

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 August 20, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Sallie Manzanet-Daniels
Judith J. Gische, Justices.

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

Respondent,

-against-

M-2065
Ind. No. 48/18

Luke Ryant,

Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, rendered on or about June 3, 2019, 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 an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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.

Solomon J. Schepps, Esq., 888 Grand Concourse, Suite 1-0, Bronx, NY 10451, Telephone No. 917-862-3740, 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 180 days from the date of receipt of the complete record.

ENTERED:



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 August 20, 2020.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Sallie Manzanet-Daniels
Judith J. Gische, Justices.

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

Deibi E.,
Petitioner-Appellant,

-against-

CONFIDENTIAL
M-2122
Docket Nos. V-5635-19
V-10445-19

Sibelis Michelle D.-P.,
Respondent-Respondent,
-----X

Respondent-respondent having moved for leave to respond, as a poor person, to the appeal taken from an order of the Family Court, Bronx County, entered on or about February 7, 2020, 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 the certification of Elizabeth Posse, Esq., dated March 10, 2020, and due deliberation having been had thereon, it is

It is ordered that the motion is granted to the extent of (1) assigning, pursuant to §1120 of the Family Court Act, Leslie S. Lowenstein, 567 Sunset Drive, Woodmere, New York, 11598, Telephone No. 516-374-1962, 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 each party

(M-2122)

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August 20, 2020

to the appeal, and an original and five hard copies, and if represented by counsel, one digital copy of such brief, are filed with this court, pursuant to 22 NYCRR Section 1250.9.

ENTERED:



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 August 20, 2020.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Sallie Manzanet-Daniels
Judith J. Gische, Justices.

-----X
In the Matter of

Noah V.,
Jacob V.,

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

Administration for Children's Services,
Petitioner-Respondent,

CONFIDENTIAL

M-2123
Docket No. NA-15360-1/16

-against-

Adonis V.,
Respondent-Appellant,

Shelly R.,
Erikson P.,
Respondents.

Janet E. Sabel, Esq., The Legal
Aid Society, Attorney for the Children.
-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal taken from an order of the Family Court, Bronx County, entered on or about May 21, 2019, 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 the certification of Harold Meyerson, Esq., dated June 22, 2020, 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, Thomas R. Villecco, Esq., 366

North Broadway, Suite No. 410, Jericho, New York, 11753, Telephone No. 516-942-4221, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor¹ **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Section 1250.9 of the Practice Rules of the Appellate Division, **within 60 days** of the filing of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTERED:



CLERK

¹Service of appellant's brief upon respondent(s) shall include assigned counsel's copy of the transcript.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on August 20, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Sallie Manzanet-Daniels
Judith J. Gische, Justices.

-----X

Anna Acosta,
Plaintiff-Respondent,

-against-

M-2127X
Index No. 31974/17

BJ's Wholesale Club, Inc., etc.,
Defendant-Appellant.

-----X

An appeal having been taken from a order of the Supreme Court, Bronx County, entered on or about February 28, 2020,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" June 26, 2020, and due deliberation having been had thereon,

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

ENTERED:



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 August 20, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Sallie Manzanet-Daniels
Judith J. Gische, Justices.

-----X

Pacific Alliance USA, Inc.,
Plaintiff-Respondent,

M-2144
M-2146
M-2147

-against-

Index No. 654296/13

1450 Broadway, LLC,
Defendant-Appellant.

-----X

Appeals having been taken from two orders of the Supreme Court, New York County, entered on or about April 4, 2019 and January 7, 2020, and from a judgment, same court, entered on or about May 1, 2019,

Now, upon reading and filing the stipulation of the parties hereto, dated March 5, 2020, and due deliberation having been had thereon,

It is ordered that the appeals are deemed withdrawn in accordance with the aforesaid stipulation.

ENTERED:



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 August 20, 2020.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Sallie Manzanet-Daniels
Judith J. Gische, Justices.

-----X

Luis A. Garcia,
Plaintiff-Respondent,

M-2148
Index No. 32114/18E

-against-

Wythe and Kent Realty LLC, W&K Phase
2 LLC and Express Builders JB Inc.,
Defendants-Appellants.

-----X

Wythe and Kent Realty LLC, W&K Phase
2 LLC and Express Builders JB Inc.,
Third-Party Plaintiffs-Appellants,

-against-

Bayport Construction Corp.,
Third-Party Defendant-Respondent.

-----X

An appeal having been taken to this Court from an order of the Supreme Court, Bronx County, entered on or about January 13, 2020,

Now, upon reading and filing the correspondence from counsel for defendants/third-party plaintiffs-appellants dated June 24, 2020, and due deliberation having been had thereon,

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

ENTERED:



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 August 20, 2020.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Sallie Manzanet-Daniels
Judith J. Gische, Justices.

-----X

Suttongate Holdings Limited,
Plaintiff-Respondent,

M-2150

Index No. 652393/15

-against-

Laconm Management N.V., Samir
Andrawos, Kashmire Investments, Ltd.,
IMMO Kashmire Development Inc.,
Sedna Group Ltd., Kuiper Group Ltd.
and Ourista N.V.,
Defendants

Virginia Iglesias,
Defendant-Appellant.

-----X

Laconm Management N.V., Samir
Andrawos, Kashmire Investments, Ltd.,
IMMO Kashmire Development Inc.,
Sedna Group Ltd., Kuiper Group Ltd.
and Ourista N.V.,
Counterclaim-Plaintiffs,

Virginia Iglesias,
Counterclaim-Plaintiff-Appellant,

-against-

Suttongate Holdings Ltd., Arie E. David,
Charyn Powers and Waverly Investments, Ltd.
Counterclaim-Defendants-Respondents.

-----X

[Caption Continued]

Lacomm Management N.V., Samir
 Andrawos, Kashmire Investments, Ltd.,
 IMMO Kashmire Development Inc.,
 Sedna Group Ltd., Kuiper Group Ltd.
 and Ourista N.V.,
 Third Party-Plaintiffs,

Virginia Iglesias,
 Third Party-Plaintiff-Appellant,

Barbery Group, Ltd. and Pledge Group
 Holdings, Inc.,
 Nominal Third Party-Plaintiffs,

-against-

Waverly Investments, Ltd. and
 Arie David,
 Third Party Defendants-Respondents.

-----X

An appeal having been taken to this Court from an order of
 the Supreme Court, New York County, entered on or about September
 26, 2019,

Now, upon reading and filing the correspondence and the
 Notice of Withdrawal of Notice of Appeal from counsel for
 defendant/counterclaim plaintiff/third party plaintiff-appellant
 dated June 26, 2020 and June 24, 2020, respectively, and due
 deliberation having been had thereon,

It is ordered that the appeal is deemed withdrawn in
 accordance with the aforesaid correspondence and Notice.

