

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 April 21, 2015.

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

-----X
Maria C. Moschella and John Herndon,
Plaintiffs-Respondents,

-against-

M-1224X
Index No. 109125/04

New York City Transit,
Defendant-Appellant.

-----X

An appeal having been taken from a judgment of the Supreme Court, New York County, entered on or about July 24, 2014,

Now, upon reading and filing the stipulation of the parties hereto, "so ordered" March 20, 2015, 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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 April 21, 2015.

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

-----X
Alejandro Quiceno,
Plaintiff-Respondent,

-against-

M-1225X
Index No. 304842/11

Kobet Realty Corporation,
Defendant-Appellant.

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about June 2, 2014,

Now, upon reading and filing the stipulation of the parties hereto, "so ordered" March 20, 2015, 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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 April 21, 2015.

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

-----X
Jerry B. Bias,
Plaintiff-Appellant,

-against-

M-1283X
Index No. 350016/10

Lauren Maillian Bias,
Defendant-Respondent.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about August 28, 2014,

Now, upon reading and filing the stipulation of the parties hereto, "so ordered" March 23, 2015, 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It is ordered that the appeal is withdrawn in accordance with the aforesaid stipulation.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 April 21, 2015.

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

-----X
Kathrin Freienstein,
Plaintiff-Respondent,

-against-

M-1284X
Index No. 116068/08

Mandarin Oriental New York Hotel,
LLC, et al.,
Defendants-Appellants.

-----X

Appeals having been taken from an order of the Supreme Court, New York County, entered on or about August 11, 2014,

Now, upon reading and filing the stipulation of the parties hereto, "so ordered" March 23, 2015, and due deliberation having been had thereon,

It is ordered that the appeals are 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 April 21, 2015.

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

-----X
Derrick Taylor,
Plaintiff-Respondent,

-against-

M-1298X
Index No. 305926/13

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

-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about July 14, 2014,

Now, upon reading and filing the stipulation of the parties hereto, "so ordered" March 23, 2015, 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 April 21, 2015.

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

-----X

Erica Sienna,

Plaintiff-Appellant,

-against-

M-1315X
Index No. 654444/13

Sondra K. Stamen,

Defendant-Respondent.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about June 9, 2014,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" March 24, 2015, 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 April 21, 2015.

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

-----X
3 West 137th Street Pharmacy &
Medical Supply Inc.,
Plaintiff-Respondent,

-against-

137 Pharmacy Corp., et al.,
Defendants-Appellants.

M-1334X
Index No. 652277/13

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about July 8, 2014,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" March 26, 2015, 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 April 21, 2015.

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

-----X
Goodrich Corporation,
Plaintiff-Appellant,

-against-

M-1335X
Index No. 653235/11

Sojitz Aerospace America Corporation,
Defendant-Respondent.
-----X

An appeal having been taken from orders of the Supreme Court, New York County, entered on or about October 1, 2014 and October 3, 2014, respectively,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" March 26, 2015, 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 April 21, 2015.

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

-----X
Francis Rodriguez,
Plaintiff-Respondent,

-against-

M-1336X
Index No. 300329/13

Simon Rosario, et al.,
Defendants-Appellants.
-----X

An appeal having been taken from an order of the Supreme Court, Bronx County, entered on or about August 26, 2014,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" March 26, 2015, 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 April 21, 2015.

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

-----X
Ramona Melo and Juan Baez,
Plaintiffs-Appellants,

-against-

M-1226X
Index No. 305305/09

Port Authority of New York and New
Jersey and Servisair, LLC,
Defendants-Respondents.

-----X

An appeal and cross appeals having been taken from an order of the Supreme Court, Bronx County, entered on or about March 21, 2014,

Now, after pre-argument conference and upon reading and filing the stipulation of the parties hereto, "so ordered" March 20, 2015, and due deliberation having been had thereon,

It is ordered that the appeal and cross appeals are 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 April 21, 2015.

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

-----X
Chaim Weinstock, as Administrator of
the Estate of Joseph Weinstock, and
Rachel Weinstock, Individually,
Plaintiffs-Respondents,

-against-

M-1196
Index No. 150533/11E

Lenox Hill Hospital,
Defendant-Appellant,

-and-

Mark Gardenswartz, M.D.,
Defendant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about June 5, 2014,

Now, upon reading and filing the stipulation of the parties hereto, dated March 17, 2015, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected for the November 2014 Term, 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 April 21, 2015.

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

-----X
Raquel Borges,
Plaintiff-Appellant,

-against-

Kryon Corp., and A2B LLC,
Defendants-Respondents.
-----X

M-1305
Index No. 157754/13

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about January 30, 2014,

Now, upon reading and filing the stipulation of the parties hereto, dated March 16, 2015, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected for the March 2015 Term, 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 April 21, 2015.

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

-----X
A2B LLC and Kryon Corp.,
Plaintiffs-Respondents,

-against-

M-1321
Index No. 150272/11

Raquel Moura Borges, et al.,
Defendants-Appellants.

-----X
Raquel Moura Borges,
Third-Party Plaintiff-Appellant,

-against-

Kryon Corp., et al.,
Counterclaim and Third-Party
Defendants-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about August 21, 2013,

Now, upon reading and filing the stipulation of the parties hereto, dated March 16, 2015, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected for the March 2015 Term, 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 April 21, 2015.

