

PUBLISHED DECISIONS OF JUSTICE DAVID B. SAXE

1. Barbilex Associates v Pesaitis, NYLJ, 4-2-82, p. 13, col. 3 113 Misc2d 436, 449 NYS2d 387 (Civ Ct, NY Co, 1982) (Trial - Joint and Separate Trials - Holdover Proceedings); cited in, D'Abreau v American Bankers Ins. Co., 261 AD2d 501, 690 NYS2d 655 (2<sup>nd</sup> Dept 1999); cited in, Stephens v Allstate Ins. Co., 185 AD2d 338, 586 NYS2d 305 (2<sup>nd</sup> Dept 1992); cited in, 1202 Realty Assoc. v Evans, 126 Misc2d 99, 481 NYS2d 208 (NY Civ Ct 1984).
2. Conboy v Studio 54 Inc., NYLJ, 4-5-82, p. 13, col. 3 (Decision of Interest); 113 Misc2d 403, 449 NYS2d 391 (Civ Ct, NY Co, 1982) (Bailments - Limits on Liability); cited in, Scott v Dale Carpet Cleaning, Inc., 120 Misc2d 118, 465 NYS2d 680 (NY Civ Ct 1983); cited in, Herrington v Verrilli, 151 FSupp2d 449 (SDNY 2<sup>nd</sup> Cir, 2001); cited in, Bailor Beware: Limitations and Exclusions of Liability in Commercial Bailments, 41 Vand L Rev, 129 (1988).
3. Weinberger v Galanti, NYLJ, 4-7-82, p. 12, col. 2, n.o.r. (Decision of Interest) (Civ Ct, NY Co, 1982) (Landlord & Tenant/Nuisance Law).
4. Barbizon Hotel v McDaniel, NYLJ, 4-7-82, p. 12, col. 3; 113 Misc2d 179, 448 NYS2d 619 (Civ Ct, NY Co, 1982) (Landlord & Tenant - Requirement that Hotel Tenant Move to Substantially Similar Room to Facilitate Hotel Renovation); cited in, Barbilex Associates v Pesaitis, 113 Misc2d 436, 449 NYS2d 387 (NY Civ Ct 1982).
5. The Charles Weiner Corp. v D. Jack Davis Corp., NYLJ, 4-13-82, p. 11, col. 4; article appeared in NYLJ, 4-13-82, p. 1, col. 4, 113 Misc2d 263, 448 NYS2d 998 (Civ Ct, NY Co, 1982) (Attorney & Client - Withdrawal of Attorney - Compensation); In re Jamieko A., 193 AD2d 409, 597 NYS2d 72 (1<sup>st</sup> Dept 1993); cited in, Holmes v Y.J.A. Realty Corp., 128 AD2d 482, 513 NYS2d 415 (1<sup>st</sup> Dept 1987); cited in, Martini v Leland, 116 Misc2d 231, 455 NYS2d 354 (NY Civ Ct 1982); cited in, cited in, Kramer, Levin, Nessen, Kamin v Aronoff, 638 FSupp 714 (SDNY, 1986); cited in, Mohr, Hackett, Pederson, Blakley, Randolph & Hoga, P.C. v Superior Court, 155 Ariz 150, 745 P2d 208 (Ariz Ct App 1987); cited in, Article: Should Professionals Accept "Accrual" Fate?, 6 Va Tax Rev 593 (1987).
6. Turov v McCoy, NYLJ, 4-16-82, p. 6, col. 1, n.o.r. (Decision of Interest) (Civ Ct, NY Co) (Tort Law/Battery).
7. Hispano Americano, etc. v Dryer, NYLJ, 4-28-82, p. 11, col. 4; (Decision of Interest); 112 Misc2d 936, 448 NYS2d 128 (Civ Ct, NY Co, 1982); Noted in NYLJ, Weekly Real Estate Law Digest, 6-9-82, p. 4, col. 2; (Landlord & Tenant: Existence of Relationship - Summary

- Proceedings); cited in, Gazzardo v Langhorst, 136 Misc2d 201, 518 NYS2d 562 (NY Civ Ct, 1987).
8. Jacobson v Sassower, NYLJ, 4-28-82, p. 11, col. 4; 113 Misc2d 279, 452 NYS2d 981 (1982); affd NYLJ, 12-2-83, p. 12, col. 1 (AT 1) 122 Misc2d 863, 474 NYS2d 167 (1983); affd NYLJ, 1-14-85, p. 6, col. 6, 107 AD2d 603; Lv to appeal to Ct. of Appeals granted, NYLJ, 4-26-85, p. 4, col. 3; affd 66 NY2d 991 (Attorney & Client - Compensation); cited in Annot, 54 ALR2d 604, p. 203 "measure or basis of attorneys' recovery on express contract fixing noncontingent fees where he is discharged without cause or fault on his part; recovery under quantum merit of less than stipulated fee; cited in, Cass & Sons, Inv. V Stag's Fuel Oil Co., 148 Misc2d 640, 561 NYS2d 519 (NY Sup Ct, 1990); cited in, Kelly v MD Bayline, Inc., 2 FSupp2d 420 (SDNY, 1998); cited in ARTICLE: Nonrefundable Retainers: Impermissible Under Fiduciary, Statutory and Contract Law, 57 Fordham L Rev 149 (1998); cited in, Nonrefundable Retainers: A Response to Critics of the Absolute Ban, 64 U Cin L Rev 11 (1995); cited in, Training Proceeds to Attorneys' Pockets (and the Dilemma of Paying for Bankruptcy), 78 Minn L Rev 1079 (1994); cited in, Nonrefundable Retainers Revisited, 72 NC L Rev 1 (1993); cited in, The Survey of New York Practice, Disciplinary Rule @-110(A) (#); App Div 2<sup>nd</sup> Dept, bans use of nonrefundable retainer agreements, 67 St John's L Rev 693 (1993); cited in, Setting the Fee When the Client Discharges a Contingent Fee Attorney, 41 Emory LJ 367 (1992); cited in, Criminal Law, The Fall and Rise of the Criminal Contingent Fee, 82 J Crim L & Criminology 498 (1991); cited in, Contingent Fees without Contingencies; Hamlet without the Prince of Denmark?, 37 UCLA L Rev 29 (1989).
9. 269 Assoc. v Yerkes, NYLJ, 4-28-82, p. 11, col. 1; NYLJ, featured an article on my decision; 113 Misc2d 450, 449 NYS2d 593 (Civ Court, NY Co, 1982) (Landlord & Tenant - Summary Proceedings - Effect of Delay on Right to Commence Summary Proceedings); cited in, Bissell v Pyramid Companies, 125 AD2d 876 (3rd Dept 1986); cited in, Marriot v Shaw, 151 Misc2d 938, 574 NYS2d 477 (NY Civ Ct, 1991); cited in, Zenila Realty v Masterandrea, 123 Misc2d 1 (Civ Ct, 1984); cited in, Greenburger v Leary, 119 Misc2d 358 (Civ Ct, 1983); cited in, Goldman v McCord, 120 Misc2d 754, (Civ Ct, 1983); cited in, Dedvukaj v Maldonado, 115 Misc2d 211 (NYC Civ Ct, Bronx Co, 1982); cited in, National Shoes, Inc. v Annex Camera & Electronics, Inc., 114 Misc2d 751, 452 NYS2d 537 (NY Civ Ct, 1982); cited in, Comment, Deweerth v Baldinger nl: Making New York a Haven for Stolen Art?, 64 NYU L Rev 909 (1989).
10. Garrison Apts. Inc., v Sabourin, NYLJ, 5-5-82, p. 11, col. 3 113 Misc2d 674, 449 NYS2d 629 (Decision of Interest) (Real Estate); (Civ Ct, NY Co, 1982), cited in, 111 Tenants Corp. v Stromberg, 137 Misc2d 1014, 640 NYS2d 1018 (NY Civ Ct, 1996); cited in Schoninger v Yardam Beach Homeowners Association, Inc., NYLJ, 1-13-88, p. 1 (AD2); cited in, 77 E. 12 Owners, Inc. v Yager, 137 Misc2d 138, 520 NYS2d 132 (NY Sup Ct, 1987); cited in, Note: The Rule of Law in Residential Associations, 99 Harv L Rev 472 (Dec. 1985), fn. 2 (Condominiums and Cooperatives); cited in, 330 West End Apt. Corp. v Kelly, 124 Misc2d

