

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 January 7, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzairelli  
David Friedman, Justices.

-----X

Cynthia Saldana, et al.,  
Plaintiffs-Respondents,

-against-

M-5199  
Index No. 26099/02

The City of New York,  
Defendant-Appellant.

-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about July 2, 2012,

Now, upon reading and filing the stipulation of the parties hereto, dated October 9, 2013, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 7, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman, Justices.

-----X

Jeanne Salemo,  
Plaintiff,

-against-

M-5847X  
Index No. 308845/10

Barmarshar Realty LLC,  
Defendant,

-----X

Barmarshar Realty LLC,  
Third-Party Plaintiff-Appellant,

-against-

Third-Party  
Index No. 83764/12

Nikola Plumaj, et al.,  
Third-Party Defendants-Respondents.

-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about August 16, 2013,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" November 7, 2013, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 7, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman, Justices.

-----X  
Marcus Otero & Olga Yvette Otero,  
Plaintiffs-Appellants,

-against-

M-5849X  
Index No. 303702/07

Eial Faierman, M.D., et al.,  
Defendants-Respondents.  
-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about September 17, 2013,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" November 7, 2013, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 7, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman, Justices.

-----X  
Manul Capital Management LLC,  
Plaintiff/Counterclaim  
Defendant-Respondent,

-against-

M-5850X  
Index No. 651738/12

Lawrence G. Graev,  
Defendant/Counterclaim  
Plaintiff-Appellant.

-----X

An appeal having been taken from the judgment of the Supreme Court, New York County, entered on or about April 8, 2013, and said appeal having been perfected,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" November 7, 2013, and due deliberation having been had thereon,

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

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 7, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman, Justices.

-----X

Richard John Powers, etc., et al.,  
Plaintiff-Respondent,

-against-

M-5951X  
Index No. 307791/10

New York City Transit Authority, MTA Bus  
Company, Manhattan and Bronx Surface  
Transit Operating Authority, Wayne W.  
Forde,

Defendants-Appellants,

Kyong Kwan Min, et al.,  
Defendants-Respondents,

City of New York,  
Defendant.

-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about December 7, 2012,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" November 15, 2013, and due deliberation having been had thereon,

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

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 7, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman, Justices.

-----X  
Joseph N. Malheiro,  
Plaintiff-Appellant,

Steven Cruz,  
Plaintiff,

-against-

M-5990X  
Index No. 102867/09

Muddasar I. Bajwa, et al.,  
Defendants-Respondents.  
-----X

Appeals having been taken from the order of the Supreme Court, New York County, entered on or about April 17, 2013 and from the judgment of said Court entered on or about May 31, 2013, respectively,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" November 19, 2013, and due deliberation having been had thereon,

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

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 7, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman, Justices.

-----X  
In the Matter of

Dulcilania G.,

A Person Alleged to be A Juvenile  
Delinquent.

M-6011  
Docket No. D11637/11

-----X

An appeal having been taken from the order of the Family Court, Bronx County, entered on or about July 27, 2012, and said appeal having been perfected,

Now, upon reading and filing the stipulation of the parties hereto, dated November 20, 2013, and due deliberation having been had thereon,

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

ENTER:



\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 7, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzairelli  
David Friedman, Justices.

-----X  
Seneca Insurance Company, Inc.,  
Plaintiff-Respondent,

-against-

M-6066X  
Index No. 601087/10

Cimran Co., Inc., Darshan S. Bagga  
also known as D.S. Bagga,  
Defendants-Appellants.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about April 24, 2013,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" November 21, 2013, and due deliberation having been had thereon,

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

ENTER:



\_\_\_\_\_  
CLERK



At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 7, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzarelli  
David Friedman, Justices.

-----X  
Rita Scaba,  
Plaintiff-Respondent,

-against-

M-6025X  
Index No. 306861/10

Moshe Scaba,  
Defendant-Appellant.  
-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about July 3, 2013 (mot. seq. no. 008),

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" November 20, 2013, and due deliberation having been had thereon,

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

ENTER:



\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 7, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Angela M. Mazzairelli  
David Friedman, Justices.

