

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 3, 2012.

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

-----X
Mometal Structures, Inc.,
Plaintiff-Respondent,

-against-

M-2627X
Index No. 601577/08

AMCC Corporation and Liberty Mutual
Insurance Company,
Defendants-Appellants.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about January 31, 2012,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" May 31, 2012, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:


DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 3, 2012.

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

-----X
In the Matter of

Keon P., Legend E., Joekwon E. and
Royal E.,

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

M-2650
Docket Nos. NA-07597/11
07598/11
07599/11
07600/11

Administration for Children's
Services,
Petitioner-Appellant,

Thomas M., Joewanda E. and Diana J.,
Respondents-Respondents.

Ava Gutfriend, Esq.,
Attorney for the Children.

-----X
An appeal having been taken from the order of the Family Court, Bronx County, entered on or about March 7, 2012,

Now, upon reading and filing the stipulation of the parties hereto, dated May 9, 2012, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 3, 2012.

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

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

-against-

M-2659
Ind. No. 929/01

Ramell Lankford,
Defendant-Appellant.

-----X

An appeal having been taken from the judgment of **resentence** of the Supreme Court, Bronx County, rendered on or about February 10, 2012,

Now, upon reading and filing the stipulation of the parties hereto, dated May 31, 2012, and due deliberation having been had thereon,

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

ENTER:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 3, 2012.

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

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

-against-

M-2660
Ind. No. 31/99

Russell Palmer,
Defendant-Appellant.

-----X

An appeal having been taken from the judgment of **resentence** of the Supreme Court, Bronx County, entered on or about August 10, 2011,

Now, upon reading and filing the stipulation of the parties hereto, dated June 1, 2012, and due deliberation having been had thereon,

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

ENTER:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 3, 2012.

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

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

-against-

M-2661
Ind. No. 379/07

Daniel Omolukun,
Defendant-Appellant.

-----X

An appeal having been taken from the judgment of the Supreme Court, New York County, rendered on or about June 25, 2008,

Now, upon reading and filing the stipulation of the parties hereto, dated May 21, 2012, and due deliberation having been had thereon,

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

ENTER:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 3, 2012.

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

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

-against-

M-2663
Ind. No. 4988/10

Justin Fitzpatrick,
Defendant-Appellant.

-----X

An appeal having been taken from the judgment of the Supreme Court, New York County, rendered on or about April 11, 2011,

Now, upon reading and filing the stipulation of the parties hereto, dated May 24, 2012, and due deliberation having been had thereon,

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

ENTER:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 3, 2012.

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

-----X
Nancy Marshak and Leslie Marshak,
Plaintiffs,

-against-

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

M-2672X
Index Nos. 101719/03
109345/05

-----X
RCN Telecom Services, Inc.,
Third-Party Plaintiff-Appellant,

against-

Felix Equities, Inc.,
Third-Party Defendants.

Third-Party
Index No. 590382/05

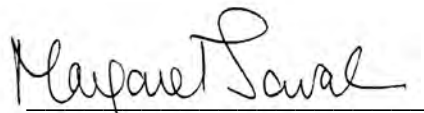
-----X
(And another action)
-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about December 22, 2011 (mot. seq. no. 004),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" June 5, 2012, and due deliberation having been had thereon,

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

ENTER:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 3, 2012.

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

-----X
Soho Equities Inc., et al.,
Plaintiffs-Appellants,

-against-

M-2711X
Index No. 603137/04

72 Grand Partners, et al.,
Defendants-Respondents.


-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about September 2, 2011,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" June 6, 2012, and due deliberation having been had thereon,

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

ENTER:


DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 3, 2012.

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

-----X
Hoffinger Stern & Ross, LLP,
Plaintiff-Respondent,

-against-

M-2718X
Index No. 113111/09

Phillip Neuman, et al.,
Defendants-Appellants.


-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about January 30, 2012 (mot. seq. no. 013),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" June 6, 2012, and due deliberation having been had thereon,

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

ENTER:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 3, 2012.