- 870 (Sup Ct, NY Co, 1984); cited in, Bergland v 411 E. 57<sup>th</sup> Corp., 122 Misc2d 702, 471 NYS2d 803 (NY Civ Ct, 1984); cited in, 415 East 42<sup>nd</sup> Street Associates v Romaine, 121 Misc2d 50, 467 NYS2d 165 (NY Civ Ct, 1983); cited in, Lenox Manor, Inc. v Gianni, 120 Misc2d 202, 465 NYS2d 809 (NY Civ Ct, 1983); cited in, Johnson v Hobson, 505 A2d 1313 (Ct of App, Washington, DC, 1986); cited in, Thanasoulis v Winston Towers 200 Assoc., 110 NJ 650, 542 A2d 900 (1988); cited in, Comment, Beyond Nahrstedt: Reviewing Restrictions Governing Life in a Property Owner Association, 42 UCLA L Rev 837 (1995); cited in, Reply: Resolving the Flaws of Residential Sevitudes and Owners Associations: For Reformation not Termination, 1990 Wis L Rev 513 (1990).
11. Murray Hill Mello Corp. v Bonne Bouchee Restaurant, NYLJ, 5-12-82, p. 13, col. 4 (Decision of Interest); 113 Misc2d 683, 449, NYS2d 870 (Civ Ct, NY Co, 1982); noted in NYLJ, Weekly Real Estate Law Digest, 6-2-82 p. 4, col. 2 (Landlord & Tenant - Assignment); cited in, 269 Fulton Corp. v H.A.B. Realty Assoc., 179 AD2d 752, 579 NYS2d 115 (2<sup>nd</sup> Dept, 1992).
12. Alice D. v William M., NYLJ, 5-25-82, p. 12, col. 1, 113 Misc2d 940, 450 NYS2d 350 (Decision of Interest) (Abortion - Liability for Abortion) (Civ Ct., NY. Co, 1982); noted in note, Liability in Tort for the Sexual Transmission of Disease: Genital Herpes and the Law, 70 Cornell L. Rev 101, 137 (1984); Kelner & Kelner, Trial Practice - Tort Liability for Sexually Transmitted Diseases, NYLJ, 11-12-87, p. 1; 31 ALR. 4th 391, "Misrepresentation regarding sterility or use of birth control"; cited in, Allen v Westpoint-Pepperell, Inc., 11 FSupp2d 277 (SDNY, 1997); Allen v Westpoint-Pepperell, Inc., 954 FSupp 682 (SDNY, 1997); cited in, Aeropulse, Inc. v Armstrong & Brooks, Ltd., 740 Fsupp 938 (EDNY, 1990); cited in, Long v Adams, 175 Ga App 538, 333 SE2d 852 (1985); cited in, C.A.M. v R.A.W., 237 NJ Super 532, 568 A2d 556 (NJ Super Ct, 1990); distinguished in, Wallis v Smith, 2001 NMCA 17, 130 NM 214 (2001); cited in, Note: Undeal Laws: The Use of Historically Unenforced Criminal Statutes in Non-Criminal Litigation, 16 Uule L & Pol'y Rev 169 (1997); Casnote: Tort Law - A Cause of Action Exists for Wrongful Birth Claim Where Physician Negligently Fails to Perform Test Which May Have Detected Birth Defects, Even Though the Likelihood of Detection is Less than Fifty Percent; Blair v Hutzal Hospital, 552 NW2d 5007 (Mich Ct App 1996), 74 U Det Mercy L. Rev 169 (1996) cited in, ARTICLE: Sue Me, Sue Me, What Can You Do Me? I Love You, A Disquisition on Law, Sex, and Talk, 47 Fla 1 Rev 311 (1995); cited in, NOTE: It Takes Two to Tango: Rethinking Negligence Liability for the Sexual Transmission of Aids, 5 Health Matrix 397 (1995); cited in, NOTE: Zehr v Haugen and Wrongful Pregnancy: Extending the Rationale to Dececitful Pregnancy Claims, 74 Or L Rev 405 (1995); cited in, ARTICLE: Of Tort Reform and Millionaire Muggers: Should an Obscure Equitable Doctrine be Received to Dent the Litigation Crisis?, 32 San Diego L Rev 53 (1995); cited in, NOTE: Who should Pay when Federally Insured Pension Go Broke?: A Strategy for Recovering from the Wrongdoers, 65 Notre Dame L Rev 308 (1990) cited in, ARTICLE: Consent, Equality and the Legal Control of Sexual Conduct, 61 S Cal L Rev 777 (1988) cited in, ARTICLE: The Constitutional Right to Privacy and Emerging Tort Liability for