-----X

Juan Gonzalez,  
Plaintiff-Respondent,

-against-

M-5213  
Index No. 303000/09

Midtown West B.L.L.C., Rockrose  
Development Corp.,  
Defendants-Appellants.

-----X

An appeal having been taken from the order of the Supreme Court, Bronx County, entered on or about December 26, 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 appeal is deemed withdrawn.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 7, 2014.

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

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

-against-

M-3320  
Ind. No. 77/07

Raul DeJesus,  
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about April 22, 2008,

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

It is ordered that the motion is denied with leave to renew upon submission of a notarized affidavit or stipulation of the parties which shall include defendant-appellant's signature stating his wish that the appeal be withdrawn.

ENTER:



\_\_\_\_\_  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 7, 2014.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
David Friedman  
John W. Sweeny, Jr.  
David B. Saxe, Justices.

-----X  
Philomena Brennan,

Petitioner-Appellant,

**M-6212**

**M-6288**

-against-

Index No. 104122/12

City of New York, et al.,

Respondents-Respondents.

-----X

An appeal having been taken from an order and judgment (one paper) of the Supreme Court, New York County, entered on or about March 19, 2013,

And petitioner-appellant having moved by duplicate motions for an enlargement of time to perfect the aforesaid appeal,

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 are granted to the extent of enlarging the time in which to perfect the appeal to the May 2014 Term.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 7, 2013.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
David Friedman  
John W. Sweeny, Jr.  
David B. Saxe, Justices.

-----X  
Cyrus R. Vance, Jr., etc.,  
Plaintiff-Claimant-Respondent,

-against-

M-6128  
Index No. 402181/12

Constantine Flouras,  
Defendant-Appellant.

- - - - -  
National Association of Criminal Defense  
Lawyers and The New York Criminal Bar  
Association,  
Amicus Curiae.  
-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about May 2, 2013 (mot. seq. no. 002), and said appeal having been perfected,

And National Association of Criminal Defense Lawyers and The New York Criminal Bar Association having moved for leave to file a brief amicus curiae in connection with 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 directing the proposed amici curiae to file 9 copies of the joint amicus curiae brief.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 7, 2014.

Present: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
David Friedman  
John W. Sweeny, Jr.  
David B. Saxe, Justices.

-----X  
Betty Godfrey,

Plaintiff-Appellant,

-against-

**M-6114**

Index No. 14179/02

Mancini Safe Corporation, et al.,

Defendants-Respondents.  
-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, Bronx County, entered on or about November 20, 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 enlarging the time in which to perfect the appeal to the May 2014 Term.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 7, 2013.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
David Friedman  
John W. Sweeny, Jr.  
David B. Saxe, Justices.

-----X  
East River Realty Company, LLC,  
Plaintiff-Appellant,

-against-

M-6466  
Index No. 110981/09

Consolidated Edison Company of  
New York, Inc.,  
Defendant-Respondent.

-----X

Plaintiff-appellant having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, New York County, entered on or about March 18, 2013 and from the supplemental order entered on or about May 2, 2013, respectively,

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 unnecessary, the appeals from the aforesaid orders entered on or about March 18, 2013 and May 2, 2013 are deemed subsumed in the appeal from the judgment of said Court entered on or about July 18, 2013.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 7, 2014.

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

-----X  
IDS USA Inc., Integrated Distribution  
Services Group Limited and IDS Group  
Limited,  
Plaintiffs-Respondents-Appellants,

-against-

M-6137  
M-6197  
Index No. 650103/09

IMPAC Logistic Services LLC,  
IMPAC Administrative Services Inc.,  
IMPAC Logistic Services Inc., S.D.S.  
Management & Consulting Services Inc.,  
Innovative Methods Packing and Apparel  
Corrections LLC, Steven Moses and  
Richard Sapienza,  
Defendants-Appellants-Respondents.

