

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 June 22, 2017.

Present: Hon. David Friedman, Justice Presiding,
Rosalyn H. Richter
Angela M. Mazzarelli
Marcy L. Kahn, Justices.

-----X
Wimbledon Financing Master Fund, Ltd.,
Petitioner-Respondent,

-against-

M-1903

M-1990

David Bergstein, et al.,
Respondents-Appellants,

Index No. 150584/16

Weston Capital Asset Management LLC,
et al.,
Respondents.

-----X

Respondent-appellant, David Bergstein, 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 23, 2017 (Appeal No. 3183) [M-1903],

And, respondent-appellant, K Jam Media, Inc., having moved for the same relief [M-1990],

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 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 June 22, 2017.

Present - Hon. David Friedman,	Justice Presiding,
Dianne T. Renwick	
Richard T. Andrias	
Karla Moskowitz	
Ellen Gesmer,	Justices.

-----x
In the Matter of the Application for
an Order Staying the Arbitration
Between

Hereford Insurance Company,
Petitioner-Respondent,

-against-

M-2907
Index No. 22721/16

Virgen Vasquez,
Respondent,

-and-

New Rochelle Hyundai, et al.,
Proposed Additional Respondents,

State Farm Insurance Company,
Proposed Additional Respondent-
Appellant.

-----x
An appeal having been taken to this Court from the order of
the Supreme Court, Bronx County, entered on or about January 18,
2017,

And appellant State Farm Insurance Company having moved for
a stay of a certain hearing 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.

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 June 22, 2017.

Present: Hon. John W. Sweeny, Jr., Justice Presiding,
Angela M. Mazzarelli
Karla Moskowitz
Sallie Manzanet-Daniels
Barbara R. Kapnick, Justices.

-----X

In the Matter of a Custody/Visitation
Proceeding Under Article 6 of the
Family Court Act and the UCCJEA.

CONFIDENTIAL

M-2361

Brookelyn M.,
Petitioner-Appellant,

Docket No. V-43597/14

-against-

Christopher M.,
Respondent-Respondent.

Fanny Suquet, Esq.,
Lawyers for Children,
Attorney for the Child.

In the Matter of a Custody/Visitation
Proceeding Under UCCJEA.

Docket No. V-46468/14

Christopher M.,
Petitioner-Respondent,

-against-

Brookelyn M.,
Respondent-Appellant.

-----X

Respondent-respondent/petitioner-respondent Christopher M. having moved for leave to respond, as a poor person, to the appeal taken from an order of the Family Court, New York County, entered on or about February 9, 2017, 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 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 June 22, 2017.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Richard T. Andrias
Barbara R. Kapnick
Marcy L. Kahn, Justices.

-----x
Melissa B.,

Plaintiff-Appellant,

-against-

Roberto B.,

Defendant-Respondent.
-----x

CONFIDENTIAL

M-2732

M-2935

Index No. 315522/14

Plaintiff-appellant having moved for a stay of trial pending hearing and determination of the appeal from the order of the Special Referee (Jeffrey A. Helewitz), Supreme Court, New York County, entered on or about May 17, 2017 (M-2732),

And defendant-respondent having cross-moved for dismissal of the aforesaid appeal as taken from a non-appealable paper (M-2935),

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 denied, the cross 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 June 22, 2017.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Angela M. Mazzarelli
Karla Moskowitz
Sallie Manzanet-Daniels
Barbara R. Kapnick, Justices.

-----X
Joseph Francesco and Allison
Francesco,
Plaintiffs-Respondents,

-against-

M-2248
Index No. 155763/12

EFCO Corporation, Pella Corporation,
Roger Adams, doing business as Adams
Trucking and David Roy Adams, doing
business as Adams Trucking,
Defendants-Appellants.
-----X

Defendants-appellants EFCO Corporation and Pella Corporation having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about August 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 to the extent of enlarging the time to perfect the appeal to the October 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 June 22, 2017.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Richard T. Andrias
Ellen Gesmer, Justices.

-----X
Noah Trading Co., Inc.,

Plaintiff-Respondent,

-against-

M-1910
Index No. 570399/16

Laura Bell,

Respondent-Appellant.
-----X

Respondent-appellant having moved for leave to appeal to this Court from the decision and order of the Appellate Term, First Department, entered in the office of the Clerk of the Supreme Court, New York County, on or about February 28, 2017, for a stay of eviction pending the appeal to this Court, and for other relief,

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

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

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 22, 2017.