ENTERED:



 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 August 20, 2020.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Sallie Manzanet-Daniels
Judith J. Gische, Justices.

-----X

Ante Vucetic and Marianna Vucetic,
Plaintiffs,

-against-

M-2153

Index No. 161936/14

NYU Langone Medical Center, NYU Hospitals
Center and Lend Lease (US) Construction
LMB Inc.,
Defendants-Respondents.

-----X

NYU Hospitals Center and Lend Lease (US)
Construction LMB Inc.,
Third-Party Plaintiffs-Respondents,

-against-

Third-Party
Index No. 595374/15

Orian Mechanical Systems, Inc.,
Third-Party Defendant-Respondent.

-----X

NYU Hospitals Center and Lend Lease (US)
Construction LMB Inc.,
Second Third-Party Plaintiffs-Respondents,

-against-

Horizon Contracting, LLC,
Second Third-Party Defendant-Appellant.

-----X

An appeal having been taken to this Court from an order of the Supreme Court, New York County, entered on or about January 21, 2020,

Now, upon reading and filing the correspondence from counsel for the second third-party defendant-appellant dated June 26, 2020, and due deliberation having been had thereon,

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-2-

August 20, 2020

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

ENTERED:



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 August 20, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Sallie Manzanet-Daniels
Judith J. Gische, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

Simone Morgan,
Defendant-Appellant,

-----X

M-2163
Ind Nos. 111/17
1415/18
5386/14

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about June 19, 2018,

Now, upon reading and filing the stipulation of the parties hereto, dated June 30, 2020, and due deliberation having been had thereon,

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

ENTERED:



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 August 20, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Sallie Manzanet-Daniels
Judith J. Gische, Justices.

-----X
Orlando Benavides,
Plaintiff-Respondent,

-against-

M-2172X

Index No. 301867/16

Teck Gourmet Five LLC doing business as
Douglaston Manor,
Defendant-Appellant,

Emmanuel Molinarosa, Arelis Rodriguez,
APV Valet Parking Corp.,
Defendants-Respondents.

-----X

An appeal having been taken to this Court from an order of the Supreme Court, Bronx County, entered on or about July 24, 2019,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" July 1, 2020, and due deliberation having been had thereon,

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

ENTERED:



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 August 20, 2020.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Sallie Manzanet-Daniels
Judith J. Gische, Justices.

-----X

Milton Goya,
Plaintiff-Respondent,

-against-

M-2176
Index No. 23359/14E

Longwood Housing Development Fund
Company, Inc., A.A.D. Construction Corp.,
and Melcara Corp.,
Defendants-Respondents.

-----X

Longwood Housing Development Fund
Company, Inc.,
Third-Party Plaintiff-Respondent,

-against-

Third-Party
Index No. 43017/16E

Triboro Maintenance Corporation,
Third-Party Defendant-Appellant,

AIM Construction of NY Inc.,
Third-Party Defendant-Respondent.

-----X

Triboro Maintenance Corporation,
Second Third-Party
Plaintiff-Appellant,

-against-

Second Third-Party
Index No. 43120/16E

Clark & Wilkins Industries, Inc.,
Second Third-Party
Defendant-Respondent

-----X

[And Other Third-Party Actions]

An appeal having been taken to this Court from an order of the Supreme Court, Bronx County, entered on or about October 21, 2019,

Now, upon reading and filing the correspondence from counsel for third-party defendant/second third-party plaintiff-appellant Triboro Maintenance Corporation, dated June 26, 2020, and due deliberation having been had thereon,

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

ENTERED:



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 August 20, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Sallie Manzanet-Daniels
Judith J. Gische, Justices.

-----X
Milton Goya,
Plaintiff, M-2177
-against- M-2178
M-2179
Index Nos. 23359/14E
Longwood Housing Development Fund Company, 43017/16E
Inc., A.A.D. Construction Corp., and 43120/16E
Melcara Corp., 43142/16E
Defendants-Appellants, 43252/16E
-----X 43282/16E
Longwood Housing Development Fund Company, 43017/16E
Inc.,
Third-Party Plaintiff-Respondent,

-against-

Triboro Maintenance Corporation and
Aim Construction of NY Inc.,
Third-Party Defendants-Appellant.

-----X
Triboro Maintenance Corporation,
Second Third-Party Plaintiff-Appellant,

-against-

Clark & Wilkins Industries, Inc.
Second Third-Party Defendants-
Respondents.

-----X
[AND OTHER THIRD PARTY ACTIONS]
-----X

Appeals having been taken by third-party defendant/second third-party plaintiff Triboro Maintenance Corporation from a judgment of the Supreme Court, Bronx County entered on or about July 3, 2020 (Case No. 2019-5531) and from orders of the same court entered June 5, 2019 (Cal. No. 2019-5792) and June 6, 2019 (Cal. No. 2019-5794),

Now, upon reading and filing the separate correspondence from counsel for third-party defendant/second third-party plaintiff-appellant Triboro Maintenance Corporation, each dated June 26, 2020, and due deliberation having been had thereon,

It is ordered that the appeals taken by third-party defendant/second third-party plaintiff-appellant Triboro Maintenance Corporation are deemed withdrawn in accordance with the aforesaid correspondence.

ENTERED:



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 August 20, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Sallie Manzanet-Daniels
Judith J. Gische, Justices.

-----X
Chelsea Piers L.P. and Chelsea Piers
Management Inc.,
Plaintiffs-Respondents,

-against-

M-2180
Index No. 150402/17

Colony Insurance Company,
Defendant-Appellant,

Endurance American Specialty Insurance
Company and EPS Iron Works, Inc.,
Defendants.

-----X

An appeal having been taken to this Court from an order of the Supreme Court, New York County, entered on or about November 25, 2019,

Now, upon reading and filing the correspondence from counsel for defendant-appellant, Colony Insurance Company, dated June 17, 2020, and due deliberation having been had thereon,

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

ENTERED:



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 August 20, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Sallie Manzanet-Daniels
Judith J. Gische, Justices.

-----X

Suzanne Rubin,
Plaintiff-Appellant,

-against-

M-2181
Index No. 160039/15

D&B Christopher St. Corp. and Stick
Stone & Bone,
Defendants-Respondents.

-----X

An appeal having been taken to this Court from an order of the Supreme Court, New York County, entered on or about July 19, 2019,

Now, upon reading and filing the correspondence from counsel for plaintiff-appellant dated June 30, 2020, and due deliberation having been had thereon,

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

ENTERED:



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 August 20, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Sallie Manzanet-Daniels
Judith J. Gische, Justices.

