

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 September 22, 2016.

PRESENT: Hon. Karla Moskowitz, Justice Presiding,  
Paul G. Feinman  
Judith J. Gische  
Barbara R. Kapnick  
Ellen Gesmer, Justices.

-----X  
Josephine Caputo, Paul Edwards,  
Jemande James and Charlene Owens,

Plaintiffs-Appellants,

-against-

M-3892  
Index No. 450677/14

Michael R. Koenig,

Defendant-Respondent.  
-----X

Plaintiffs-appellants 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 June 19, 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 to the extent of enlarging the time to perfect the appeal to the February 2017 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 September 22, 2016.

PRESENT: Hon. Karla Moskowitz, Justice Presiding,  
Paul G. Feinman  
Judith J. Gische  
Barbara R. Kapnick  
Ellen Gesmer, Justices.

-----X  
The Madison Square Garden Company,  
MSG Holdings, L.P., Turner Construction  
Company, Simplexgrinnell LP,  
Plaintiffs-Appellants,

-against-

M-3895  
Index No. 652522/13

Harleysville Insurance Company of  
New York,  
Defendant-Respondent.  
-----X

Plaintiffs-appellants 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 March 26, 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 to the extent of enlarging the time to perfect the appeal to the February 2017 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 September 22, 2016.

PRESENT: Hon. Karla Moskowitz, Justice Presiding,  
Paul G. Feinman  
Judith J. Gische  
Barbara R. Kapnick  
Ellen Gesmer, Justices.

-----X  
Vinland Capital Investments, LLC,  
Plaintiff-Appellant,

-against-

M-3965  
Index No. 650635/14

Peak Venture Partners LLC, et al.,  
Defendants-Respondents.

-----X

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from two orders of the Supreme Court, New York County, both entered on or about May 18, 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 to the extent of enlarging the time to perfect the appeal to the February 2017 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 September 22, 2016.

Present: Hon. Karla Moskowitz, Justice Presiding,  
Paul G. Feinman  
Judith J. Gische  
Barbara R. Kapnick  
Ellen Gesmer, Justices.

-----X  
Ralph Oyague,  
Claimant-Appellant,

**M-3131**  
-against- Claim No. 117462

The State of New York,  
Respondent-Respondent.  
-----X

An appeal having been taken from orders of the Court of Claims of the State of New York, entered on or about May 29, 2015 and November 10, 2015,

And, claimant-appellant having moved for a copy of the stenographic trial transcripts, an enlargement of time to perfect the May 29, 2015 appeal "until such time" as the stenographic transcript of the trial is provided. Claimant also seeks reconsideration of a reduction of the number of reproduced appellant's briefs from 8 copies to 5 copies,

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 Clerk of the Court of Claims of the State of New York to expeditiously provide claimant with a copy of the trial transcript, at no charge, enlarging claimant's time to perfect the appeal to the February 2017 Term, and reducing the number of reproduced claimant-appellant's briefs from 8 copies to 5 copies.

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 September 22, 2016.

Present: Hon. Karla Moskowitz, Justice Presiding,  
Paul G. Feinman  
Judith J. Gische  
Barbara R. Kapnick  
Ellen Gesmer, , Justices.

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

Cassius J.,  
Petitioner-Respondent,

**M-4099**  
Docket No. V-38977/15

-against-

Lindsay F.,  
Respondent-Appellant,

Administration for Children's  
Services,  
Respondent-Respondent.

-----X  
In the Matter of

Izrael J.,

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

Docket No. NN-44495/14

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

Lindsay F.,  
Respondent-Appellant,

Cassius J.,  
Respondent.

-----X

An appeal having been taken in the "Visitation Proceeding" from an order of the Family Court, New York County, entered on or about March 28, 2016; and an appeal having been taken in the "Neglect Proceeding" from an order of said Family Court, also entered on or about March 28, 2016,

And, respondent-appellant, Lindsay F., having moved for consolidation of the two appeals, and for an enlargement of time to perfect same,

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 for consolidation is granted to the extent of permitting respondent-appellant to prosecute the consolidated appeals upon 10 copies of one record and of one set of appellant's points covering said appeals. The time to perfect the consolidated appeals is enlarged to the March 2017 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 September 22, 2016.

PRESENT: Hon. Karla Moskowitz, Justice Presiding,  
Paul G. Feinman  
Judith J. Gische  
Barbara R. Kapnick  
Ellen Gesmer, Justices.

-----X  
TCR Sports Broadcasting Holding, LLP,  
Petitioner-Appellant-Respondent,

-against-

M-3960  
Index No. 652044/14

Washington National Baseball Club, LLC,  
WN Partner, LLC, Nine Sports Holding,  
LLC, et al.,  
Respondents-Respondents-Appellants,

The Office of the Commissioner of  
Baseball, et al.,  
Respondents-Respondents-Appellants,

The Baltimore Orioles Baseball Club,  
et al.,  
Nominal Respondents-Appellants-  
Respondents.

-----X

Respondent-respondent-appellant, Washington National Baseball Club, LLC, having moved for a preference in the hearing of the appeal from the order of the Supreme Court, New York County, entered on or about November 4, 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 as the calendaring of this appeal does not require a preference.

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 September 22, 2016.

PRESENT: Hon. Karla Moskowitz, Justice Presiding,  
Paul G. Feinman  
Judith J. Gische  
Barbara R. Kapnick  
Ellen Gesmer, Justices.

-----X

Ambac Assurance Corporation and The Segregated Account of Ambac Assurance Corporation,  
Plaintiffs-Appellants-Respondents,

-against-

M-4202  
Index No. 651612/10

Countrywide Home Loans, Inc.,  
Countrywide Securities Corp., and  
Countrywide Financial Corp.,  
Defendants-Respondents-Appellants,

-and-

Bank of America Corp.,  
Defendant.

-----  
Securities Industry and Financial Markets Association (SIFMA),  
Amicus Curiae.

-----X

An appeal and cross appeal having been taken to this Court from an order of the Supreme Court, New York County, entered on or about October 27, 2015, and said appeal and cross appeal having been perfected,

And, Securities Industry and Financial Markets Association (SIFMA) 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 and the Clerk of the Court is directed to accept the amicus curiae briefs submitted with the moving papers as timely filed.

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 September 22, 2016.

PRESENT: Hon. Karla Moskowitz, Justice Presiding,  
Paul G. Feinman  
Judith J. Gische  
Barbara R. Kapnick  
Ellen Gesmer, Justices.