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

-----X

Ron Dirschneider,
Plaintiff-Respondent-Appellant,

-against-

M-2294

M-2333

Index No. 113834/11

Rolex Realty Company LLC,
Defendant-Appellant-Respondent,

Rolex Realty Company, Inc., et al.,
Defendants.

-----X

Rolex Realty Company, LLC,
Third-Party Plaintiff-Appellant,

Third-Party

St. John Apparel, LLC, et al.,
Third-Party Plaintiffs,

Index No. 590301/13

-against-

Island Steel & Detailing Corp.,
Third-Party Defendant.

-----X

An appeal and cross appeal having been taken from an order of the Supreme Court, New York County, entered on or about July 14, 2016,

And, defendant-appellant-respondent Rolex Realty Company, LLC having moved for an enlargement of time to perfect their appeal (M-2294),

And, plaintiff-respondent-appellant having cross-moved for an enlargement of time to perfect their cross appeal (M-2333),

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 granted to the extent of enlarging the time to perfect the appeal and cross appeal to the October 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 June 22, 2017.

Present: Hon. Dianne T. Renwick,
Rosalyn H. Richter
Judith J. Gische
Marcy L. Kahn,

Justice Presiding,

Justices.

-----X

Pilar Ramirez, et al.,
Plaintiffs,

Action No. 1

Delio Polanco, as Administrator
of the Estate of Paulina Cortorreal
Hiciano,
Plaintiff-Appellant,

M-2247
Index No. 300174/12

-against-

Jose Elias-Tejada, et al.,
Defendants-Respondents.

-----X

And two Consolidated Actions

-----X

Pilar Ramirez and Yedmy Batista
Peralta,
Plaintiffs-Respondents,

Action No. 2
Index No. 309415/12

-against-

Fairway Douglaston, LLC and Fairway
Group Holdings Corp.,
Defendants-Appellants.

-----X

An appeal having been taken by plaintiff-appellant from an order of the Supreme Court, Bronx County, entered on or about August 10, 2016 (Action No. 1); and an appeal having been taken by defendants-appellants from an order, same Court, entered on or about December 23, 2016 (Action No. 2),

And, plaintiff-appellant having moved for an enlargement of time to perfect her appeal taken from the order entered on or about August 10, 2016 (Action No. 1), and to consolidate said appeal with the appeal taken by defendants-appellants from the order entered on or about December 23, 2016 (Action No. 2),

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

Ordered that the motion is granted only to the extent of enlarging plaintiff's time to perfect her appeal from the order entered on or about August 10, 2016 to the January 2018 Term, and otherwise 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 June 22, 2017.

Present:	Hon. Rolando T. Acosta,	Presiding Justice,
	David Friedman	
	Richard T. Andrias	
	Troy K. Webber	
	Ellen Gesmer,	Justices.

-----X

CitiMortgage, Inc.,
Plaintiff-Respondent,

-against-

M-1091

M-1442

M-2313

Nkenge Scott,
Defendant-Appellant,

Index No. 106760/08

John Does No. 1 through 10, etc.,
et al.,
Defendants.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about September 15, 2016,

And, plaintiff-respondent having moved to dismiss defendant-appellant's appeal (M-1091),

And, Kip Lenoir, Esq., having cross-moved for leave to withdraw as counsel for plaintiff-appellant (M-1442),

And, defendant-appellant having cross-moved to enlarge the time to perfect his appeal (M-2313),

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 plaintiff's motion is deemed withdrawn in accordance with the affirmation of plaintiff's counsel (M-1091). plaintiff's cross motion filed by Kip Lenoir, Esq., is denied as unnecessary in light of the stipulation of the parties filed on

or about March 2017, approving substitution of counsel (M-1442). Defendant-appellant's cross motion to enlarge the time to perfect the appeal to the October 2017 Term is granted (M-2313).

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 June 22, 2017.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Richard T. Andrias
Troy K. Webber
Ellen Gesmer, Justices.

-----X
US Bank National Association, etc.,
et al.,
Plaintiffs-Respondents,

-against-

M-2018
Index No. 381069/12

Georgia Ferguson, Cheryl Campbell-Edwards,
Connolly E. Edwards, et al.,
Defendants-Appellants,

Equable Ascent Financial LLC, et al.,
Defendants.

