

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 May 14, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X
Laura Alaverdi, an Incapacitated Person,
by her Guardian, Rudyard Whyte, Esq.,
Plaintiff-Respondent,

-against-

Huey Bui, et al.,
Defendants-Respondents,

-and-

Ralph Lauren Corporation,
Defendant-Appellant.

M-1109
M-1111
M-1301
Index No. 159549/17

-----X
Appeals having been taken from orders of the Supreme Court, New York County, entered on or about November 1, 2019, December 3, 2019, and December 30, 2019,

Now, upon reading and filing the correspondence from counsel for defendant-appellant dated February 11, 2020 and March 4, 2020, and due deliberation having been had thereon,

It is ordered that the appeals (Docket Nos. 2019-4964, 2019-4695, 2019-5273 and 2020-1730) are withdrawn in accordance with the aforesaid correspondence.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 May 14, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X
John V. Clemente,
Plaintiff,

-against-

Soho AOA Owner, LLC, et al.,
Defendants-Respondents,

M-1204
Index No. 161262/17

T.G. Nickel & Associates, LLC,
Defendant-Appellant.

-----X
(And a third-party action)
-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about September 30, 2018,

Now, upon reading and filing the correspondence from counsel for defendant-appellant, dated February 14, 2020, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid correspondence.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 May 14, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X

Avenue A Associates LP,
Plaintiff-Appellant,

M-1223
Index No. 159073/19

-against-

Board of Managers of the Hearth
House Condominium, et al.,
Defendants-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about October 7, 2019,

Now, upon reading and filing the correspondence from counsel for plaintiff-appellant, dated February 25, 2020, and due deliberation having been had thereon,

It is ordered that the appeal is 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 May 14, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X
Gretchen Kennedy,

Plaintiff-Respondent,

M-1224

Index No. 150284/15

-against-

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

-----X

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

Now, upon reading and filing the notice of withdrawal of appeal from counsel for defendants-appellants, dated February 27, 2020, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid 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 May 14, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X

Manuael Moniz,
Plaintiff-Respondent,

-against-

M-1225X
Index No. 159276/16

525 West 52 Property Owners, LLC
and Gilbane Building Company,
Defendants-Appellants.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about September 9, 2019,

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

It is ordered that the appeal is 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 May 14, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X
Walter Schupfer Management Corporation,
Plaintiff-Respondent,

-against-

M-1226X
Index No. 657260/17

Pascal Dangin and Kids Creative, LLC,
Defendants-Appellants.

-----X

Appeals having been taken from orders of the Supreme Court, New York County, entered on or about April 11, 2019 and September 17, 2019,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" February 24, 2020, and due deliberation having been had thereon,

It is ordered that the appeals are 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 May 14, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X
Kenneth Orr,

Plaintiff-Appellant,

-against-

Daniel Yun and Belstar Group, LLC,
Defendants-Respondents.

-----X

M-1227
Index No. 603423/06

An appeal having been taken from order of the Supreme Court, New York County, entered on or about December 18, 2018,

Now, upon reading and filing the correspondence from plaintiff-appellant, pro se, dated February 8, 2020, and due deliberation having been had thereon,

It is ordered that the appeal is 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 May 14, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X
Independent Chemical Corporation,
Plaintiff-Appellant,

M-1228
Index No. 159142/15

-against-

Sujanan Thundel Puthanpurayil, et al.,
Defendants-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about October 17, 2019,

Now, upon reading and filing the correspondence from counsel for plaintiff-appellant, dated February 11, 2020, and due deliberation having been had thereon,

It is ordered that the appeal is 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 May 14, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X
Lucia Gutierrez,

Plaintiff-Respondent,

M-1229

Index No. 303458/14

-against-

643 So. Blvd. Realty Corp.,
Defendant-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about July 26, 2019,

Now, upon reading and filing the correspondence from counsel for defendant-appellant, dated February 10, 2020, and due deliberation having been had thereon,

It is ordered that the appeal is 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 May 14, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X