-----X

Ira S.,  
Plaintiff-Appellant,

-against-

M-3779  
M-3944  
Index No. 311503/07

Janice S.,  
Defendant-Respondent.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about October 22, 2014 and from a judgment of the same Court and Justice entered on or about October 22, 2014, and said appeal having been perfected,

And, defendant-respondent having moved for a stay of the aforesaid order, pending hearing and determination of the appeal taken therefrom, and for an enlargement of time to file a respondent's brief (M-3779),

And, plaintiff-appellant having cross moved to stay certain financial obligations under the aforesaid judgment, to dismiss defendant's aforesaid motion, for a preference in hearing the appeal and for related relief (M-3944),

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 date for defendant to submit a respondent's brief by 90 days from the entry date of this order and otherwise denied (M-3779). The cross-motion is denied in its entirety (M-3944).

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 September 22, 2016.

PRESENT: Hon. Peter Tom, Justice Presiding,  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr.  
Rolando T. Acosta, Justices.

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

-against-

M-3762  
Ind. No. 2965/09

Adam Thomas,  
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, Bronx County, rendered on or about May 11, 2011,

Now, upon reading and filing the stipulation of the parties hereto, dated June 30, 2016, 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 September 22, 2016.

PRESENT: Hon. Peter Tom, Justice Presiding,  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr.  
Rolando T. Acosta, Justices.

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

-against-

M-3763  
Ind. No. 4219/13

Shaun Deleon,  
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about April 4, 2014,

Now, upon reading and filing the stipulation of the parties hereto, dated July 26, 2016, 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 September 22, 2016.

PRESENT - Hon. Peter Tom, Justice Presiding,  
Angela M. Mazzaelli  
David Friedman  
John W. Sweeny, Jr.  
Rolando T. Acosta, Justices.

-----X

Carlos Alvarez,  
Plaintiff-Respondent,

-against-

M-3929  
Index No. 114558/11

New 250 GSH, LLC, New 520 Triple Crown,  
LLC, 38<sup>th</sup> and 8<sup>th</sup>, LLC and New 520 Eight,  
LLC,  
Defendants-Appellants.

-----X

New 250 GSH, LLC, New 520 Triple Crown,  
LLC, 38<sup>th</sup> and 8<sup>th</sup>, LLC and New 520 Eight,  
LLC,  
Third-Party Plaintiffs-Appellants,

-against-

Third-Party  
Index No. 590098/12

Excel Security Corp.,  
Third-Party Defendant-Respondent.

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about January 27, 2016,

Now, upon reading and filing the stipulation of the parties hereto, dated August 1, 2016, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected, 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 September 22, 2016.

PRESENT - Hon. Peter Tom, Justice Presiding,  
Angela M. Mazzairelli  
David Friedman  
John W. Sweeny, Jr.  
Rolando T. Acosta, Justices.

-----X  
Miriam Sibony,

Plaintiff-Respondent,

-against-

207 East 74<sup>th</sup> Street Owners, Inc.,

Defendant-Appellant.  
-----X

M-4035  
Index No. 150424/14

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about February 2, 2016,

Now, upon reading and filing the stipulation of the parties hereto, dated August 9, 2016, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected, 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 September 22, 2016.

PRESENT - Hon. Peter Tom, Justice Presiding,  
Angela M. Mazzaelli  
David Friedman  
John W. Sweeny, Jr.  
Rolando T. Acosta, Justices.

-----X  
Caroline Sitbon-Robson,  
Plaintiff-Appellant,

-against-

M-4037  
Index No. 314195/14

Jonathan Robson,  
Defendant-Respondent.  
-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about January 5, 2016,

Now, upon reading and filing the stipulation of the parties hereto, dated August 9, 2016, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected, 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 September 22, 2016.

PRESENT: Hon. Peter Tom, Justice Presiding,  
Angela M. Mazzarelli  
David Friedman  
John W. Sweeny, Jr.  
Rolando T. Acosta, Justices.

-----X

Aozora Bank, Ltd.,  
Plaintiff-Respondent,

-against-

M-3577  
Index No. 652162/13

UBS AG, UBS Limited, UBS Securities LLC,  
and Deutsche Investment Management  
Americas Inc.,  
Defendants-Appellants.

-----X

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

And defendants-appellants having moved for a stay of discovery, pending hearing and determination of the aforesaid appeal,

Now, upon reading and filing the stipulation of the parties hereto, dated July 29, 2016, and due deliberation having been had thereon,

It is ordered that the appeal is deemed 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 September 22, 2016.

Present: Hon. Angela M. Mazzarelli, Justice Presiding,  
Richard T. Andrias  
Rosalyn H. Richter  
Sallie Manzanet-Daniels  
Marcy L. Kahn, Justices.

-----X  
Heather James, LLC, et al.,  
Plaintiffs-Respondents,

-against-

**M-3393**

Index No. 651226/14

Day & Meyer, Murray & Young Corp.,  
Defendant-Appellant.

-----X

Defendant-appellant having moved for reargument and modification of the decision and order of this Court, entered on June 16, 2016 (Appeal No. 1255),

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

Ordered that the motion is granted and, upon reargument, the decision and order of this Court entered on June 16, 2016 (Appeal No. 1255), is recalled and vacated and a new decision and order substituted therefor. (See Appeal No. 1255, decided simultaneously herewith.)

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 September 22, 2016.

Present - Hon. David Friedman, Justice Presiding,  
John W. Sweeny, Jr.  
Dianne T. Renwick  
Richard T. Andrias  
David B. Saxe, Justices.

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

Respondent,

-against-

M-3016

Ind. No. 2139/14

Kareem Hendricks,

Defendant-Appellant.  
-----X

An order of this Court having been entered on July 28, 2015 (M-2917/M-2763), inter alia, granting defendant leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about December 3, 2014, and assigning Robert S. Dean, Esq., Center for Appellate Litigation, as counsel to prosecute the appeal; and a motion having been made to relieve such counsel, and for related relief,

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

It is ordered that the motion is granted to the extent of striking the designation of assigned counsel Robert S. Dean, Esq., as counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Peter Dailey, Esq., 413 W. 148<sup>th</sup> Street, New York, NY 10031, Telephone No. 212-678-6238, as such counsel. The poor person relief previously granted is continued, and appellant's time in which to perfect the appeal is enlarged until 120 days from the date of this order or the filing of the record, whichever is later.

ENTER:

  
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 September 22, 2016.

Present - Hon. David Friedman, Justice Presiding,  
John W. Sweeny, Jr.  
Dianne T. Renwick  
Richard T. Andrias  
David B. Saxe, Justices.

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

-against-

Barbara Kogan,  
Defendant-Appellant.

