

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 March 22, 2018.

Present - Hon. Richard T. Andrias, Justice Presiding,
Ellen Gesmer
Cynthia S. Kern
Anil C. Singh
Peter H. Moulton, Justices.

-----X
Shelly Cao, 18 M.S. Realty, Inc.,
Hui Jun Wang,
Plaintiffs-Appellants,

-against-

M-281
Index No. 304911/14

Nasser Zar, Inc., Cyrus Niknamfard
and Cyrus Realty Corp., Stout Street
Fund I, LP, Braddock Financial
Corporation a/k/a Stout Street Fund I
GP, LLC, Harry Zubli, Esq., Leonard C.
Aloi,
Defendants-Respondents.

-----X

Plaintiffs 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 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 September 2018 Term.

ENTERED:


DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 22, 2018.

Present - Hon. Richard T. Andrias, Justice Presiding,
Ellen Gesmer
Cynthia S. Kern
Anil C. Singh
Peter H. Moulton, Justices.

-----X

The People of the State of New York,

Respondent,

-against-

Anonymous,

Defendant-Appellant.

SEALED
M-427
Ind. No. 1850/09

-----X

Defendant having moved for an enlargement of time to perfect the appeal taken from the judgment of the Supreme Court, New York County, rendered on or about April 22, 2011,

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

It is ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the September 2018 Term.

ENTERED:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 22, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

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

-against-

M-684
Ind. No. 4554/15

Gilberto Britton,
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about April 13, 2016,

Now, upon reading and filing the stipulation of the parties hereto, dated June 15, 2017, and due deliberation having been had thereon,

It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.

ENTERED:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 22, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Roselyn H. Richter, Justices.

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

-against-

M-686
Ind. No. 801/16

David Walker,
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about April 11, 2016,

Now, upon reading and filing the stipulation of the parties hereto, dated February 1, 2018, and due deliberation having been had thereon,

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

ENTERED:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 22, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

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

-against-

M-687
Ind. No. 5343N/16

Edwin Reyes,
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about February 23, 2017,

Now, upon reading and filing the stipulation of the parties hereto, dated January 24, 2018, and due deliberation having been had thereon,

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

ENTERED:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 22, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosallyn H. Richter, Justices.

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

-against-

M-690
Ind. No. 2174/16

Modou Babou,
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about November 16, 2016,

Now, upon reading and filing the stipulation of the parties hereto, dated January 26, 2018, and due deliberation having been had thereon,

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

ENTERED:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 22, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X
Brigida Heller,
Plaintiff-Respondent,

-against-

M-706
Index No. 158430/14

Gross Schwartz Goldstone & Campisi,
LLP,
Defendant-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about July 14, 2017,

Now, upon reading and filing the stipulation of the parties hereto, dated February 8, 2018, and due deliberation having been had thereon,

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

ENTERED:


DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 22, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X
Gregory Gutierrez,
Plaintiff-Respondent-Appellant,

-against-

Robin Berlin, Esq. and Robin Berlin,
Defendants,

M-708
Index No. 154878/13

-and-

Robin Berlin, As Executrix of the
Estate of decedent Irwin M. Berlin, M.D.,
Defendant-Appellant-Respondent.

-----X

An appeal and cross appeal having been taken from an order of the Supreme Court, New York County, entered on or about June 26, 2014,

Now, upon reading and filing the stipulation of the parties hereto, dated February 7, 2018, and due deliberation having been had thereon,

It is ordered that the appeal and cross appeal, previously perfected, are withdrawn in accordance with the aforesaid stipulation.

ENTERED:


DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 22, 2018.

PRESENT Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X
Country-Wide Insurance Company,
Petitioner-Appellant,

-against-

Susy A. Ciprian, Oscar A. Pena Moises M-733
and Gregorio A. Hernandez Marte, Index No. 25057/15
Respondents-Respondents,

-and-

Pablo Garcia and Geico General Insurance
Company,
Proposed Additional Co-Respondents.
-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about August 26, 2016,

Now, upon reading and filing the stipulation of the parties hereto, filed on February 9, 2018, and due deliberation having been had thereon,

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

ENTERED:


DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 22, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X
James Loiudice,
Plaintiff-Respondent,

-against-

M-750
Index No. 108533/11

Tritec Building Company, Inc., AMA
Consulting Engineers, P.C. and
St. Francis Preparatory School,
Defendants-Respondents.