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

-----X
Randall & Quilter Investment
Holdings PLC and R&Q Reinsurance
Company,
Plaintiffs-Appellants,

-against-

M-2722X
Index No. 653371//11

ACE INA International Holdings,
Ltd., et al.,
Defendants-Respondents.
-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about December 19, 2011,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" May 24, 2012, and due deliberation having been had thereon,

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

ENTER:


DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 3, 2012.

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

-----X

Eric Torres and Melissa Torres,

Plaintiff-Respondents,

-against-

M-2785X

Index No. 106246/08

The Dormitory Authority of the State
of New York,

Defendants-Appellants.

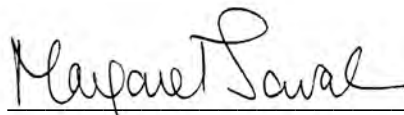
-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about September 23, 2011,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" June 12, 2012, and due deliberation having been had thereon,

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

ENTER:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 3, 2012.

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

-----X

Siria Bello,

Plaintiff-Appellant,

-against-

Khajam Z. Hafiz, et al.,

Defendants-Respondents.

-----X

M-2787X
Index No. 302000/08

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about November 18, 2011,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" June 12, 2012, and due deliberation having been had thereon,

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

ENTER:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 3, 2012.

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

-----X
Geraldine Mayerman,
Plaintiff-Respondent,

-against-

M-2790X
Index No. 112855/07

Perkins Eastman Architects, P.C.,
Defendant-Appellant,

D.H.I. Construction Services, Inc.,
Defendant-Appellant,

Carnell Engineering, P.A.,
Defendant-Appellant,

Sand Dollar Pools, LLC, et al.,
Defendants.

-----X

Separate appeals having been taken from an order of the Supreme Court, New York County, entered on or about January 20, 2012, (mot. seq. no. 007)

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" June 12, 2012, and due deliberation having been had thereon,

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

ENTER:


DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 3, 2012.

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

-----X

Rosa Soriano, Individually and as
Administratrix of the Estate of Luis
Enrique Soriano, Deceased,
Plaintiff-Respondent-Appellant,

M-2451

Index No. 6571/06

-against-

New York City Transit Authority,
Defendant-Appellant-Respondent.

-----X

An appeal and cross appeal having been taken from the judgment of the Supreme Court, Bronx County, entered on or about July 30, 2010,

And plaintiff-respondent-appellant having moved for an order enlarging the time in which to perfect their cross appeal,

Now, upon reading and filing the papers with respect to the motion, and the stipulation of the parties, dated June 7, 2012, and due deliberation having been had thereon, it is

Ordered that the motion is deemed withdrawn.

ENTER:


DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 3, 2012.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
James M. Catterson
Rosalyn H. Richter
Sheila Abdus-Salaam
Nelson S. Román, Justices.

-----x
Shaba Om,

Plaintiff-Appellant,

-against-

M-6180
Index No. 24372/03

Saint Vincent Catholic Hospital Medical
Center of New York, et al.,

Defendants-Respondents.
-----x

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, Bronx County, entered on or about March 11, 2010,

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

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

ENTER:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 3, 2012.

Present - Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
Rolando T. Acosta
Helen E. Freedman
Sallie Manzanet-Daniels, Justices.

-----x

Denny Castro,
Plaintiff,

M-2367

-against-

Index No. 305304/09

Prana Associates Twenty One, LP.,
Defendant.

- - - - -

Prana Associates Twenty One, LP.,
Third-Party Plaintiff,

-against-

Index No. 84223/09

Four Star Mechanical Inc., et al.,
Third-Party Defendants.

- - - - -

Prana Associates Twenty One, LP.,
Second Third-Party Plaintiff,

-against-

Index No. 83968/10

Northland Insurance, et al.,
Second Third-Party Defendants.

- - - - -

Prana Associates Twenty One, LP.,
Third Third-Party
Plaintiff-Respondent,

-against-

Index No. 84208/10

Scottsdale Insurance Company,
Third Third-Party
Plaintiff-Appellant.