M-3079  
Ind. Nos. 4540/09  
1867/10

-----X

An order of this Court having been entered on August 11, 2015 (M-1946), substituting Paul J. Angioletti, Esq., as counsel to prosecute the appeal from the judgment of the Supreme Court, New York County, rendered on or about June 4, 2010, and a motion having been made to relieve such counsel, and for related relief,

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

It is ordered that the motion is granted to the extent of striking the designation of assigned counsel Paul J. Angioletti, Esq., as counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Peter Dailey, Esq., 413 W. 148<sup>th</sup> Street, New York, NY 10031, Telephone No. 212-678-6238, as such counsel. The poor person relief previously granted is continued, and appellant's time in which to perfect the appeal is enlarged until 120 days from the date of this order or the filing of the record, whichever is later.

ENTER:



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 September 22, 2016.

Present - Hon. David Friedman, Justice Presiding,  
John W. Sweeny, Jr.  
Dianne T. Renwick  
Richard T. Andrias  
David B. Saxe, Justices.

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

-against-

M-2893  
Ind. No. 2150/14

Winston Mingo,  
Defendant-Appellant.

-----X

An order of this Court having been entered on April 19, 2016 (M-1464), inter alia, assigning Richard M. Greenberg, Esq., Office of the Appellate Defender, as counsel to prosecute defendant's appeal taken from a judgment of the Supreme Court, New York County, rendered on or about April 15, 2015,

And, counsel having moved for an order dismissing the appeal by reason of appellant's death, remanding the matter to the trial court to vacate the judgment of conviction, and dismissing the indictment,

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 dismissing the appeal because of appellant's death on March 1, 2016, and remanding the matter to the Supreme Court, New York County, for proceedings to vacate the judgment of conviction and to dismiss the indictment. (See *People v Matteson*, 75 NY2d 745; *People v Mintz*, 20 NY2d 753, 770.)

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 September 22, 2016.

PRESENT - Hon. David Friedman, Justice Presiding,  
David B. Saxe  
Rosalyn H. Richter  
Sallie Manzanet-Daniels, Justices.

-----X

The People of the State of New York,

Respondent,

-against-

M-3059

Ind. No. 1348/06

Albert Javier,

Defendant-Appellant.

-----X

Defendant-appellant having moved for reargument of the decision and order of this Court, entered on May 14, 2015 (Appeal No. 15105-15105A),

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 September 22, 2016.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,  
Dianne T. Renwick  
Karla Moskowitz  
Barbara R. Kapnick  
Ellen Gesmer, Justices.

-----X

In re Natalie Krodel,  
Petitioner-Appellant,

-against-

Amalgamated Dwellings, Inc.,  
et al.,  
Respondents,

M-3147  
Index No. 152176/14

Abraham Bragin,  
Respondent-Respondent.

-----X

Respondent-respondent having moved for reargument of, or in the alternative, for leave to appeal to the Court of Appeals, from the decision and order of this Court, entered on May 24, 2016 (Appeal No. 1220),

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

CORRECTED ORDER - September 30, 2016

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 September 22, 2016.

PRESENT: Hon. David Friedman, Justice Presiding,  
Richard T. Andrias  
Rosalyn H. Richter  
Judith J. Gische  
Marcy L. Kahn, Justices,

-----X  
Orly Genger,  
Plaintiff-Respondent,

SEALED

-against-

M-4046

M-4286

Sagi Genger,  
Defendant-Appellant,

Index No. 100697/08

David A. Parnes,  
Non-Party Appellant.

-----X  
The Israel Bar Association,  
Amicus Curiae.

Appeals having been taken to this Court from an order of the Supreme Court, New York County, entered on or about October 23, 2015, and said appeals having been perfected,

And, plaintiff-respondent having moved to strike the amicus curie brief of The Israel Bar Association, and to dismiss the appeals filed by defendant Sagi Genger and non-party Parnes (M-4046),

And, amicus curiae The Israel Bar Association having moved to withdraw its amicus curiae brief in connection with the aforesaid appeal (M-4286),

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 by amicus curiae The Israel Bar Association to withdraw its brief is granted to the extent of deeming said amicus curiae brief withdrawn (M-4286), and

CORRECTED ORDER – September 30, 2016

(M-4046/M-4286)

-2-

September 22, 2016

It is further ordered that plaintiff-respondent's motion to dismiss the appeals filed by defendant, Sagi Genger and **David A. Parnes**, is denied. That portion of plaintiff-respondent's motion which seeks to strike the amicus curiae brief, is denied as academic (M-4046).

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 September 22, 2016.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,  
Rosalyn H. Richter  
Sallie Manzanet-Daniels  
Troy K. Webber  
Marcy L. Kahn, Justices.

-----X  
Alejandro Olmedo,  
Plaintiff-Respondent,

-against-

M-3245  
Index No. 152340/12

Farrington Realty, LLC,  
Defendant-Appellant,  
  
7 Train Theater, et al.,  
Defendants.

-----X

Defendant-appellant 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 February 17, 2015,

Now, upon reading and filing the papers with respect to the motion, including the stipulation of the parties, dated July 21, 2016, and due deliberation having been had thereon,

It is ordered that the appeal is deemed withdrawn, in accordance with the aforesaid stipulation. The motion, accordingly, is denied as moot.

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 September 22, 2016.

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

-----X  
People of the State of New York  
ex rel. Douglas Young,  
Petitioner-Appellant,

-against-

M-3220  
Index No. 340520/15

Warden, Rikers Island Correctional Facility, et al.,  
Respondents-Respondents.

-----X

Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, Bronx County, entered on or about January 27, 2016, which denied his application for a writ of habeas corpus, for leave to have the appeal heard upon the original record and a reproduced appellant's brief, and for the assignment of counsel,

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

It is ordered that said 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 attorney for respondent and files 8 copies of such brief, together with the original record, with this Court. Appellant is permitted to dispense with payment of the required fee for the subpoena and filing of the record. The motion, to the extent it seeks the assignment of counsel, 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 September 22, 2016.

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

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

Respondent,

-against-

M-3231  
Ind. No. 173N/14

Ulises Ferreira,

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 June 30, 2015, 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, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

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

ENTER:

  
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 September 22, 2016.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,  
Rosalyn H. Richter  
Sallie Manzanet-Daniels  
Troy K. Webber  
Marcy L. Kahn, Justices.

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

-against-

M-3385  
Ind. Nos. 161/15  
3005/13

Sean Christianson,  
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 September 28, 2015, 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, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

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

ENTER:

  
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 September 22, 2016.