- Deceit in Interpersonal Relationships, 1986 U Ill L Rev 779 (1986); cited in, NOTE: Liability in Tort for the Sexual Transmission of Disease: Genital Herpes and the Law, 70 Cornell L Rev 101 (1984); cited in, ARTICLE: Women Understand so Little, They Call my Good Nature 'Deceit': A Feminist Rethinking of Seduction, 93 Colum L Rev 374 (1993); cited in, cited in, NOTE: The Evolution of the Right to Privacy after Roe v Wade, 13 Am J L and Med 368 (1987).
13. Park South Assoc. v Essebag, NYLJ, 6-9-82, p. 12, col. 4 113 Misc2d 1026, 451 NYS2d 345 (Decision of Interest) (Civ Ct., NY Co, 1982); affd NYLJ, 11-15-84, p. 6, col. 1, 126 Misc2d 994, 487 NYS2d 252 (AT 1, 1984) (Landlord & Tenant - Summary Proceedings - Counsel Fees); Discussed in Schwartz, "A Different Kind of Donald Trump Story: The Cold War on Central Park South," New York Magazine, 2-11-85, p. 35; cited in, FFJ Assoc. of NY Inc. v Hanson Indus., \_\_\_AD3d \_\_\_, \_\_\_NYS2d \_\_\_; cited in Check-Mate Industries, Inc. v Say Associates, 192 AD2d 690, 597 NYS2d 125 (2<sup>nd</sup> Dept, 1993); cited in Check-Mate Industries, Inc. v Say Associates, 104 AD2d 392 (2<sup>nd</sup> Dept, 1984); cited in, Heritage Co. v Cutrone, 137 Misc2d 839, 522 NYS2d 790 (NY Dist Ct 1987); cited in, People v Rich, 137 Misc2d 474, 520 NYS2d 911 (NY Sup Ct 1987); Enright v Mintz, 116 Misc2d 1084, (Civ Ct, NY Co, 1982); cited in, Heritage Co. v Cutrone, 137 Misc2d 839 (Dist Ct, Nassau Co, 1987).
  14. Beslity v Manhattan Honda Inc., NYLJ, 6-16-82, p. 12, col. 4; 113 Misc2d 888, 450 NYS2d 278 (Civ Ct, NY Co, 1982); reversed NYLJ, 5-12-82, p. 12, col. 1; 120 Misc2d 848, 467 NYS2d 471 (1982) (AT 1) (Consumer Protection - False Advertising - Private Right of Action); cited in, Ivey, Burnum & O'Mara v Indian Harbor Properties, Inc., 190 Conn 528, 461 A2d 1369 (1983).
  15. 7-11 Realty Co. v Bleckman, NYLJ, 6-16-82, p. 13, col. 1; 113 Misc2d 909, 450 NYS2d 283 (Civ Ct, NY Co, 1982) (Landlord & Tenant - Rent Regulation).
  16. Shuster v First National Monetary Corp., NYLJ, 6-16-82, p. 12, col. 1, 113 Misc2d 1058, 450 NYS2d 711 (Civ Ct, NY Co, 1982) (Master & Servants - Commodities Brokers - Right to Commissions); cited in, Cauff, Lippman & Co. v Apogee Finance Group, Inc., 807 FSupp 1007 (SDNY, 1992).
  17. Barzack Realty Co. v Joseph Legatti & Son, Inc., NYLJ, 6-23-82, p. 14, col. 1; 114 Misc2d 245, 450 NYS2d 983 (Civ Ct. NY Co, 1982) (Landlord & Tenant - Summary Proceedings - Scope of Stipulation); cited in, Bodaness V Staten Island Aid, Inc., 170 AD2d 637, 567 NYS2d 63 (2<sup>nd</sup> Dept, 1991).
  18. Hotel Assoc. Inc. v Manhattan Bowery Project, NYLJ, 7-7-82, p. 13, col. 3, 114 Misc2d 176, 451 NYS2d 371 (Civ Ct, NY Co, 1982) (Decision of Interest) (Landlord & Tenant - Rent Regulation - "Required Services" for Hotel Tenants).

19. Royster v Consolidated Edison, NYLJ, 7-13-82, p. 6, col. 1; 114 Misc2d 529, 452 NYS2d 146 (Civ Ct, NY Co, 1982) (Judgments - Res Judicata); cited in, Food Pageant, Inc. v Consolidated Edison Co., 54 NY2d 167, 429 NE2d 738 (1981); cited in, Lee v Consolidated Edison Co., 95 Misc2d 120, 407 NYS2d 777 (NY Civ Ct, 1978); cited in, Lee v Consolidated Edison Co., 98 Misc2d 304, 413 NYS2d 826 (NY AT, 1978); cited in, Ruben v American & Foreign Ins. Co., 185 AD2d 63, 592 NYS2d 167 (4<sup>th</sup> Dept 1992); cited in, People v Florentino, 116 Misc2d 692, 456 NYS2d 638, (NY Crim Ct, 1982).
20. Rosenthal v Metropolitan Life Ins. Co., NYLJ, 7-14-82, p. 11, col. 2; 114 Misc2d 332, 451 NYS2d 630 (Civ Ct, NY Co, 1982) (Insurance - Health Insurance - Home Nursing Services); cited in, Wachtel v Metropolitan Life Ins. Co., 141 Misc2d 665, 534 NYS2d 72 (NY Dist Ct, 1988).
21. Ilfin Co. Inc. v Benec Industries, Inc., NYLJ, 7-14-82, p. 11, col. 2; 114 Misc2d 411, 451 NYS2d 643 (Civ Ct, NY Co, 1982) (Process - Service of Process on Co-tenant of Commercial Premises); cited in, Manhattan Embassy Co. v Embassy Parking Corp., 164 Misc2d 977, 627 NYS2d 245 (NY Civ Ct, 1995); cited in, Columbia Prop. V ISKS Realty Corp., 163 Misc2d 446, 621 NYS2d 277 (NY Civ Ct, 1994); cited in, 50 Ct. St. Assoc. v Mendelson., 151 Misc2d 87, 572 NYS2d 997 (NY Civ Ct, 1991); cited in, Sheman v BPPT Enterprises Corp., 144 Misc2d 270, 543 NYS2d 885 (NY Dist Ct 1989); cited in, New York v Wall Street Racquet Club, Inc., 136 Misc2d 405, 518 NYS2d 737 (NY Civ Ct, 1987); cited in, World's Busiest Corner Corp. v Cine 42<sup>nd</sup> Street Theater Corp., 134 Misc2d 281, 510 NYS2d 796 (NY Civ Ct, 1986); cited in, City of NY v Chemical Bank, 122 Misc2d 104, 470 NYS2d 280 (Sup Ct, NY Co, 1983).
22. Revelstoke Properties, Inc. v Beaumont Neckwear, Inc., NYLJ, 7-21-82, p. 11, col. 2, 114 Misc2d 545, 451 NYS2d 996 (Decision of Interest) (Civ Ct, NY Co, 1982); cited in Hodes & Gabinet, "The Ethics of Disqualifying Attorneys for Strategic Reasons," NYLJ, 4-18-85, p. 1 (Landlord & Tenant - Summary Proceedings - Order to Show Cause) (Attorney & Client - Disqualification); cited in, Pierno v Adames, 179 Misc2d 381, 684 NYS2d 863 (NY Civ Ct, 1999).