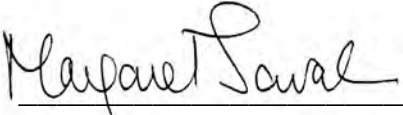
-----x

Third third-party plaintiff-appellant Scottsdale Insurance Company having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, Bronx County, entered on or about August 5, 2011,

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

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

ENTER:


DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 3, 2012.

Present - Hon. Peter Tom, Justice Presiding,
Angela M. Mazzarelli
Karla Moskowitz
Sheila Abdus-Salaam, Justices.

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

Respondent,

-against-

M-2306
Ind. No. 2437/08

Louise Rander,

Defendant-Appellant.

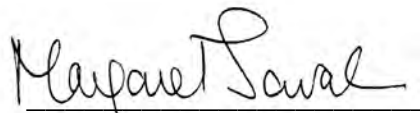
-----X

An order of this Court having been entered on July 14, 2011 (M-2324), granting defendant leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, Bronx County, rendered on or about April 4, 2011, and assigning Steven Banks, Esq., as counsel to prosecute the appeal; and a motion having been made to relieve such counsel, and for related relief,

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

It is ordered that the motion is granted to the extent of striking the designation of assigned counsel Steven Banks, Esq., as counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Robert S. Dean, Esq., Center for Appellate Litigation, 74 Trinity Place, 11th Floor, New York, New York 10006, Telephone No. 212-577-2523, as such counsel. The poor person relief previously granted is continued, and appellant's time in which to perfect the appeal is enlarged until 120 days from the date of this order or the filing of the record, whichever is later.

ENTER:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 3, 2012.

Present - Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
Rolando T. Acosta
Helen E. Freedman
Sallie Manzanet-Daniels, Justices.

-----x

The People of the State of New York,

Respondent,

-against-

Ariel Diaz,

Defendant-Appellant.

-----x

M-2466
Ind. Nos. 3529/02
2068/03

Assigned counsel for appellant having moved for dismissal of the appeal from the order of the Supreme Court, New York County, entered on or about March 22, 2010, **denying resentence**, without prejudice to reinstatement at such time appellant becomes amenable to the jurisdiction of this Court,

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

It is ordered that the motion is granted to the extent of deeming the appeal withdrawn.

ENTER:


DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 3, 2012.

Present - Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
Rolando T. Acosta
Helen E. Freedman
Sallie Manzanet-Daniels, Justices.

-----X
Bernard Cherry,

Plaintiff-Appellant,

-against-

M-2453
Index No. 304132/11

New York City Department of Corrections,
et al.,

Defendants-Respondents.
-----X

Plaintiff-appellant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, Bronx County, entered on or about January 19, 2012, and for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for other relief,

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

It is ordered that said motion is denied.

ENTER:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 3, 2012.

Present - Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
Rolando T. Acosta
Helen E. Freedman
Sallie Manzanet-Daniels, Justices.

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

Respondent,

-against-

Pedro Alicea,

Defendant-Appellant.

M-2533
Ind. Nos. 5902/06
4631/10
4750/10

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from a judgments of the Supreme Court, New York County, rendered on or about September 22, 2010 and December 7, 2012; and from the judgment of **resentence** of said Court rendered on or about December 8, 2010, for leave to prosecute the appeal as a poor person upon the original record and a reproduced appellant's brief, and for related relief,

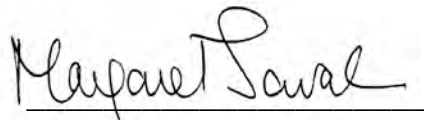
Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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

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

ENTER:

A handwritten signature in cursive script, reading "Margaret Saval". The signature is written in black ink and is positioned above a horizontal line.

DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 3, 2012.

Present - Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
Rolando T. Acosta
Helen E. Freedman
Sallie Manzanet-Daniels, Justices.

-----X

In the Matter of the Application of
John Polzella,
Petitioner-Appellant,

M-2542
Index No. 250388/11

For a Judgment, etc.,

-against-

Andrea Evans, Chairwoman of the
New York State Division of Parole,
Respondent-Respondent.