Kissman Singh,
Plaintiff-Appellant,

M-1238
Index No. 306925/13

-against-

Consolidated Edison Company of New York,
Inc., Time Warner Entertainment Company,
L.P., Time Warner Cable Inc., and Verizon
New York, Inc.,
Defendants-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about July 10, 2019,

Now, upon reading and filing the correspondence from counsel for plaintiff-appellant, dated March 2, 2020, and due deliberation having been had thereon,

It is ordered that the appeal is 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 May 14, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X
Michael Mannino, as Administrator of the
Estate of Carmen Mannino, deceased and
Michael Mannino, Individually,
Plaintiff-Respondent,

M-1239
Index No. 805280/15

-against-

The City of New York, The New York City
Fire Department and the New York City
Fire Department Emergency Medical Services,
Defendants-Appellants.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about November 7, 2019,

Now, upon reading and filing the correspondence from counsel for defendants-appellants, dated February 25, 2020, and due deliberation having been had thereon,

It is ordered that the appeal is 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 May 14, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

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

Horizon at 61 Rivington LLC, Fathers
Lane LLC and David Marom,
Petitioners-Appellants,

M-1240
Index No. 157527/19

For an Order and Judgment Pursuant to
Section 881 of the Real Property Actions
and Proceedings Law,

-against-

143 Allen Street, LLC,
Respondent-Respondent.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about December 10, 2019,

Now, upon reading and filing the correspondence from counsel for petitioners-appellants, dated February 25, 2020, and due deliberation having been had thereon,

It is ordered that the appeal is 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 May 14, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X

In re PPDAl Group Securities M-1241
Litigation, Index No. 654482/18

-----X

An appeal (Case No. 2019-01374, Calendar No. 2019-5471) having been taken from order of the Supreme Court, New York County, entered on or about July 5, 2019,

Now, upon reading and filing the correspondence from counsel for defendants-appellants PPDAl Group, Inc., Law Debenture Corporate Services, and Giselle Manon, dated February 28, 2020, and due deliberation having been had thereon,

It is ordered that the appeal, with the permission of all appellants, is 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 May 14, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X
In the Matter of a Family Offense
Proceeding,

CONFIDENTIAL

Candi S. M.,
Petitioner-Respondent,

M-1279

M-1280

Docket Nos. V-00102-19
O-19426-18

-against-

Antonio R.,
Respondent-Appellant.

-----X
In the Matter of a Custody/Visitation
Proceeding,

Candi S. M.,
Petitioner-Respondent,

-against-

Antonio R.,
Respondent-Appellant

-----X

An appeal having been taken from two orders of the Family Court, New York County, entered on or about January 13, 2020,

Now, upon reading and filing the correspondence from counsel for respondent-appellant, dated March 5, 2020, and due deliberation having been had thereon,

It is ordered that the appeal is 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 May 14, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X
In the Matter of the Appointment of

Robert Lopez, Esq.,

as Guardian for the Personal Needs
and Property Management of
Rita Gans, an Incapacitated Person,
and Successor Trustee of the
Rita R. Gans 2007 Lifetime
Revocable Trust,
Petitioner-Respondent,

M-1300
Index No. 500087/12

-against-

Bruce Pritikin and Margaret Pritikin,
Respondents-Appellants.

-----X

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

Now, upon reading and filing the correspondence from counsel for respondents-appellants, dated March 5, 2020, and due deliberation having been had thereon,

It is ordered that the appeal is 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 May 14, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X
Ameriprise Insurance Company,
Plaintiff-Appellant,

-against-

M-1304
Index No. 155128/18

Jang Drikpalsingh, et al.,
Defendants-Respondents.

-----X

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

Now, upon reading and filing the correspondence from counsel for plaintiff-appellant, dated February 28, 2020, and due deliberation having been had thereon,

It is ordered that the appeal is 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 May 14, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X
In Re: NYC Asbestos Litigation
-----X

Allison Linsky,
Plaintiff-Respondent,

-against-

M-1305
Index No. 190149/16

Amchem Products, Inc., et al.,
Defendants,

American Biltrite, Inc.,
Defendant-Appellant.
-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about February 15, 2019,

Now, upon reading and filing the correspondence from counsel for defendant-appellant, American Biltrite, Inc., dated February 25, 2020, and due deliberation having been had thereon,

It is ordered that the appeal is 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 May 14, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X
3555 Bruckner, LLC,
Plaintiff-Appellant,

-against-

M-1306X
Index No. 28878/19

Moonilal Singh and Bibi Angela Singh,
Defendants-Respondents.