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

-----X
Jay Wexler, Individually and
Derivatively on behalf of Rye
Select Broad Market Prime Fund, L.P.,
Plaintiff-Appellant,

-against-

KPMG LLP, et al.,
Defendants,

Tremont Partners, Inc., et al.,
Defendants-Respondents,

M-1288
Index No. 101615/09

Sandra L. Manzke,
Defendant,

Robert I. Schulman,
Defendant-Respondent,

Paul Konigsberg, et al.,
Defendants,

Rye Select Board Market Prime Fund L.P.,
Nominal Defendant.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about April 1, 2014,

Now, upon reading and filing the stipulation of the parties hereto, dated March 25, 2015, and due deliberation having been had thereon,

It is ordered that the appeal, previously perfected for the April 2015 Term, 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 April 21, 2015.

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

-----X
In Re: New York City Asbestos Litigation

Bryan Hockler,
Plaintiff-Respondent,

-against-

M-1075
Index No. 190235/13

3M Company, et al.,
Defendants-Appellants.
-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about February 6, 2014,

And defendant Aurora Pump Company having moved for an order granting a stay of trial pending hearing and determination of the appeal,

Now, upon reading and filing the stipulation of the parties hereto, dated March 25, 2015, and due deliberation having been had thereon,

It is ordered that the motion is deemed withdrawn, and the interim relief granted by the order of a Justice of this Court dated March 13, 2015 is vacated 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 April 21, 2015.

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

-----X
In the Matter of the Application of
Bronx Psychiatric Center,
Petitioner-Appellant,

-against-

M-1081
Index No. 76/06

Xenobia C.,
Respondent-Respondent,

A Patient Admitted to Bronx
Psychiatric Center Hospital.

-----X

Petitioner-appellant having moved for a stay of all proceedings pending hearing and determination of the appeal taken from the order of the Supreme Court, Bronx County, entered on or about March 11, 2015,

Now, upon reading and filing the papers with respect to the motion, including the stipulation of the parties dated March 25, 2015, and due deliberation having been had thereon,

It is ordered that the motion and appeal are 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 April 21, 2015.

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

-----x
Hahn & Hessen, LLP,
Plaintiff-Respondent,

-against-

M-4662
M-4663
Index No. 603122/08

Ian Peck, etc., et al.,
Defendants-Appellants.

- - - - -

Art Capital Group, LLC, et al.,
Counterclaim-Plaintiffs-Appellants,

-against-

Hahn & Hessen, LLP,
Counterclaim-Defendants-Respondents.

-----x

Defendants/counterclaim-plaintiffs-appellants Art Capital Group, LLC, et al. 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 November 29, 2013 (M-4662),

And defendants/counterclaim-plaintiffs-appellants having moved, by separate motion, for relief in the nature of CPLR 5704, to stay trial pending hearing and determination of the aforesaid appeal, said relief having been denied by the order of a Justice of the Supreme Court on September 15, 2014 (M-4663),

Now, upon reading and filing the papers with respect to the motions, and the stipulation of the parties dated October 14, 2014, and due deliberation having been had thereon,

It is ordered that the motions and appeals are 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 April 21, 2015.

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

-----X
Jericho Group, Ltd.,
Plaintiff-Respondent,

-against-

Jericho Co.,
Plaintiff-Respondent,

-against-

M-1082
Index No. 101105/13

Mid-Town Development Limited
Partnership, et al.,
Defendants-Appellants,

-and-

Michael A. Szegda, et al.,
Defendants.

-----X

An appeal and cross appeal having been taken from an order of the Supreme Court, New York County, entered on or about May 12, 2014,

And defendant-appellant Mid-Town Development Limited Partnership having moved for certain costs,

Now, upon reading and filing the stipulation of the parties hereto, dated March 25, 2015, and due deliberation having been had thereon,

It is ordered that the motion and cross appeal are deemed withdrawn in accordance with the aforesaid stipulation. The direct appeal remains extant.

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 April 21, 2015.

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

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

-against-

M-108
Ind. No. 4991/13

Carl Moller,
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 October 1, 2014, 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 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.

Seymour W. James, Jr., Esq., 199 Water Street, 5th Floor, New York, New York 10038, Telephone No. 212-577-3688, 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 April 21, 2015

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

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

Brianna Money J., also known as
Brianna J., also known as
Brianna S., and
"Male" S., also known as
Dante S., also known as
Daunte S., also known as
Duante Maurice S.,

Children Under 14 Years of Age Pursuant
to §384-b of the Social Services Law of
the State of New York.

- - - - -
SCO Family Services, et al.,
Petitioners-Respondents,

M-1128
Docket Nos. B-7725/12
B-7726/12

LaQueenia S., also known as
LaQueeniea S.,
Respondent-Appellant.

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

-----X

Respondent-appellant having moved for leave to prosecute, as a poor person, the appeal from an order of the Family Court, New York County, entered on or about February 5, 2015, 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, Geoffrey P. Berman, Esq., 2005 Palmer Avenue, #176, Larchmont, NY 10538, Telephone No. (914) 419-8407, 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;¹ **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-5833, entered March 17, 2015.)

