

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 11, 2017.

Present - Hon. David Friedman, Justice Presiding,
Karla Moskowitz
Troy K. Webber
Marcy L. Kahn
Ellen Gesmer, Justices.

-----X

Helen Siller,

Plaintiff-Appellant,

-against-

M-949

Index No. 151313/14

The Third Brevoort Corporation,
et al.,

Defendants-Respondents.

-----X

Plaintiff-appellant having moved for reargument of, or in the alternative, for leave to appeal to the Court of Appeals, from the decision and order of this Court, entered on December 22, 2016 (Appeal No. 2533),

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

It is ordered that the motion is denied.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 11, 2017.

Present - Hon. David Friedman,
Angela M. Mazzarelli
Karla Moskowitz
Judith J. Gische
Ellen Gesmer,

Justice Presiding,

Justices.

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

- - - - -
Edward B.,
Petitioner-Respondent,

CONFIDENTIAL

M-2110
Docket No. O-47510/15

-against-

Elizabeth T.,
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 April 7, 2016,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the November 2017 Term.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 11, 2017.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Angela M. Mazzarelli
Richard T. Andrias
Karla Moskowitz
Judith J. Gische, Justices.

-----x

Bank of America, N.A.,
Plaintiff-Respondent,

-against-

M-2687
Index No. 35175/13E

Denise Johnson, also known as Denise
A. Johnson,
Defendant-Appellant,

New York City Environmental Control
Board, et al.,
Defendants.

-----x

Plaintiff-respondent having moved for dismissal of the appeal from a final judgment of foreclosure and sale, Supreme Court, Bronx County, entered on or about June 1, 2016,

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

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 11, 2017.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Angela M. Mazzarelli
Karla Moskowitz
Marcy L. Kahn, Justices.

-----x

Donald Whitaker, et al.,

Plaintiffs,

-against-

M-2567

Index No. 153441/13

Annette Williams,

Defendant.

-----x

An order of this Court having been entered on April 20, 2017 [Corrected Order April 26, 2017] (M-456), inter alia, dismissing the appeal taken from the order of the Supreme Court, New York County, entered on or about April 1, 2016, and directing the Clerk to strike the appeal from the calendar,

And defendant having moved for reinstatement 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.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 11, 2017.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Karla Moskowitz
Barbara R. Kapnick
Marcy L. Kahn, Justices.

-----X

Law Offices of Zachary R. Greenhill,
P.C., et al.,

Plaintiffs-Appellants,

-against-

M-1273

Index No. 650414/14

Liberty Insurance Underwriters, Inc.,
et al.,

Defendants-Respondents.

-----X

Plaintiffs-appellants having moved for reargument of, or in the alternative, for leave to appeal to the Court of Appeals, from the decision and order of this Court, entered on February 2, 2017 (Appeal Nos. 2974-2975),

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

It is ordered that the motion is denied.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 11, 2017.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Richard T. Andrias
Karla Moskowitz
Marcy L. Kahn
Ellen Gesmer, Justices.

-----X
In re Danny Rossi,
Petitioner-Appellant,

-against-

M-2338
Index No. 100635/14

New York City Department of Parks and Recreation,
Respondent-Respondent.

In re Barbara Morris,
Petitioner-Appellant,

-against-

Index No. 100845/13

New York City Department of Health and Mental Hygiene,
Respondent-Respondent.

-----X

Petitioners 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 April 11, 2017 (Appeal Nos. 3675-3676),

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

It is ordered that the motion is denied.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 11, 2017.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Rosalyn H. Richter
Judith J. Gische
Marcy L. Kahn, Justices.

-----x
MB Financial Bank, N.A.,
Plaintiff-Respondent,

-against-

M-1892
Index No. 105617/09

56 Walker, LLC, et al.,
Defendants-Appellants,

Guy Morris,
Defendant.

Leonard Labanco,
Non-Party Appellant.
-----x

An appeal having been taken to this Court by defendant-appellant Inn World Report, Inc., and non-party appellant Leonard Labanco, from a So Ordered Stipulation and Order of Settlement of the Supreme Court, New York County, entered on or about January 30, 2017,

And plaintiff-respondent having moved for dismissal 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 and the appeal is dismissed.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 11, 2017.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Sallie Manzanet-Daniels
Angela M. Mazzarelli
Barbara R. Kapnick, Justices.

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

-against-

M-2434
Ind. No. 1497/13

Michael Rosado,

Defendant.
-----x

Defendant having renewed his motion for an enlargement of time to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about April 27, 2014, and for poor person 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.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 11, 2017.