-----X
A.C.G., an infant by her father and
natural guardian Joel Garraway and
Joel Garraway, Individually,
Plaintiffs-Appellants,

-against-

M-2183
Index No. 20010/19E

Bronx Learning Institute for Girls
Charter School, etc., et al.,
Defendants-Respondents.

-----X

An appeal having been taken to this Court from an order of the Supreme Court, Bronx County, entered on or about September 13, 2019,

Now, upon reading and filing the correspondence from counsel for plaintiffs-appellants dated June 30, 2020, and due deliberation having been had thereon,

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

ENTERED:



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 August 20, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Sallie Manzanet-Daniels
Judith J. Gische, Justices.

-----X

Stefan Sikorski,
Plaintiff-Appellant,

-against-

M-2194
Index No. 150752/15

The Trustees of Columbia University In
The City of New York and Lend Lease
(US) Construction LMB Inc.,
Defendants-Respondents.

-----X

An appeal having been taken to this Court from an order of the Supreme Court, New York County, entered on or about September 11, 2019,

Now, upon reading and filing the Stipulation Withdrawing Appeal, dated June 24, 2020 and due deliberation having been had thereon,

It is ordered that the perfected appeal is deemed withdrawn in accordance with the aforesaid Stipulation.

ENTERED:



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 August 20, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Sallie Manzanet-Daniels
Judith J. Gische, Justices.

-----X

Juan D. Mendoza,
Plaintiff-Respondent,

-against-

M-2201
Index No. 150087/16

New York City Transit Authority, TC
Paratransit and Rolando Liriano, Jr.,
Defendants-Appellants.

-----X

An appeal having been taken to this Court from an order of the Supreme Court, New York County, entered on or about December 14, 2018,

Now, upon reading and filing the Stipulation Withdrawing Appeal, dated June 23, 2020 and due deliberation having been had thereon,

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

ENTERED:



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 August 20, 2020.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Sallie Manzanet-Daniels
Judith J. Gische, Justices.

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

Respondent,

-against-

M-2239

Ind. No. 1908/18

Sean Brown,

Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, Bronx County, rendered on or about October 25, 2019, 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 an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division.

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 180 days from the date of receipt of the complete record.

ENTERED:


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 August 20, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
Judith J. Gische
Troy K. Webber
Ellen Gesmer
Jeffrey K. Oing, Justices.

-----X

BNB Bank, formerly known as
Bridgehampton National Bank, S/B/M
Community National Bank,
Petitioner-Respondent,

M-2317
Index No. 161416/19

-against-

Healthfirst PHSP, Inc.,
Respondent,

Jacques Antoine,
Respondent-Appellant.

-----X

An appeal having been taken from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about June 23, 2020, which granted the petition and directed the turnover of certain funds held by respondent to petitioner-respondent,

And respondent-appellant having moved to stay execution of the order and judgment pending hearing and determination of the appeal,

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

It is ordered that the motion is denied and the interim relief granted by an order of a Justice of this Court, dated July 13, 2020, is hereby vacated.

ENTERED:



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 August 20, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
Judith J. Gische
Troy K. Webber
Ellen Gesmer
Jeffrey K. Oing, Justices.

-----X
Keybank National Association, an
Ohio Corporation,
Plaintiff-Respondent,

-against-

M-1582
Index No. 160579/18

Denis Halmi, A Virginia Resident,
Defendant-Appellant,

Bluepoint Medical Associates, LLC,
etc., et al.,
Defendants.

-----X

An appeal having been taken to this Court from an order of the Supreme Court, New York County, entered on or about February 5, 2020, which denied renewal of the previous order denying, without prejudice, defendant's request to vacate the default judgment,

And defendant-appellant having moved to stay the enforcement of the aforementioned default judgment pending the 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 March 25, 2020, is hereby vacated.

ENTERED:



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 August 20, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
Judith J. Gische
Troy K. Webber
Ellen Gesmer
Jeffrey K. Oing, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-1965
Ind. No. 896/18

Antonio Santana,
Defendant-Appellant.

-----X

Defendant having moved for an extension of time in which to file a notice of appeal from a judgment of the Supreme Court, New York County, rendered on or about April 17, 2019,

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.

ENTERED:



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 August 20, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
Judith J. Gische
Troy K. Webber
Ellen Gesmer
Jeffrey K. Oing, Justices.

-----X
31 East 28th Street Note Buyer, LLC,
Plaintiff-Appellant,

-against-

JTRE Park 28 LLC, Jack Terzi and Hagai
Laniado,
Defendants-Respondents,

Board of Managers of the Parkwood
Condominium, et al.,
Defendants.

M-1968
Index No. 850193/17
Case No. 2019-22281

-----X
JTRE Park 28 LLC,
Counterclaim Third-Party
Plaintiff-Respondent,

-against-

31 East 28th Street Note Buyer, LLC,
Counterclaim
Defendant-Appellant
-and-

Michael Shah,
Third-Party Defendant-Appellant.

-----X

An appeal having been taken to this Court from an order of the Supreme Court, New York County, entered on or about May 21, 2019,

And plaintiff/counterclaim defendant-appellant and third-party defendant-appellant having moved jointly for an extension of time in which to perfect the aforesaid appeal,

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

(M-1968)

-2-

August 20, 2020

It is ordered that the motion is granted to the extent of extending the time to perfect the appeal to the January 2021 Term of this Court.

ENTERED:

A handwritten signature in black ink, appearing to read "Susan R.", is written over 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 August 20, 2020.

Present - Hon. Rolando T. Acosta, Presiding Justice,
Judith J. Gische
Troy K. Webber
Ellen Gesmer
Jeffrey K. Oing, Justices.

-----X
TGT, LLC
Plaintiff-Respondent-Appellant,

-against-

Reset Partners, LLC, Mostly Dune
Holdings, LLC, and Jason Liebman,
Defendants-Appellants-Respondents,

-and-

Advance Entertainment, LLC, et al.
Defendants.

-----X
Vincent V Hodes Family Irrevocable Trust,
Plaintiff-Respondent-Appellant,

-against-

Reset Partners, LLC, Mostly Dune
Holdings, LLC, and Jason Liebman,
Defendants-Appellants-Respondents,

-and-

Advance Entertainment, LLC, et al.
Defendants.

-----X
JHAC LLC,
Plaintiff-Respondent-Appellant,

-against-

Reset Partners, LLC, Mostly Dune
Holdings, LLC, and Jason Liebman,
Defendants-Appellants-Respondents,

-and-

Advance Entertainment, LLC, et al.
Defendants.