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

-----x  
Ananias Grajales,

Plaintiff-Appellant,

-against-

Maria Julia Grajales,

Defendant-Respondent.  
-----x

M-3362  
Index No. 303120/14

An appeal having been taken to this Court by plaintiff from the order of the Supreme Court, New York County, entered on or about April 6, 2016,

And, plaintiff-appellant having moved for leave to prosecute the aforesaid appeal as a poor person, and for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, for a stay of all proceedings pending hearing and determination of the appeal, 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, with leave to renew upon proof of service of the motion upon the defendant.

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 September 22, 2016.

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

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

-against-

M-3410  
Ind. No. 8640/93

Michael Ferguson,  
Defendant-Appellant.

-----X

An order of this Court having been entered on May 12, 2016 (M-1073) granting defendant leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, Bronx County, rendered on or about February 10, 2015, and assigning Arza Feldman, Esq., as counsel to prosecute the appeal; and a motion having been made to relieve such counsel, and for related relief,

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

It is ordered that the motion is 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 September 22, 2016.

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

-----X  
Jonathan Syllman,

Petitioner-Appellant,

-against-

NYC Department of Finance,

Respondent-Respondent.  
-----X

M-3440  
Index No. 100226/15

Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County, entered on or about October 14, 2015, and for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for other relief,

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

It is ordered that said motion is denied.

ENTER:

  
\_\_\_\_\_  
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 September 22, 2016.

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

-----x  
Keenan Britt,

Plaintiff-Respondent,

-against-

M-3324  
Index No. 100820/12

City of New York, et al.,

Defendants-Appellants.  
-----x

Appeals having been taken to this Court by defendants from orders of the Supreme Court New York County, entered on or about August 12, 2013 and May 9, 2016, respectively,

And defendants-appellants having moved for consolidation of the aforesaid appeals, and for an enlargement of time to perfect the appeal from the order entered on or about May 9, 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 consolidating the aforesaid appeals and permitting appellants to prosecute the consolidated appeals upon 9 copies of one record and one set of appellants' points covering said consolidated appeals. The attention of the parties is directed to 22 NYCRR § 600.11. The time to perfect the consolidated appeals is enlarged to the December 2016 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 September 22, 2016.

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

-----x  
Ella Reid, et al.,  
Plaintiffs-Respondents,

-against-

Real Estate International, Ltd. and  
Ronald Losner, M-3328  
Defendants-Appellants, Index No. 7844/07

-and-

Frank Giordano,  
Defendant.

- - - - -  
[And another action] Index No. 381176/07

-----x

Appeals having been taken to this Court by defendants, Real Estate International, Ltd. and Ronald Losner, from an order of the Supreme Court, Bronx County, entered on or about September 9, 2015, and from the amended order of said Court, entered on or about November 18, 2015, respectively,

And, defendants-appellants having moved for consolidation of the aforesaid appeals, and for an enlargement of time to perfect same,

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 consolidating the aforesaid appeals and permitting appellants to prosecute said consolidated appeals upon 9 copies of one record and one set of appellants' points covering said appeals. The attention of the parties is directed to 22 NYCRR § 600.11. The time to perfect the consolidated appeals is enlarged to the March 2017 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 September 22, 2016.

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

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

-against-

M-3283  
Ind. No. 589/12

John Draper,  
Defendant-Appellant.

-----x

Defendant-appellant having moved for an enlargement of time to perfect the appeal from the judgment of the Supreme Court, New York County, rendered on or about March 25, 2014,

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 2016 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 September 22, 2016.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,  
Rosalyn H. Richter  
Sallie Manzanet-Daniels  
Troy K. Webber  
Marcy L. Kahn, Justices.

-----x  
Arina A.,

Plaintiff-Respondent-Appellant,

M-3349

M-3461

-against-

Index No. 311931/10

Michael D.,

Defendant-Appellant-Respondent.

-----x

An appeal and cross appeal having been taken to this Court from the judgment of the Supreme Court, New York County, entered on or about April 22, 2015,

And, defendant-appellant-respondent having moved for an enlargement of time to perfect his direct appeal (M-3349),

And, plaintiff-respondent-appellant having cross-moved to dismiss defendant's direct appeal (M-3461),

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 defendant's direct appeal to the January 2017 Term (M-3349). Plaintiff's cross motion to dismiss defendant's direct appeal is denied (M-3461).

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 September 22, 2016.

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

-----x

Emilio Nunez,  
Plaintiff-Respondent,

-against-

Park Plus, Inc.,  
Respondent,

M-3254  
Index No. 301814/10

-and-

Desoto Parking, LLC,  
Respondent-Appellant.

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

-----x

An appeal having been taken to this Court from the order of the Supreme Court, Bronx County, entered on or about July 30, 2015,

And, plaintiff-respondent having moved for an enlargement of time to file a respondent'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 adjourning the appeal to the December 2016 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 September 22, 2016.

PRESENT - Hon. Rolando T. Acosta, Justice Presiding,  
Rosalyn H. Richter  
Sallie Manzanet-Daniels  
Troy K. Webber  
Marcy L. Kahn, Justices.

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

David Putland, 84B-2029  
Petitioner-Respondent,

For a Judgment Pursuant to Article 78  
of the CPLR,

-against-

M-3356  
Index No.100374/15

Department of Homeless Services,  
Kim Bruno, Records Access Officer,  
Respondents-Appellants.

-----X

Respondents-appellants having moved for an enlargement of time in which to perfect the appeal from judgment of the Supreme Court, New York County, entered on or about October 26, 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 to the extent of enlarging the time to perfect the appeal to the January 2017 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 September 22, 2016.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,  
Rosalyn H. Richter  
Sallie Manzanet-Daniels  
Troy K. Webber  
Marcy L. Kahn, Justices.

-----X  
Verizon New York, Inc.,  
Plaintiff-Appellant,

-against-

M-3357  
Index No. 111365/04

The City of New York,  
Defendant-Respondent.  
-----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 January 16, 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 to the extent of enlarging the time to perfect the appeal to the January 2017 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 September 22, 2016.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,  
Rosalyn H. Richter  
Sallie Manzanet-Daniels  
Troy K. Webber  
Marcy L. Kahn, Justices.

-----X

In the Matter of

**CONFIDENTIAL**

Giovanni G.

M-3371

A Person Alleged to Be a Juvenile Delinquent,

Docket No. D-495/11

Respondent-Appellant.