23. National Shoes, Inc., v Annex Camera and Electronics Inc., NYLJ, 8-4-82, p. 10, col. 5, 114 Misc2d 751, 452 NYS2d 537 (Decision of Interest) (Civ Ct, NY Co, 1982); cited in Broadlake Co. v Dincessen, NYLJ, 2-4-87, p.16, col.2 (AT 9th & 10th); Ocean Farragut v Sawyer, 119 Misc2d 712 (NYC Civ Ct, Kings Co, 1983) (Landlord & Tenant - Summary Proceedings - Notice to Cure Failure to Pay Rent); cited in, 326-330 East 35th Street Assoc. v Sofizade, \_\_\_ Misc2d \_\_\_, 741 NYS2d 380 (NY Sup Ct, 2002); cited in, Herald Towers LLC v Perry, 190 Misc2d 500, 738 NYS2d 814, (NY Sup Ct, 2001); cited in, dissenting opinion, Sharp v Norwood, 223 AD2d 6, 643 NYS2d 39, (1<sup>st</sup> Dept, 1996); cited in, 1537 Associates v Temlex Industries, Inc., 128 AD2d 384, 512 NYS2d 392, (1<sup>st</sup> Dept, 1987); cited in, Adam's Tower Ltd. Partnership v Richter, 717 NYS2d 825, 186 Misc2d 620, (NY Sup Ct, AT, 2000); cited in, 520 East 86th Street, Inc. v Leventritt, 127 Misc2d 566, 486 NYS2d 854, (NY Civ Ct, 1985); cited in, Ocean Farragut Associates v Sawyer, 119 Misc2d 712, 464 NYS2d 346, (NY Civ Ct, 1983) cited in, 950 Third Ave Co. v Eastland Industries, Inc., 119 Misc2d 19 463 NYS2d 367, (NY Civ Ct, 1983); cited in, Foundation Development Corp. v Loehmann's, Inc., 163 Ariz 438, 788 P2d 1189, (1990).
24. Lazar v Roberts, NYLJ, 8-6-82, p. 14, col. 6; 115 Misc2d 360, 454 NYS2d 194 (Civ Ct, NY Co, 1982) (Brokers - Real Estate Brokers - Commissions).
25. Buffalo Refrigerating Co. Inc. v Wiesen Ocean Products Corp., NYLJ, 8-10-82, p. 11, col. 4, n.o.r. (Article) (Commercial Lease).
26. Veals v Consolidated Edison Co. of New York, NYLJ, 8-13-82, p. 16, col. 3, 114 Misc2d 626, 452 NYS2d 153 (Civ Ct, Kings Co, 1982) (Public Utilities - Gross Negligence - Negligent Turnoff of Electricity); cited in, Med-Sales Associates, Inc. v Lebhar-Friedman, Inc., 663 Fsupp 908, 14 Media L Rep1345, (SDNY, 1987); cited in, Lopez v Univision Communications, Inc., 45 FSupp2d 348, (SDNY, 1999); cited in, Landrum v Florida Power & Light Co., 505 So2d 552, 12 Fla L Weekly 946 (Fla App 3 Dist, 1987); cited in, Nelson v Times Square Stores Corp., 110 AD2d 691, 487 NYS2d 814 (2<sup>nd</sup> Dept, 1985); cited in, Federal Ins. Co. v Honeywell, Inc., 641 FSupp. 1560, (SDNY, 1986).
27. Schoenfeld v Ochsenhaut, NYLJ, 8-13-82, p. 16, col. 4; 114 Misc2d 585, 452 NYS2d 173 (Civ Ct, Kings Co, 1982) (Contracts - Liability for Funeral Arrangements of Jewish Decedent); cited in, Boats Against the Current: the Courts and the Statute of Frauds, 47 Emory LJ 253 (1998); cited in, Should We Fire The Gatekeeper? An Examination of the Doctrine of Consideration, 48 U Miami L Rev. 45 (1993).
28. Palmer v Safe Auto Sales, Inc., NYLJ, 8-17-82, p. 12, col. 5; 114 Misc2d 964, 452 NYS2d 995 (Civ Ct, Kings Co, 1982); cited in 34 Syracuse L. Rev 82 (1983) (Sales - UCC - Modification of Sales Contract - Merchants Good-Faith Obligation); cited in, Tonka Tours, Inc. v Chadima, 372 NW2d 723, 42 UCC Rep Serv 430 (Minn, 1985); cited in, Reinventing The Deal: a Sequential Approach to Analyzing Claims For Enforcement of Modified Sales Contracts, 53 Fla L Rev. 49 (2001); cited

- in, The Law of Contract And The Concept of Change: Public And Private Attempts to Regulate Modification, Waiver, And Estoppel, 1999 Wis L Rev 607 (1999).
29. South Ferry Bldg. v J. Henry Schroeder Bank, NYLJ, 8-17-82, p. 11, col. 3; 114 Misc2d 1045, 453 NYS2d 563 (Civ Ct, NY Co, 1982); affd NYLJ, 9-20-83, p. 11, col. 1 (AT 1), 122 Misc2d 595, 473 NYS2d 94 (AT 1983), mot. for lv to appeal to App. Div Denied, NYLJ, 2-6-84, p. 6, col. 3 (Landlord & Tenant - Lease - "Pay Now - Fight Later" Clause in Commercial Lease); cited in 87 ALR 3rd 986, annot supp., p. 55, "Lease Provisions Providing for Rent Adjustment Based on Event or Formula Outside Control of Parties 4; cited in, Affirmed as Modified by, South Ferry Bldg. Co. v J. Henry Schroeder Bank & Trust Co., 122 Misc2d 595, 473 NYS2d 94 (NY Sup Ct App Term, 1983); cited in, Home Ins. Co. v RHA/Pennsylvania Nursing Homes, Inc., 127 FSupp2d 482 (SDNY, 2001); cited in, Frankel v ICD Holdings S.A., 930 FSupp 54, (SDNY, 1996).
30. Clegg v Bon Temps Ltd. NYLJ, 9-2-82, p. 5, col. 5; 114 Misc2d 805, 452 NYS2d 825 (Civ Ct, NY Co, 1982) (Disclosure - Freedom of Information Law - Unemployment Insurance Records); cited in Pappas v Air France, 652 F, Supp. 202 (EDNY, 1986); cited in, Weiner v Tel Aviv Car and Limousine Service, Ltd., 141 Misc2d 339, 533 NYS2d 372, (NY Civ Ct, 1988); cited in, Pappas v Air France, 652 FSupp 198, (EDNY, 1986); cited in, Peoples v Ellis, 128 Ill App3d 180, 470 NE2d 524, (Ill App 1 Dist, 1984); cited in, Guarcello v KLM Royal Dutch Airlines, 157 Misc2d 412, 596 NYS2d, 989 (NY Civ Ct, 1993); cited in, Small Claims Courts Offer Prompt Adjudication Based on Substantive Law, 70-Dec NY St BJ 6, 16 (1998); cited in, Defamation in the Work Place: The New Workhorse in Termination Litigation, 15 N KY L Rev 93, 128 (1988); cited in, a Comparative Analysis of Public Records Statutes, 28 Urb Law 65, 91 (1996).
31. Salling v Koch, NYLJ, 10-1-82, p. 12, col. 3 115 Misc2d 514, 454 NYS2d 416 (Decision of Interest) (Sup Co, NY Co, Spec Term, Part I, 1982) (Civil Service - Recoupment of Salary Overpayments - Paycheck Deductions); cited in, Leirer v Caputo, 181 AD2d 119, 586 NYS2d 976, (2<sup>nd</sup> Dept, 1992).
32. St. Vincent's Hospital & Medical Center v Insurance Co. of North America, 117 Misc2d 665, 457 NYS2d 670 (Sup. Ct., NY. Co, Spec Term Part 1, 1982) (Insurance - Excess Coverage); cited in Gladstone v Ritter Co., 133 Misc2d 922 (Sup. Ct., Columbia Co, 1986); Mission Nat. Ins. Co. v Duke Transp. Co., Inc., 792 F2d 550 (5th Cir 1986), Old Republic Ins. Co. v Concast, Inc., 588 FSupp 616 (1984); Guaranty National Ins. Co. v Bayside Resort Inc., 635 FSupp 1456 (D. Virgin Islands, 1986); cited in, Donald B. MacNeal, Inc. v Interstate Fire and Cas. Co., 132 Ill App3d 564, 477 NE2d 1322, (Ill App 1 Dist, 1985); cited in, dissent, Ambassador Associates v Corcoran, 79 NY2d 871, 581 NYS2d 276, (NY Ct of App, 1992); cited in, Ambassador Associates v Corcoran, 143 Misc2d 706, 541 NYS2d 715 (NY Sup Ct, 1989); cited in, American Re-Insurance Co. v SGB Universal Builders Supply Inc., 141 Misc2d 375, 532 NYS2d 712 (NY Sup Ct, 1988); cited in, U.S. Fidelity &