-----X

M-1982
M-2005
Index No.650633/17
Action No. 1

Index No. 151712/17
Action No. 2

Index # 654948/18
Action No. 3

Separate appeals having been taken by defendants-appellants-respondents in Actions No. 1, 2 and 3, from an order of the Supreme Court, New York County, entered on or about August 15, 2019, together with the so-ordered transcript entered on or about November 29, 2019,

And separate cross appeals having been taken in Action No. 1 by plaintiff-respondent-appellant TGT, Inc., in Action No. 2 by plaintiff-respondent-appellant, Vincent V Hodes Family Irrevocable Trust, and in Action No. 3 by plaintiff-respondent-appellant, JHAC, LLC, from the aforementioned order of the Supreme Court, New York County, entered on or about August 15, 2019, together with the so-ordered transcript entered on or about November 29, 2019,

And defendants-appellants-respondents having moved to dismiss the cross appeal taken in Action No. 3 by plaintiff-respondent-appellant JHAC LLC, as untimely (M-1982),

And defendants-appellants-respondents and plaintiffs-respondents-appellants in Actions No. 1, 2 and 3, having jointly moved to consolidate the aforesaid separate appeals and cross appeals (M-2005),

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

Ordered that the motion (M-1982) to dismiss the cross appeal of JHAC LLC is denied, without prejudice to raising the issue in the parties' briefs. The motion (M-2005) to consolidate the appeals and cross appeals is granted. (See, order M-1972, M-1979, M-1973, M-1981, issued simultaneously herewith.)

ENTERED:


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 August 20, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
Judith J. Gische
Troy K. Webber
Ellen Gesmer
Jeffrey K. Oing, Justices.

-----X
Thomas Brielmeier,
Plaintiff-Respondent,

-against-

M-1984
Index No. 151983/16

Legacy Yards Tenant, LLC,
Defendant,

Hudson Yards Construction, LLC,
ERY Tenant LLC, and Tutor Perini
Building Corp.,
Defendants-Appellants.

-----X

An appeal having been taken to this Court from an order of the Supreme Court, New York County, entered on or about October 21, 2019,

And defendants-appellants having moved to vacate the dismissal of the appeal and, upon reinstatement, for an extension of time to perfect same,

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, the dismissal vacated, the appeal reinstated, and the time to perfect said appeal is extended to the December 2020 Term of this Court.

ENTERED:



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 August 20, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
Judith J. Gische
Troy K. Webber
Ellen Gesmer
Jeffrey K. Oing, Justices.

-----X
U.S. Bank, National Association, not
in its individual capacity, but as
trustee for Merrill Lynch Mortgage
Investors Trust, Series 2006-RM4, and
Merrill Lynch Mortgage Investors Trust,
Series 2006-RM5,
Plaintiff-Respondent-Appellant,

M-2031
Index No. 654403/12

-against-

Merrill Lynch Mortgage Lending, Inc.,
and Bank of America, National
Association,
Defendants-Appellants-Respondents.

-----X

Plaintiff-respondent-appellant having moved for an extension of time in which to perfect the appeal and cross appeal taken to this Court from an order of the Supreme Court, New York County, entered on or about May 16, 2018,

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 extending the time to perfect the appeal and cross appeal to the December 2020 Term, with leave to seek further extensions, if necessary.

ENTERED:



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 August 20, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
Judith J. Gische
Troy K. Webber
Ellen Gesmer
Jeffrey K. Oing, Justices.

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

-against-

M-2040
Ind. No. 1453/18

Manuel Rivera,
Defendant-Appellant.

-----X

An order of this Court having been entered on June 4, 2020 (M-355), granting defendant leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, Bronx County, rendered on or about October 11, 2019, and assigning Janet E. Sabel, Esq., The Legal Aid Society, 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 Janet E. Sabel, Esq., as counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Mark S. DeMarco, Esq., 3867 East Tremont Avenue, Bronx, NY 10465, Tel No. (718) 239-7070, 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 complete record, whichever is later.

ENTERED:



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 August 20, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
Judith J. Gische
Troy K. Webber
Ellen Gesmer
Jeffrey K. Oing, Justices.

-----x
James Sullivan, M.D., Charles Conte, M.D.,
Mansoor Beg, M.D., Alan Kadison, M.D., John
Ricci, M.D., and Raza Zaidi, M.D.,
Plaintiffs-Appellants,

Mitchell Levine, M.D.,
Plaintiff,

-against-

M-2049
Index No. 656121/18

Medical Liability Mutual Insurance
Company and Northwell Health, Inc.,
Defendants-Respondents.

-----x
An appeal having been taken to this Court from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about December 3, 2019,

And plaintiffs-appellants having moved to enlarge the record on appeal to include certain exhibits annexed to the moving papers,

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 plaintiffs-appellants are permitted to enlarge the record on appeal to include Exhibits 2, 3 and 4 submitted with the moving papers.

ENTERED:



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 August 20, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
Judith J. Gische
Troy K. Webber
Ellen Gesmer
Jeffrey K. Oing, Justices.

-----X
Bradford Billet,
Plaintiff-Appellant,

-against-

M-2060
Index No. 654844/16

Jodi Drexler Billet, et al.,
Defendants-Respondents.

-----X

An appeal having been taken to this Court from an order of the Supreme Court, New York County, entered on or about November 1, 2019,

And plaintiff-appellant having moved for an extension of time in which to perfect the aforesaid appeal,

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

It is ordered that the motion is granted to the extent of extending the time to perfect the appeal to the January 2021 Term of this Court, with leave to seek further extensions, if necessary.

ENTERED:



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 August 20, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
Judith J. Gische
Troy K. Webber
Ellen Gesmer
Jeffrey K. Oing, Justices.

-----X
In the Matter of the Application of
Dogwood Residential LLC,
Petitioner-Appellant,

For Relief Pursuant to Article 78 of the
Civil Practice Law and Rules
and BCL §619.

M-2066
Index No. 157564/17

-against-

Stable 49 Limited, et al.,
Respondents-Respondents.

-----X
Petitioner-appellant having moved for an extension of time in which to perfect the appeal taken to this Court from an order and judgment (one paper) of the Supreme Court, New York County, entered on or about November 2, 2018,

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 time to perfect said appeal is extended to the December 2020 Term of this Court.

ENTERED:



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 August 20, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
Judith J. Gische
Troy K. Webber
Ellen Gesmer
Jeffrey K. Oing, Justices.

-----X
101 West 78th, LLC,
Plaintiff

-against-

M-2070
Index No. 650393/17

New York Marine and General Insurance
Company
Defendant-Appellant,

The Sweet Construction Group, LTD,
Defendant-Respondent.
-----X

An appeal having been taken to this Court from orders of the Supreme Court, New York County, entered on or about August 26, 2019 and September 16, 2019,

And defendant-appellant having moved for an extension of time to perfect the aforesaid appeal,

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

It is ordered that the motion is granted to the extent of extending the time to perfect the appeal to the December 2020 Term of this Court.