-----X

An appeal having been taken from the order and judgment (one paper) of the Supreme Court, Bronx County, entered on or about February 14, 2012,

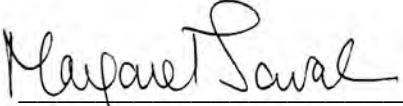
And petitioner-appellant having moved for leave to prosecute the appeal as a poor person, upon the original record and reproduced petitioner's brief, for the assignment of counsel, and for related relief,

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 permitting the appeal to be heard on the original record and upon a reproduced petitioner's brief, on condition that petitioner-appellant serves one copy of such brief upon the attorney for the respondent-respondent and files 8 copies of such brief, together with the original record, with this Court. Petitioner-appellant is permitted to dispense with payment of the required fee for the subpoena and filing of the record, and it is further

Ordered that Steven Banks, Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688, is assigned for purposes of prosecuting the appeal on petitioner-appellant's behalf. Motion otherwise denied.

ENTER:


DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 3, 2012.

Present: Hon. Peter Tom, Justice Presiding,
Richard T. Andrias
David Friedman
Karla Moskowitz
Dianne T. Renwick, Justices.

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

-against-

M-2483
Ind. No. 5578/10

Bernardo Rodriguez,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about April 30, 2012, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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

Robert S. Dean, Esq., Center for Appellate Litigation, 74 Trinity Place, 11th Floor, New York, New York 10006, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal shall be in accordance with the order of a Justice of this Court granting bail entered May 17, 2012.

ENTER:


DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 3, 2012.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
David Friedman
John W. Sweeny, Jr.
James M. Catterson, Justices.

-----x
In the Matter of a Proceeding for
Support Under Article 6 of the
Family Court Act.

Paola Mireya Canahuati B.,
Petitioner-Respondent,

M-2686
Docket No. F-6282/08

-against-

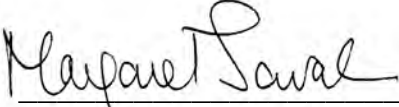
Oscar Ivan Larach Z.,
Respondent-Appellant.

-----x
Respondent-appellant having moved for an enlargement of time to perfect the appeal from the order of the Family Court, New York County, entered on or about November 10, 2011,

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

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

ENTER:


DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in in the County of New York on July 3, 2012.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
David Friedman
John W. Sweeny, Jr.
James M. Catterson, Justices.

-----X
Young Woo & Assoc., LLC, et al.,
Plaintiffs-Appellants,

-against-

M-2640
Index No. 652270/11

Kumho Investment Bank, et al.,
Defendants-Respondents.
-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about May 31, 2012,

And plaintiffs-appellants having moved to stay enforcement of the aforesaid order of the Supreme Court, 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.

ENTER:


DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 3, 2012.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
David Friedman
John W. Sweeny, Jr.
James M. Catterson, Justices.

-----X

In the Matter of

Vallery P.,

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

M-2797

Docket No. NN25264/10

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

Jondalla P.,
Respondent-Appellant.

- - - - -
Steven Banks, Esq., The Legal Aid
Society, Juvenile Rights Division,
Attorney for the Child.

-----X

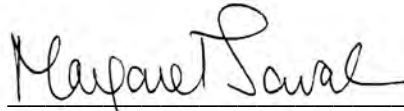
Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from an Order of Fact-Finding of the Family Court, New York County, entered on or about April 27, 2012 and an Order of Disposition of the same entered on or about March 23, 2012, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Rebecca Horwitz, Esq., Center for Family Representation, 40 Worth Street, Suite #605, New York, NY

10013, Telephone No. (212) 691-10013, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor¹ **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTER:



DEPUTY 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 July 3, 2012.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
David Friedman
John W. Sweeny, Jr.
James M. Catterson, Justices.

-----x

Turner Construction Company,
Plaintiff-Appellant,

-against-

RLI Insurance Company,
Defendant-Respondent,

M-2618
Index No. 104964/11

-and-

Harleysville Mutual Insurance
Company,
Defendants.

-----x

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, New York County, entered on or about October 3, 2011,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to on or before September 4, 2012 for the November 2012 Term.

ENTER:


DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 3, 2012.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
David Friedman
John W. Sweeny, Jr.
James M. Catterson, Justices.