ENTER:



CLERK

¹Service 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 April 21, 2015.

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

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

-against-

M-994
Ind. No. 994N/14

Manuel Fana,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about October 14, 2014, for leave to prosecute the appeal as a poor person upon the original record and upon a reproduced appellant's brief, and for 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 the motion is granted to the extent of deeming the moving papers a timely filed notice of appeal, 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 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, 28th Floor, New York, New York 10005, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

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 April 21, 2015.

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

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

-against-

M-316
Ind. No. 30195/14

Luis Cruz,
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 (Mandelbaum, J.) entered on or about January 5, 2015, 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 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 Mandelbaum 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 April 21, 2015.

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

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

-against-

M-1048
Ind. No. 30240/14

David Richmond,
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 March 4, 2015, 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 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, 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 April 21, 2015.

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

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

-against-

M-1096
Ind. No. 2159/13

George Smith,
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 (Bonnie K. Wittner, J.) entered on or about January 20, 2015, 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 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 Wittner as yet not transcribed. The Clerk shall furnish a copy of such transcripts to appellant's counsel, Seymour W. James, Jr., Esq., without charge, the transcripts to be returned to this Court when appellant's brief is filed. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the record.

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 April 21, 2015.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Angela M. Mazzarelli
David B. Saxe
Sallie Manzanet-Daniels
Darcel D. Clark, Justices.

-----X

The People of the State of New York,

Respondent,

-against-

M-882

Ind. No. 1045N/14

Jose Salcedo,

Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about December 10, 2014, for leave to have the appeal heard on the original record and upon 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 denied, with leave to renew upon defendant's submission of a detailed notarized affidavit, pursuant to CPLR 1101(a), setting forth the amount and sources of funds to pay the fee of trial counsel, Joanne Dwyer, Esq., to post the \$10,000 bail in the Supreme Court, the disposition thereof, and an explanation as to why similar funds are not available to prosecute this appeal. (The application shall include an affidavit of the source[s] of all funds utilized by 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 April 21, 2015.

PRESENT - Hon. Luis A. Gonzalez, Presiding Justice,
Angela M. Mazzarelli
David B. Saxe
Sallie Manzanet-Daniels
Darcel D. Clark, Justices.

-----X

The People of the State of New York,

Respondent,

-against-

M-883
Ind. No. 5434/13

Kathy Steven,

Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about November 26, 2014, for leave to have the appeal heard on the original record and upon 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 denied, with leave to renew upon defendant's submission of a detailed notarized affidavit, in compliance with CPLR 1101(a), setting forth the terms of defendant's retainer agreement with trial counsel, Liam R. Malanphy, Esq., the amount and sources of funds for trial counsel's fee and an explanation as to why similar funds are not available to prosecute this appeal. (The application shall include an affidavit of the source[s] of all funds utilized by 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 April 21, 2015.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Angela M. Mazzarelli
David B. Saxe
Sallie Manzanet-Daniels
Darcel D. Clark, Justices.

-----X
316 Second Avenue NH, LLC, et al.,
Plaintiff-Respondent,

-against-

M-1019
Index No. 600217/10

316 Second Avenue, LLC, et al.,
Defendants-Appellants.

-----X

Defendant-appellant 316 Second Avenue, LLC, 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 May 27, 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 October 2015 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 April 21, 2015.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Angela M. Mazzairelli
David B. Saxe
Sallie Manzanet-Daniels
Darcel D. Clark, Justices.

-----X
City of Roseville Employees'
Retirement System, Derivatively
on Behalf of JPMorgan Chase & Co.,
Plaintiff-Appellant,

-against-

M-739
Index No. 650294/12

James Dimon, et al.,
Defendants-Respondents,

JPMorgan Chase & Co., a Delaware
Corporation,
Nominal Defendant.

-----X

Plaintiff-respondent having moved for an enlargement of time to perfect their appeal from an 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 October 2015 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 April 21, 2015.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
Angela M. Mazzarelli
David B. Saxe
Sallie Manzanet-Daniels
Darcel D. Clark, Justices.

-----X
Katherine Pena and Luis Pena,
Plaintiffs-Respondents-Appellants,

-against-

M-836
Index No. 301759/12

D.A.D. Sales, LLC,
Defendant-Appellant-Respondent,

Jimmy Avila, et al.,
Defendants.

-----X

Plaintiffs-respondents-appellants having moved for an enlargement of time to perfect their cross appeal from the order of the Supreme Court, Bronx County, entered on or about April 1, 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 and cross appeal to the October 2015 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 April 21, 2015.

Present: Hon. Luis A. Gonzalez, Presiding Justice,
Angela M. Mazzarelli
Dianne T. Renwick
Judith J. Gische, Justices.

-----X

Estee Lauder Inc.,
Plaintiff-Appellant,

SEALED

M-1324

-against-

Index No. 602379/05

OneBeacon Insurance Group, LLC,
etc., et al.,
Defendants-Respondents.