-----X

An appeal and cross appeal having been taken from the order of the Supreme Court, New York County, entered on or about February 4, 2013 (mot. seq. no. 005),

And defendants-appellants-respondents and plaintiffs-respondents-appellants having moved by separate motions for an enlargement of time to perfect the appeal and cross appeal,

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 are granted to the extent of enlarging the time to perfect the appeal and cross appeal to the May 2014 Term.

ENTER:

  
CLERK



At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 7, 2014.

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

-----X  
Sivan Kinberg,  
Plaintiff-Respondent,

-against-

M-5843  
Index No. 304804/10

Schwartzapfel, Novick, Truhowsky,  
Marcus, P.C., also known as  
Schwartzapfel, Truhowsky, Marcus,  
Sachs, P.C., also known as  
Schwartzapfel, Truhowsky, Marcus,  
P.C.,  
Defendants-Appellants.

-----X

Defendants-appellants having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, Bronx County, entered on or about January 4, 2013,

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 May 2014 Term.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 7, 2014.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,  
Peter Tom  
Dianne T. Renwick  
Sallie Manzanet-Daniels  
Paul G. Feinman, Justices.

-----X  
Pramer, S.C.A.,  
Plaintiff-Counterclaim-  
Defendant-Respondent,

-against-

M-5820  
Index No. 603336/04

Abaplus International Corporation,  
Defendant-Counterclaim-  
Plaintiff-Appellant.  
-----X

An appeal having been taken from the judgment of the Supreme Court, New York County, entered on or about May 9, 2013,

And defendant-counterclaim plaintiff-appellant having moved for an order enlarging the record on appeal with a copy of a "blog" published by a juror pertaining to this case, or other relief,

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

It is ordered that the motion is denied.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 7, 2014.

Present: Hon. Peter Tom, Justice Presiding,  
David B. Saxe  
Karla Moskowitz  
Judith J. Gische  
Darcel D. Clark, Justices.

-----X  
Robert Griffin,  
Plaintiff-Respondent,

-against-

The William Powell Company,  
et al.,  
Defendants-Appellants.

**M-6237**  
Index No. 190361/12

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about September 24, 2013, and said appeal having been perfected,

And defendants-appellants having moved for an expedited briefing and argument schedule,

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 academic, said appeal having been perfected and calendared for the March 2014 Term of this Court.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 7, 2014.

PRESENT: Hon. Peter Tom, Justice Presiding,  
David B. Saxe  
Karla Moskowitz  
Judith J. Gische  
Darcel D. Clark, Justices.

-----X  
Jacquelyn Gallo, et al.,  
Plaintiffs-Respondents,

-against-

M-6222  
Index No. 107464/09

DMHZ Corp., Rong Ding Chen,  
also known as "Danny Chen," also  
known as "David Chen,"  
Defendants-Appellants,

-and-

New Grand Electric Inc.,  
Defendant.  
(And a third-party action)

-----X

Defendants-appellants having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, New York County, entered on or about May 24, 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 enlarging the time to perfect the appeal to the May 2014 Term.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 7, 2014.

PRESENT: Hon. Peter Tom, Justice Presiding,  
David B. Saxe  
Karla Moskowitz  
Judith J. Gische  
Darcel D. Clark, Justices.

-----X  
171 Madison Associates, LLC,  
Plaintiff-Respondent,

-against-

M-6129  
Index No. 650782/09

Michael Shane, Civilian One Jets, LLC,  
Defendants-Appellants.

-----X

Defendants-appellants having moved for an enlargement of time in which to perfect the appeal from the judgment of the Supreme Court, New York County, entered on or about January 22, 2013,

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 June 2014 Term.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 7, 2014.

PRESENT: Hon. Peter Tom, Justice Presiding,  
David B. Saxe  
Karla Moskowitz  
Judith J. Gische  
Darcel D. Clark, Justices.

-----X  
J&A Concrete Corp.,  
Plaintiff-Respondent,

-against-

M-6180  
Index No. 251680/08

Dormitory Authority of the State  
of New York, etc., et al.,  
Defendant,

A. Williams Trucking & Backhoe  
Trenching, Inc.,  
Defendant-Appellant.

-----X

Defendant-appellant having moved for an enlargement of time in which to perfect the appeal from the judgment of the Supreme Court, Bronx County, entered on or about February 1, 2013,

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 June 2014 Term.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 7, 2014.