- - - - -

Tritec Building Company, Inc. and
St. Francis Preparatory School,
Third-Party Plaintiffs-Respondents,

-against-

APS Transport, LLC,
Third-Party Defendant-Appellant,

Index No. 590902/12

-and-

DACS, Inc.,
Third-Party Defendant-Respondent.

- - - - -

DACS, Inc.,
Second Third-Party Plaintiff-Respondent,

-against-

Index No. 590260/14

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

- - - - -

APS Transport, LLC,
Third Third-Party Plaintiff,

-against-

Index No. 590273/14

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

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about December 14, 2015,

Now, upon reading and filing the stipulation of the parties hereto, dated December 1, 2017, and due deliberation having been had thereon,

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

ENTERED:


DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 22, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X
Reis, Inc. and Reis Services, LLC,
Plaintiffs-Respondents,

-against-

M-758
Index No. 650056/17

Lennar Corp., Rialto Capital Management,
LLC, Rialto Capital Advisors of New York,
LLC and Harvey Lederman,
Defendants-Appellants.
-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about August 16, 2017,

Now, upon reading and filing the stipulation of the parties hereto, dated December 1, 2017, and due deliberation having been had thereon,

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

ENTERED:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 22, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Roselyn H. Richter, Justices.

-----X
Torrie Weese, individually and as
Natural Parent and Guardian of
Misty Jo W., a Minor,
Plaintiffs-Appellants,
-against-

M-759
Index No. 153742/12

Pfizer, Inc.,
Defendant-Respondent.
-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, entered on or about October 18, 2013,

Now, upon reading and filing the stipulation of the parties hereto, dated February 1, 2018, and due deliberation having been had thereon,

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

ENTERED:


DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 22, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X
Evelyn Y. Pineda,
Plaintiff-Respondent,

-against-

M-829
Index No. 306378/12

Brickyard Inc.
Defendant-Appellant,

-and-

Jose R. Castellano,
Defendant.

-----X

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

Now, after pre-argument conference, and upon reading and filing the stipulation of the parties hereto, "so ordered" February 14, 2018, and due deliberation having been had thereon,

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

ENTERED:


DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 22, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

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

-against-

M-834
Ind. No. 2044/16

Rahkeem Jennings,
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about September 15, 2016,

Now, upon reading and filing the stipulation of the parties hereto, dated February 8, 2018, and due deliberation having been had thereon,

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

ENTERED:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 22, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

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

-against-

M-842
Ind. No. 3159/16

Bilal Haamid,
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, rendered on or about March 9, 2017,

Now, upon reading and filing the stipulation of the parties hereto, dated January 27, 2018, and due deliberation having been had thereon,

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

ENTERED:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 22, 2018.

PRESENT: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X
Milagros Cabrera, as Administrator of
the Goods, Chattels and Credits which
were of Raquel Gutierrez,
Plaintiff-Respondent,

-against-

M-6503
Index No. 310248/11

Salvador Collazo,
Defendant,

Shelley B. Levy, as Executor of the
Estate of Cary M. Tanzman, Deceased
and Law Office of Cary M. Tanzman,
Defendants-Appellants.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about September 30, 2016,

Now, upon reading and filing the stipulation of the parties hereto, dated November 20, 2017, and due deliberation having been had thereon,

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

ENTERED:


DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 22, 2018.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X

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

- - - - -

Sheniece B.,
Petitioner-Appellant,

CONFIDENTIAL

M-183

Docket Nos. V-15143-07/15D
V-15154-07/15D

-against-

Ronald B.,
Respondent-Respondent.