- Guaranty Co. v Treadwell Corp., 58 FSupp2d 77 (SDNY, 1999); cited in, Maricopa County v Federal Ins. Co., 175 Ariz 308, 757 P2d 112, (Ariz App Div 2, 1988); cited in, US Fire Ins. Co. v Capital Ford Truck Sales, Inc., 257 Ga 77, 355 SE2d 428, (Ga, 1987); cited in, Radar v Duke Transp. Inc., 492 So2d 532, (LA App 3 Cir, 1986); cited in, Gladstone v D.W. Ritter Co., 133 Misc2d 922, 508 NYS2d 880, (NY Sup, 1986); cited in, Mission Nat. Ins. Co. v Duke Transp. Co., Inc., 792 F2d 550, (5th Cir LA, 1986); cited in, Holland v Stanley Scrubbing Well Service, 666 FSupp 898, (WD LA, 1987); cited in, Old Republic Ins. Co. v Concast, Inc., 588 FSupp 616, (SDNY, 1984); Denny's, Inc. v Chicago Ins. Co., 234 Cal App3d 1786, 286 Cal Rptr 507, (CA App 2 Dist, 1991); cited in, Morbark Industries, Inc. v Western Employers Ins. Co., 170 Mich App. 603, 429 NW2d 213, (Mich App, 1988); cited in, U.S. Fire Ins. Co. v Coleman, 754 SW2d 941, (MO App ED, 1988); cited in, Werner Industries Inc. v First State Ins. Co., 217 NJ Super 436, 526 A2d 236 (NJ Super AD, 1987); cited in, Wurth v. Ideal Mut. Ins. Co., 34 OH App3rd, 518 NE2d 607, (OH App 12 Dist, 1987); cited in, Lehrer v Scharrer, 145 Wis2d 687, 429 NW2d 491 (WI App, 1988); cited in, Drop Down Liability of Excess Insurers For Insolvent Primary Carriers: The Search For Uniformity in Judicial Interpretation of Excess Insurance Policies, 33 Ariz L Rev 239 (1991); cited in, Liability Insurance Coverage: How to Avoid Unpleasant Surprises, 17 JC & UL 123, (1990); cited in, Drop Down, Liability of the Excess Insurer: Consumerism v Commercial Reality, 17 N KY L Rev 353 (1990); cited in, A Proposal For a Tort Remedy For Insureds of Insolvent Insurers Against Brokers, Excess Insurers, Reinsurers, and the State, 52 Ohio St LJ 1075, (1991); cited in, The Drop-down Liability of Excess Insurers, 18 SPG Brief 36 (1989); cited in, Excess Liability Insurance: Law and Litigation, 32 Tort & Ins LJ 653 (1997); cited in, Excess Insurance: an Overview of General Principles And Current Issues, 24 Tort & Ins LJ 715 (1989); cited in, Excess, Surplus Lines And Reinsurance: Recent Developments in Umbrella And Excess Liability Insurance, 24 Tort & Ins LJ 283 (1989); cited in, Excess, Umbrella And Reinsurance Issues, Q205 ALI-ABA 183 (1991).
33. Samuel v Ortiz, NYLJ, 10-19-82, p. 10, col. 5 115 Misc2d 893, 454 NYS2d 817 (Decision of Interest) (Sup Ct, NY Co, Spec. Term, Part I, 1982); reversed, NYLJ, 11-15-84, p. 5, col. 1, 105 AD2d 624, 481 NYS2d 355; see also 106 AD2d 356, 484 NYS2d 493 (Civil Service - Examinations).
34. Madison Lexington Venture v The Diet Gourmet Shoppe of N.Y., Inc., NYLJ, 11-9-82, p. 16, col. 1; 114 Misc2d 759, 452 NYS2d 540 (Civ Ct, NY Co, 1982) affd NYLJ, 5-26-83, p. 14, col. 2 (AT 1); 120 Misc2d 486, 467 NYS2d 477 (AT, 1983) (Landlord & Tenant - Lease - Surrender).
35. State of New York v Management Transitions, NYLJ, 11-9-82, p. 7, col. 2, 115 Misc2d 489, 454 NYS2d 513 (Sup Ct, NY Co, Spec Term, Part I) (Fraud/False Advertising); cited in Matter of State v Magley, 105 AD2d 208 (AD 3<sup>rd</sup> Dept, 1984); State of NY v Stevens, 130 Misc2d 790 (Sup Ct, Oswego Co, 1985); People v British & Am. Cas. Co., 133 Misc2d 352 (Sup Ct, NY Co, 1986); cited in, People by Vacco v Lipsitz, 174 Misc2d 571, 663 NYS2d 468 663 (NY Sup Ct, 1997); cited in, People by Abrams v



- British & American Cas. Co., 133 Misc2d 352, 505 NYS2d 759, (NY Sup Ct, 1986); cited in, State ex rel. Nixon v Telco Directory Pub., 863 SW2d 596, (MO, 1993); cited in, State by Abrams v Magley, 105 AD2d 208, 484 NYS2d 251 3<sup>rd</sup> Dept, 1984); cited in, State by Abrams v Stevens, 130 Misc2d 790, 497 NYS2d 812 (NY Sup Ct, 1985).
36. People v Hernandez, 115 Misc2d 503, 454 NYS2d 402 (Crim Ct, Bronx Co, 1982) (Motor Vehicles - Abandoned Vehicle - Automobile Stripping); cited in People v Russo, 131 Misc2d 677 (Co Ct, Suffolk Co, 1986); cited in, People v Russo, 131 Misc2d 677, 501 NYS2d 276(NY Co Ct, 1986).
37. Brine v Dubinsky, NYLJ, 11-9-82, p. 6, col. 4; 115 Misc2d 572, 454 NYS2d 421 (Sup Ct, NY Co, Spec Term, Part I, 1982) (Judges - Disqualification - Recusal by Judge).
38. People v Cifarelli, 115 Misc2d 587, 454 NYS2d 525 (Crim Ct, Queens Co, 1982) (Crimes - Harassment - Playing of Musical Instrument); cited in Stigliance v Vallone, 168 Misc2d 446 [Civ Ct, Bronx Co, 1995]; cited in, Stiglianese v Vallone, 168 Misc2d 446, 637 NYS2d 284 (NY Civ Ct, 1995); cited in, Harassment: a Simple Charge, With a Complicated Application, 70 APR NYS BJ. 14 (1998); cited in, Stiglianese v Vallone, 168 Misc2d 446, 637 NYS2d 284(NY Civ Ct, 1995); cited in, Harassment: a Simple Charge, With a Complicated Application, 70 Apr NY St BJ 14 (1998).
39. Klarish v Clayton, NYLJ, 11-9-82, p. 16, col. 4, 115 Misc2d 982, 454 NYS2d 952 (Civ Ct, NY Co, 1982) (Landlord & Tenant - Attorney's Fees); cited in, 119 Fifth Ave. Corp. v Berkhout, 134 Misc2d 963, 513 NYS2d 642(NY Civ Ct, 1987); cited in, 119 Fifth Ave. Corp. v Berkhout, 134 Misc2d 963, 513 NYS2d 642 (NY Civ Ct, 1987).
40. Olympia & York 2 Broadway Co. v Produce Exchange Realty Trust, 115 Misc2d 874, 454 NYS2d 814 (Sup Ct, NY Co., Spec. Term Part 1, 1982) modified NYLJ, 6-1-83, p. 1, col. 6, 93 AD2d 465, 462 NYS2d 456; noted Weekly Real Estate Law Digest, NYLJ, 6-29-83; (Appraisals - Real Property Valuation - Judicial Review).
41. 18 International Ltd. v Interstate Express Inc., NYLJ, 11-9-82, p. 7, col. 1; 116 Misc2d 66, 455 NYS2d 224 (Sup Ct, NY Co, Spec Term, Part 1, 1982) (Attorney & Client - Admission of Out-of-State Attorney Pro HacVice); cited in People v Bing, 131 Misc2d 62, 499 NYS2d 313 (NY Co Ct, 1985); People v Bing, 131 Misc2d 66 (Co Ct, Nassau Co, 1985); cited in, State ex rel. H.K. Porter Co., Inc. v White, 182 WVA 97, 386 SE2d 25(WVA, 1989); cited in, Johnson v. Mesch Engineering, P.C., 212, AD2d 970, 624 NYS2d 710 (4<sup>th</sup> Dept, 1995); cited in, Largeteau v Smith, 197 AD2d 832, 603 NYS2d 62 (3<sup>rd</sup> Dept, 1993); cited in, cited in, Bivens v American Baler Co., 166 Misc2d 198, 632 NYS2d 774 (NY Sup Ct, 1995); cited in, Disciplinary Counsel v Pavlik, 89 OH St3d 458, 732 NE2d 985 (OH, 2000); cited in, Admission? Yes; Practice? No: New York's Inconsistent Treatment of Nonresident Attorneys, 6 St John's J, Legal Comment 383 (1991)