-----X

Respondent-appellant having moved for an enlargement of time to perfect the appeal from the order of the Family Court, Bronx County, entered on or about September 22, 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 to the extent of enlarging the time to perfect the appeal to the February 2017 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 September 22, 2016.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,  
Rosalyn H. Richter  
Sallie Manzanet-Daniels  
Troy K. Webber  
Marcy L. Kahn, Justices.

-----X  
Eve Cuyen Butterworth and Christine  
Ascensio,  
Plaintiffs-Respondents,

-against-

M-2919  
Index No. 150121/14

281 St. Nicholas Partners, LLC and  
Monarch Realty Inc.,  
Defendants-Appellants.

-----X

Defendants-appellants having moved for a stay of trial in a related summary proceeding pending hearing and determination of the appeal taken from the order of the Supreme Court, New York County, entered on or about January 19, 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.

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 September 22, 2016.

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

-----X  
Norex Petroleum Limited,  
Plaintiff-Appellant,

-against-

**M-3351**  
Index No. 650591/11

Leonard Blavatnik, et al.,  
Defendants-Respondents,

Simon Kukes, et al.,  
Defendants.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, entered on or about September 28, 2015,

And plaintiff-appellant having moved for this Court to take judicial notice and/or supplement the record with certain declarations filed in a related Federal Action and a related decision in a Russian Court,

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

Ordered that the motion is denied.

ENTER:

  
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 September 22, 2016.

PRESENT: Hon. Karla Moskowitz, Justice Presiding,  
Paul G. Feinman  
Judith J. Gische  
Barbara R. Kapnick  
Ellen Gesmer, Justices.

-----X  
Gila Rubinstein and Zeev Rubinstein,  
Plaintiffs-Respondents,

-against-

M-3730  
Index No. 113320/11

115 Spring Street Owners Corp.,  
115 Spring Street Company,  
Defendants-Respondents-Appellants,

-and-

Opera Gallery, Inc.,  
Defendants-Appellants-Respondents.

-----X

Appeals having been taken from an order of the Supreme Court, New York County, entered on or about July 28, 2015, and said appeals having been perfected,

And defendants-appellants-respondents having moved for, inter alia, an adjournment of their appeal,

Now, upon reading and filing the papers with respect to the motion, including the stipulation of the parties dated August 1, 2016 and due deliberation having been had thereon,

It is ordered that the motion 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 September 22, 2016.

Present: Hon. Karla Moskowitz, Justice Presiding,  
Paul G. Feinman  
Judith J. Gische  
Barbara R. Kapnick  
Ellen Gesmer, Justices.

-----X  
Jing Quan Li,  
Plaintiff-Appellant,

-against-

**M-3507**  
Index No. 160797/15

Kuan Lee Lai Si Realty, Inc.,  
Defendant-Respondent.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about March 24, 2016 and amended on April 5, 2016,

And, defendant-respondent having moved for dismissal of the aforesaid appeal(s),

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

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

ENTER:

  
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 September 22, 2016.

PRESENT: Hon. Karla Moskowitz, Justice Presiding,  
Paul G. Feinman  
Judith J. Gische  
Barbara R. Kapnick  
Ellen Gesmer, Justices.

-----X  
Ira S.,  
Plaintiff-Appellant-Respondent,

-against-

Janice S.,  
Defendant-Respondent-Appellant.  
-----X

**CONFIDENTIAL**

M-4163  
Index No. 311503/07

Plaintiff having taken an appeal from an order and judgment of divorce (one paper) of the Supreme Court, New York County, entered on or about October 22, 2014, and said appeal having been perfected,

And, defendant having taken a cross appeal from the same order and judgment of divorce (one paper) of said Supreme Court, entered on or about October 22, 2014,

And, defendant having moved to dismiss plaintiff's direct 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 September 22, 2016.

Present - Hon. Karla Moskowitz, Justice Presiding,  
Paul G. Feinman  
Judith J. Gische  
Barbara R. Kapnick  
Ellen Gesmer, Justices.

-----X

The People of the State of New York,  
Respondent,

-against-

M-3432  
Ind. No. 976/13

Tamarkqua Garland,  
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from a judgment of the Supreme Court, Bronx County, rendered on or about March 2, 2016, for leave to prosecute the appeal as a poor person upon the original record and a reproduced appellant's brief, and for related relief,

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

It is ordered that the motion is granted to the extent of deeming the notice of appeal as timely filed and permitting the appeal to be heard on the original record, except that a certified copy of the indictment(s) shall be substituted in place of the original indictment(s), and upon a reproduced appellant's brief, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files 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, and of the plea or trial and sentence. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28<sup>th</sup> Floor, New York, New York 10006, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of 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 September 22, 2016.

Present - Hon. Karla Moskowitz, Justice Presiding,  
Paul G. Feinman  
Judith J. Gische  
Barbara R. Kapnick  
Ellen Gesmer, Justices.

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

-against-

M-3475  
Ind. No. 4230/86

Robert O'Connor,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County (Nuñez, J.), entered on or about July 7, 2016, 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 Nuñez as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, Robert S. Dean, 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.

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 September 22, 2016.

Present - Hon. Karla Moskowitz, Justice Presiding,  
Paul G. Feinman  
Judith J. Gische  
Barbara R. Kapnick  
Ellen Gesmer, Justices.

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

-against-

M-3574  
Ind. No. 2884/05

Nelson Lendeborg,  
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the order of the Supreme Court, New York County (Ross, J.), entered on or about July 7, 2016, 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 Ross 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 in which to perfect the appeal is enlarged to the January 2017 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 September 22, 2016.

Present: Hon. Karla Moskowitz, Justice Presiding,  
Paul G. Feinman  
Judith J. Gische  
Barbara R. Kapnick  
Ellen Gesmer, Justices.

-----X  
In the Matter of

Amaya A.,  
and Zylah P.,

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

**M-3564**  
Docket Nos. B-21093/13  
B-21094/13  
V-21150-1/12

-----  
Sheltering Arms Children and Family  
Services,  
Petitioner-Respondent,

Brenda P.-H.,  
Respondent-Appellant.

Elizabeth R.,  
Respondent-Appellant.

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

-----X

Respondent-appellant mother, Brenda P.-H., having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, Bronx County, entered on or about June 13, 2016, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Neal D. Futerfas, Esq., 50 Main Street, Suite 1000, White Plains, NY 10606, Telephone No. (914) 552-6076, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor;<sup>1</sup> **within 30 days (FCS 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of the receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.** (See M-3820, decided simultaneously herewith.)

ENTERED:

  
\_\_\_\_\_  
CLERK

---

<sup>1</sup>Service of appellant's brief upon respondent(s) shall include assigned counsel's copy of the transcript.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 22, 2016.