-----X

Petitioner-appellant having moved for leave to prosecute, as a poor person, the appeal taken from an order of the Family Court, New York County, entered on or about November 22, 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 Article 18b of the County Law and §1120 of the Family Court Act, Lewis S. Calderon, Esq., 155-03 Jamaica Avenue, Jamaica, NY 11432, Telephone No. 718-883-1560, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor¹ **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant

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

to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTERED:


DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 22, 2018.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X

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

- - - - -
Commissioner of Social Services,
on behalf of Caroline Davis,
Petitioner-Respondent,

CONFIDENTIAL

M-184
Docket No. P-12900/16

-against-

Travis S.,
Respondent-Appellant.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal taken from an order of the Family Court, New York County, entered on or about August 1, 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 Article 18b of the County Law and §1120 of the Family Court Act, Lewis S. Calderon, Esq., 155-03 Jamaica Avenue, Jamaica, NY 11432, Telephone No. 718-883-1560, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor¹ **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3) permitting appellant

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

to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTERED:


DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 22, 2018.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X
In the Matter of

Alisha A.,

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

CONFIDENTIAL

M-197

Docket No. NA-50803/16

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

Nelson V.
Respondent-Appellant.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal taken from an order of the Family Court, New York County, entered on or about October 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 Article 18b of the County Law and §1120 of the Family Court Act, Lewis S. Calderon, Esq., 155-03 Jamaica Avenue, Jamaica, New York 11432, Telephone No. 718-883-1560, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor¹ **within 30 days (FCA 1121[7]) of service of a copy of this order upon the Clerk;** (3)

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

permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTERED:


DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 22, 2018.

Present: Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X
In the Matter of

Annabelle J.,

A Child Under the Age of Eighteen
Years Alleged to be Neglected by

Murdaline D.,
Respondent-Respondent.

Administration for Children's Services,
et al.,
Petitioners-Respondents,

Stacey B.,
Foster Parent-Appellant.

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

-----X

CONFIDENTIAL

M-224
Docket Nos. NN-50200/12
V-42395/15

Respondent-respondent mother having moved 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 June 9, 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 §1120 of the Family Court Act, Lewis S. Calderon, Esq., 155-03 Jamaica Avenue, Jamaica, NY 11432, Telephone No. 718-883-1560, 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 foster parent-appellant and 8 copies thereof are filed with this Court.

ENTERED:


DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 22, 2018.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
John W. Sweeny, Jr.
Dianne T. Renwick
Rosalyn H. Richter, Justices.

-----X
In the Matter of the Commitment of

Oluwashola Joshua P.,

A Dependent Child Under the Age of 14
Years Pursuant to Article 6 of the Family
Court Act and Section 384-b of the
Social Services Law of the State of New
York.

CONFIDENTIAL

M-328
Docket No. B-40366/16

- - - - -
SCO Family of Services,
Petitioner-Respondent,

Emma Z. T.,
Respondent-Appellant.

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal taken from an order of the Family Court, New York County, entered on or about November 21, 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 Article 18b of the County Law and §1120 of the Family Court Act, Lewis S. Calderon, Esq., 155-03 Jamaica Avenue, Jamaica, NY 11432, Telephone No. 718-883-1560, as counsel for purposes of prosecuting the appeal; (2) directing the Clerk of said Family Court to have transcribed the minutes of the proceedings held therein, for inclusion in the record on appeal, the cost thereof to be charged against the City of New York from funds available therefor¹ **within 30 days (FCA 1121[7]) of service**

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

of a copy of this order upon the Clerk; (3) permitting appellant to dispense with any fee for the transfer of the record from the Family Court to this Court. **The Clerk of the Family Court shall transfer the record upon receipt of this order;** and (4) appellant is directed to perfect this appeal, in compliance with Rule 600.11 of the Rules of this Court, **within 60 days** of receipt of the transcripts. **Assigned counsel is directed to immediately serve a copy of this order upon the Clerk of the Family Court.**

ENTERED:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 22, 2018.

Present - Hon. Rolando T. Acosta, Presiding Justice,
David Friedman
Rosalyn H. Richter
Barbara R. Kapnick, Justices.

-----X
Thomas Quigley and Robbin Quigley,

Plaintiffs-Appellants-Respondents,

-against-

Port Authority of New York and New Jersey,
Delta Airlines, Inc. and Commodore
Construction Corp.,

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

M-282
M-283
Index No. 22509/14E

Plaintiffs-appellants-respondents (M-282) and defendants-respondents-appellants (M-283) having moved for an enlargement of time to perfect the appeal and cross-appeal, respectively, taken from an order of the Supreme Court, Bronx County, entered on or about March 13, 2017,

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

It is ordered that the motions are granted to the extent of enlarging the time to perfect the appeal and cross-appeal to the October 2018 Term.