-----x
In the Matter of the Commitment of

Nicolas Jude B., also known as
Nicolas J.B., also known as
Nicolas B.,

A Dependent Child Under 18 Years of
Age Pursuant to § 384-b(4)(d) of the
Social Services law of the State of
New York

- - - - -
Saint Dominic's Home, et al.,
Petitioners-Respondents,

M-2551
Docket No. B-24831/11

Michelle Marguerite B., also known as
Michele M. B., also known as Michelle
B., also known as Michell Marguerite
B., Michell M. B., also known as
Michele B.,
Respondent-Appellant.

- - - - -
Tamara Steckler, Esq., The Legal Aid
Society, Juvenile Rights Division,
Attorney for the Child.

-----x

Respondent-appellant having moved for a stay of adoption proceedings pending hearing and determination of the appeal from the order of the Family Court, New York County, entered on or about April 23, 2012,

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

It is ordered that the motion is granted to the extent of continuing the relief granted by a Justice of this Court on May 25, 2012 on condition the appeal is perfected on or before September 4, 2012, for the November 2012 Term.

ENTER:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 3, 2012.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
John W. Sweeny, Jr.
James M. Catterson, Justices.

-----X
Citigroup Financial Products, Inc.,
et al.,

Plaintiffs-Appellants,

-against-

M-2557

Index No. 651075/11

Countrywide Financial Corporation,
et al.,

Defendants-Respondents.

-----X

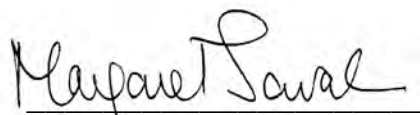
Appeals having been taken from the order of the Supreme Court, New York County, entered on or about May 25, 2012 and from an order and subsequent judgment of the Supreme Court, New York County, entered on or about December 6, 2011 and December 22, 2011, respectively,

And plaintiffs-appellants having moved to stay enforcement of the aforesaid order entered on or about May 25, 2012, pending hearing and determination of the appeal taken therefrom,

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

It is ordered that, sua sponte, the aforesaid appeals are consolidated, and the motion is granted on condition that the consolidated appeals are perfected on or before August 6, 2012 for the October 2012 Term. Upon failure to so perfect, an order vacating the stay may be entered ex parte, provided that defendants-respondents serve a copy of this order upon plaintiffs-appellants within 10 days after the date of entry hereof.

ENTER:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 3, 2012.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,
David B. Saxe
Karla Moskowitz
Helen E. Freedman
Sallie Manzanet-Daniels, Justices.

-----X

Modesta Brignoni,
Plaintiff-Appellant,

-against-

M-1705
Index No. 103809/07

601 West 162 Associates, L.P.,
Defendant-Respondent,

La Villa Food Center, et al.,
Defendants.

-----X

Defendant-respondent having moved for reargument of the decision and order of this Court entered on March 1, 2012 (Appeal No. 6799),

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

It is ordered that the motion is denied.

ENTER:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 3, 2012.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,
David B. Saxe
Karla Moskowitz
Sallie Manzanet-Daniels
Nelson S. Román, Justices.

-----X
Mannuccio Mannucci, M.D., et al.,
Plaintiffs-Appellants,

-against-

M-2268
Index No. 602284/08

The Missionary Sisters of the
Sacred Heart of Jesus,
Defendant-Respondent.

-----X

Plaintiffs-appellants having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on April 5, 2012 (Appeal No. 7292),

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

It is ordered that the motion is denied.

ENTER:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 3, 2012.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,
David B. Saxe
Dianne T. Renwick
Sheila Abdus-Salaam, Justices.

-----X
Andrew Gering,
Plaintiff-Respondent,

-against-

M-1864
Index No. 350060/03

Charisse Tavano,
Defendant-Appellant.

-----X

Defendant-appellant having moved for reargument of or, in the alternative, leave to appeal to the Court of Appeals from the decision and order of this Court entered on March 20, 2012 (Appeal No. 7156-7156A),

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

It is ordered that the motion is denied.