42. Rosner v Paley, NYLJ, 11-9-82, p. 7, col. 3, 116 Misc2d 454, 455 NYS2d 959 (Sup Ct, NY Co, Spec. Term Part 1, 1982); reversed, NYLJ, 3-28-84, p. 12, col. 1, 99 AD2d 1018, 473 NYS2d 808 (AD1) (3-2); Majority JJ. Fein, Milonas & Ross; Dissent: Kupferman, Silverman; mot. for lv to Ct. of Appeals granted, NYLJ, 6-28-84, p. 7, col. 1 (AD1), 477 NYS2d 298 (AD 1, 1984); Order of AD1 reversed by Ct of Appeals, 65 NY 2d 736, 492 NYS2d 13 (1985) (Attorney & Client - Malpractice - Contribution Claim of First Lawyer for Malpractice of Second Lawyer); cited in, Martinson Mfg. Co., Inc. v Seery, 351 NW2d 772 (Iowa, 1984); cited in, Attorney Malpractice in Estate Planning-you've Got to Know When to Hold Up, Know When to Fold up, 38 U Kan L Rev 193 (1990).
43. In re Civetta v The Environmental Control Board of the City of NY, NYLJ, 11-26-82, p. 14, col. 3; (Article) p.1, col. 4, 116 Misc2d 602, 456 NYS2d 318 (Sup Ct, NY Co, Spec Term Part 1, 1982) (Municipal Corporations - Noise Control Ordinance - Construction Work Only on Weekdays); cited in, Anderson v Fulton Housing Authority, 139 Misc2d 1014, 529 NYS2d 417 (NY Sup Ct, 1988).
44. Brown, Harris, Stevens Inc. v Stein, NYLJ, 12-15-82, p. 7, col. 1, n.o.r. (Civ Ct, NY Co, 1982) (Corporate Law).
45. Century Realty v Grass, NYLJ, 1-21-83, p. 7, col. 3; 117 Misc2d 224, 457 NYS2d 731 (Civ Ct, NY Co, 1982) (Landlord & Tenant - Summary Proceedings - Contents of Petition); cited in, Metz v Duenas, 183 Misc2d 751, 707 NYS2d 598 (NY Dist Ct, 2000).
46. Martini v Leland, NYLJ, 1-24-83; p. 13, col. 1, 116 Misc2d 231, 455 NYS2d 354 (Civ Ct, NY Co, 1982) (Attorney & Client); cited in 45 ALR 2d 5, annot. supp., p. 51, "Attorneys liability for negligence in preparing or conducting litigation, failure to appear and defend."
47. Rockefeller Center Properties v Public Service Audience Planners, NYLJ, 2-9-83, p. 12, col. 3, n.o.r. (Civ Ct, NY Co) (Real Estate Law)
48. Brand v 15 W. 72nd St. Owners Corp., NYLJ, 2-9-83, p. 7, col. 4 (Decision of Interest), 117 Misc2d 652, 458 NYS2d 1011 (Sup Ct, NY Co, Spec Term, Part 1, 1983) (Condominiums & Cooperatives - Subscription Agreement).
49. Berglund v 411 East 57th Street Owners Corp., NYLJ, 2-23-83, p. 12, col. 3, (Article on case at p.4), 122 Misc2d 702, 471 NYS2d 803 (Civ Ct, NY Co, 1983); reversed NYLJ, 2-6-85, p. 11, col. 5, 127 Misc2d 58, 488 NYS2d 949 (AT1, 1985) order (of AT1); affd, NYLJ, 3-13-86, p. 6, col. 2, 118 AD2d 431, 499 NYS2d 715 (AD1 1986).
50. Wilkins v Kalla, NYLJ, 3-8-83, p. 7, col. 4; (Article), 118 Misc2d 34, 459 NYS2d 985 (Sup Ct, NY Co, Spec Term Part 1, 1983) (Disclosure - Shield Law); cited approvingly in O'Neill v Oak Grove Construction, Inc., 71 NY2d 521 (1988).