-----X
Appeals having been taken from the orders of the Supreme
Court, Bronx County, entered on or about June 25, 2015,
September 9, 2015 and January 28, 2016, from an order and
judgment (one paper), entered on or about October 16, 2015,

And plaintiffs-respondents having moved to dismiss the
aforesaid 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 and the aforesaid
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 June 22, 2017.

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

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

CONFIDENTIAL

M-2337

- - - - -
Brittany L., M.,
Petitioner-Respondent,

Docket No. G-38633/16

-against-

Walter D.,
Respondent-Appellant.
- - - - -

Yissel Cabrera, Esq.,
Attorney for the Child.
-----X

Roma Baran, Esq., court attorney for petitioner-respondent mother, having moved on petitioner-respondent's behalf for leave to respond, as a poor person, to the appeal taken from the order of the Family Court, New York County, entered on or about February 23, 2017, 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 §1120 of the Family Court Act, Randall Carmel, Esq., 53 Jackson Avenue, Syosset, NY 11791, Telephone No. (516) 921-6800, as counsel for purposes of responding to the

appeal; (2) permitting movant to respond to the appeal upon a reproduced respondent's brief, on condition that one copy of such brief be served upon the attorney for respondent-appellant and 8 copies thereof are filed with this Court.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 22, 2017.

Present: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Richard T. Andrias
Troy K. Webber
Ellen Gesmer, Justices.

-----X
Oliver Johnson,
Plaintiff-Appellant,

-against-

M-2124

Index No. 301361/12

675 Coster Street Housing Development
Fund and PWB Management Group,
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for an enlargement of time to perfect his appeal taken from an order of the Supreme Court, Bronx County, entered on or about June 24, 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 October 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 June 22, 2017.

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

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

Respondent,

-against-

Juan Caceres,

M-2607
DC #9
Ind. No. 473/10

Defendant-Appellant.
-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about March 1, 2011,

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 May 18, 2017, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion,

It is ordered that the appellant's time to perfect the appeal is enlarged to the December 2017 Term and counsel is directed to so perfect.

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 June 22, 2017.

Present - Hon. Rolando T. Acosta,
Rosalyn H. Richter
Troy K. Webber
Ellen Gesmer,

Presiding Justice,

Justices.

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

Respondent,

-against-

Modechai Kobbah,

M-2623
DC #25
Ind. No. 3304/10

Defendant-Appellant.
-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, Bronx County, rendered on or about March 18, 2013,

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 May 18, 2017, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion,

It is ordered that the appellant's time to perfect the appeal is enlarged to the December 2017 Term and counsel is directed to so perfect.

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 June 22, 2017.

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

Presiding Justice,

Justices.

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

Respondent,

-against-

Edward Luna,

M-2625
DC #27
Ind. No. 4140N/11

Defendant-Appellant.
-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about April 11, 2013,

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 May 18, 2017, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion,

It is ordered that the appellant's time to perfect the appeal is enlarged to the December 2017 Term and counsel is directed to so perfect.

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 June 22, 2017.

Present - Hon. Rolando T. Acosta,
Rosalyn H. Richter
Troy K. Webber
Ellen Gesmer,

Presiding Justice,

Justices.

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

Respondent,

-against-

Kalieh McMorris,

Defendant-Appellant.
-----X

M-2628
DC #30
Ind. Nos. 3783/08
1821/12

Appeals having been taken to this Court by defendant from judgment of the Supreme Court, Bronx County, both rendered on or about March 15, 2013,

And said appeals 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 May 18, 2017, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeals,

Now, upon the Court's own motion,

It is ordered that the appellant's time to perfect the appeals is enlarged to the December 2017 Term and counsel is directed to so perfect.

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 June 22, 2017.

Present - Hon. Rolando T. Acosta,
Rosalyn H. Richter
Troy K. Webber
Ellen Gesmer,

Presiding Justice,

Justices.

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

Respondent,

-against-

Gavin Murray,

M-2630
DC #32
Ind. No. 4399/06

Defendant-Appellant.
-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, Bronx County, rendered on or about March 5, 2010,

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 May 18, 2017, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion,

It is ordered that the appellant's time to perfect the appeal is enlarged to the December 2017 Term and counsel is directed to so perfect.

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 June 22, 2017.