-----X

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

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" March 5, 2020, and due deliberation having been had thereon,

It is ordered that the appeal is 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 May 14, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X
Aron Dantzig,

Plaintiff-Appellant-Respondent,

M-1307

Index No. 653368/16

-against-

Orix AM Holdings LLC, et al.,

Defendants-Respondents-Appellants,

-and-

New Health Capital Partners GP, LLC,
et al.,

Nominal Defendants.

-----X

An appeal and cross appeal having been taken from an order of the Supreme Court, New York County, entered on or about October 9, 2019,

Now, upon reading and filing the correspondence from counsel for plaintiff-appellant, dated February 14, 2020, and the stipulation of discontinuance dated February 11, 2020, and due deliberation having been had thereon,

It is ordered that the appeal and cross appeal are 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 May 14, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X
Douglas Booth,
Plaintiff-Respondent,

-against-

Ecozone, Inc., et al.,
Defendants-Respondents,

M-1332
Index No. 150531/13

-and-

Rapid Construction and Renovation
of New York, Inc., i/s/a Rapid
Construction and Renovation,
Defendant-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about June 5, 2019,

Now, upon reading and filing the correspondence from counsel for defendant-appellant, dated March 9, 2020, and due deliberation having been had thereon,

It is ordered that the appeal is 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 May 14, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X

Musclepharm Corporation,
Plaintiff-Respondent,

M-1335
Index No. 655415/18

-against-

Nelson Obus,
Defendant-Appellant.

-----X

An appeal having been taken 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, dated February 20, 2020, and due deliberation having been had thereon,

It is ordered that the appeal is 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 May 14, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X

Davon Elmore,
Plaintiff-Appellant,

-against-

M-1371X
Index No. 306040/12

The Raymond Corporation, et al.,
Defendants-Respondents.

-----X

An appeal having been taken from a order of the Supreme Court, Bronx County, entered on or about August 31, 2018,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" March 6, 2020, and due deliberation having been had thereon,

It is ordered that the appeal is 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 May 14, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X

In the Matter of the Application of

Richard Ilich,
Petitioner-Appellant,

For Judicial Dissolution of
Drive Enterprises Corp.,

M-1372X
Index No. 260408/15

Pursuant to §1104(a)(1)& (a)(3) and
§1104-a(a) of the Business Corporation Law
-----X

In the Matter of the Application of

Richard Ilich,
Petitioner-Appellant,

For Judicial Dissolution of
Zulette Realty Corp.,

Index No. 260409/15

Pursuant to §1104(a)(1)& (a)(3) and
§1104-a(a) of the Business Corporation Law
-----X

In the Matter of the Application of

Richard Ilich,
Petitioner-Appellant,

For Judicial Dissolution of
Unitron Products, Inc.,

Index No. 260410/15

Pursuant to §1104(a)(1)& (a)(3) and
§1104-a(a) of the Business Corporation Law
-----X

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

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" March 6, 2020, and due deliberation having been had thereon,

(M-1372X)

-2-

May 14, 2020

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation. This order shall supercede the order of this Court entered on March 12, 2020 (M-852).

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 May 14, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X

Greater New York Mutual Insurance
Company,
Plaintiff-Respondent,

M-1373
Index No. 159305/16

-against-

Utica First Insurance Company,
Defendant-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about January 8, 2020,

Now, upon reading and filing the correspondence from counsel for defendant-appellant, dated March 6, 2020, and due deliberation having been had thereon,

It is ordered that the appeal is 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 May 14, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Dianne T. Renwick
Rosalyn H. Richter
Sallie Manzanet-Daniels, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-1023
Ind. Nos. 2684/14
682/16

Robin Hamilton,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of **resentence** of the Supreme Court, New York, County, rendered on or about February 13, 2020, 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 May 14, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
Dianne T. Renwick
Sallie Manzanet-Daniels
Barbara R. Kapnick
Lizbeth González, Justices.