Present: Hon. Karla Moskowitz, Justice Presiding,  
Paul G. Feinman  
Judith J. Gische  
Barbara R. Kapnick  
Ellen Gesmer, Justices.

-----X

In the Matter of

Amaya A.,  
and Zylah P.,

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

**M-3820**  
Docket Nos. B-21093/13  
B-21094/13  
V-21150-1/12

-----  
Sheltering Arms Children and Family  
Services,

Petitioner-Respondent,

Brenda P.-H.,  
Respondent-Appellant.

Elizabeth R.,  
Respondent-Appellant.

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

-----X

Respondent-appellant grandmother, Elizabeth R., having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, Bronx County, entered on or about June 13, 2016, and for assignment of counsel, a free copy of the transcript, and for related relief,

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

Ordered that the motion is granted to the extent of (1) assigning, pursuant to Article 18b of the County Law and §1120 of the Family Court Act, Tennille M. Tatum-Evans, Esq., 260 Convent Avenue, Suite #34, New York, NY 10031, Telephone No. (347-645-6660, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor;<sup>1</sup> **within 30 days (FCS 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of the receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.** (See M-3564, decided simultaneously herewith.)

ENTERED:

  
\_\_\_\_\_  
CLERK

---

<sup>1</sup>Service of appellant's brief upon respondent(s) shall include assigned counsel's copy of the transcript.

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on September 22, 2016.

Present: Hon. Karla Moskowitz, Justice Presiding,  
Paul G. Feinman  
Judith J. Gische  
Barbara R. Kapnick  
Ellen Gesmer, Justices.

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

-against-

**M-3430**  
Ind. No. 5441/11

DeMariano Fagairo,  
Defendant-Appellant.

-----X

An order of this Court having been entered on July 21, 2015 (M-1657), granting defendant-appellant leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about July 9, 2014, and assigning Robert S. Dean, Esq., as counsel to prosecute the appeal,

And, an order of this Court having been entered on June 14, 2016 (M-1327), granting defendant's motion to strike the designation of Robert S. Dean, Esq., as assigned counsel, substituting Arza Feldman, Esq., as counsel, and continuing poor person and related relief,

And defendant-appellant having moved for an order relieving assigned counsel and for permission to proceed pro se on the appeal, or for alternative relief,

Now, upon reading and filing the papers with respect to the motion; including a letter having been issued by this Court to appellant on April 14, 2015, advising him of the consequences of proceeding pro se, and defendant having responded hereto on May 12, 2015; and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of striking the designation of Arza Feldman, Esq., as counsel to prosecute the appeal, and continuing the poor person relief previously granted by this Court's order entered on June 14, 2016 (M-1327).

The Clerk is directed to forward to the Warden of the State correctional facility wherein defendant is incarcerated a transcript of the minutes relating to defendant's appeal, the transcript to be made available to appellant, without charge, and returned by him to this Court when submitting his pro se appellate brief.

The time in which appellant shall perfect this appeal is enlarged until 120 days from the date of filing the record or the date of this order, whichever is later. Appellant is advised that the appeal will not be heard unless and until all material furnished to him has been returned to 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 September 22, 2016.

Present: Hon. Karla Moskowitz, Justice Presiding,  
Paul G. Feinman  
Judith J. Gische  
Barbara R. Kapnick  
Ellen Gesmer, Justices.

-----X

U-Trend New York Investment L.P.,  
Individually and Derivatively on  
Behalf of Nominal Defendant  
Hospitality Suite International,  
S.A. and its wholly-owned subsidiary  
US Suite Corp.,  
Plaintiff-Respondent,

**M-4194**  
Index No. 652082/14

-against-

US Suite LLC, Aura Investments LTD.,  
and 440 West 41<sup>st</sup> LLC,  
Defendants-Appellants,

-and-

Hospitality Suite International, S.A.  
And US Suite Corp.,  
Nominal Defendants.

-----X

Appeals having been taken from three orders of the Supreme Court, New York County, entered on or about November 13, 2015, April 14, 2016 and June 9, 2016, respectively, and said appeals having been consolidated in Supreme Court, and said consolidated appeals having been perfected,

And, plaintiff-respondent having moved to enlarge the record on appeal to include certain items,

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 solely to the extent of directing plaintiff-respondent to file a supplemental record on appeal containing only Exhibit B of the motion papers, along with their respondent's brief, on or before October 5, 2016, for the November 2016 Term, to which Term the consolidated appeals are adjourned. The motion is 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 September 22, 2016.

PRESENT: Hon. Karla Moskowitz, Justice Presiding,  
Paul G. Feinman  
Judith J. Gische  
Barbara R. Kapnick  
Ellen Gesmer, Justices.

-----X

610 West Realty LLC,  
Plaintiff-Appellant,

-against-

M-4007  
Index No. 155357/13

Riverview West Contracting LLC,  
Defendant,

B&V Contracting Enterprises, Inc.,  
et al.,  
Defendants-Respondents.

-----X

An appeal having been taken to this Court from an order of the Supreme Court, New York County, entered on or about August 4, 2015, and said appeal having been perfected,

And, defendant-respondent B&V Contracting Enterprises, Inc., having moved for leave to enlarge the record on 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 permitting defendant-respondent leave to file a respondent's appendix consisting of Exhibits C and D of its moving papers, along with its brief, on or before October 5, 2016, for the November 2016 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 September 22, 2016.

Present: Hon. Karla Moskowitz, Justice Presiding,  
Paul G. Feinman  
Judith J. Gische  
Barbara R. Kapnick  
Ellen Gesmer, Justices.

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

-against- Ind. No. **M-4165**  
2498/08  
37890C/08

Antoine Lewis,  
Defendant-Appellant.

-----X

Defendant-appellant, in connection with an appeal taken from the judgment of the Supreme Court, Bronx County, entered on or about February 17, 2012, having moved for leave to file a pro se supplemental 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 directing defendant to serve and file 8 copies of his pro se supplemental brief on or before November 7, 2016 for the January 2017 Term, to which Term the appeal is adjourned. The Clerk of the Court is directed to forward to the Warden at the State correctional facility wherein defendant is incarcerated a transcript of the minutes relating to defendant's appeal, said transcript to be made available to appellant and returned by appellant to this Court when submitting the pro se supplemental brief hereto. The appeal will not be heard unless and until all material furnished to appellant has been returned.

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 September 22, 2016.

Present - Hon. Karla Moskowitz, Justice Presiding,  
Paul G. Feinman  
Judith J. Gische  
Barbara R. Kapnick  
Ellen Gesmer, Justices.