PRESENT: Hon. Peter Tom, Justice Presiding,  
David B. Saxe  
Karla Moskowitz  
Judith J. Gische  
Darcel D. Clark, Justices.

-----X  
In the Matter of Edwin Christian,  
etc.,  
Petitioner-Respondent,

For an Order and Judgment Pursuant  
to Article 78 of the CPLR,

-against-

M-6253  
Index No. 103502/12

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

-----X

Respondents-appellants having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, New York County, entered on or about March 12, 2013,

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 June 2014 Term with leave to seek further enlargements if necessary.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 7, 2014.

PRESENT: Hon. Peter Tom, Justice Presiding,  
David B. Saxe  
Karla Moskowitz  
Judith J. Gische  
Darcel D. Clark, Justices.

-----X

Tony Mafes,  
Plaintiff-Respondent,

-against-

M-6016  
Index No. 14093/05

Lincoln Tugwell,  
Defendant-Appellant,

City of New York, et al.,  
Defendants.

-----X

An appeal having been taken from the judgment of the Supreme Court, Bronx County, entered on or about July 26, 2013,

And defendant-appellant having moved for an order staying enforcement of the aforesaid judgment pending hearing and determination of the aforesaid appeal,

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

It is ordered that the motion is denied.

ENTER:



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 January 7, 2014.

Present: Hon. Peter Tom, Justice Presiding,  
David B. Saxe  
Karla Moskowitz  
Judith J. Gische  
Darcel D. Clark, Justices.

-----X  
Eileen Prenskey,  
Plaintiff-Appellant,

-against-

**M-6246**  
Index No. 350024/11

Zachary Prenskey,  
Defendant-Respondent.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about November 18, 2013,

And plaintiff-appellant having moved for a stay of the aforesaid order, including all lower court proceedings and trial, 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:



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 January 7, 2014.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,  
David Friedman  
Leland G. DeGrasse  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X  
Priscila Ramirez, an Infant Under the  
Age of 14 Years by her Mother and  
Natural Guardian, Cecilia Freytes,  
Individually,  
Plaintiffs-Respondents,

**M-5810**  
Index No. 350223/11

-against-

Ana L. Molina and Juan Carlos Molina,  
Defendants-Appellants.

-----X  
An appeal having been taken from an order of the Supreme Court, Bronx County, entered on April 3, 2013, and said appeal having been perfected,

And defendants-appellants having moved to stay trial pending hearing and determination of the aforesaid appeal,

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

It is ordered that the motion is granted.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 7, 2014.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,  
David Friedman  
Leland G. DeGrasse  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X  
2110-2118 ACPB, LLC,

Plaintiff-Respondent,

-against-

**M-6131**

Index No. 810001/10

Lucy Holland-Harden,

Defendant-Appellant.  
-----X

Defendant-appellant having moved for a stay of the order in the above-entitled action pending hearing and determination of the appeal taken from an order of the Supreme Court, New York County, entered on or about May 15, 2013 (mot. seq. no. 005),

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

It is ordered that the motion is granted on condition that the appeal is perfected on or before March 17, 2014 for the June 2014 Term, with no further enlargements to be granted. Upon failure to so perfect, an order vacating the stay may be entered ex parte, provided that respondent serves a copy of this order upon appellant within 10 days after the date of entry hereof.

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 7, 2014.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,  
David Friedman  
Leland G. DeGrasse  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X  
Jacqueline Morrow,  
Plaintiff-Appellant,

-against-

**M-6319**  
Index No. 115020/13

Tanya Phelps, et al.,  
Defendants-Respondents,

United States Life Insurance Co.,  
et al.,  
Stakeholders-Defendants.