Present - Hon. Richard T. Andrias, Justice Presiding,
Karla Moskowitz
Barbara R. Kapnick
Troy K. Webber
Marcy L. Kahn, Justices.

-----x
In the Matter of

Josee Louise H.,

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

- - - - -
Administration for Children's Services,

Petitioner-Respondent,

CONFIDENTIAL

M-2323

Docket No. N-49278/12

Decarla L.,
Respondent-Appellant.

- - - - -
Seymour W. James, Jr., Esq.,
The Legal Aid Society,
Juvenile Rights Division,
Attorney for the Child.

-----x

An order of this Court having been entered on January 19, 2017 (M-5973/M-5853), inter alia, relieving assigned counsel for respondent-appellant in connection with the appeal from the order of the Family Court, New York County, entered on or about December 3, 2015, and denying the cross motion to dismiss appeals taken from orders of the Family Court, New York County, entered on or about December 1, 2015 and December 3, 2015, with leave to renew upon assignment of new appellate counsel for respondent-appellant,

And assigned counsel for the subject child having renewed the motion to dismiss the appeals taken from orders of the Family Court, New York County, entered on or about December 1, 2015 and December 3, 2015,

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

It is ordered that the motion is granted, and the appeals are dismissed.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 11, 2017.

Present - Hon. Rolando T. Acosta, Presiding Justice,
Dianne T. Renwick
Rosalyn H. Richter
Troy K. Webber, Justices.

-----x
Barbara Silverstein,

Plaintiff-Appellant,

-against-

M-2311
Index No. 109486/06

Farr Nezhat, M.D., et al.,

Defendants-Respondents.
-----x

Defendants-respondents having moved for dismissal of the appeal from the judgment of the Supreme Court, New York County, entered on or about June 1, 2016,

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

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

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 11, 2017.

Present - Hon. Rolando T. Acosta, Presiding Justice,
Rosalyn H. Richter
Troy K. Webber
Marcy L. Kahn, Justices.

-----x
In the Matter of a Proceeding for
Custody and/or Visitation Under
Article 6 of the Family Court Act.

Carmen G. A.,
Petitioner-Respondent,

CONFIDENTIAL

M-2844

Docket No. V-32304/13

-against-

Marvin F. E.,
Respondent-Appellant.

Seymour W. James, Jr., Esq.,
Legal Aid Society,
Juvenile Rights Division,
Attorney for the Child.
-----x

Petitioner-respondent having moved for dismissal of the appeal taken from the order of the Family Court, New York County, entered on or about February 10, 2016,

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

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

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 11, 2017.

Present - Hon. Rolando T. Acosta, Presiding Justice,
Peter Tom
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick, Justices.

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

Respondent,

-against-

M-2866
Ind. No. 1540/14

Gregorio Hanley,

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 May 19, 2016, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

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

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, New York 10005, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 11, 2017.

Present - Hon. Rolando T. Acosta, Presiding Justice,
Rosalyn H. Richter
Troy K. Webber
Marcy L. Kahn, Justices.

-----X

The People of the State of New York,

Respondent,

-against-

M-2534
Ind. No. 3984/13

Byron Peralta,

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, Bronx County, rendered on or about July 9, 2015,

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

It is ordered that the motion is denied.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 11, 2017.

Present - Hon. Rolando T. Acosta, Presiding Justice,
 Rosalyn H. Richter
 Troy K. Webber
 Marcy L. Kahn, Justices.

-----X

The People of the State of New York,

 Respondent,

-against-

M-2639
Ind. No. 4586/03

Hernando Ruiz,

 Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, New York County, entered on or about September 21, 2006,

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 2017 Term, with no further enlargements to be granted.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 11, 2017.

Present - Hon. Rolando T. Acosta, Presiding Justice,
Peter Tom
David Friedman
John W. Sweeny, Jr., Justices.

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

-against-

M-2872
Ind. No. 99002/17

Nestor Suazo-Lopez,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, Bronx County (Raymond Bruce, J.), entered on or about April 7, 2017, for leave to have the appeal heard upon the original record and upon a reproduced appellant's brief, for an enlargement of time in which to perfect the appeal, 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 appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 8 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court.

The Clerk of the Supreme Court shall expeditiously have made and file with the criminal court (CPL 460.70) one transcript of the stenographic minutes of the SORA hearing and any other proceedings before Justice Bruce as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, Seymour W. James, Jr., Esq., without charge, the transcripts to be returned to this Court when appellant's brief is filed.