-----X  
Tanya Gonzalez,  
Plaintiff-Appellant,

-against-

Riverbay Corporation, et al.,  
Defendants-Respondents.

M-3296  
Index No. 302570/10  
84027/11

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

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, Bronx County, entered on or about October 5, 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 to the extent of enlarging the time to perfect the appeal to the January 2017 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 September 22, 2016.

PRESENT: Hon. Karla Moskowitz, Justice Presiding,  
Paul G. Feinman  
Judith J. Gische  
Barbara R. Kapnick  
Ellen Gesmer, Justices.

-----X  
Wilmington Trust Company, etc.,  
Plaintiff-Respondent,

-against-

M-3504  
Index No. 381935/09

Audrey Walker and Dawn Walker,  
Defendants-Appellants,

Bank of America, N.A., et al.,  
Defendants.

-----X

Defendants-appellants having moved for an enlargement of time to perfect the appeal from the order of the Supreme Court, Bronx County, entered on or about September 21, 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 to the extent of enlarging the time to perfect the appeal to the January 2017 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 September 22, 2016.

PRESENT: Hon. Karla Moskowitz, Justice Presiding,  
Paul G. Feinman  
Judith J. Gische  
Barbara R. Kapnick  
Ellen Gesmer, Justices.

-----X  
Philippe Maestracci,

Plaintiff-Respondent-Appellant,

-against-

M-4305  
Index No. 650646/14

Helly Nahmad Gallery, Inc., et al.,

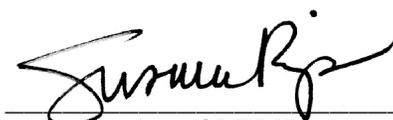
Defendants-Appellants-Respondents.  
-----X

Defendants-appellants-respondents having moved for an enlargement of time to perfect the consolidated appeals and cross appeals taken from orders of the Supreme Court, New York County, entered on or about September 24, 2015, and January 14, 2016, respectively; and the appeal taken from the order of said Court entered on or about September 23, 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 to the extent of enlarging the time to perfect the consolidated appeals and cross appeals to the January 2017 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 September 22, 2016.

Present - Hon. Karla Moskowitz, Justice Presiding,  
Paul G. Feinman  
Judith J. Gische  
Barbara R. Kapnick  
Ellen Gesmer, Justices.

-----x

CBS Outdoor, Inc., et al.,  
Petitioners-Respondents,

For a Judgment Pursuant to Article 78  
of the CPLR, etc.,

M-3446

-against-

Index No. 100394/13

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

-and-

CSX Transportation, Inc.,  
Respondent.

- - - - -

Lamar Advertising of Penn, LLC,  
Petitioner-Respondent,

For a Judgment Pursuant to Article 78  
of the CPLR, etc.,

Index No. 100397/13

-against-

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

- - - - -

Clear Channel Outdoor, Inc.,  
Petitioner-Respondent,

For a Judgment Pursuant to Article 78  
of the CPLR, etc.,

Index No. 100398/13

-against-

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

-----x

Appeals having been taken to this Court by respondents-appellants the City of New York, et al. from the orders and judgments (one paper) of the Supreme Court, New York County, entered on or about September 15, 2015, September 17, 2015 and October 7, 2015, respectively,

And respondents-appellants having moved for consolidation of the aforesaid appeals, and an enlargement of time to perfect the same,

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 appellants to prosecute the consolidated appeals upon 9 copies of one record and one set of appellants' points covering the consolidated appeals. The attention of the parties is directed to 22 NYCRR § 600.11. The time to perfect the consolidated appeals is enlarged to the January 2017 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 September 22, 2016.

PRESENT: Hon. Karla Moskowitz, Justice Presiding,  
Paul G. Feinman  
Judith J. Gische  
Barbara R. Kapnick  
Ellen Gesmer, Justices.

-----X

Dashawn Tingman,

Plaintiff-Respondent,

-against-

M-3346

Index No. 18565/06

Sam Lan, M.D., PH.D., et al.,

Defendants-Appellants.

-----X

Defendants-appellants 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 April 21, 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 to the extent of enlarging the time to perfect the appeal to the January 2017 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 September 22, 2016.

PRESENT: Hon. Karla Moskowitz, Justice Presiding,  
Paul G. Feinman  
Judith J. Gische  
Barbara R. Kapnick  
Ellen Gesmer, Justices.

-----X  
Marquis Long,  
Plaintiff,

-against-

M-3368  
Index No. 104392/11

Consolidated Edison, et al.,  
Defendants.

-----X  
Consolidated Edison Company of New York,  
Inc.,  
Third-Party Plaintiff-Respondent,

-against-

Index No. 590634/12

San Mateo Construction Corp.,  
Third-Party Defendant-Appellant,

Qualcon Construction LLC,  
Third-Party Defendant.

-----  
San Mateo Construction Corp.,  
Second Third-Party Plaintiff-  
Appellant,

-against-

Index No. 590760/12

Qualcon Construction LLC,  
Second Third-Party Defendants.

-----X

Third-party defendant/second third-party plaintiff-appellant San Mateo Construction Corp. 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 April 22, 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 to the extent of enlarging the time to perfect the appeal to the January 2017 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 September 22, 2016.

PRESENT: Hon. Karla Moskowitz, Justice Presiding,  
Paul G. Feinman  
Judith J. Gische  
Barbara R. Kapnick  
Ellen Gesmer, Justices.

-----X  
Mobile Methodology, LLC, et al.,  
Plaintiffs-Respondents,

-against-

M-3408  
Index No. 652767/11

Zenova Corp., doing business as  
lookit design,  
Defendant-Appellant,

Andrew P. Saulitis, et al.,  
Counterclaim Defendants.

-----X

Defendant-appellant having moved for an enlargement of time to perfect the appeal taken from the order of the Supreme Court, New York County, entered on or about September 24, 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 to the extent of enlarging the time to perfect the appeal to the January 2017 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 September 22, 2016.

PRESENT: Hon. Karla Moskowitz, Justice Presiding,  
Paul G. Feinman  
Judith J. Gische  
Barbara R. Kapnick  
Ellen Gesmer, Justices.

-----X  
Francisco Lalin,  
Plaintiff-Respondent,

-against-

M-3464  
Index No. 303924/11

Plymouth Beef Co., Inc.,  
Defendant-Appellant.

-----X  
Plymouth Beef Co., Inc.,  
Third-Party Plaintiff-Appellant,

-against-

Santos Cleaning Corp.,  
Third-Party Defendant-Respondent.