-----X

An appeal having been taken from an order of the Supreme Court, New York County, entered on or about February 10, 2014,

And plaintiff-appellant having moved for leave to file a corrected appellant'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 and plaintiff is directed to serve and file 9 copies of the corrected brief with this Court forthwith. Clerk is directed to continue filing all briefs, correspondence, etc., under "**Seal**".

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 April 21, 2015.

Present - Hon. Luis A. Gonzalez, Presiding Justice,
Peter Tom
David Friedman
Rolando T. Acosta
Karla Moskowitz, Justices.

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

-against-

Fred Nelson,
Defendant-Appellant.

M-5454
Ind. Nos. 1177/08
1379/10

-----x

An appeal having been taken to this Court from the judgment of the Supreme Court, New York County, rendered on or about December 10, 2013,

And defendant-appellant, through assigned counsel, having moved for a reconstruction hearing of the missing minutes of the *Mapp/Dunaway/Huntley/Wade* hearing held on June 1, 2009, and for adjournment 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 remanding the matter to Supreme Court, New York County, for a reconstruction hearing of the of the proceedings of the *Mapp/Dunaway/Huntley/Wade* hearing held on June 1, 2009 as expeditiously as possible. Appellant's counsel is directed to serve a copy of this order upon the Clerk of the Supreme Court, Bronx County, within 10 days from the date of entry hereof, and the Clerk is directed to have the minutes transcribed and delivered to appellant's counsel, for inclusion in the record within 30 days of the conclusion of said reconstruction hearing. The time within which appellant shall perfect this appeal is hereby enlarged until 120 days from the date of filing of the aforesaid minutes and/or the findings upon conclusion of the reconstruction hearing.

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 April 21, 2015.

PRESENT: Hon. Luis A. Gonzalez, Presiding Justice,
David Friedman
Richard T. Andrias
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X

George Newman, et al.,
Plaintiffs-Respondents,

-against-

M-918
Index No. 155632/12

RCPI Landmark Properties, LLC, et al.,
Defendants-Appellants.

-----X

Plaintiffs-respondents 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 January 29, 2015 (Appeal No. 14072),

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 April 21, 2015.

Present - Hon. Peter Tom, Justice Presiding,
David Friedman
Richard T. Andrias
Paul G. Feinman
Barbara R. Kapnick, Justices.

-----X
The People of the State of New York,
Respondent, M-5207
M-6033
-against- Ind. No. 5879/02

Steven Herrera,
Defendant-Appellant.

-----X

Defendant having moved, by separate motions, for leave to prosecute, as a poor person, the appeals from orders of the Supreme Court, New York County, entered on or about October 6, 2014 and November 24, 2014, respectively, **denying resentence**, for leave to have the appeal(s) heard upon the original record and upon a reproduced appellant's brief(s), 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(s) to be heard upon the original record and upon reproduced appellant's briefs, on condition that appellant serves one copy of such brief upon the District Attorney of said county and files copies of such brief, together with the original record, with this Court pursuant to Rule 600.11 of the Rules of this Court.

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, New York, New York 10006, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeal(s). The time within which appellant shall perfect the appeal(s) 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 April 21, 2015.

Present: Hon. Peter Tom, Justice Presiding,
Karla Moskowitz
Rosalyn H. Richter
Barbara R. Kapnick, Justices.

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

-against-

M-4643
Ind. No. 2817/09

Elvin Carbonell,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, Bronx County, rendered on or about January 31, 2013, and from the judgment of resentence rendered on or about May 1, 2014, and for leave to prosecute as a poor person on the original records and upon a reproduced appellant's brief, and for assignment of counsel on the appeal from the judgment of resentence of Supreme Court, Bronx County, rendered on or about June 4, 2013, and for the same relief with respect to the appeals from the aforesaid judgment rendered on or about January 31, 2013 and the judgment of **resentence** of said Supreme Court, rendered on or about May 1, 2014, for leave to have the appeals heard upon the original records 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 moving papers a timely filed notice of appeal from the judgment of **resentence** rendered on or about May 1, 2014, and granting poor person relief and the assignment of counsel on the aforesaid appeals from the judgments of **resentence** rendered on or about June 4, 2013 and May 1, 2014, respectively; so much of the motion which seeks an extension of time to file a notice of appeal from the judgment rendered on or about January 31, 2013 is denied as time barred pursuant to CPL 460.30.

The appeals from the judgments of **resentence** may 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 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 the aforesaid **resentence** proceedings. The Clerk shall furnish a copy of such transcripts to appellant's counsel, without charge, the transcripts to be returned to this Court when appellant's brief is filed.

Robert S. Dean, Esq., Center for Appellate Litigation, 120 Wall Street, 28th Floor, 10005, Telephone No. 212-577-2523, is assigned as counsel for defendant-appellant for purposes of the appeals. 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 April 21, 2015.

PRESENT - Hon. Peter Tom, Justice Presiding,
David B. Saxe
Sallie Manzanet-Daniels
Judith J. Gische
Darcel D. Clark, Justices.

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

-against-

M-107
Ind. No. 1088/12

Trevis Eubanks,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about October 15, 2014, for leave to prosecute the appeal as a poor person, upon the original record and upon a reproduced appellant's brief, and for 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 the motion is granted only to the extent of deeming the notice of appeal timely filed.