The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 11, 2017.

Present - Hon. Rolando T. Acosta, Presiding Justice,
Peter Tom
Barbara R. Kapnick
Marcy L. Kahn
Ellen Gesmer, Justices.

-----x

Danielle Bitton, also known as
Danielle Biton,
Plaintiff,

-against-

M-2252
NY County Civil Court
Index No. 7274/13
NY County Clerk
Index No. 570543/16

H.S.B.C., Katherine Alexander, UFT,
et al.,
Defendants.

-----x

An order of the Supreme Court, Appellate Term, First Department, having been entered on January 20, 2017, denying plaintiff's application for leave to appeal to this Court,

And an order of this Court having been entered on March 30, 2017 (M-473), denying plaintiff's application for poor person relief, with leave to renew, upon a timely filed motion for leave to appeal from the Appellate Term order,

And plaintiff having renewed her application for poor person 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.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 11, 2017.

Present - Hon. Rolando T. Acosta, Presiding Justice,
Rosalyn H. Richter
Sallie Manzanet-Daniels
Judith J. Gische
Troy K. Webber, Justices.

-----X
Quik Park West 57 LLC, et al.,

Plaintiffs-Appellants-
Respondents/Respondents,

-against-

M-2681
Index No. 651524/13

Bridgewater Operating Corporation,

Defendant-Respondent-
Appellant/Appellant.

-----X

Defendant-respondent-appellant/appellant having moved for leave to appeal to the Court of Appeals from the decision and order of this Court, entered on March 7, 2017 (Appeal Nos. 3338-3339),

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 denied.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 11, 2017.

Present - Hon. Rolando T. Acosta, Presiding Justice,
Dianne T. Renwick
Sallie Manzanet-Daniels
Troy K. Webber
Ellen Gesmer, Justices.

-----X
Board of Directors of Windsor Owners
Corp.,
Plaintiff-Respondent,

-against-

M-2363
Index No. 155985/14

Elaine Platt,
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 30, 2017 (Appeal No. 3458),

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

It is ordered that the motion is denied.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 11, 2017.

Present - Hon. Rolando T. Acosta, Presiding Justice,
Peter Tom
David Friedman
John W. Sweeny, Jr., Justices.

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

Respondent,

-against-

M-2061
Ind. No. 7623/94

Kenneth Smith,

Defendant-Appellant.
-----X

A decision and order of this Court having been entered on November 26, 2002 (Appeal No. 2377), unanimously affirming a judgment of the Supreme Court, New York County (Edward McLaughlin, J.), rendered on March 8, 1995,

And defendant-appellant having moved, in the nature of a writ of error coram nobis, for a review of his claim of ineffective assistance of appellate counsel, and for related relief,

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

It is ordered that said application is denied.

ENTERED:



CLERK

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 11, 2017.

Present - Hon. Rolando T. Acosta, Presiding Justice,
Peter Tom
David Friedman
John W. Sweeny, Jr., Justices.

-----X

The People of the State of New York,

Respondent,

-against-

M-1374

Ind. No. 2864/88

Joseph Mullady,

Defendant-Appellant.

-----X

A decision and order of this Court having been entered on February 4, 1992 (Appeal No. 45151), unanimously affirming a judgment of the Supreme Court, New York County (Dorothy Cropper, J.), rendered on June 14, 1989,

And defendant-appellant having moved, in the nature of a writ of error coram nobis, for a review of his claim of ineffective assistance of appellate counsel, and for related relief,

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

It is ordered that said application is denied.

ENTERED:



CLERK

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 11, 2017.

Present - Hon. Rolando T. Acosta, Presiding Justice,
Peter Tom
David Friedman
John W. Sweeny, Jr., Justices.

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

Respondent,

-against-

M-1309
Ind. No. 3019/92

Dwayne Malave, also known as
Dwayne Matave,

Defendant-Appellant.
-----X

A decision and order of this Court having been entered on April 4, 2000 (Appeal No. 761), unanimously affirming a judgment of the Supreme Court, Bronx County (Richard Price, J.), rendered on March 21, 1995,

And defendant-appellant having moved, in the nature of a writ of error coram nobis, for a review of his claim of ineffective assistance of appellate counsel, and for related relief,

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

It is ordered that said application is denied.

ENTERED:



CLERK

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 11, 2017.