51. Greenwich Village Associates v Salle, NYLJ, 3-11-83, p. 12, col. 2, n.o.r. (Civ Ct, NY Co) modified in part, affd in part NYLJ, 7-6-84, p. 12, col. 2 (AT 1), Civ Ct decision reinstated, 110 AD2d 111, 493 NY2d 461 (AD1, 1985) (Holdover Proceeding).
52. 214 Assoc. v Teitlebaum, NYLJ, 3-11-83, p. 13, col. 2, 117 Misc2d 234, 457 NYS2d 734 (Civ Ct, NY Co, 1982) (Landlord & Tenant - Rent Regulation - Subletting as Substantial Violation of Lease).
53. Geis v Landau, NYLJ, 3-11-83, p. 11, col. 5, 117 Misc2d 396, 458 NYS2d 1000 (Civ Ct, NY Co, 1983); cited in "The Last Taboo, Money as Symbol and Reality in Psychotherapy and Psychoanalysis," (David W. Krueger, editor), (Brunner/Mazel, 1986). (Psychologist & Patient Relationship: Unconscionable Contract and Breach of Trust).
54. Rubman v Waller, 118 Misc2d 116; 459 NYS2d 981 (Civ Ct, NY Co, 1983) (Landlord & Tenant - Rent Regulation).
55. Manocherian v Williams, NYLJ, 4-21-83, p. 15, col. 1, 118 Misc2d 212, 459 NYS2d 1010 (Civ Ct, NY Co, 1983) (Landlord & Tenant - Rent Regulation - Renewal Lease); cited in 45 ALR 2d 827, annot supp p.73. "Illustrative cases, 4 (a) Generally" Landlord's consent to extension at renewal of lease as shown by acceptance of rent from tenant holding over.
56. Mayline Co. Inc. v Liebman, NYLJ, 4-27-83, p. 13, col. 1, 118 Misc2d 251, 460 NYS2d 705 (Civ Ct, NY Co, 1983 (Abatement and Revival)).
57. Goodstein v Shaw, NYLJ, 7-3-83, p.7, col. 1; (Article on front page for this decision), 119 Misc2d 400, 463 NYS2d 162 (Sup Ct, NY Co, Spec Term, Part 1, 1983) (Disclosure - FOIL); cited in City of San Jose v Superior Court, 74 Cal App 4<sup>th</sup>, 1008, 88 CalRptr2d 552; cited in, Siegel, Fenchel & Peddy, P.C. v Central Pine Barrens Joint Planning & Policy Com'n, 251 AD2d 670, 676 NYS2d 191, (2<sup>nd</sup> Dept, 1998); cited in, De Corse v City of Buffalo, 239 AD2d 949, 659 NYS2d 604, (4<sup>th</sup> Dept, 1997).
58. Sourian v Poissons De Menars, 118 Misc2d 509, 460 NYS2d 905 (Civ Ct, NY Co, 1983); affd NYLJ, 2-25-86, p. 6, col. 2, 130 Misc2d 535, 502 NYS2d 416 (AT 1, 1986) (Landlord & Tenant - Summary Proceedings - Illegal Sublease as Nuisance).
59. 200 Central Park South Associates v Copasino, 118 Misc2d 587, 461 NYS2d 182 (Civ Ct, NY Co,, 1983) (Landlord & Tenant); cited in, 660 Riverside Drive Aldo Associates L.L.C. v Marte, 178 Misc2d 784, 681 NYS2d 436, (NY Civ Ct, 1998).
60. Gordon v Gordon, NYLJ, 6-16-83, p. 11, col. 2; n.o.r. (Domestic Relations) (Civ Ct, NY Co, 1983).

61. Tara Productions Corp. v American Broadcasting Companies, Inc., NYLJ, 6-30-83, p. 11, col. 1, n.o.r. (Sup Ct, NY Co, Special Term Part 1) (CPLR, Voluntary Discontinuance).
62. Buchbinder v Enlightenment Press Inc., NYLJ, 7-7-83, p. 10, col. 5, n.o.r. (Decision of Interest) (Civ Ct, NY Co, 1983); affd NYLJ, 4-18-84, p. 6, col. 1 (AT 1) (Tort/Law/Libel).
63. Mt. Sinai Hospital v Loutsch, NYLJ, 7-27-83, p. 13, col. 1 (Decision of Interest), 119 Misc2d 427, 462 NYS2d 1004 (Civ Ct, NY Co, 1983) (Landlord & Tenant - Lease - Agreement for Benefit of Third Persons); cited in, Rosenberg Diamond Development Corp. v Lewis, 146 Misc2d 964, 553 NYS2d 580, (NY Civ Ct, 1989).
64. Lenox Manor v Gianni, NYLJ, 8-10-83, p. 10, col. 5 (Article), 120 Misc2d 202, 465 NYS2d 809 (Civ Ct, NY Co, 1983) (Condominiums and Cooperatives - Maintenance Fees); cited in, Schoninger v Yardarm Beach Homeowners Ass'n, Inc., 134 AD2d 1, 523 NYS2d 523, (2<sup>nd</sup> Dept, 1987).
65. D.U. Fourth Realty Co. v Meredith, NYLJ, 8-29-83, p. 15, col. 3, 119 Misc2d 423, 463 NYS2d 374 (Civ Ct, NY Co, 1983) (Landlord & Tenant - Eviction - Reinstatement of Wrongfully Evicted Tenant to Comparable Apartment).
66. Metropolitan Association of Employment Agents v Gourdine, NYLJ, 8-29-83, p. 14, col. 6 (Decision of Interest), 120 Misc2d 290, 465 NYS2d 816 (Sup Ct, NY Co, Spec. Term, Part 1 1983); cited in Greenman, Consumer Law, NYLJ, 10-5-83, p. 1; affd (on other grounds) NYLJ, 2-11-85, p. 7 col. 4, 108 AD2d 633, 485 NYS2d 266 (Administrative Law - Validity of Employment Agency Regulations).
67. Scott v Dale Carpet Cleaning Inc., NYLJ, 8-31-83, p. 7, col. 1, 120 Misc2d 118, 465 NYS2d 680 (Civ Ct, NY Co, 1983) (Arbitration); cited in, Kabia v Koch, 186 Misc2d 363, 713 NYS2d 250 (NY Civ Ct, 2000); cited in, Rymer v Leider, 122 Misc2d 873, 471 NYS2d 733, (NY Civ Ct, 1983); cited in, Molloy v Froyton, 148 Misc2d 481, 567 NYS2d 197 (AT, 1985); cited in, Special Procedures Apply to Enforcing Judgments in Small Claims Courts, 71 Jan NY St BJ 28, (1999); cited in, Small Claims Courts Offer Prompt Adjudication Based on Substantive Law, 70 Dec NY St BJ 6 (1998); cited in, Court Mediation and the Search for Justice Through Law, 74 Wash U LQ 47, (1996).
68. 950 Third Avenue Co. v Eastland Industries, NYLJ, 9-7-83, p. 11, col. 2 (Decision of Interest), 119 Misc2d 19, 463 NYS2d 367 (Civ Ct, NY Co, 1983); cited in, (Landlord & Tenant - Nonpayment as Conditional Limitation - Public Policy); this case served as the springboard for the article, Ross, "Converting Non payment to Holdover Summary Proceedings; The New York Experience with Conditional Limitations Based Upon Non-payment of Rent," 15 Fordham Urban Law Journal 289 (1987) p. 311, 312, 314; cited in Hollymount Corp. v Modern Business Associates, Inc., 140 AD2d 410, 528 NYS2d 113 (2<sup>nd</sup> Dept, 1988); cited in, PAK Realty Associates v RE/MAX Universal, Inc., 157 Misc2d 985, 599 NYS2d 399, (NY