ENTERED:



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 August 20, 2020.

Present - Hon. Rolando T. Acosta, Justice Presiding,
Judith J. Gische
Troy K. Webber
Ellen Gesmer
Jeffrey K. Oing, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-2089

Ind. No. 3763/12

Omar Martinez,
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, Bronx County rendered on or about January 25, 2016,

And respondent having moved for an order striking Point I of defendant's reply brief,

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

It is ordered that the motion is denied as moot, a decision and order of this Court, having been entered on June 25, 2020 (Appeal No. 11687) determining the appeal.

ENTERED:



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 August 20, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
Judith J. Gische
Troy K. Webber
Ellen Gesmer
Jeffrey K. Oing, Justices.

-----X
Janal Bakain,
Plaintiff-Appellant,

-against-

M-2140
Index No. 450033/17

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

An appeal having been taken to this Court from a judgment of the Supreme Court, New York County, entered on or about August 8, 2019,

And plaintiff-appellant having moved to vacate the dismissal of said appeal and, upon reinstatement, for an extension of time to perfect same,

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, the dismissal vacated, the appeal reinstated, and the time to perfect said appeal is extended to the December 2020 Term of this Court.

ENTERED:



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 August 20, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
Barbara R. Kapnick
Ellen Gesmer
Anil C. Singh, Justices.

-----X
Champion Auto Sales, LLC, et al.,
Plaintiffs-Appellants,

-against-

M-1659
Index No. 158692/16

Pearl Beta Funding, LLC,
Defendant-Respondent.
-----X

Plaintiffs-Appellants having moved for reargument/renewal from the decision and order of this Court, entered on March 15, 2020 (Appeal No. 5995),

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.

ENTERED:



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 August 20, 2020.

Present - Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Sallie Manzanet-Daniels
Angela M. Mazzarelli, Justices.

-----x

The People of the State of New York,
Respondent,

-against-

M-1614
M-1867
Ind. No. 493/17

JC Hernandez-Molina,
Defendant-Appellant.

-----x

An order of this Court having been entered on April 2, 2020 (M-84), inter alia, granting defendant leave to prosecute, as a poor person, the appeal taken from the judgment of the Supreme Court, Bronx County, rendered on or about August 12, 2019, and assigning Janet E. Sabel, Esq., The Legal Aid Society, as counsel to prosecute the appeal; and assigned counsel having moved to be relieved as such counsel and to have new counsel substituted to prosecute the aforementioned appeal (M-1614),

And defendant-appellant, pro se, having moved for poor person relief and the assignment of counsel (M-1867),

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

It is ordered that assigned counsel's motion is granted to the extent of striking the designation of Janet E. Sabel, Esq., The Legal Aid Society, as assigned counsel, and substituting Stephen Chu, Esq., Office of the Appellate Defender, 11 Park Place, Suite 1601, New York, N.Y., 10007, Tel. 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 extended until 120 days from the date of this order or the receipt of the complete record, whichever is later (M-1614). The motion by defendant-appellant for poor person relief is denied as moot (M-1867).

ENTERED:



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 August 20, 2020.

Present - Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Sallie Manzanet-Daniels
Angela M. Mazzarelli, Justices,

-----X

The People of the State of New York,
Respondent,

-against-

M-1807
Ind. Nos. 2056N/18
2057N/18

Kerdell Fields,
Defendant-Appellant.

-----X

Defendant having moved for an extension of time in which to file a notice of appeal from a judgment of the Supreme Court, New York County, rendered on or about September 25, 2019,

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.

ENTERED:



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 August 20, 2020.

Present - Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Sallie Manzanet-Daniels
Angela M. Mazzarelli, Justices.

-----x
Leon Simon and Grace Edwards-Simon,
Plaintiffs-Respondents, M-1815
M-1841
-against-
Index No. 305209/13
Bernard Lewis,
Defendant-Appellant.

Colleen Weaver, as Administrator of
Ethans Estate Trust,
Defendant.

-----x

Separate appeals having been taken to this Court by defendant-appellant Bernard Lewis from orders of the Supreme Court, Bronx County entered on or about January 22, 2019 (Case No. 2019-00653, Cal. No. 2019-1116) and or about March 11, 2019 (Case No. 2019-1182), and the appeal from the order entered on or about January 22, 2019, having been perfected (Cal. No. 2019-1116, Case No. 2019-00653),

And defendant Colleen Weaver, as Administrator of Ethans Estate Trust, pro se, having moved to strike plaintiffs-respondents' brief, and to disqualify and impose sanctions Albert Hatem, Esq., as attorney for plaintiffs-respondents, and for other relief (M-1815),

And plaintiffs-respondents having cross-moved to strike the "joint" brief submitted by defendants Lewis and Weaver, to impose sanctions on Weaver (M-1841),

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 (M-1815) and cross motion (M-1841) are denied.

ENTERED:


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 August 20, 2020.

Present - Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Sallie Manzanet-Daniels
Angela M. Mazzarelli, Justices.

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

-against-

M-1816
Ind. No. 1486/17

Mustapha Kejera, also known as
Mustafa Kejera,
Defendant-Appellant.

-----X

Defendant having moved for an extension of time in which to file a notice of appeal from a judgment of the Supreme Court, New York County, rendered on or about March 26, 2019, for leave to prosecute the appeal as a poor person upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of deeming the moving papers a timely filed notice of appeal and permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division,

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.

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 180 days from the date of receipt of the complete record.

ENTERED:


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 August 20, 2020.

Present - Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Sallie Manzanet-Daniels
Angela M. Mazzarelli, Justices.

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

-against-

M-1833
Ind. No. 4524/18

ShaQuan Brown,
Defendant-Appellant.

-----X

Defendant having moved for an extension of time in which to file a notice of appeal from a judgment of the Supreme Court, New York County, rendered on or about February 6, 2020, for leave to prosecute the appeal as a poor person upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of deeming the notice of appeal as timely filed and permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division,

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.

August 20, 2020

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 180 days from the date of receipt of the complete record.

ENTERED:


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 August 20, 2020.

Present - Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Sallie Manzanet-Daniels
Angela M. Mazzarelli, Justices.

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

CONFIDENTIAL

M-1836

Ind. No. 1751/18

-against-

Mark Padilla,
Defendant-Appellant.

-----X

An order of this Court having been entered on May 14, 2019 (M-1034), granting defendant leave to prosecute, as a poor person, the appeal taken from the judgment of the Supreme Court, Bronx County, rendered on or about January 24, 2019, and assigning Robert S. Dean, Esq., Center for Appellate Litigation, 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 the correspondence received from defendant-appellant, dated July 20, 2020, and due deliberation having been had thereon,

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

ENTERED:



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 August 20, 2020.

Present - Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Sallie Manzanet-Daniels
Angela M. Mazzarelli, Justices.