ENTERED:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 22, 2018.

Present - Hon. Rolando T. Acosta, Presiding Justice,
Rosalyn H. Richter
Barbara R. Kapnick
Marcy L. Kahn
Ellen Gesmer, Justices.

-----x

In the Matter of a Custody/Visitation Proceeding Pursuant to Article 6 of the Family Court Act.

CONFIDENTIAL

M-621

Boris K.,
Petitioner-Respondent,

Docket Nos. V-49792/12
V-9893/13
V-48/13

-against-

Maria E.,
Respondent-Appellant.

Seth Kaufman, Esq.,
Attorney for the Child.

-----x

An appeal having been taken to this Court from the order of the Family Court, New York County, entered on or about February 14, 2017, and said appeal having been perfected,

And petitioner-respondent having moved for an order:
1) remanding the matter to the Family Court, for a reconstruction hearing with respect to the portions of the proceedings conducted on October 26, 2015, November 10, 2015, January 27, 2016, February 9, 2016 and May 12, 2016, and to provide the corrected transcripts to this Court, 2) to hold the appeal in abeyance pending disposition of these proceedings, and 3) to enlarge the record on appeal to include transcripts of Family Court proceedings where no testimony was taken, but where counsel for the parties presented matters, issues and concerns determined by the Family Court,

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

It is ordered that the motion is granted to the extent of remanding the matter to the Family Court for a reconstruction hearing of the proceedings conducted on October 26, 2015,

(M-621)

-2-

March 22, 2018

November 10, 2015, January 27, 2016, February 9, 2016 and May 12, 2016 and to provide the corrected transcripts to this Court. The perfected appeal is adjourned to the October 2018 term, with leave to seek further adjournments, if necessary. The motion is otherwise denied as unnecessary.

ENTERED:


DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 22, 2018.

PRESENT: Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Marcy L. Kahn
Ellen Gesmer
Anil C. Singh, Justices.

-----X

Freedom Specialty Insurance Company,
Atlantic Specialty Insurance Company,
and Berkley Insurance Company,
Plaintiffs-Appellants,

M-11
Index No. 652505/17

-against-

Platinum Management (NY), LLC,
et al.,
Defendants-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about December 27, 2017,

And plaintiffs-appellants having moved for a stay of enforcement of the aforesaid order pending hearing and determination of the appeal taken therefrom,

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

It is ordered that the motion is denied.

ENTERED:


DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 22, 2018.

Present - Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Marcy L. Kahn
Anil C. Singh
Peter H. Moulton, Justices.

-----X

The People of the State of New York,
Respondent,

-against-

M-253

Ind. Nos. 39/15
4369N/15

Santino Boderick, also known as
Santino Bodrick,
Defendant-Appellant.

-----X

An order of this Court having been entered on June 13, 2017 (M-2593), inter alia, granting defendant's motion for leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about January 18, 2017, under Ind. No. 39/15, and assigning counsel therefor,

And defendant-appellant having moved for an order amending the aforementioned order of assignment to include the appeal from the judgment of the Supreme Court, New York County, rendered on or about January 18, 2017, under Ind. No. 4369N/15, and deeming the notice of appeal from that judgment as timely filed,

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 deeming defendant's notice of appeal as timely filed and amending the aforementioned order of assignment to include Ind. No. 4369N/15, and

(M-253)

-2-

March 22, 2018

It is further ordered that the time to perfect the appeals under both indictment numbers is enlarged to the September 2018 Term, and the poor person relief previously granted is extended to cover same.

ENTERED:


DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 22, 2018.

Present - Hon. David Friedman, Justice Presiding,
John W. Sweeny, Jr.
Marcy L. Kahn
Anil C. Singh
Peter H. Moulton, Justices.

-----X
Probate Proceeding, Will of

SAUL LEITER,

Deceased.

M-445
Surrogate's Court
File No. 2014-0067

-----X

Respondents having moved for dismissal of the appeal taken from an order of the Surrogate's Court, New York County, entered on or about October 13, 2017,

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 unless the appeal is perfected for the October 2018 Term.