The motion, insofar as it seeks poor person relief, is denied, with leave to renew upon defendant's submission of a notarized affidavit, in compliance with CPLR 1101(a), setting forth the terms of defendant's retainer agreement with trial counsel Patrick Brackley, Esq., as well as the amount and sources of funds for trial counsel's fee and an explanation as to why similar funds are not available to prosecute this appeal. (The application shall include an affidavit of the source[s] of all funds utilized by 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 April 21, 2015.

Present: Hon. Peter Tom, Justice Presiding,
Rolando T. Acosta
David B. Saxe
Karla Moskowitz
Paul G. Feinman, Justices.

-----X

In the Matter of the Petition for the Appointment of an Umpire in the Arbitration Between:

SEALED
M-971

Index No. 651558/14

National Union Fire Insurance Company of Pittsburgh, Pennsylvania and AIU Insurance Company, Petitioners/Respondents- Respondents,

-against-

Everest Reinsurance Company, Respondent/Petitioner- Appellant.

-----X

An appeal having been taken to this Court from an order of the Supreme Court, New York County, entered on or about November 28, 2014, and said appeal having been perfected,

And an order of this Court having been entered on January 22, 2015 (M-6151), denying respondent/petitioner-appellant's motion for a stay of the aforesaid order of the Supreme Court,

And respondent/petitioner-appellant having renewed their motion for the aforesaid 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 April 21, 2015.

Present: Hon. Peter Tom, Justice Presiding,
Rolando T. Acosta
Richard T. Andrias
Leland G. DeGrasse
Judith J. Gische, Justices.

-----X
Stephanie Gottlieb,
Plaintiff-Respondent,

-against-

Steven Gottlieb,
Defendant-Appellant.
-----X

M-951

M-1166

Index No. 300739/13

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about March 10, 2014,

And defendant-appellant having moved for reargument of the order of this Court entered on February 3, 2015 (M-6248), denying defendant-appellant an enlargement of time to perfect the aforesaid appeal and for reinstatement of a stay previously granted by an order of this Court entered on May 15, 2014 (M-1507), or, in the alternative, for withdrawal of the aforesaid appeal [M-951],

And plaintiff-respondent having cross-moved for certain sanctions against defendant-appellant [M-1166],

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 defendant's motion, to the extent it seeks reargument, is denied. So much of the motion which seeks withdrawal of the appeal is granted, and the appeal is deemed withdrawn [M-951]. Plaintiff's cross motion is denied [M-1166].

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 April 21, 2015.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Paul G. Feinman
Barbara R. Kapnick, Justices.

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

-against-

M-99
Ind. Nos. 404/14
3483/13

Nathaniel Richardson,
Defendant-Appellant.
-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, Bronx County, rendered on or about April 10, 2014, for leave to have the appeal heard on the original record and upon 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 reproduced 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 April 21, 2015.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Dianne T. Renwick
Paul G. Feinman
Barbara R. Kapnick, Justices.

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

-against-

M-6374
Ind. No. 4219/13

Shaun Deleon,
Defendant-Appellant.

-----X

Defendant having moved for leave to prosecute, as a poor person, the appeal from the judgment of the Supreme Court, New York County, rendered on or about April 4, 2014, for leave to have the appeal heard on the original record and upon 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 reproduced 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 April 21, 2015.

PRESENT - Hon. Angela M. Mazzarelli, Justice Presiding,
John W. Sweeny, Jr.
Leland G. DeGrasse
Paul G. Feinman
Judith J. Gische, Justices.

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

-against-

M-887
Ind. No. 4992/13

Manuel Bey,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about March 26, 2014, for leave to prosecute the appeal as a poor person upon the original record and upon a reproduced appellant's brief, and for 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 the motion is granted to the extent of deeming the moving papers a timely filed notice of appeal, 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 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, NY 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 April 21, 2015.

Present - Hon. Angela M. Mazzarelli, Justice Presiding,
Richard T. Andrias
Sallie Manzanet-Daniels
Paul G. Feinman
Judith J. Gische, Justices.

-----x

Portfolio Recovery Associates, LLC,
Plaintiff-Respondent,

-against-

M-5637

Index No. 570278/13

Richard Hall,
Defendant-Appellant.

-----x

Defendant-appellant having moved for leave to prosecute, as a poor person, to the appeal from an order of the Appellate Term entered in the office of the Clerk of the Supreme Court, New York County, on or about October 15, 2013, and for related relief, said appeal having been perfected,

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

It is ordered that the motion is denied, as academic, the appellant's brief and reply brief having been accepted on the basis of counsel's "application to proceed in forma pauperis" dated December 4, 2014.

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 April 21, 2015.

PRESENT - Hon. David Friedman, Justice Presiding,
Richard T. Andrias
Karla Moskowitz
Leland G. DeGrasse
Rosalyn H. Richter, Justices.

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

-against-

M-152
Ind. No. 852/13

Roy Parker,
Defendant-Appellant.

-----X

Defendant having moved for an enlargement of time in which to file a notice of appeal from the judgment of the Supreme Court, New York County, rendered on or about October 1, 2014, for leave to prosecute the appeal as a poor person, upon the original record and upon a reproduced appellant's brief, and for 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 the motion is granted only to the extent of deeming the notice of appeal timely filed.