-----X

In Re Stephanie L. L.,
Petitioner-Respondent,

CONFIDENTIAL

M-1085

M-1278

Docket Nos. V27887/12

V28084/12

-against-

Romey S. M.,
Respondent-Appellant.

-----X

Respondent-appellant having moved (M-1085) 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 December 19, 2019 (Appeal No. 10598),

And petitioner-respondent having cross-moved (M-1278) pursuant to 22 NYCRR 130-1.1 for costs and attorneys' fees and for the imposition of sanctions,

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 by respondent-appellant (M-1085) for reargument, or in the alternative, for leave to appeal to the Court of Appeals is denied, and it is further

Ordered that the cross motion (M-1278) by petitioner-respondent for costs and attorneys' fees and for the imposition of sanctions 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 May 14, 2020.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
Dianne T. Renwick
Sallie Manzanet-Daniels
Troy K. Webber, Justices.

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

-against-

Jawawn Fraser,
Defendant-Appellant.

M-973
Ind. No. 4844/14

-----X

Defendant-appellant having moved for reargument of the decision and order of this Court, entered on February 13, 2020 (Appeal No. 8076),

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 reargument, the decision and order of this Court entered on February 13, 2020 (Appeal No. 8076) is recalled and vacated and a new decision and order substituted therefor. (See Appeal No. 8076, 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 May 14, 2020.

Present - Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Sallie Manzanet-Daniels
Anil C. Singh
Lizbeth González, Justices.

-----x

Olga P.,
Plaintiff-Appellant,

Confidential

M-958

-against-

Index No. 310169/16

Ioannis Y.,
Defendant-Respondent.

-----x

Appeals having been taken to this Court from orders of Supreme Court, New York County, entered on or about January 30, 2019, April 18, 2019 and November 27, 2018, and said appeals having been perfected,

And plaintiff-appellant having moved for a stay of trial pending hearing and determination of the perfected appeals,

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

It is ordered that the motion is denied.

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 May 14, 2020.

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

-----X
Debra Crookendale,
Plaintiff-Appellant,

-against-

M-514
Index No. 154788/15

New York City Health and Hospitals
Corporation,
Defendant-Respondent.

-----X

Plaintiff-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 September 3, 2019 (Appeal No. 9563),

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 May 14, 2020.

PRESENT: Hon. David Friedman, Justice Presiding,
Rosalyn H. Richter
Cynthia S. Kern
Anil C. Singh, Justices.

-----X
Amanda Oliveras,
Plaintiff-Appellant,

-against-

M-1026
Index No. 24874/14

New York City Transit Authority, et al.,
Defendants-Respondents,

John Doe, et al.,
Defendants.

-----X

Plaintiff-appellant having moved for reargument of, or in the alternative, for leave to appeal to the Court of Appeals, from the decision and order of this Court, entered on January 16, 2020 (Appeal No. 10788),

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 May 14, 2020.

PRESENT: Hon. David Friedman, Justice Presiding,
Barbara R. Kapnick
Cynthia S. Kern
Jeffrey K. Oing, Justices.

-----X
A.P., an infant, by
Raysa R., etc., et al.,
Plaintiffs-Appellants-Respondents,

-against-

M-499
Index No. 350458/10

Charles Stolar, M.D.,
Defendant-Respondent-Appellant,

Jose Ruben Rodriguez, M.D., et al.,
Defendants-Respondents.

-----X

Plaintiffs-appellants-respondents 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 December 10, 2019 (Appeal Nos. 10524-10524A),

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 May 14, 2020.

PRESENT: Hon. David Friedman, Justice Presiding,
Barbara R. Kapnick
Cynthia S. Kern
Jeffrey K. Oing, Justices.

-----X

In re Jay Sarker,
Petitioner-Appellant,

-against-

M-762
Index No. 150147/17

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

-----X

Petitioner-appellant, pro se, having moved for reargument of, or in the alternative, for leave to appeal to the Court of Appeals, from the decision and order of this Court, entered on January 2, 2020 (Appeal No. 10531 & M-8500),

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 May 14, 2020.