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

-against-

M-1837
Ind. No. 4857/16

Marianela Del Carmen Diaz,
Defendant-Appellant.
-----X

Defendant-appellant having moved for an extension of time in which to file a notice of appeal from a judgment of the Supreme Court, New York County, rendered on or about February 14, 2019, for leave to prosecute the appeal as a poor person upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of deeming the motion papers as a timely filed notice of appeal and is otherwise denied, with leave to renew, upon defendant's submission of a detailed notarized affidavit, pursuant to CPLR 1101(a), and 22 NYCRR 1250.4(d)(1) and (4), setting forth, inter alia, defendant's indigency as well as facts sufficient to establish that defendant has no funds or assets with which to prosecute this appeal.

ENTERED:


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 August 20, 2020.

Present - Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Sallie Manzanet-Daniels
Angela M. Mazzarelli, Justices.

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

Respondent,

-against-

M-1851
Ind. No. 509/16

Leroy Williams,

Defendant-Appellant.
-----x

An appeal having been taken to this Court from the judgment of the Supreme Court, New York County, rendered on or about May 10, 2018, and this Court, by decision and order entered July 2, 2020, having unanimously affirmed that judgment (Appeal No. 11763),

And defendant-appellant, pro se, having moved for leave to file a supplemental brief concerning the aforementioned appeal,

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

It is ordered that the motion is denied.

ENTERED:



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 August 20, 2020.

Present - Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Sallie Manzanet-Daniels
Angela M. Mazzarelli, Justices.

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

-against- M-1853
Ind. Nos. 3462/18
Antonio Molina, 955/18
Defendant-Appellant.

-----X

Defendant-appellant having moved for an extension of time in which to file a notice of appeal from a judgment of the Supreme Court, New York County, rendered on or about June 5, 2019, for leave to prosecute the appeal as a poor person upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of deeming the motion papers as a timely filed notice of appeal and permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files an original, five hard copies and, if represented by counsel, one digital copy of such brief, together with the original record, pursuant to Section 1250.9 of the Practice Rules of the Appellate Division,

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.

August 20, 2020

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 180 days from the date of receipt of the complete record.

ENTERED:


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 August 20, 2020.

Present - Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Sallie Manzanet-Daniels
Angela M. Mazzarelli, Justices.

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

-against-

M-1868
Ind. No. 3507/17

Jesus Morel,
Defendant-Appellant.

-----X

Defendant having moved for an extension of time in which to file a notice of appeal from a judgment of the Supreme Court, New York County, rendered on or about July 2, 2018, for leave to prosecute the appeal as a poor person upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is denied (CPL 460.30[1]).

ENTERED:



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 August 20, 2020.

Present - Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Sallie Manzanet-Daniels
Angela M. Mazzarelli, Justices.

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

Respondent,

-against-

M-1871
Ind. No. 2545/18

Marcos Rojas,

Defendant-Appellant.

-----X

Defendant having moved for an extension of time in which to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about October 10, 2019,

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.

ENTERED:



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 August 20, 2020.

Present - Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Sallie Manzanet-Daniels
Angela M. Mazzairelli, Justices.

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

-against-

M-1873
Ind. No. 2467/13

Goran Logan,
Defendant-Appellant.

-----X

Defendant having moved for a further extension of time in which to file his pro se supplemental brief in connection with an appeal taken from a judgment of the Supreme Court, New York County, rendered on or about January 6, 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 extending the time for defendant to file his pro se supplemental brief to on or before October 5, 2020, for the December 2020 Term of this Court.

ENTERED:



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 August 20, 2020.

Present - Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Sallie Manzanet-Daniels
Angela M. Mazzarelli, Justices.

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

-against-

M-1878
SCI No. 3765/18

Richard Seaman,
Defendant-Appellant.

-----X

Defendant having moved for an extension of time in which to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about January 17, 2020, for leave to prosecute the appeal as a poor person, on the original record and upon a reproduced appellant's brief, and for related relief,

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

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

The motion, to the extent that it seeks poor person relief, is denied, with leave to renew, upon defendant's submission of a notarized affidavit, pursuant to CPLR 1101(a) and 22 NYCRR 1250.4(d)(1) and (4), setting forth, inter alia, defendant's indigency as well as 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.

ENTERED:



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 August 20, 2020.

Present - Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Sallie Manzanet-Daniels
Angela M. Mazzarelli, Justices.

-----X
Dworkin Construction Corp (USA),

Plaintiff-Appellant,

-against-

M-1893

Index No. 155796/18

Consolidated Edison Company of
New York, Inc.,

Defendant-Respondent.
-----X

An appeal having been taken to this Court from an order of the Supreme Court, New York County, entered on or about October 18, 2019,

And plaintiff-appellant having moved to vacate the dismissal of the aforesaid appeal, and upon reinstatement, for an extension of time to perfect same,

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, the dismissal vacated, the appeal reinstated, and the time to perfect said appeal is extended to the December 2020 Term of this Court.

ENTERED:



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 August 20, 2020.

Present - Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Sallie Manzanet-Daniels
Angela M. Mazzarelli, Justices.

-----x
U.S. Bank National Association, as
Trustee, etc.,
Plaintiff-Respondent,

-against-

M-1907
Index No. 850176/15

Dr. Hao T. Hoang, etc.,
Defendant-Appellant,

-and-

Wachovia Bank, et al.,
Defendants.

-----x
An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about September 17, 2019, and said appeal having been perfected,

And plaintiff-respondent having moved to strike all references to certain material that it claims is de hors the motion record in Supreme 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.

ENTERED:



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 August 20, 2020.

Present - Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Sallie Manzanet-Daniels
Angela M. Mazzarelli, Justices.

-----X

The People of the State of New York
ex rel. Roberto Marquez,
Petitioner,

-against-

M-1927
Ind. No. 1105/17

Tanisha Mills, Warden, Vernon C. Bain
Center,
Respondent.

-----X

Petitioner having again moved, inter alia, for 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 application is denied pursuant to CPLR 7003(b).

ENTERED:


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 August 20, 2020.

Present - Hon. David Friedman, Presiding Justice,
Dianne T. Renwick
Sallie Manzanet-Daniels
Angela M. Mazzarelli, Justices.

-----x
Leon Simon and Grace Edwards-Simon,
Plaintiffs-Respondents,

-against-

M-1929
Index No. 305209/13

Bernard Lewis, Colleen Weaver, as
Administrator of Ethans Estate Trust,
Defendants-Appellants.