ENTER:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 3, 2012.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,
David B. Saxe
Leland G. DeGrasse
Nelson S. Román, Justices.

-----X
John R. Denza, et al.,
Plaintiffs-Respondents,

-against-

M-2212
Index No. 117673/05

Independence Plaza Associates,
LLC, et al.,
Defendants-Appellants.

- - - - -

Independence Plaza North Tenants'
Association, et al.,
Plaintiffs-Respondents,

-against-

Index No. 113831/04

Independence Plaza Associates,
L.P., etc., et al.,
Defendants-Appellants.

- - - - -

Independence Plaza North Tenants'
Association, et al.,
Plaintiffs-Appellants,

Felix Ortiz,
Plaintiff,

-against-

Independence Plaza Associates., L.P.,
etc., et al.,
Defendants-Respondents.

- - - - -

The Rent Stabilization Association
of New York City, Inc. and Community
Housing Improvement Program, Inc.,
Amici Curiae.

-----X

Plaintiffs-respondents having moved for reargument of or, in the alternative, leave to appeal to the Court of Appeals from the decision and order of this Court entered on April 3, 2012 (Appeal No. 6528-6530),

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

It is ordered that the motion is denied.

ENTER:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 3, 2012.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
David B. Saxe
Karla Moskowitz
Helen E. Freedman, Justices.

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

-against-

Henry Rosa,
Defendant-Appellant.

M-1472
Ind. Nos. 1694/09
19163C/09

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from a judgment of the Supreme Court, Bronx County, rendered on or about January 13, 2011, 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 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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

Richard M. Greenberg, Esq., Office of the Appellate Defender, 11 Park Place, Room 1601, New York, New York, 10007, Telephone No. 212-402-4100,, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTER:


DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 3, 2012.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,
David Friedman
Rolando T. Acosta
Helen E. Freedman
Sheila Abdus-Salaam, Justices.

-----X
Highmount Olympic Fund, LLC,
Plaintiff,

-against-

PIPE Equity Partners, LLC, et al.,
Defendants.

M-1740
Index No. 651103/10
651109/10

PIPE Equity Partners, LLC,
Plaintiff-Respondent,

-against-

Highmount Olympic Fund, LLC,
Defendant-Appellant.
-----X

Plaintiff-respondent PIPE Equity Partners, LLC having moved for leave to appeal to the Court of Appeals from the decision and order of this Court entered on March 6, 2012 (Appeal No. 6994),

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

It is ordered that the motion is denied.

ENTER:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 3, 2012.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,
David Friedman
Rolando T. Acosta
Helen E. Freedman
Sheila Abdus-Salaam, Justices.

-----X
William Fernandez, et al.,
Plaintiffs-Respondents,

-against-

M-1518
Index No. 600221/08

Richard Hencke,
Defendant-Appellant.

-----X

Defendant-appellant having moved for reargument of or, in the alternative, for leave to appeal to the Court of Appeals from the decision and order of this Court entered on March 6, 2012 (Appeal No. 6985),

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

It is ordered that the motion is denied.

ENTER:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 3, 2012.

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

-----X

Dain C. Phillip,

Plaintiff-Appellant,

M-2126

Index No. 307443/09

-against-

Gone Transportation Corp., et al.,

Defendants-Respondents.


-----X

Defendants-respondents having moved for dismissal of the appeal taken from the order of the Supreme Court, Bronx County, entered on or about June 2, 2011,

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

It is ordered that the motion is granted and the appeal is dismissed.

ENTER:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 3, 2012.

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

-----X

Walter Pofeldt,
Plaintiff-Respondent,

-against-

Mary Paliotta,
Defendant-Appellant.

M-2418
M-2357
M-1975 DC #71
Index No. 3334/08

-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about June 29, 2010,

And defendant-appellant having moved to enlarge the time in which to perfect the appeal and to direct plaintiff to produce certain documents (M-2418),

And defendant-appellant also having moved for a stay of the aforesaid order (M-2357),

And said appeal not having been brought on for hearing pursuant to the provisions of the Rules of Practice of the Appellate Division, First Department,

And a calendar call having been held by the Clerk of the Court on June 8, 2012, pursuant to Rule 600.12(c) of said Rules of Practice,

Now, upon the papers related to the motions, and due deliberation thereof, and upon the Court's own motion, it is

Ordered that motions M-2357 and M-2418 are denied, and it is further ordered that the appeal is dismissed (M-1975/DC#71).