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

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

Respondent,

-against-

Theodore Paris, also known as
Theodore Parris,

M-2631
DC #33
Ind. No. 3372/12

Defendant-Appellant.
-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about June 26, 2014,

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 May 18, 2017, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion,

It is ordered that the appellant's time to perfect the appeal is enlarged to the December 2017 Term and counsel is directed to so perfect.

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 June 22, 2017.

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

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

Respondent,

-against-

Eric A. Wilson,

M-2644
DC #46
Ind. No. 321/12

Defendant-Appellant.
-----X

An appeal having been taken to this Court by defendant from the judgment of the Supreme Court, New York County, rendered on or about March 20, 2013,

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 May 18, 2017, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion,

It is ordered that the appellant's time to perfect the appeal is enlarged to the December 2017 Term and counsel is directed to so perfect.

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 June 22, 2017.

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

Presiding Justice,

Justices.

-----X
Alty Adamson,

Plaintiff-Appellant,

-against-

Macy's Inc., et al.,

M-2647
DC #49
Index No. 401695/12

Defendants-Respondents.
-----X

An appeal having been taken to this Court by appellant from the order of the Supreme Court, New York County, entered on or about April 16, 2014,

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 May 18, 2017, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion,

It is ordered that the appellant's time to perfect the appeal is enlarged to the December 2017 Term and counsel is directed to so perfect.

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 June 22, 2017.

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

Presiding Justice,

Justices.

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

John Joyce,
Petitioner-Appellant,

-against-

M-2658
DC #60
Index. No. 103515/12

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

-----X

An appeal having been taken to this Court by appellant from the order and judgment (one paper) of the Supreme Court, New York County, entered on or about September 3, 2013,

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 May 18, 2017, pursuant to Rule 600.12(c) of said Rules of Practice, and counsel for appellant having submitted an affirmation seeking an enlargement of time in which to perfect the appeal,

Now, upon the Court's own motion,

It is ordered that the appellant's time to perfect the appeal is enlarged to the December 2017 Term and counsel is directed to so perfect.

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 June 22, 2017.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
Dianne T. Renwick
Angela M. Mazzarelli
Judith J. Gische
Ellen Gesmer, Justices.

-----X
Apogee Handcraft, Inc.,
Plaintiff-Respondent-Appellant,

-against-

M-2339
Index No. 156997/13

Verragio, Ltd.,
Defendant-Appellant-Respondent.

-----X

An appeal and cross appeal having been taken from the order
of the Supreme Court, New York County, entered on or about
July 6, 2016,

And plaintiff-respondent-appellant having moved for an
enlargement of time to perfect its cross 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 as unnecessary, said
relief having been granted by an order of this Court entered on
May 23, 2017 (M-1798).

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 June 22, 2017.

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

-----X
Deutsche Bank National Trust Company,
as Trustee for American Home Mortgage
Asset Trust 2006-6, Mortgage-Backed
Pass-Through Certificates Series 2006-6,
Plaintiff-Appellant,

-against-

Royal Blue Realty Holdings, Inc.,
Defendant-Respondent,

John Souto, etc., et al.,
Defendants.

- - - - -

Deutsche Bank National Trust Company,
as Trustee for American Home Mortgage
Asset Trust 2007-1, Mortgage-Backed
Pass Through Certificates 2007-1,
Plaintiff-Appellant,

M-1517
M-1519
M-1520
Index Nos. 850179/15
850119/15
850120/15

-against-

Unknown Heirs of the Estate of Serge Souto,
et al.,
Defendants,

Royal Blue Realty Holdings, Inc.,
Defendant-Respondent.

-----X

-----X
Deutsche Bank National Trust Company,
as Trustee for American Home Mortgage
Asset Trust 2006-6, Mortgage-Backed
Pass-Through Certificates Series 2006-6,
Plaintiff-Appellant,

-against-

Unknown Heirs of the Estate of Serge Souto,
et al.,
Defendants,

Royal Blue Realty Holdings, Inc.,
Defendant-Respondent.

-----X

Plaintiff-appellant having moved by separate motions 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 16, 2017 (Appeal Nos. 3429, 3430 and 3431),

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 denied (M-1517/M-1519/
M-1520).

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 June 22, 2017.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
John W. Sweeny, Jr.
Angela M. Mazzarelli
Karla Moskowitz
Ellen Gesmer, Justices.