-----X

An appeal having been taken from an order and judgment (one paper) of the Supreme Court, New York County, entered on or about November 14, 2013,

And plaintiff-appellant having moved to stay enforcement of the aforesaid order and judgment (one paper),

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 order of a Justice of this Court dated December 10, 2013 is vacated.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 7, 2014.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,  
David Friedman  
Leland G. DeGrasse  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X  
In the Matter of the Application of  
Jerald Miller,

Petitioner-Appellant,

**M-6097**

Index No. 251040/12

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

-against-

New York State Division of Human Rights,

Respondent-Respondent.  
-----X

Petitioner-appellant having moved for an enlargement of time to perfect the appeal taken from an order and judgment (one paper) of the Supreme Court, Bronx County, entered on or about January 10, 2013,

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the appeal to the May 2014 Term, with no further enlargements to be granted.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 7, 2014.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,  
John W. Sweeny, Jr.  
Karla Moskowitz  
Helen E. Freedman  
Darcel D. Clark, Justices.

-----X  
In the Matter of the Application  
of Lillian Roberts, as Executive  
Director of District Council 37,  
Petitioner-Respondent,

For a Judgment and Order Pursuant to  
Article 75 of the CPLR,

**M-6014**  
Index No. 152902/12

-against-

The City of New York.  
Respondent-Appellant.

-----X  
In the Matter of the Application  
of The City of New York,  
Petitioner-Appellant,

For a Judgment and Order Pursuant to  
Article 75 of the CPLR,

Index No. 401356/12

-against-

District Council 37 (AFSCME, AFL-CIO)  
and Darryl King,  
Respondents-Respondents.

-----X  
Appeals having been taken from orders of the Supreme Court, New York County, entered on or about January 7, 2013 and on or about January 11, 2013, respectively,

And an order of this Court having been entered on October 8, 2013 (M-4417) consolidating the aforesaid appeals,

And respondent/petitioner-appellant the City having moved for an enlargement of time in which to perfect the aforesaid consolidated appeals,

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

It is ordered that the motion is granted to the extent of enlarging the time in which to perfect the consolidated appeals to the May 2014 Term, with no further enlargements to be granted.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 7, 2014.

Present : Hon. Angela M. Mazzarelli, Justice Presiding,  
John W. Sweeny, Jr.  
Leland G. DeGrasse  
Helen E. Freedman  
Judith J. Gische, Justices.

-----X  
In the Matter of the Application of  
Betty Mitchell,  
Petitioner,

For a Judgment Pursuant to Article  
78 of the CPLR,

**M-5785**  
Index No. 400443/13

-against-

New York City Housing Authority,  
Respondent.

-----X

An Article 78 proceeding having been transferred to this Court, pursuant to CPLR 7804(g), by order of the Supreme Court, New York County, entered on or about October 29, 2013, to review a determination of respondent,

And petitioner having moved for leave to prosecute the proceeding as a poor person, upon the original record and reproduced petitioner's 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 granted to the extent of permitting the proceeding to be heard on the original record and upon a reproduced petitioner's brief, on condition that petitioner serves one copy of such brief upon the attorney for the respondent and file 8 copies of such brief, together with the original record, with this Court. Petitioner is permitted to dispense with payment of the required fee for the subpoena and filing of the record.

ENTER:

  
CLERK



At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 7, 2014.

PRESENT: Hon. Angela M. Mazzarelli, Justice Presiding,  
Dianne T. Renwick  
Leland DeGrasse  
Helen E. Freedman  
Paul G. Feinman, Justices.

-----X

In re Stephanie Shamblee,  
Petitioner-Appellant,

-against-

M-5579  
Index No. 401629/12

John B. Rhea, etc., et al.,  
Respondents-Respondents,

Fulton Park 4 Associates,  
Respondent.

-----X

Petitioner-appellant having moved for reargument of the decision and order of this Court entered on October 3, 2013 (Appeal No. 10665), and to stay eviction,

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

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

ENTER:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 7, 2014.