-----X

Defendant/third-party plaintiff having moved for an enlargement of time to perfect the appeal from an order of the Supreme Court, Bronx County, entered on or about September 10, 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 to the extent of enlarging the time to perfect the appeal to the January 2017 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 September 22, 2016.

PRESENT: Hon. Karla Moskowitz, Justice Presiding,  
Paul G. Feinman  
Judith J. Gische  
Barbara R. Kapnick  
Ellen Gesmer, Justices.

-----X  
Arrow Financial Services, LLC,  
Plaintiff-Respondent,

-against-

M-3481  
Index No. 302476/11

Jesus Viruet,  
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 September 24, 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 to the extent of enlarging the time to perfect the appeal to the January 2017 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 September 22, 2016.

Present - Hon. Karla Moskowitz, Justice Presiding,  
Paul G. Feinman  
Judith J. Gische  
Barbara R. Kapnick  
Ellen Gesmer, Justices.

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

-against-

M-3503  
Ind. No. 3662/10

Angel Gurity,  
Defendant-Appellant.

-----X

Defendant-appellant having moved for an enlargement of time to perfect the appeal from the judgment of the Supreme Court, Bronx County, rendered on or about January 29, 2014,

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 January 2017 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 September 22, 2016.

PRESENT: Hon. Karla Moskowitz, Justice Presiding,  
Paul G. Feinman  
Judith J. Gische  
Barbara R. Kapnick  
Ellen Gesmer, Justices.

-----X  
Debra T.,

Plaintiff-Respondent,

-against-

Andrew F.,

Defendant-Appellant.  
-----X

**CONFIDENTIAL**

M-3595

Index No. 350006/11

Defendant-appellant having moved for an enlargement of time to perfect the appeal taken from an order and judgment of the Supreme Court, New York County, entered on or about August 26, 2016 and September 1, 2015, 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 granted to the extent of enlarging the time to perfect the appeal to the January 2017 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 September 22, 2016.

PRESENT: Hon. Karla Moskowitz, Justice Presiding,  
Paul G. Feinman  
Judith J. Gische  
Barbara R. Kapnick  
Ellen Gesmer, Justices.

-----X  
Nader & Sons, LLC, et al.,  
Plaintiffs-Respondents,

-against-

Hazak Associates, LLC,  
Defendant-Appellant.

M-4220  
Index No. 650942/14

-----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 September 24, 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 to the extent of enlarging the time to perfect the appeal to the January 2017 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 September 22, 2016.

PRESENT: Hon. Karla Moskowitz, Justice Presiding,  
Paul G. Feinman  
Judith J. Gische  
Barbara R. Kapnick  
Ellen Gesmer, Justices.

-----X  
Thomas Ling,  
Plaintiff-Respondent,

-against-

M-3375  
Index No. 650092/14

Kemper Independence Ins. Co.,  
Defendant-Appellant.  
-----X

Defendant-appellant having moved for an enlargement of time to perfect the appeal from the orders of the Supreme Court, New York County, entered on or about June 19, 2015 and February 11, 2016, respectively,

And, an order of this Court having been entered June 14, 2016 (M-1725), inter alia, consolidating 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 to the extent of enlarging the time to perfect the consolidated appeals to the January 2017 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 September 22, 2016.

Present - Hon. Karla Moskowitz, Justice Presiding,  
Paul G. Feinman  
Judith J. Gische  
Barbara R. Kapnick  
Ellen Gesmer, Justices.

-----x

Michelle Lewis,  
Plaintiff-Respondent,

-against-

M-3562  
Index No. 102947/10

Frederick D. Rutkovsky, M.D.,  
Defendant-Appellant,

-and-

LHHN Medical, P.C., doing business as  
Manhattan's Physician Group, etc.,  
Defendant-Appellant.

-----x

Separate appeals having been taken to this Court from the order of the Supreme Court, New York County, entered on or about August 21, 2015,

And, defendant-appellant LHHN Medical, P.C., etc. having moved for an enlargement of time to perfect their 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 enlarging the time to perfect the appeal taken by LHHN Medical, P.C., etc. to the January 2017 Term. Sua sponte, the time to perfect the appeal taken by Frederick D. Rutkovsky, M.D. is enlarged to said January 2017 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 September 22, 2016.

PRESENT: Hon. Karla Moskowitz, Justice Presiding,  
Paul G. Feinman  
Judith J. Gische  
Barbara R. Kapnick  
Ellen Gesmer, Justices.

-----X  
Warshaw Burstein Cohen Schlesinger  
& Kuh, LLP,

Plaintiff-Appellant,

-against-

Eric A. Longmire,

Defendant-Respondent.  
-----X

**SEALED**

M-3756  
Index No. 116683/09

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 July 31, 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 to the extent of enlarging the time to perfect the appeal to the February 2017 Term.

ENTER:

  
CLERK

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-3088  
Ind. No. 12730/93

-against-

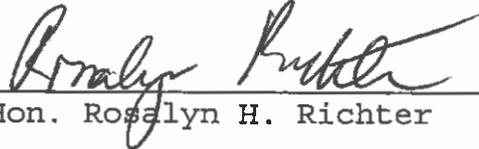
CERTIFICATE  
DENYING LEAVE

Henry Bracy,

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 Section 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 April 12, 2016 is hereby denied.

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

Dated: August 12, 2016  
New York, New York

ENTERED: **SEP 22 2016**

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

BEFORE: Hon. Paul G. Feinman  
Justice of the Appellate Division

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

Respondent,

-against-

Joseph McNeil,

Defendant-Appellant.  
-----X

M - 3810  
Ind. No. 286/93  
  
CERTIFICATE  
GRANTING LEAVE

I, Paul G. Feinman, 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 June 27, 2016.

Dated: August 25, 2016  
New York, New York

  
\_\_\_\_\_  
Hon. Paul G. Feinman  
Associate Justice

**ENTERED**

SEP 22 2016

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 must be argued within 120 days from the date of the notice of appeal, unless the time to perfect the appeal is enlarged by the court or a justice thereof.

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

BEFORE: Hon. Judith J. Gische  
Justice of the Appellate Division

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

M-2700  
Ind. No. 9990/87

-against-

CERTIFICATE  
GRANTING LEAVE

Gerald Francis,  
Defendant-Appellant.

-----X

I, Judith J. Gische, 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 (Bruce Allen, J.), entered on or about April 22, 2016.<sup>1</sup>

Dated: August 17, 2016  
New York, New York

**ENTERED** SEP 22 2016

\_\_\_\_\_  
Hon. Judith J. Gische  
Associate Justice

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.

<sup>1</sup>In 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.