-----X

The People of the State of New York,

-against-

Kenworth S.,
Defendant.

-----X

SEALED

M-2236

Index No. 2147/08

A purported appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about March 18, 2013,

And, defendant having moved for the reinstatement of the aforesaid purported 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 June 22, 2017.

PRESENT: Hon. Peter Tom, Justice Presiding,
John W. Sweeny, Jr.
Rosalyn H. Richter
Barbara R. Kapnick
Troy K. Webber, Justices.

-----X

Jon Tebol,
Plaintiff-Respondent,

CONFIDENTIAL

M-2200

M-2341

Index No. 309811/12

-against-

Yafit Tietbohl,
Defendant-Appellant.

-----X

Defendant-appellant having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about June 22, 2016 (M-2200),

And the Guardian Ad Litem having cross-moved to dismiss the aforesaid appeal (M-2341),

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 for an enlargement of time is denied (M-2200). The cross motion is granted and the appeal is dismissed (M-2341).

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 June 22, 2017.

PRESENT: Hon. Peter Tom, Justice Presiding,
John W. Sweeny, Jr.
Rosalyn H. Richter
Barbara R. Kapnick
Troy K. Webber, Justices.

-----X
In the Matter of

Shakief Jamal McC.,

A Dependent Child Under 18 Years of
Age Pursuant to §384-b of the Social
Services Law.

CONFIDENTIAL

M-2009

Docket No. B-19539/13

- - - - -
Good Shepherd Services,
Petitioner-Respondent,

Charlene McC.,
Respondent-Appellant.

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

-----X
Petitioner-respondent having moved to dismiss the appeals taken from the orders of the Family Court, Bronx County, entered on or about December 23, 2015 and February 10, 2016, for failure to timely perfect,

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 June 22, 2017.

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

-----x

Anthony Gordon & Martina Gordon,
Plaintiffs-Appellants,

-against-

M-2301
Index No. 103951/12

476 Broadway Realty Corp.,
Defendant-Respondent,

Board of Managers of the 476 Broadway
Condominium,
Defendant.

-----x

Plaintiff-appellant Martina Gordon having moved for a stay of the orders of the Supreme Court, New York County, entered on or about May 19, 2014 and July 2, 2014, pending hearing and determination of an appeal from an order to show cause dated May 16, 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 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 June 22, 2017.

PRESENT: Hon. Peter Tom, Justice Presiding,
John W. Sweeny, Jr.
Richard T. Andrias
Karla Moskowitz
Sallie Manzanet-Daniels, Justices.

-----X
In the Matter of the Guardianship and
Commitment of

Rayquan Reginald M., and
Rayvon Jaylen M.,

Children Under 18 Years of Age
Pursuant to §384-b of the Social
Services Law of the State of New York.

CONFIDENTIAL

M-2303

Docket Nos. B-34933-34/14

Heart Share Human Services of New
York, Roman Catholic Diocese of
Brooklyn, et al.,
Petitioners-Respondents,

Monique P.,
Respondent-Appellant.

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

-----X
Respondent-appellant having moved for an enlargement of time to perfect the appeal taken from an order of the Family Court, New York County, entered on or about August 22, 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 October 2017 Term, with leave to seek further enlargements if necessary.

ENTERED:


CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on June 22, 2017.

PRESENT: Hon. Peter Tom, Justice Presiding,
John W. Sweeny, Jr.
Richard T. Andrias
Karla Moskowitz
Sallie Manzanet-Daniels, Justices.

-----X
Citimortgage, Inc.,

Plaintiff-Appellant,

-against-

M-2400
Index No. 810292/11

Trevor C. Moran, 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, New York County, entered on or about July 18, 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 June 22, 2017.

Present: Hon. Peter Tom, Justice Presiding,
Karla Moskowitz
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X
129th Street Cluster Associates,

Petitioner-Landlord-Appellant,

-against-

Teresa Levy,

M-714
M-2044
N.Y. County Clerk's
No. 570301/15
Civil N.Y. County
Index No. 70787/13

Respondent-Tenant-Respondent.

-----X

Respondent having moved for leave to appeal to this Court from the decision and order of the Appellate Term, First Department, entered in the office of the Clerk of the Supreme Court, New York County, on or about December 23, 2016, for poor person relief, and for a continuation of a stay of the warrant of eviction pending determination of the appeal (M-714),

And, respondent having moved for substitution of retained counsel so respondent may renew her pro se motion for leave to appeal from the Appellate Term, with motion papers filed by new counsel, for a continuation of the stay of the warrant of eviction, and for related relief (M-2044),

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 for substitution of counsel is granted (M-2044). The motion for leave to appeal is denied (M-714).

