corp. having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about July 8, 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 enlarging the time to perfect the appeal to the March 2017 Term, with leave to seek further enlargements, if necessary.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 6, 2016.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
David B. Saxe
Paul G. Feinman
Judith J. Gische, Justices.

-----X

Mallow, Konstam, Mazur, Bocketti
and Nisonoff, P.C.,
Plaintiff-Respondent,

-against-

M-5131
Index No. 153568/14

Natan Zeidman,
Defendant-Appellant.

-----X

Appeals having been taken to this Court by defendant from orders of the Supreme Court, New York County, entered on or about June 27, 2015 and January 28, 2016,

And, an order of this Court entered on October 20, 2016 (M-4044/M-4186) having dismissed the appeal from the aforesaid order entered on or about June 27, 2015 and denied dismissal of the appeal taken from the order entered on or about January 28, 2016,

And, defendant-appellant, pro se, having moved for an enlargement of time to perfect the aforesaid appeals,

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

It is order that the motion is granted solely to the extent of enlarging the time to perfect the appeal taken from the order entered on or about January 28, 2017, to the March 2017 Term. The motion to enlarge the time to perfect the appeal taken from the order entered or about June 27, 2015 is denied as academic.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme
Court held in and for the First Judicial Department
in the County of New York on December 6, 2016.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,
David B. Saxe
Karla Moskowitz
Marcy L. Kahn
Ellen Gesmer, Justices.

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

-against- M-4553
Ind. No. 2644/14

Richard Marini,
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 February 16, 2016, 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 8 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) one transcript 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,
120 Wall Street, 28th Floor, New York, New York 10005, 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 December 6, 2016.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,
David B. Saxe
Karla Moskowitz
Marcy L. Kahn
Ellen Gesmer, Justices.

-----X

The People of the State of New York,

Respondent,

-against-

M-4658

Ind. No. 3330/14

Roberto Calel Chumil,

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 17, 2016, 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 December 6, 2016.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
David B. Saxe
Karla Moskowitz
Marcy L. Kahn
Ellen Gesmer, Justices.

-----X

In the Matter of the Application of
John Demas,

Petitioner-Appellant,

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

M-5114
Index No. 100346/15

-against-

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

-----X

Petitioner-appellant having moved for an enlargement of time to perfect the appeal from an order and judgment (one paper) of the Supreme Court, New York County, entered on or about November 27, 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 enlarging the time to perfect the appeal to the March 2017 Term.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 6, 2016.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
David B. Saxe
Karla Moskowitz
Marcy L. Kahn
Ellen Gesmer, Justices.

-----X
Trust Mortgage, LLC,
Plaintiff-Appellant,

-against-

M-5121
Index No. 650699/15

Peter Andrews, et al.,
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from orders of the Supreme Court, New York County, entered on or about December 1, 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 enlarging the time to perfect the appeal to the March 2017 Term.

ENTER:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 6, 2016.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
David B. Saxe
Karla Moskowitz
Marcy L. Kahn
Ellen Gesmer, Justices.

-----X

AXA Art Insurance Corporation,
as subrogee of Jephta Drachman
and Joram Piatigorsky, as
Trustees for the Jacqueline
Piatigorsky Revocable Trust
and the Jacqueline Piatigorsky
Revocable Trust and AXA Art
Insurance Corporation, Individually,
Plaintiffs-Appellants,

M-5057
Index No. 652862/12

-against-

Christie's Fine Art Storage
Services, Inc.,
Defendant-Respondent.

-----X

Plaintiffs-appellants having moved for an enlargement of time in which to perfect the appeal from an order of the Supreme Court, New York County, entered on or about January 27, 2016,

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 March 2017 Term.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on December 6, 2016.

Present: Hon. David Friedman, Justice Presiding,
Diane T. Renwick
Paul G. Feinman
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X
The Exeter Law Group LLP,
Plaintiff-Counterclaim Defendant-
Appellant,

-and-

M-4868

Index No. 161667/14

Mitchell Wong, Zhejun "Susan" Tan,
and Law Office of Z.Tan PLLC,
Counterclaim Defendants-Respondents,

-against-

Immortalana Inc., Robin Farias-Eisner,
Salvaregen, Inc. and Kelly Day,
Defendants-Counterclaim Plaintiffs-
Appellants.

-----X

Appeals having been taken from orders of the Supreme Court, New York County, entered on July 1, 2015 and August 29, 2016, respectively,

And, an order by a Justice of this Court, dated September 26, 2016, having granted an interim stay with respect to a portion of a document request,

And, defendants-counterclaim plaintiffs-appellants, having moved to stay enforcement of certain discovery directives in the orders entered on July 1, 2015 and on August 29, 2016, pending 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, to the extent it seeks to stay enforcement of the order entered on July 1, 2015 is denied, on the ground that the appeal from that order was untimely. Objections to disclosure of the documents directed to be disclosed by the August 29, 2016 order on the basis of confidentiality is denied. That part of the interim order of a Justice of this Court, dated September 26, 2016, which granted a stay of certain document requests, is vacated.

ENTER:


CLERK