ENTER:


DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 3, 2012.

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

-----X
Edward J. Minskoff Equities, Inc.,
270 Greenwich Street Associates, LLC,
Plaintiffs-Appellants,

-against-

M-2299
Index No. 601640/08

Crystal Window & Door Systems, Ltd.,
Defendant-Respondent.

-----X

Plaintiffs-appellants having moved for an order staying the trial in the above-entitled action pending hearing and determination of the appeal taken from the order of the Supreme Court, New York County, entered on or about May 2, 2012,

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

It is ordered that the motion is denied and the interim relief granted by an order of a Justice of this Court dated May 9, 2012 is hereby vacated.

ENTER:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 3, 2012.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
David Friedman
John W. Sweeny, Jr.
James M. Catterson, Justices.

-----X
8930 Sutphin Blvd. LLC,
Plaintiff-Appellant,

-against-

M-2772
Index No. 603257/07

West End Construction Corp., et al.,
Defendants-Respondents.

(And other actions)

-----X

Plaintiff-appellant having moved for an order staying all proceedings including the trial in the above-entitled consolidated actions pending hearing and determination of the appeal taken from the order of the Supreme Court, New York County, entered on or about January 12, 2012,

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

It is ordered that the motion is denied.

ENTER:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 3, 2012.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
David Friedman
John W. Sweeny, Jr.
James M. Catterson, Justices.

-----x

Classic New York Realty 2009 LLC,
Plaintiff-Appellant,

-against-

M-2740

Index No. 650502/10

Aimco 240 West 73rd Street, LLC and
Aimco 240 West 73rd Street Co-Owners,
LLC,

Defendants-Respondents.

-----x

An appeal having been taken to this Court from the judgment of the Supreme Court, New York County, entered on or about February 29, 2012,

And plaintiff-appellant having moved for relief in the nature of a preliminary appellate injunction enjoining defendants from, inter alia, re-renting certain units and restoring plaintiff to possession of the entire premises pending a hearing scheduled 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.

ENTER:


DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 3, 2012.

PRESENT - Hon. David B. Saxe, Justice Presiding,
David Friedman
Dianne T. Renwick
Leland G. DeGrasse
Rosalyn H. Richter, Justices.

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

-against-

M-2537
Ind. No. 3393/10

Thaddaeus Burkett,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about October 7, 2010, and for leave to prosecute said appeal as a poor person, assignment of counsel, and related relief,

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

It is ordered that the motion is denied.

ENTER:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 3, 2012.

PRESENT - Hon: David B. Saxe, Justice Presiding,
David Friedman
Dianne T. Renwick
Leland G. DeGrasse
Rosaly H. Richter, Justices.

-----X

CSFB 2004-C3 Bronx Apts LLC,
Plaintiff-Appellant-Respondent,

-against-

Sinckler, Inc.,
Defendant-Respondent-Appellant,

Baron Associates LLC, et al.,
Defendants.

-----X

M-2454
M-2651
Index No. 380163/11

An appeal having been taken from order of the Supreme Court, Bronx County, entered on or about February 16, 2012, and said appeal having been heard and decided (Appeal No. 8032 entered June 7, 2012),

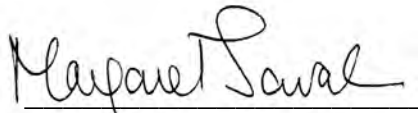
And plaintiff-appellant-respondent having moved for an order referring allegations of attorney misconduct to the Departmental Disciplinary Committee of this Court (M-2454),

And defendant-respondent-appellant having cross-moved for an order sealing the record of the motion practice, along with the appellate record referred to in the plaintiff-appellant-respondent's motion papers (M-2651),

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 and cross motion are denied.

ENTER:


DEPUTY CLERK