PRESENT: Hon. David Friedman, Justice Presiding,
Troy K. Webber
Cynthia S. Kern
Peter H. Moulton, Justices.

-----X
Doris Dees, as Administrator of
the Estate of William Tate-Mitros
(deceased),
Plaintiff-Respondent,

-against-

M-507
Index No. 112752/08

MTA New York City Transit, also
known as New York City Transit
Authority, et al.,
Defendants-Appellants.

-----X

Defendants-appellants 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 December 26, 2019 (Appeal No. 10666),

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 May 14, 2020.

PRESENT: Hon. David Friedman, Justice Presiding
Troy K. Webber
Anil C. Singh
Peter H. Moulton, Justices.

-----X
U.S. Education Loan Trust IV, LLC, et al.,
Plaintiffs-Appellants-Respondents, M-691
Index 654415/17
-against-

Bank of New York Mellon,
Defendant-Respondent-Appellant.
-----X

Plaintiffs-appellants-respondents having moved for reargument of the decision and order of this Court, entered on January 7, 2020 (Appeal No. 10170),

Now, upon reading and filing the stipulation of withdrawal dated February 20, 2020, and due deliberation having been had thereon,

It is ordered that the motion 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 May 14, 2020.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,
Judith J. Gische
Angela M. Mazzarelli
Peter H. Moulton, Justices.

-----X
Moustapha Magassouba,
Plaintiff-Appellant,

-against-

M-172
Index No. 100452/18

Cascione, Purcigliotti, et al.,
Defendants-Respondents.
-----X

Plaintiff-appellant, pro se, 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 December 12, 2019 (Appeal Nos. 10556N-10556NA),

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 October 29, 2019.

PRESENT: Hon. Rosalyn H. Richter, Justice Presiding,
Sallie Manzanet-Daniels
Anil C. Singh
Peter H. Moulton, Justices.

-----X
Fieldstone Capital Inc.,
Petitioner-Landlord-Appellant,

-against-

M-496
Index No. 571072/18

Ryan & Conlon, LLP,
Respondent-Tenant-Respondent,

XYZ Corp.
Respondent-Undertenant.
-----X

Respondent-tenant-respondent having moved for leave to appeal to this Court from the decision and order of the Appellate Term, First Department, entered in the office of the Clerk of the Supreme Court, New York County, on or about June 26, 2019, and to stay enforcement of the aforementioned order and of the hearing on attorney's fees or any award of attorney's fees, and for other relief,

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

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

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 May 14, 2020.

PRESENT: Hon. Rosalyn H. Richter, Justice Presiding,
Judith J. Gische
Angela M. Mazzarelli
Ellen Gesmer, Justices.

-----X
Gianfranco Arena,
Plaintiff-Respondent,

-against-

M-961
Index No. 850095/17

Lester Noah Shaw, M.D.,
Defendant-Appellant.
-----X

Plaintiff-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 January 2, 2020 (Appeal No. 10693N),

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 May 14, 2020.

PRESENT: Hon. Rosalyn H. Richter, Justice Presiding,
Judith J. Gische
Ellen Gesmer
Cynthia S. Kern
Lizbeth González , Justices.

-----X

Karima Gregory, et al.,
Plaintiffs-Respondents-Appellants,

-against-

M-1025

Index No. 303405/10

National Amusements, Inc. doing business
as Whitestone Multiplex Cinemas, et al.,
Defendants,

Safe Environment Business Solutions, Inc.
Defendant-Appellant-Respondent.

-----X

Plaintiffs-respondents-appellants having moved for leave to appeal to the Court of Appeals, from the decision and order of this Court, entered on January 9, 2000 (Appeal Nos. 10754 and 10755),

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 May 14, 2020.

PRESENT: Hon. Rosalyn H. Richter, Justice Presiding,
Barbara R. Kapnick
Cynthia S. Kern
Anil C. Singh, Justices.

-----X
Fireman's Fund Insurance Company,
et al.,
Plaintiffs-Respondents,

-against-

M-791
Index No. 160195/15

State National Insurance Company,
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 December 26, 2019 (Appeal No. 9887),

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