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 June 22, 2017.

Present - Hon. David Friedman, Justice Presiding,
Rosalyn H. Richter
Karla Moskowitz
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X
Bloom Real Estate Group LLC,
Plaintiff-Respondent,

-against-

Lenox NY, LLC and The Daniel Group,
LLC,
Defendants-Appellants.

M-1922
M-2197
Index No. 162444/14

-----X
Defendants-appellants having moved for an enlargement of time to perfect their appeal taken from a judgment of the Supreme Court, New York County, entered on or about July 6, 2016 (M-1922),

And, plaintiff-respondent having cross-moved to dismiss the aforesaid appeal (M-2197),

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 defendants' motion is granted to the extent of enlarging the time to perfect the appeal to the October 2017 Term (M-1922). Plaintiff's cross motion to dismiss the appeal is denied (M-2197).

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 June 22, 2017.

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

-----X
Helen Einach, As Administrator of
the Estate of Charles D. Einach,
and Helen Einach, Individually,
Plaintiffs-Respondents,

-against-

M-2572
Index No. 113332/08

Lenox Hill Hospital,
Defendant-Appellant.
-----X

Defendant-appellant having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about July 25, 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 October 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 June 22, 2017.

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

-----X
Paul W. Kaplan and Michelle D.
Kaplan,
Plaintiffs-Respondents,

-against-

M-2407
Index No. 159584/13E

Anatoliy Tsirlin, Micro Transit
Inc., Muhammad S. Hoque, Priory
Cab Corp. and Sonam Tenzin,
Defendants-Appellants.
-----X

Defendants-appellants having moved for an enlargement of time to perfect the appeal taken from an order of the Supreme Court, New York County, entered on or about July 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 to the extent of enlarging the time to perfect the appeal to the October 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 June 22, 2017.

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

-----X
Zoran Scekcic and Vesna Scekcic,
Plaintiffs,

-against-

M-2544
Index No. 113386/10

SL Green Realty Corp., SITQ Systems
Inc., Structure Tone, Inc., SL
Green/SITQ, a joint venture and
1515 Broadway Fee Owner, LLC,
Defendants-Appellants.

-----X
Structure Tone, Inc.,
Third-Party Plaintiff-Appellant,

-against-

Third-Party
Index No. 590275/11

React Industries, Inc., FL
Mechanical LLC, and Schindler
Elevator,
Third-Party Defendants-Respondents.

-----X
Structure Tone, Inc., and SL Green
Realty Corp.,
Second Third-Party
Plaintiffs-Appellants,

Second Third-Party
Index No. 590815/11

-against-

React Industries, Inc., FL Mechanical
LLC, and Schindler Elevator,
Second Third-Party
Defendants-Respondents.

-----X

-----X
Structure Tone, Inc., SL Green Realty
Corp., and 1515 Broadway Fee Owner, LLC,
Third Third-Party
Plaintiffs-Appellants,

-against-

Third Third-Party
Index No. 590948/12

React Industries, Inc., FL Mechanical
LLC, Schindler Elevator and FRP Sheet
Metal Contracting Corp.,
Third Third-Party
Defendants-Respondents.
-----X

Defendants/third-party plaintiffs/second third-party
plaintiffs SL Green and Structure Tone having moved for an
enlargement of time to perfect the appeals taken from a judgment
of the Supreme Court, New York County, entered on or about
August 5, 2016, and from an order, of the same Court and Justice,
entered on or about July 26, 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 appeals to the October 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 June 22, 2017.

PRESENT: Hon. David Friedman, Justice Presiding,
Judith J. Gische
Barbara R. Kapnick
Marcy L. Kahn
Ellen Gesmer, Justices.

-----X
Daniel Aviles, Ramiro Pelaez,
Bernardo Ramirez and Felipe Martinez
Ruiz,
Plaintiffs-Respondents,

-against-

M-2278
Index No. 157845/15

Mark Kohn,
Defendant-Appellant,

-and-

Comfort Bedding Inc., doing business
as Comfort Bedding,
Defendant.