The motion, insofar as it seeks poor person relief, is denied, with leave to renew upon defendant's submission of a notarized affidavit, pursuant to CPLR 1101(a), setting forth facts sufficient to establish that defendant has no funds or assets with which to prosecute the appeal, including the amount and sources of his income and listing his property with its value.

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 April 21, 2015.

PRESENT: Hon. David Friedman, Justice Presiding,
Richard T. Andrias
Karla Moskowitz
Leland G. DeGrasse
Rosalyn H. Richter, Justices.

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

-against-

Angelo Tejada,
Defendant-Appellant.

M-98
M-200
Ind. No. 5490/01

-----X

Defendant-appellant 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 July 13, 2004 (M-98),

And respondent People having cross-moved to dismiss the appeal (M-200),

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

Ordered that the motion is granted to the extent of enlarging the time to perfect the appeal to the September 2015 Term (M-98). The cross motion to dismiss the appeal is denied (M-200).

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 April 21, 2015.

PRESENT : Hon. David Friedman, Justice Presiding,
Rolando T. Acosta
Karla Moskowitz
Rosalyn H. Richter
Barbara R. Kapnick, Justices.

-----X
Anastasia Klupchak,
Plaintiff-Appellant-Respondent/
Respondent,

-against-

M-963
Index No. 110617/09

First East Village Associates,
et al.,
Defendants-Respondents-Appellants/
Appellants.
-----X

An appeal and cross appeal having been taken from the order of the Supreme Court, New York County, entered on or about June 18, 2014 (mot. seq. no. 002),

And defendants-respondents/appellants having taken an appeal from the order of the aforesaid Court entered on or about January 13, 2015,

And plaintiff-appellant-respondent Anastasia Klupchak having moved for consolidation of the aforesaid appeal and cross appeal with the appeal taken from the aforesaid order entered on or about January 13, 2015,

Now, upon reading and filing the papers with respect to the motion, including the stipulation of the parties dated March 4, 2015, and due deliberation having been had thereon,

It is ordered that the motion is granted to the extent of consolidating the aforesaid appeals and cross appeals and permitting the parties to prosecute the appeals and cross appeals upon 9 copies of one record and of one set of appellant's and respondent's points covering the aforesaid appeals and cross appeals, and enlarging the time in which to perfect the consolidated appeals to the January 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 April 21, 2015.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Richard T. Andrias
Sallie Manzanet-Daniels
Darcel D. Clark, Justices.

-----X
In the Matter of

Maddock E.,

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

M-1111
Docket No. NN-32643/13

- - - - -
Commissioner of the Administration for
Children's Services, City of New York,
Petitioner-Respondent,

Luis E.,
Respondent-Appellant.

- - - - -
Scott A. Rosenberg, Esq., Legal Aid
Society,
Attorney for the Child.

-----X

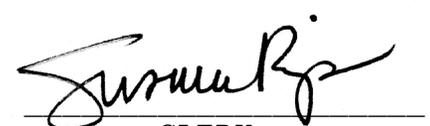
Separate appeals having been taken to this Court by respondent-appellant Luis E. from orders of the Family Court, New York County, entered on or about November 19, 2013 and February 14, 2014, respectively, and said appeals having been perfected,

And petitioner-respondent having moved for dismissal of the aforesaid appeals,

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

It is ordered that the motion to dismiss the appeal is denied. (See M-1253, 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 April 21, 2015.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Richard T. Andrias
Sallie Manzanet-Daniels
Darcel D. Clark, Justices.

-----X

In the Matter of

Maddock E.,

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

M-1253
Docket No. NN-32643/13

- - - - -
Commissioner of the Administration for
Children's Services, City of New York,
Petitioner-Respondent,

Luis E.,
Respondent-Appellant.

- - - - -
Scott A. Rosenberg, Esq., Legal Aid
Society,
Attorney for the Child.

-----X

Separate appeals having been taken to this Court by respondent-appellant Luis E. from orders of the Family Court, New York County, entered on or about November 19, 2013 and February 14, 2014, respectively, and said appeals having been perfected,

And The Bronx Defenders, Brooklyn Defender Services, The Neighborhood Defender Service of Harlem, Child Welfare Organizing Project, Legal Momentum, Lansner & Kubitschek, the New York State Citizen Review Panels for Child Protective Services, New York University School of Law Family Defense Clinic, MFY Legal Services, Inc., The Center for Reproductive Rights, National Advocates for Pregnant Women, National Perinatal Association, Boom!Health, Domestic Violence Project at the Urban Justice Center, and New York Legal Assistance Group in Support of the Attorney for the Child having jointly moved for leave to file a brief amici curiae in connection with the aforesaid appeal,

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

It is ordered that the motion for leave to file an amici curiae brief is granted to the extent of permitting to file 9 copies of the brief as amici curiae in the form attached to the moving papers, but without the addendum attached and deleting direct citations to "addendum" from the text of the brief, forthwith. (See M-1111, 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 April 21, 2015.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,
David B. Saxe
Karla Moskowitz
Rosalyn H. Richter
Paul G. Feinman, Justices.