ENTERED:


DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 22, 2018.

Present - Hon. David Friedman, Justice Presiding,
Rosalyn H. Richter
Angela M. Mazzarelli
Barbara R. Kapnick
Ellen Gesmer, Justices.

-----x

Louis Demetro, et al.,
Plaintiffs-Respondents,

-against-

The Cannon Corporation, doing business
as Cannon Design,
Defendant-Appellant,

M-859
Index No. 16277/06

Dormitory Authority of the State of
New York, et al.,
Defendants-Respondents.

- - - - -
[And other actions]

-----x

An appeal having been taken to this Court from the order of the Supreme Court, Bronx County, entered on or about March 21, 2017, and said appeal having been perfected,

And defendant-appellant having moved for a stay of trial pending hearing and determination of the aforesaid appeal,

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

It is ordered that the motion is denied.

ENTERED:


DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 22, 2018.

PRESENT: Hon. David Friedman, Justice Presiding,
Peter Tom
Troy K. Webber
Marcy L. Kahn, Justices.

-----X
Anonymous, as beneficiary, and
as co-Trustee,
Plaintiff-Appellant,

-against-

Gerald R.,
Defendant,

-and-

Michael Z.,
Defendant-Respondent.

-----X

SEALED

M-324

Index No. 650152/11

Plaintiff-appellant having moved for an enlargement of time to perfect the appeal taken from a judgment of the Supreme Court, New York County, entered on or about March 29, 2017,

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 September 2018 Term.

ENTERED:


DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 22, 2018.

PRESENT: Hon. David Friedman, Justice Presiding,
Peter Tom
Troy K. Webber
Cynthia S. Kern, Justices.

-----X
2HLA Investor LLC and 2HLB Investor,
LLC,

Plaintiffs-Respondents,

-against-

M-274
Index No. 656883/17

Victoria's Secret Stores, LLC,
Defendant-Appellant.

-----X

An appeal having been taken to this Court from an order of the Supreme Court, New York County, entered on or about January 17, 2018,

And defendant-appellant having moved for vacatur of Supreme Court's order staying arbitration,

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:


DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 22, 2018.

PRESENT: Hon. David Friedman, Justice Presiding,
Peter Tom
Troy K. Webber
Cynthia S. Kern, Justices.

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

Eric R.,
Petitioner-Respondent,

-against-

CONFIDENTIAL

M-459

Docket No. O-31734/16

Henry R.,
Respondent-Appellant.

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

-----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 October 20, 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 September 2018 Term.

ENTERED:


DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 22, 2018.

PRESENT: Hon. David Friedman, Justice Presiding,
Peter Tom
Troy K. Webber
Cynthia S. Kern, Justices.

-----X
The People of the State of New York
ex rel. Rodney Roberts,
Petitioner-Appellant,

-against-

M-528
Index No. 340194/17

NYS Division of Parole and Community
Supervision,
Respondent-Respondent.

-----X

Petitioner-appellant, pro se, having moved for an enlargement of time in which to file a late notice of appeal from an order of the Supreme Court, Bronx County, entered on or about October 17, 2017, for leave to prosecute said appeal as a poor person, and for related relief,

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

It is ordered that the motion is granted to the extent of deeming the moving papers a timely filed notice of appeal, and otherwise denied.

ENTERED:


DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 22, 2018.

PRESENT: Hon. David Friedman, Justice Presiding,
Peter Tom
Troy K. Webber
Cynthia S. Kern, Justices.

-----X
Jason Schoenholtz,
Plaintiff-Appellant,

-against-

M-702
Index No. 656355/16

RBC Capital Markets, LLC,
Defendant-Respondent.
-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about October 4, 2017,

And plaintiff-appellant having moved for a stay of trial pending hearing and determination of the aforesaid appeal,

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

It is ordered that the motion is granted to the extent of staying all Supreme Court proceedings in this action on condition the appeal is perfected on or before August 6, 2018, for the October 2018 Term.

ENTERED:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 22, 2018.

Present - Hon. David Friedman, Justice Presiding,
Angela M. Mazzarelli
Barbara R. Kapnick
Ellen Gesmer, Justices.