Present - Hon. Peter Tom, Justice Presiding,
Dianne T. Renwick
Sallie Manzanet-Daniels
Barbara R. Kapnick, Justices.

-----x
Indyra Luna,

Plaintiff-Respondent,

-against-

M-2543
Index No. 302488/13

CEC Entertainment, Inc., doing business
as Chuck E. Cheese's,

Defendant-Appellant.
-----x

Defendant-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 July 14, 2016,

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

It is ordered that the motion is granted and defendant-appellant's time to perfect the appeal is enlarged to the November 2017 Term.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 11, 2017.

Present - Hon. Peter Tom, Justice Presiding,
Dianne T. Renwick
Sallie Manzanet-Daniels
Barbara R. Kapnick, Justices.

-----x
Perry Golkin, et al.,
Plaintiff-Respondent,

-against-

M-2546
Index No. 653079/15E

Dae Associates LLC, doing business as
Danese Corey,
Defendant-Appellant.

[And a third-party action]
-----x

Defendant-appellant having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, New York County, entered on or about July 14, 2016,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the November 2017 Term.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 11, 2017.

Present - Hon. David Friedman, Justice Presiding,
Angela M. Mazzarelli
Karla Moskowitz
Judith J. Gische
Ellen Gesmer, Justices.

-----x

In the Matter of a Paternity Proceeding Under Article 5 of the Family Court Act.

CONFIDENTIAL

M-2560

- - - - -

Maria de L. O.,
Petitioner-Respondent,

Docket No. P-48752-15

-against-

Miguel L.,
Respondent-Appellant.

-----x

An order of this Court having been entered on January 26, 2017 (M-5814) which, inter alia, granted respondent-appellant leave to prosecute the appeal from the order of the Family Court, New York County, entered on or about September 22, 2016, as a poor person, and assigning Andrew J. Baer, Esq., as counsel to prosecute the appeal,

And counsel for respondent-appellant, Andrew J. Baer, Esq., having moved for an order withdrawing the appeal, and to be relieved as counsel,

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

It is ordered that the motion is granted, the appeal is withdrawn, and Andrew J. Baer, Esq., is relieved as appellate counsel.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 11, 2017.

Present - Hon. David Friedman, Justice Presiding,
Angela M. Mazzarelli
Karla Moskowitz
Judith J. Gische
Ellen Gesmer, Justices.

-----x
Damian R. Murray, et al.,

Plaintiffs-Respondents,

-against-

M-2411
Index No. 305967/12

Johanna Moquete, et al.,

Defendants-Appellants.
-----x

Plaintiff-respondent Damian R. Murray having moved for dismissal of the appeal taken from the order of the Supreme Court, Bronx County, entered on or about July 25, 2016, for failure to timely prosecute,

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.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 11, 2017.

Present - Hon. David Friedman, Justice Presiding,
Dianne T. Renwick
Sallie Manzanet-Daniels
Barbara R. Kapnick, Justices.

-----x
Mallow, Konstam, Mazur, Bocketti &
Nisonoff, P.C.,

Plaintiff-Respondent,

-against-

M-2530
Index No. 153568/14

Nathan Zeidman,

Defendant-Appellant.
-----x

Plaintiff-respondent having moved for dismissal of the appeal taken from the order of the Supreme Court, New York County, entered on or about January 28, 2016,

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

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 11, 2017.

Present - Hon. David Friedman, Justice Presiding,
Richard T. Andrias
Judith J. Gische
Troy K. Webber, Justices.

-----X
Aaron Elkin,

Plaintiff-Appellant,

-against-

M-2066
Index No. 105411/08

Andrea Labis,

Defendant-Respondent.
-----X

Plaintiff-appellant having moved for reargument of, or in the alternative, for leave to appeal to the Court of Appeals, from the decision and order of this Court, entered on March 15, 2017 (Appeal Nos. 3372/3373/3374),

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

It is ordered that the motion is denied.

ENTERED:



CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on July 11, 2017.

Present - Hon. David Friedman, Justice Presiding,
Richard T. Andrias
Karla Moskowitz
Barbara R. Kapnick
Marcy L. Kahn, Justices.

-----X
Melissa Shillingford,

Plaintiff-Respondent,

-against-

M-1293
Index No. 303660/12

New York City Transit Authority, et al.,

Defendants-Appellants.
-----X

Plaintiff-respondent having moved for reargument of the decision and order of this Court, entered on February 7, 2017 (Appeal No. 3037),

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

It is ordered that the motion is denied.

ENTERED:



CLERK