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

-----X  
Tribeca Lending Corporation,  
Plaintiff-Appellant,

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

M-5863  
M-5902  
Index No. 105275/07

-against-

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

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about May 15, 2013,

And plaintiff-appellant having moved, pursuant to CPLR 5704(a), for an order of this Court granting certain relief denied by a Justice of the Supreme Court, New York County, on or about November 6, 2013 (M-5863),

And plaintiff-appellant having moved separately to dismiss the aforesaid appeal (M-5902),

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 dismiss the appeal is granted (M-5902). The order seeking relief pursuant to CPLR 5704(a) is denied, without prejudice to pursuing further proceedings in the Supreme Court (M-5863).

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 7, 2014.

Present: Hon. Richard T. Andrias, Justice Presiding,  
John W. Sweeny, Jr.  
Diane T. Renwick  
Helen E. Freedman  
Paul G. Feinman, Justices.

-----X  
National Financial Partners Corp.,  
et al.,  
Petitioners-Respondents,

-against-

**M-6119**  
Index No. 651809/12

Steven H. Delott and Delott  
Management, LLC,  
Respondents-Appellants.

-----X

Respondents-appellants having moved for an enlargement of time in which to perfect the appeal from the order of the Supreme Court, New York County, entered on or about September 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 granted to the extent of enlarging the time in which to perfect the appeal to the May 2014 Term.

ENTER:

  
CLERK

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

BEFORE: Hon. Dianne T. Renwick  
Justice of the Appellate Division

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

M-5812  
Ind. No. 1792/11

-against-

CERTIFICATE  
DENYING LEAVE

Jackie Hodge,  
Defendant.

-----X

I, Hon. Dianne T. Renwick, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, entered on or about June 26, 2013 is hereby denied.

  
\_\_\_\_\_  
Associate Justice

Dated: **JAN - 2 2014**, 2013  
New York, New York

ENTERED: **JAN - 7 2014**

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

BEFORE: Hon. KARLA MOSKOWITZ  
Justice of the Appellate Division

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

M-5802  
Ind. Nos. 5119/03  
4409/04

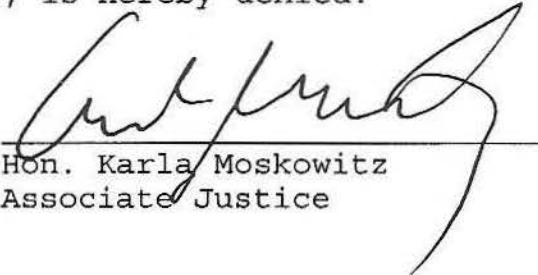
-against-

CERTIFICATE  
DENYING LEAVE

Gregory Ewer

Defendant.  
-----X

I, Karla Moskowitz, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application deemed timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented that ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, Bronx County, entered on or about August 19, 2013, is hereby denied.

  
\_\_\_\_\_  
Hon. Karla Moskowitz  
Associate Justice

Dated: 12/24, 2013  
New York, New York

ENTERED: JAN - 7 2014

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

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

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

M-5643  
Ind. No. 2872/12

-against-

CERTIFICATE  
DENYING LEAVE

Ronald Jackson,

Defendant.  
-----X

I, Rosalyn H. Richter, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon the application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, entered on or about June 27, 2013, is hereby denied.

  
\_\_\_\_\_  
Hon. Rosalyn H. Richter

Dated: December 20, 2013  
New York, New York

ENTERED: **JAN - 7 2014**

P.M ORDERS  
FOR  
JANUARY 7,  
2014

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 January 7, 2014.

Present - Hon. Rolando T. Acosta, Justice Presiding,  
Dianne T. Renwick  
Richard T. Andrias  
David B. Saxe  
Karla Moskowitz, Justices.

-----x  
55 Gans Judgment LLC, as successor in M-5631  
interest to Union Center National Bank, M-5873  
Plaintiff-Respondent, M-5948

-against-

Action No. 1  
The Sheryl Romanoff Irrevocable Grantor Index No. 106008/11  
Trust, et al.,  
Defendants-Appellants,

Gerald Romanoff, et al.,  
Defendants.

-----  
55 Gans Judgment, as successor in  
interest to Capital One, National  
Association, etc.,  
Plaintiff-Respondent,

-against-

Action No. 2  
Index No. 850024/11

GHC NY Corp., etc., et al.,  
Defendants,

Robert Romanoff,  
Defendant-Appellant.