-----x
Gramercy Park Residence Corp.,
Plaintiff-Respondent,

-against-

M-594
Index No. 603071/02

Elaine Ellman,
Defendant-Appellant.

-----x

Defendant-appellant having taken appeals to this Court from orders of the Supreme Court, New York County, entered on or about July 14, 2014 and October 6, 2015, and said consolidated appeals having been perfected,

And plaintiff-respondent having moved for leave to file a supplemental record on appeal to include the record in Appeal No. 7834, entered on June 5, 2012, and for adjournment of said consolidated appeals,

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

It is ordered that the motion is granted to the extent of permitting plaintiff-respondent leave to file nine copies of a supplemental record on appeal containing the Record in Appeal No. 7834, entered on June 5, 2012, at their own expense, within seven days from the date of entry of the within order. The supplemental record on appeal shall include a copy of this order, and the appeal is to be maintained on this Court's calendar for the June 2018 Term.

ENTERED:


DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 22, 2018.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Peter Tom
Angela M. Mazzarelli
Jeffrey K. Oing, Justices.

-----X
Bonnie Macleod,
Plaintiff-Respondent,

-against-

M-284
Index No. 117427/01

Felix Equities, and Felix Industry,
sued herein as Felix Equities, Industry
& Group,
Defendants-Appellants,

-and-

The City of New York, Michele Abruzzo,
and Lincnet Corporation,
Defendants.

-----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 March 23, 2017,

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 September 2018 Term.

ENTERED:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 22, 2018.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Dianne T. Renwick
Peter Tom
Angela M. Mazzarelli
Jeffrey K. Oing, Justices.

-----X
88 Tower LLC,

Plaintiff-Appellant,

-against-

Normandy Real Estate Partners LLC,

Defendant-Respondent.
-----X

M-447
Index No. 652652/15

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about February 16, 2017,

And Lupkin PLLC, formerly known as Lupkin & Associates PLLC, counsel for plaintiff-appellant, 88 Tower LLC, having moved for leave to withdraw as counsel, and to enlarge plaintiff-appellant's time to perfect the appeal,

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

It is ordered that the motion is granted to the extent of granting Lupkin PLLC leave to withdraw as counsel on the aforesaid appeal, and enlarging the time to perfect the appeal to the October 2018 Term.

ENTERED:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 22, 2018.

PRESENT: Hon. John W. Sweeny, Jr., Justice Presiding,
Sallie Manzanet-Daniels
Angela M. Mazzarelli
Jeffrey K. Oing
Peter H. Moulton, Justices.

-----X
Neelam Bhaiji,

Plaintiff-Respondent,

-against-

CONFIDENTIAL

M-370

Index No. 306979/17

Rakesh Kumar,
Defendant-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about December 22, 2017,

And defendant-appellant having moved for a stay of enforcement of the aforesaid order pending hearing and determination of the appeal taken therefrom, for vacatur of said order, and/or for leave to appeal from said order,

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:


DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 22, 2018.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,
Rosalyn H. Richter
Richard T. Andrias
Barbara R. Kapnick
Marcy L. Kahn, Justices.

-----X
Oluwafemi Olawoyin,
Petitioner-Appellant,

-against-

M-537
Index No. 101670/16

New York City Transit Authority,
Respondent-Respondent.

-----X

Petitioner-appellant, pro se, having moved for leave to prosecute, as a poor person, the appeal taken from a judgment of the Supreme Court, New York County, entered on or about March 22, 2017, and for leave to have the appeal heard on the original record and upon a reproduced appellant's brief, and for an enlargement of time to perfect said appeal,

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 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 serve one copy of such brief upon the attorney for respondent and file 8 copies of such brief, together with the original record, pursuant to Rule 600.11 of the Rules of this Court. Appellant is permitted to dispense with payment of the required fee for the subpoena and filing of the record. The time to perfect the appeal is enlarged to the October 2018 Term.

ENTERED:


DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 22, 2018.

PRESENT: Hon. Dianne T. Renwick, Justice Presiding,
Rosalyn H. Richter
Richard T. Andrias
Barbara R. Kapnick
Marcy L. Kahn, Justices.