-----X
Seth R. Greenky and Green Key
Management,
Plaintiff-Appellant,

-against-

M-1182
Index No. 155015/13

Rochelle S. Aytes,
Defendant-Respondent.

-----X

Plaintiffs-appellants having moved for an enlargement of time to perfect the appeal from a judgment of the Supreme Court, New York County, entered on or about April 23, 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 October 2015 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 April 21, 2015.

Present: Hon. Rolando T. Acosta, Justice Presiding,
David B. Saxe
Karla Moskowitz
Rosalyn H. Richter
Paul G. Feinman, Justices.

-----X
Napo Pharmaceuticals, Inc.,

Plaintiff-Appellant,

-against-

Salix Pharmaceuticals, Inc.,

Defendant-Respondent.
-----X

M-1138

Index No. 651214/11

Appeals having been taken from orders of the Supreme Court, New York County, entered on or about December 24, 2013 and January 29, 2014, respectively, and a judgment of said Court entered on or about April 2, 2014, and said appeals having been perfected,

And plaintiff having moved to unseal the brief and record filed by plaintiff on February 2, 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.

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 April 21, 2015.

PRESENT: Hon. Rolando T. Acosta, Justice Presiding,
David B. Saxe
Karla Moskowitz
Rosalyn H. Richter
Paul G. Feinman, Justices.

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

- - - - -
Marcela H.-A.,
Petitioner-Respondent,

CONFIDENTIAL

M-1275
Docket No. O-33773/11

-against-

Azouhouni A.,
Defendant-Appellant.

-----x
An appeal having been taken to this Court from an order of the Family Court, New York County, entered on or about February 21, 2014, and said appeal having been perfected,

And petitioner-respondent having moved for leave to supplement the record on appeal to include certain exhibits and to "stay" the aforesaid perfected appeal, pending determination of this motion,

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 granting petitioner-respondent leave to supplement the record on appeal with Exhibits A-G attached as attached to the moving papers herewith. Petitioner-respondent is directed to promptly file 9 copies of a supplemental record containing the aforesaid Exhibits A-G with this Court, and otherwise denied. The Clerk of the Court is directed to maintain the appeal on this Court's calendar for the September 2015 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 April 21, 2015.

PRESENT - Hon. Rolando T. Acosta, Justice Presiding,
David B. Saxe
Rosalyn H. Richter
Judith J. Gische
Barbara R. Kapnick, Justices.

-----X
SFR Holdings Ltd., et al.,
Plaintiffs-Appellants,

-against-

John Rice, et al.,
Defendants-Respondents.

M-1202
Index No. 652367/12

-----X

An appeal having been taken from the order of the Supreme Court, New York County, entered on or about December 3, 2014 (mot. seq. no. 006),

And plaintiffs-appellants having moved for an order enlarging the record on appeal to include a proposed Amended Complaint,

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

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

BEFORE: Hon. Peter Tom
Justice of the Appellate Division

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

Respondent,

M-6394
Ind. No. 4589/07

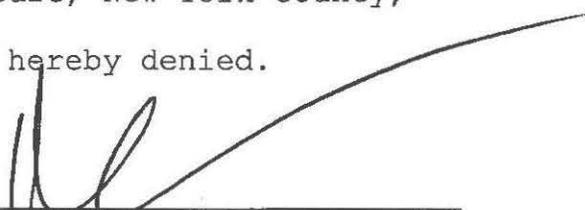
-against-

Nouchie W. Vellon,

CERTIFICATE
DENYING LEAVE

Defendant.
-----X

I, Peter Tom, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, entered on or about October 1, 2014 is hereby denied.



Hon. Peter Tom
Associate Justice

Dated: March 30, 2015
New York, New York

ENTERED

APR 21 2015

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-5488
Ind. No. 4617/2005

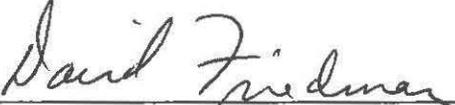
-against-

CERTIFICATE
DENYING LEAVE

Carlos Salmon,
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, Bronx County, entered on or about October 3, 2014, is hereby denied.

Dated: New York, New York
March 30, 2015



DAVID FRIEDMAN
Justice of the Appellate Division

ENTERED

APR 21 2015

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

BEFORE: Hon. Rolando T. Acosta
Justice of the Appellate Division

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

M-911
Ind. No. 8275/83

-against-

Edward Copeland

Defendant.

-----X
The above-named defendant having moved for an extension of time to file a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15 for leave to appeal the order of Supreme Court, New York County, entered on or about October 30, 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 granting defendant leave to file the certificate within 90 days from the date of entry hereof.



Rolando T. Acosta,
Associate Justice

Dated: April 8, 2015
New York, New York

ENTERED: **APR 21 2015**

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

BEFORE: Hon. Leland G. DeGrasse
Justice of the Appellate Division

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

M-747
Ind. No. 4523/07

-against-

CERTIFICATE
DENYING LEAVE

Derek Boulware,
Defendant.
-----X

I, Hon. Leland G. DeGrasse, a Justice of the Appellate Division, First Judicial Department, do hereby certify that, upon application timely made by the above-named defendant for a certificate pursuant to Criminal Procedure Law, sections 450.15 and 460.15, and upon the record and proceedings herein, there is no question of law or fact presented which ought to be reviewed by the Appellate Division, First Judicial Department, and permission to appeal from the order of the Supreme Court, New York County, entered on or about December 3, 2014, is hereby denied.