-----x

Separate appeals having been taken to this Court by defendants-appellants from orders of the Supreme Court, Bronx County entered on or about July 5, 2019 (Case No. 2019-03334) and or about September 16, 2019 (Case No. 2019-04242),

And defendants-appellants having moved to vacate the dismissal of the aforementioned appeals (22 NYCRR1250.10[c]), and for an extension of time to perfect the appeals,

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

It is ordered that the motion to vacate the dismissal of the aforementioned appeals is granted, and the time to perfect the consolidated appeals is extended to the December 2020 Term.

ENTERED:



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 August 20, 2020.

Present - Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Sallie Manzanet-Daniels
Angela M. Mazzarelli, Justices.

-----X
Liddle & Robinson, L.L.P.,
Plaintiff-Appellant,

-against-

Barry Willman,
Defendant-Respondent.

M-1970
Index No. 654268/18

-----X

Plaintiff-appellant having moved for an extension of time in which to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about August 16, 2019,

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 deemed an application to vacate the dismissal of the appeal and, as such, is granted, the dismissal of the appeal is vacated, the appeal reinstated, and the time to perfect said appeal is extended to the December 2020 Term of this Court.

ENTERED:



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 August 20, 2020.

Present - Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Sallie Manzanet-Daniels
Angela M. Mazzarelli, Justices.

-----X

TGT, LLC
Plaintiff-Respondent-Appellant,

M-1972
M-1979
M-1973
M-1981

-against-

Reset Partners, LLC, Mostly Dune
Holdings, LLC, and Jason Liebman,
Defendants-Appellants-Respondents,

Index No.650633/17
Action No. 1

-and-

Advance Entertainment, LLC, et al.
Defendants.

-----X

Vincent V Hodes Family Irrevocable Trust,
Plaintiff-Respondent-Appellant,

Index No. 151712/17
Action No. 2

-against-

Reset Partners, LLC, Mostly Dune
Holdings, LLC, and Jason Liebman,
Defendants-Appellants-Respondents,

-and-

Advance Entertainment, LLC, et al.
Defendants.

-----X

JHAC LLC,
Plaintiff-Respondent-Appellant,

Index # 654948/18
Action No. 3

-against-

Reset Partners, LLC, Mostly Dune
Holdings, LLC, and Jason Liebman,
Defendants-Appellants-Respondents,

-and-

Advance Entertainment, LLC, et al.
Defendants.

-----X

Separate appeals having been taken by defendants-appellants-respondents in Actions No. 1, 2 and 3, from an order of the Supreme Court, New York County, entered on or about August 15, 2019, together with the so-ordered transcript entered on or about November 29, 2019,

And separate cross appeals having been taken in Action No. 1 by plaintiff-respondent-appellant TGT, Inc., in Action No. 2 by plaintiff-respondent-appellant, Vincent V Hodes Family Irrevocable Trust, and in Action No. 3 by plaintiff-respondent-appellant, JHAC, LLC, from the aforementioned order of the Supreme Court, New York County, entered on or about August 15, 2019, together with the so-ordered transcript entered on or about November 29, 2019,

And defendants-appellants-respondents and plaintiffs-respondents-appellants in Actions No. 1, 2 and 3, having jointly moved to consolidate the aforesaid separate appeals and cross appeals (M-1972 & 1973),

And defendants-appellants-respondents having cross-moved to dismiss the cross appeals taken in Action No. 1, by plaintiff-respondent-appellant TGT, Inc. (M-1979), and in Action No. 2, by plaintiff-respondent-appellant, Vincent V Hodes Family Irrevocable Trust (M-1981), as untimely,

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

Ordered that the motions to consolidate the appeals and cross appeals in Actions No. 1, 2 and 3 (M-1972 and M-1973), are granted. The cross motions seeking to dismiss the cross appeal taken in Action No. 1 by plaintiff-respondent-appellant TGT, Inc. (M-1979) and in Action No. 2 by plaintiff-respondent-appellant, Vincent V Hodes Family Irrevocable Trust (M-1981) are denied, without prejudice to raising the issue in the parties' briefs. (See, order M-1982/M-2005, issued simultaneously herewith.)

ENTERED:


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 August 20, 2020.

Present - Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Sallie Manzanet-Daniels
Angela M. Mazzarelli, Justices.

-----X
Correction Officers' Benevolent
Association, Inc. and Norman
Seabrook,
Plaintiffs-Respondents,

-against-

M-1991
Index No. 24054/16E

City of New York,
Defendant-Appellant.
-----X

Defendant-appellant having moved for an extension of time in which to perfect the appeal taken from an order of the Supreme Court, Bronx County, entered on or about July 15, 2019,

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 deemed an application to vacate the dismissal of the appeal and, as such, is granted, the dismissal is vacated, the appeal reinstated, and the time to perfect said appeal is extended to the December 2020 Term of this Court, with no further extensions to be granted.

ENTERED:



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 August 20, 2020.

Present - Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Sallie Manzanet-Daniels
Angela M. Mazzarelli, Justices.

-----X

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

CONFIDENTIAL

M-2029

Docket No. O-1607/18

- - - - -

Monique J.,
Petitioner-Respondent,

-against-

Keith S.,
Respondent-Appellant.

- - - - -
Janet E. Sabel, Esq., The Legal Aid Society, Juvenile Rights Division,
Attorney for the Children.

-----X

Respondent-appellant having moved for an extension of time in which to perfect the appeal taken from an order of the Family Court, Bronx County, entered on or about October 12, 2018,

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 extending the time in which to perfect the appeal to the February 2021 Term of this Court.

ENTERED:



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 August 20, 2020.

PRESENT: Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Barbara R. Kapnick
Ellen Gesmer
Cynthia S. Kern, Justices.

-----X
Westchester Fire Insurance Co.,
Plaintiff-Appellant, M-1999
-against- M-2133
M-2136
M-2139
Nicholas S. Schorsch, et al., Index No. 651026/18
Defendants-Respondents,
Aspen American Insurance Co., et al.,
Defendants-Appellants.
-----X

By separate motions, defendants-respondents Nicholas S. Schorsch, Edward M. Weil, Jr., William Kahane, and Peter M. Budko (M-1999), defendant-respondent Brian S. Block (M-2133), defendant-appellant RSUI Indemnity Company (M-2136) and plaintiff-appellant Westchester Fire Insurance Company (M-2139) having moved for reargument of, or in the alternative, for leave to appeal to the Court of Appeals, from the decision and order of this Court, entered on May 14, 2020 (Appeal Nos. 10097-10098-, 10099),

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

Ordered that the motions by defendants-respondents Nicholas S. Schorsch, Edward M. Weil, Jr., William Kahane, and Peter M. Budko (M-1999) and by defendant-respondent Brian S. Block (M-2133), insofar as they seek reargument, are granted, and upon reargument, the decision and order of this Court entered on May 14, 2020 (Appeal Nos. 10097-10098-10099) is recalled and vacated and a new decision and order substituted therefor. (See Appeal Nos. 10097-10098-1099, decided simultaneously herewith.) The motions by defendants-respondents Nicholas S. Schorsch, Edward M. Weil, Jr., William Kahane, and Peter M. Budko (M-1999) and by defendant-respondent Brian S. Block (M-2133), insofar as they seek leave to appeal to the Court of Appeals, are denied as academic, and it is further

August 20, 2020

Ordered that the motions by defendant-appellant RSUI Indemnity Company (M-2136) and plaintiff-appellant Westchester Fire Insurance Company (M-2139), insofar as they seek reargument, are denied. The motions by defendant-appellant RSUI Indemnity Company (M-2136) and plaintiff-appellant Westchester Fire Insurance Company (M-2139), insofar as they seek leave to appeal to the Court of Appeals, are denied, without prejudice to seeking such leave with respect to the new decision and order (See Appeal Nos. 10097-10098-1099, decided simultaneously herewith.).