-----X

Defendant-appellant having moved for an enlargement of time
to perfect the appeal taken from an order of the Supreme Court,
New York County, entered on or about June 27, 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 October 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 June 22, 2017.

Present: Hon. David Friedman,
Angela M. Mazzarelli
Karla Moskowitz
Judith J. Gische,

Justice Presiding,

Justices.

-----X

Alexandra K.,
Plaintiff-Appellant,

CONFIDENTIAL
M-2482

-against-

Index No. 305550/14

Paul K.,
Defendant-Respondent.

-----X

Appeals having been taken from (4) orders of the Supreme Court, New York County, entered on or about December 30, 2015, March 23, 2017 and April 5, 2017 (2 orders), respectively,

And, plaintiff-appellant having moved for consolidation of the aforesaid appeals, and to correct a typographical error in the notice of appeal from the order entered March 23, 2017, deeming the text "May 22, 2012" deleted,

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

It is ordered that so much of the motion which seeks to correct the aforesaid typographical error is granted. The motion, as far as it seeks consolidation, is granted to the extent of permitting "appellant" to prosecute the consolidated appeals upon 8 copies of one record and one set of appellant's points covering the consolidated appeals. The time to perfect the consolidated appeals is enlarged to the October 2017 Term.

ENTERED:


CLERK

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

BEFORE: Presiding Justice Rolando T. Acosta

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

Respondent,

M-2218

Ind. No. 3929/11

-against-

CERTIFICATE

GRANTING LEAVE

Jose DeLorbe,

Defendant-Appellant.

-----X
I, Rolando T. Acosta, a Justice of the Appellate Division, First Judicial Department, do hereby certify that in the proceedings herein questions of law or fact are involved which ought to be reviewed by the Appellate Division, First Judicial Department, and, pursuant to Section 460.15 of the Criminal Procedure Law, permission is hereby granted to the above-named defendant to appeal to the Appellate Division, First Judicial Department, from the order of the Supreme Court, New York County, entered on or about July 17, 2016.¹

Dated: May 26, 2017
New York, New York

ENTERED

JUN 22 2017


Presiding Justice Rolando T. Acosta

NOTICE: Within 15 days from the date hereon, an appeal must be taken, and this certificate must be filed with the notice of appeal. An appeal is taken by filing, in the Clerk's office of the criminal court in which the order sought to be appealed was rendered, a written notice in duplicate that appellant appeals to the Appellate Division, First Judicial Department (Section 460.10, subd. 4, CPL), together with proof that another copy of the notice of appeal has been served upon opposing counsel. The appeal (or consolidated appeals; see footnote) must be argued within 120 days from the date of the notice of appeal, unless the time to perfect the appeal(s) is enlarged by the court or a justice thereof.

¹In the event defendant has an existing (direct) appeal from a judgment, such appeal shall be consolidated with the appeal from the aforesaid order; and any poor person relief granted with respect to the appeal from the judgment shall be extended to cover the appeals so consolidated.

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

BEFORE: **Hon. Angela M. Mazzarelli,**
Justice of the Appellate Division

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

M-1371
Ind. No. 98/97

-against-

CERTIFICATE
DENYING LEAVE

Roy Brock,

Defendant.
-----X

I, Angela M. Mazzarelli, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for reargument of the order of a Justice of this Court (M-72), entered May 26, 2016, which denied his motion pursuant to Criminal Procedure Law, section 460.15, and upon the record and proceedings herein, and no question of law or fact having been misapprehended or overlooked, permission to reargue the denial of leave to appeal from the order of the Supreme Court, New York County (Bonnie Wittner, J.), entered on or about November 4, 2015, is hereby denied.

ENTERED

JUN 22 2017


Justice

Dated: New York, New York
May 25, 2017

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

BEFORE: Hon. Ellen Gesmer
Justice of the Appellate Division

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

M-1466
Ind. No. 0119/11

-against-

CERTIFICATE
DENYING LEAVE

Albert Harriott,

Defendant.
-----X

I, Ellen Gesmer, a Justice of the Appellate Division, First Judicial Department, certify that the application of the above-named defendant for a certificate pursuant to Criminal Procedure Law sections 450.15 and 460.15 fails to properly present any question of law or fact 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 February 10, 2017 is denied.



Hon. Ellen Gesmer
Associate Justice

Dated: May 25, 2017
New York, New York

ENTERED: JUN 22 2017