Dated: New York, New York
March 23, 2015



Hon. Leland G. DeGrasse
Justice of the Appellate Division

ENTERED

APR 21 2015

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

BEFORE: Hon. Sallie Manzanet-Daniels
Justice of the Appellate Division

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

Respondent,

M-724

Ind. No. 3120/10

-against-

CERTIFICATE
GRANTING LEAVE TO APPEAL
TO THE COURT OF APPEALS

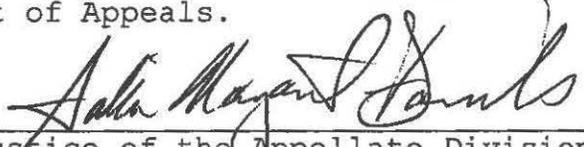
Ronel Joseph,

Defendant-Appellant.

-----x

I, Sallie Manzanet-Daniels, a Justice of the Appellate Division, Supreme Court, First Department, do hereby certify that in the record and proceedings herein* questions of law are involved which ought to be reviewed by the Court of Appeals and pursuant to CPL 460.20, it is

ORDERED that permission hereby is granted to the above-named appellant to appeal to the Court of Appeals.


Justice of the Appellate Division

Dated: March 25, 2015
New York, New York

ENTERED: APR 21 2015

*Description of Order:

Supreme Court, New York County, rendered January 13, 2011, as amended February 3, 2011 and February 22, 2011.
App. Div., First Dept., Appeal No. 13131, Affd on January 13, 2015.

Notice: Within 10 days from the issuance of this certificate, a preliminary appeal statement must be filed with the Clerk of the Court of Appeals pursuant to Rule 500.9 of the Court of Appeals Rules.

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

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

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

M-395
Ind. No. 3262N/11

-against-

CERTIFICATE
DENYING LEAVE

Daryl Norrell,

Defendant.

-----X
I, Paul G. Feinman, a Justice of the Appellate Division, Supreme Court, First Department, do hereby certify that, upon application timely made by the above-named appellant for a certificate pursuant to CPL 460.20, and upon the record and proceedings herein,* there is no question of law presented which ought to be reviewed by the Court of Appeals and permission to appeal, and related relief, is hereby denied.

Dated: March 19, 2015
New York, New York

ENTERED: **APR 21 2015**



Justice of the Appellate Division

*Description of order:

Supreme Court, New York County, entered on December 2, 2013, leave denied by App.Div., 1st Dept., on or about July 24, 2014.

Notice: The Clerk is directed to immediately file a copy of this Certificate with the Clerk of the Court of Appeals Pursuant to CPL § 460.20 subd. 5.

P.M ORDERS
FOR APRIL
21, 2015

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 April 21, 2015.

Present - Hon. John W. Sweeny, Jr., Justice Presiding,
Richard T. Andrias
Sallie Manzanet-Daniels
Darcel D. Clark, Justices.

-----x Index No. 40000/88

	M-969
In Re: New York City Asbestos Litigation	M-1064
	M-1191
This Document Relates to: All NYCAL Cases	M-1192

-----x

Appeals having been taken to this Court from orders of the Supreme Court, New York County, entered on or about April 15, 2014, May 18, 2014 and December 18, 2014, respectively, and said appeals having been perfected,

And defendant-appellant Honeywell International, Inc. having moved for leave to file a supplemental appendix containing its notices of appeal from the aforesaid orders entered on or about April 15, 2014 and May 18, 2014, respectively, said appendix to supplement the "Joint Brief for Defendants-Appellants" filed in connection with the aforesaid appeals (M-969),

And defendants-appellants 84 Lumber Company, et al. (those defendants represented by Barry McTiernan & Moore LLC) having moved for leave to file a similar supplemental appendix containing their notices of appeal from the aforesaid orders entered May 18, 2014 and December 18, 2014, respectively, and for an enlargement of time to perfect their appeals from same (M-1064),

And defendants-appellants Eastern Refractories Co., Inc., et al. (those defendants represented by McMahan, Martine & Gallagher, LLP) having moved for leave to file a similar supplemental appendix containing their notices of appeal from the aforesaid orders entered May 18, 2014 and December 18, 2014, respectively, and for an enlargement of time to perfect their appeals from same (M-1191),

And defendants-appellants Andal Corp., et al. (those defendants represented by Wilson Elser Moskowitz Edelman & Dicker LLP) having moved for leave to file a similar supplemental appendix containing their notices of appeal from the aforesaid orders entered April 15, 2014 and May 18, 2014, respectively, and for an enlargement of time to perfect their appeals from same (M-1192),

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 granting defendants-appellants leave to serve and file their respective supplemental appendices and briefs on or before April 29, 2015 for the June 2015 Term; respondents' briefs to be served and filed on or before May 8, 2015; and reply briefs, if any, to be served and filed on or before May 15, 2015. The Clerk is directed to calendar the aforesaid appeals during the last week of the June 2015 Term, if so perfected.

ENTER:


CLERK