-----  
Robert Romanoff, Individually and as  
co-trustee and sole beneficiary of  
The Sheryl Romanoff Irrevocable  
Grantor Trust, et al.,  
Plaintiffs-Appellants,

Action No. 3  
Index No. 652705/12

-against-

Griffon Gansevoort Holdings, LLC,  
etc., et al.,  
Defendants-Respondents.

-----x



In Action No. 1, an appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about February 6, 2013 (mot. seq. no. 003),

In Action No. 2, an appeal having been taken to this Court from judgments of the Supreme Court, New York County, entered on or about March 31, 2013 and April 4, 2013, and from an order of the Supreme Court, New York County, entered on or about January 28, 2013,

In Action No. 3, an appeal having been taken to this Court from an order of the Supreme Court, New York County, entered on or about April 15, 2013,

And plaintiffs-appellants in Action No. 3, Robert Romanoff, et al., having moved to withdraw their appeal from the order entered on or about April 15, 2013, to stay the appeals taken in Action Nos. 1 and 2 or, in the alternative, to enlarge the time to perfect the appeals in Action Nos. 1 and 2 to the April 2014 Term (M-5631),

And defendants in action No. 2, GHC NY Corp., Gerald Romanoff, Sheryl Romanoff and New Roads Realty Corp. having cross-moved, pursuant to CPLR 4503(a), for a protective order enjoining the use of allegedly privileged e-mails which they claim the Robert Romanoff appellants wrongfully submitted in support of appellants' motion, and directing that same be stricken (M-5873),

And 55 Gans Judgment LLC, etc. (Action No. 1), 55 Gans Lender LLC, etc (Action No. 2) and Griffin Gansevoort Holdings, LLC, et al. (Action No. 3) having cross-moved for an order dismissing all of the aforesaid appeals (M-5948),

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

It is ordered that the motion (M-5631) is granted to the extent of deeming the appeal in Action No. 3 from the order of the Supreme Court, New York County, entered on or about April 15, 2013 withdrawn, and enlarging the time to perfect the appeal in Action No. 1 to the May 2014 Term, with no further enlargements to be granted. The motion, to the extent it seeks to stay the appeals, is denied, and it is further,

Ordered that the cross motion (M-5873) for a protective order pursuant to CPLR 4503(a) is denied, without prejudice to further proceedings in Supreme Court, and it is further,

Ordered that the cross motion (M-5948) to dismiss the three appeals is denied.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 7, 2014.

Present - Hon. Peter Tom, Justice Presiding,  
David B. Saxe  
Karla Moskowitz  
Judith J. Gische  
Darcel D. Clark, Justices.

-----x  
SPRE Realty, Ltd., doing business as  
Susan Penzner Real Estate,

Plaintiff-Respondent,

-against-

M-5909  
Index No. 651671/13

Daniel Dienst, et al.,

Defendants-Appellants.  
-----x

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about September 10, 2013, and said appeal having been perfected,

And defendants-appellants having moved, pursuant to CPLR 5519(c), for a stay of all disclosure/discovery pending hearing and determination of the aforesaid appeal,

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

It is ordered that the motion is denied.

ENTER:

  
CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on January 7, 2014.

Present - Hon. Peter Tom, Justice Presiding,  
David B. Saxe  
Karla Moskowitz  
Judith J. Gische  
Darcel D. Clark, Justices.

-----x

Amy Kantor, doing business as Worth Street Veterinary Hospital, etc.,  
Plaintiff-Appellant,

-against-

75 Worth Street, LLC, et al.,  
Defendants-Respondents.

M-6278  
M-6457  
Index No. 600811/09

-----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 February 26, 2013 (mot. seq. no. 012) [M-6278],

And defendants-respondents having cross-moved for dismissal of the aforesaid appeal for, inter alia, failure to timely prosecute [M-6457],

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 is granted to the extent of enlarging the time to perfect the appeal to the June 2014 Term. The cross motion is denied.

ENTER:

  
CLERK