ENTERED:



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 August 20, 2020.

PRESENT: Hon. David Friedman, Justice Presiding,
Dianne T. Renwick,
Cynthia S. Kern
Jeffrey K. Oing, Justices.

-----X
In re Gronich & Company, Inc.,
Petitioner-Appellant,

For a Judgment Pursuant to CPLR 5225(b) M-1522
to Compel Payment of Money Index No. 653263/16

-against-

Simon Property Group, Inc., et al.,
Respondents-Respondents.
-----X

Petitioner-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 February 18, 2020 (Appeal No. 10996),

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.

ENTERED:



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 August 20, 2020.

PRESENT: Hon. David Friedman, Justice Presiding,
Judith J. Gische
Barbara R. Kapnick
Lizbeth González, Justices.

-----X
Edwin Cruz, etc.,
Petitioner-Respondent,

-against-

The City of New York, et al., M-2117
Defendants-Respondents-Appellants, Index No. 26699/16E

Simpson Street Development Associates,
Inc.,
Defendant-Appellant-Respondent,

John A. Vargas-Paulino,
Defendant.

-----X

Defendant-appellant-respondent having moved for reargument of, or in the alternative, for leave to appeal to the Court of Appeals, from the decision and order of this Court, entered on May 14, 2020 (Appeal No. 11525),

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.

ENTERED:



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 August 20, 2020.

Present - Hon. David Friedman, Presiding Justice,
Ellen Gesmer
Jeffrey K. Oing
Anil C. Singh, Justices.

-----x
Leon Simon and Grace Edwards-Simon, M-1363
Plaintiffs-Respondents,

-against- Index No. 305209/13
Bernard Lewis,
Defendant-Appellant.

Colleen Weaver, as Administrator of
Ethans Estate Trust,
Defendant.
-----x

An appeal having been taken to this Court by defendant-appellant Bernard Lewis from an order of the Supreme Court, Bronx County entered on or about January 22, 2019 (Case No. 2019-00653, Cal. No. 2019-1116), and the appeal having been perfected,

And defendant-appellant having moved to vacate the order of a Justice of this Court, dated February 24, 2020, to disqualify plaintiff's counsel and for 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 denied.

ENTERED:



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 August 20, 2020.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,
Angela M. Mazzairelli
Peter H. Moulton
Lizbeth González, Justices.

-----X
Ness Technologies SARL, et al.,
Plaintiffs-Respondents,

-against-

M-1510
Index No. 657241/17

Pactera Technology International
Limited,
Defendant-Appellant,

-and-

John Does 1-10, inclusive,
Defendants.

-----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 February 25, 2020 (Appeal No. 11138N),

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.

ENTERED:



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 August 20, 2020.

Present - Hon. Sallie Manzanet-Daniels, Justice Presiding,
Judith J. Gische
Troy K. Webber
Peter H. Moulton, Justices.

-----X

Odilson Fuentes,
Plaintiff-Respondent,

M-1883

Index No. 450153/14

-against-

Kwik Realty, LLC,
Defendant-Appellant.

-----X

Defendant-appellant having moved for renewal of the decision and order of this Court, entered on December 3, 2019 (Appeal No. 9163),

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, upon renewal, the decision and order of this Court entered on December 3, 2019 (Appeal No. 9163) is recalled and vacated and a new decision and order substituted therefor. (See Appeal No. 9163, decided simultaneously herewith.)

ENTERED:



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 August 20, 2020.

Present - Hon. Sallie Manzanet-Daniels, Justice Presiding,
Angela M. Mazzairelli
Ellen Gesmer
Peter H. Moulton, Justices.

-----X
Martin Trepel, DO,
Plaintiff-Appellant,

M-2017
Index No. 650541/18

-against-

Gregg Hodgins, et al.,
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for reargument of the decision and order of this Court, entered on May 7, 2020 (Appeal No. 11462-11462A),

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.

ENTERED:



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 August 20, 2020.

PRESENT: Hon. Judith J. Gische, Justice Presiding,
Troy K. Webber
Ellen Gesmer
Cynthia S. Kern, Justices.

-----X
Denham, Wolf Real Estate Services,
Inc.,
Plaintiff-Appellant-Respondent,

-against-

M-1549
Index No. 656278/16

60-74 Gansevoort Street, LLC,
Defendant-Respondent-Appellant,

Maiyet, Inc.,
Defendant.

-----X

Plaintiff 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, 2020 (Appeal No. 11226),

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.

ENTERED:



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 August 20, 2020.

PRESENT: Hon. Judith J. Gische, Justice Presiding
Angela M. Mazzarelli
Peter H. Moulton
Lizabeth González, Justices.

-----X
Miguel Cintron,
Plaintiff-Respondent,

-against-

M-1588
Index No. 302552/13

The City of New York,
Defendant-Appellant,

Detective Matthew Collins, etc., et al.
Defendants.

-----X

Plaintiff-Respondent, having moved for leave to appeal to the Court of Appeals, from the decision and order of this Court, entered on February 25, 2020 (Appeal No. 1132),

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.

ENTERED:



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 August 20, 2020.

PRESENT: Hon. Barbara R. Kapnick, Justice Presiding,
Angela M. Mazzaelli
Ellen Gesmer
Cynthia S. Kern, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-1014
Ind. No. 1920/09

Francisco Tineo-Santos,
Defendant-Appellant.

-----X

A decision and order of this Court having been entered on April 10, 2018 (Appeal No. 6235-6236), unanimously affirming both the judgment of conviction of the Supreme Court, Bronx County, rendered January 18, 2013, and the order of the same court, entered November 23, 2016, which denied defendant's CPL 440.10 motion to vacate said judgment,

And defendant-appellant having moved, in the nature of a writ of error coram nobis, for a review of his claim of ineffective assistance of 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 said application is denied.

ENTERED:



CLERK