-----X
Kathryn Casey, et al.,
Plaintiffs-Respondents,

-against-

M-628
Index No. 111723/11

Pamela Renna, Vitina Degrezia,
also known as Vitina Luppino,
Intervenor-Plaintiffs,

-against-

Whitehouse Estates, Inc., Koepfel &
Koepfel, Inc., Duell 5 Management
LLC, doing business as Duell
Management Systems, William W.
Koepfel and Eastgate Whitehouse
Estates, LLC,
Defendants-Appellants.

-----X
Whitehouse Estates, Inc., Eastgate
Whitehouse LLC and William W. Koepfel,
Third-Party Plaintiffs,

Third-Party
Index No. 595472/17

-against-

Roberta L. Koepfel, et al.,
Third-Party Defendants.

-----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 March 28, 2017,

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 September 2018 Term.

ENTERED:



DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 22, 2018.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Rosalyn H. Richter
Richard T. Andrias
Barbara R. Kapnick
Marcy L. Kahn, Justices.

-----x

Katherine Nelson,
Plaintiff-Appellant,

-against-

M-663

Index No. 161624/14

Robert Rosenkranz,
Defendant-Respondent.

-----x

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about May 31, 2016, and said appeal having been perfected,

And plaintiff-appellant having moved for leave to file a supplemental record in connection with the aforesaid appeal, and to relieve William Breslow, Esq., as counsel on the appeal,

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

It is ordered that the motion is granted to the extent of relieving William Breslow, Esq., as counsel on the appeal, and the motion is otherwise denied. Sua sponte, the appeal is adjourned to the September 2018 Term.

ENTERED:


DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 22, 2018.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Sallie Manzanet-Daniels
Marcy L. Kahn
Cynthia S. Kern
Anil C. Singh, Justices.

-----x
Christina Maynard-Keeler,

Plaintiff-Respondent,

-against-

M-923
Index No. 155950/15

New York City Housing Authority,

Defendant-Appellant.
-----x

An appeal having been taken to this Court from the order of the Supreme Court, New York County, entered on or about November 20, 2017, and said appeal having been perfected,

And defendant-appellant having moved, pursuant to CPLR 5519(c), for a stay of trial pending hearing and determination of the aforesaid appeal,

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

It is ordered that the motion is denied.

ENTERED:


DEPUTY CLERK

At a Term of the Appellate Division of the Supreme Court held in and for the First Judicial Department in the County of New York on March 22, 2018.

Present - Hon. Dianne T. Renwick, Justice Presiding,
Richard T. Andrias
Barbara R. Kapnick
Ellen Gesmer
Peter H. Moulton, Justices.

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

-against-

Ronny De Los Santos,
Defendant-Appellant.

CONFIDENTIAL

M-129

Ind. Nos. 2606/15
2202/15

-----X

An order of this Court having been entered on November 29, 2016 (M-5685), granting defendant leave to prosecute, as a poor person, the appeal from a judgment of the Supreme Court, New York County, rendered on or about July 18, 2016, and assigning Seymour W. James, Jr., Esq., as counsel to prosecute the appeal; and a motion having been made to relieve such counsel, and for related relief,

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

It is ordered that the motion is granted to the extent of striking the designation of assigned counsel Seymour W. James, Jr., Esq., as counsel to prosecute defendant's appeal, and substituting, pursuant to Section 722 of the County Law, Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, New York 10005, Telephone No. 212-577-2523, as such counsel. The poor person relief previously granted is continued, and appellant's time in which to perfect the appeal is enlarged until 120 days from the date of this order or the filing of the record, whichever is later.

ENTERED:


DEPUTY CLERK

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

BEFORE: Hon. DAVID FRIEDMAN
Justice of the Appellate Division

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

M-232
Ind. No. 2043/05

-against-


CERTIFICATE
DENYING LEAVE

Jarvis Cromwell,
Defendant.

-----X

I, DAVID FRIEDMAN, a Justice of the Appellate Division,
First Judicial Department, do hereby certify that, upon
application timely made by the above-named defendant for a
certificate pursuant to Criminal Procedure Law, 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 October 18, 2017, is hereby denied.

Dated: New York, New York
February 22, 2018



DAVID FRIEDMAN
Justice of the Appellate Division

ENTERED

MAR 22 2018