- Civ Ct, 1993); cited in, Carmania Corp., N.V. v Kalati, 122 Misc2d 334, 470 NYS2d 316(NY Civ Ct, 1983); cited in , Kobbeman v Oleson, 1998 SD 20, 574 NW2d 633(SD, 1998); cited in, A Victory for the Landlords-or is it? The Constitutionality of the 1997 Amendments to the RPAPL, 74 St John's L Rev 799(2000).
69. Eberhart v Vroman, NYLJ, 9-14-83, p. 13, col. 2, n.o.r. (Civ Ct, NY Co, 1983) (Decision of Interest). ((Landlord & Tenant/Rent Control Law).
70. Mostazafen Foundation of New York v American Center, et. al., NYLJ, 9-19-83, p. 16, col. 5, n.o.r. (Civ Ct, NY Co, 1983) (Landlord & Tenant/Waiver of Tenant's Rights).
71. Comity Realty Corp. v Peterson, NYLJ, 10-4-83, p. 7, col. 4; 118 Misc2d 796, 461 NYS2d 711 (Civ Ct, NY Co, 1983) (Landlord & Tenant); cited in, Mandia v King Lumber and Plywood Co., Inc., 179 AD2d 150, 583 NYS2d 5(2<sup>nd</sup> Dept, 1992); cited in, Ruppert House Co. Inc. v Altmann, 127 Misc2d 115, 485 NYS2d 472 (NY Civ Ct, 1985) .
72. Estate of Fishel v Baronelli Ltd., 119 Misc2d 625, 463 NYS2d 1009 (Civ Ct, NY Co, 1983) (Landlord & Tenant - Summary Proceeding - Possession Conferring Jurisdiction); cited in, South Ferry Bldg. Co. v 44 Wall Street Fund, Inc., 142 Misc2d 54, 535 NYS2d 685(NY Civ Ct, 1988); cited in, Eight Cooper Equities v Abrams, 143 Misc2d 52, 539 NYS2d 673(NY Sup Ct, 1989); cited in, Mitchell v City of New York, 154 Misc2d 222, 584 NYS2d 277(NY Civ Ct, 1992); cited in, People v Richards, 152 Misc2d 775, 578 NYS2d 380(NY Sup Ct, 1991).
73. Pasamanick v 104 Camera World Inc., NYLJ, 10-4-83, p. 7, col. 3, 116 Misc2d 972, 456 NYS2d 977 (Civ Ct, NY Co, 1982) (Small Claims Court)(Arbitration); cited in, Special Procedures Apply to Enforcing Judgments in Small Claims Courts, 71 Jan NY St BJ 28(1999).
74. Pamela Equities Corp. v Louis Frey Co., NYLJ, 10-5-83, p. 14, col. 4 (Decision of Interest), 120 Misc2d 281, 465 NYS2d 659 (Civ Ct, NY Co, 1983) (Landlord & Tenant - Discovery); cited in, Pagano v Cohen, 190 Misc2d 308, 737 NYS2d 769 (AT, 2001); cited in, Mickenberg v Gabbriellini, 188 Misc2d 720, 729 NYS2d 567 (AT, 2001); cited in, Sharp v Feldman,159 Misc2d 494, 605 NYS2d 616 (NY Civ Ct, 1993); Rocconi v Strong, 132 Misc2d 190, 503 NYS2d 677 (NY Civ Ct, 1986).
75. 415 East 52nd Street Associates v Romaine, NYLJ, 12-12-83, p. 17, col. 6, 121 Misc2d 50, 467 NYS2d 165 (Civ Ct, NY Co, 1983) (Landlord & Tenant - Eviction Tenants' Refusal to Supply Duplicate Key); cited in, 111 Tenants Corp. v Stromberg, 168 Misc2d 1014, 640 NYS2d 1018 (NY Civ Ct, 1996); cited in, Landlord Sexual Harrassment: A Federal Remedy, 65 Temp L Rev 589 (1992).
76. Swiss Air Transport Co., Ltd. v Benn, NYLJ, 12-12-83, p. 16, col. 5, 121 Misc2d 129, 467 NYS2d 341 (Civ Ct, NY Co, 1983). Noted in the Travel Agent Magazine, Dec. 19, 1983; reported in 18 Avi. 17, 549;

- reversed NYLJ, 3-29-85, p. 11, col. 5, 128 Misc2d 657, 494 NYS2d 781 (AT 1) (Aviation - Air Carriers - Altered Airlines Tickets); cited in, Tort Adjudication And The Emergence of Artificial Intelligence Software, 21 Suffolk U L Rev 623 (1987).
77. Dempsey v Rosenthal, 121 Misc2d 612, 468 NYS2d 441 (Civ Ct, NY Co, 1983) (Sales - Merchantability - Dog); cited in, Nuijens v Novy, 144 Misc2d 453, 543 NYS2d 887 (NY Just Ct, 1989); cited in, Commercial Law, 41 Syracuse L Rev 125 (1990); cited in, Commercial Codification As Negotiation, 32 UC Davis L Rev 17 (1998).
78. Goodman v Skovran, 121 Misc2d 512, 468 NYS2d 321 (Civ Ct, NY Co, 1983) (Landlord & Tenant - Rent Regulation); cited in Jambes v Veale, 132 Misc2d 481, 504 NYS2d 982 (NY Civ Ct, 1986); cited in, Stein v Mauer, 130 Misc2d 619, 496 NYS2d 647 (NY Civ Ct, 1985).
79. N.Y.U. v Farkas, NYLJ, 12-13-83, p. 11, col. 1, 121 Misc2d 643, 468 NYS2d 808 (Civ Ct, NY Co, 1983); NYLJ, Real Estate Digest, 1-11-84, p. 4, col. 2; noted favorably by (AT 1) in Filali v Gronowicz, NYLJ, 11-19-85, p. 7, col 1; and Matter of Shore, NYLJ, 3-21-85, p. 14, cols. 1 and 2, 109 AD2d 842, 486 NYS2d 368 (AD2d) (Landlord & Tenant - Summary Proceedings - Disclosure); cited in, Lonray, Inc. v Newhouse, 229 AD2d 440, 644 NYS2d 900 (2<sup>nd</sup> Dept, 1996); cited in, Cox v J.D. Realty Associates, 217 AD2d 179, 637 NYS2d 27 (1<sup>st</sup> Dept, 1995); cited in, New York City Health and Hospitals Corp. v Local 2507 of Dist. Council 37 of American Federation of State, County, and Mun. Employees, 139 Misc2d 67, 526 NYS2d 999 (NY Sup Ct, 1988); cited in, West 16th Realty Co. v Ali, 176 Misc2d 978, 676 NYS2d 401 (NY Civ Ct, 1998); cited in, King Enterprises, Ltd. v O'Connell, 172 Misc2d 925, 660 NYS2d 283 (NY Civ Ct, 1997); J.D. Realty Associates v. Jorin, 166 Misc2d 175, 632 NYS2d 441 (NY Civ Ct, 1995); Benjamin Shapiro Realty Co. v. Henson, 162 Misc2d 1 (NY Civ Ct, 1994); cited in, Mitchell v. City of New York, 154 Misc2d 222, 584 NYS2d 277 (NY Civ Ct, 1992); cited in, Zirinsky v Violet Mills, Inc., 152 Misc2d 538, 578 NYS2d 88 (NY Civ Ct, 1991); cited in, 1675 Realty Co. v Quinones, 152 Misc2d 393, 576 NYS2d 995 (NY Civ Ct, 1991); cited in, London Terrace Gardens v Sacks, 149 Misc2d 292, 563 NYS2d 1017 (NY Civ Ct, 1990); cited in, Plaza Operating Partners Ltd. v IRM (U.S.A.) Inc., 143 Misc2d 22, 539 NYS2d 671 (NY Civ Ct, 1989); cited in, 65 Cent. Park West, Inc. v Greenwald, 127 Misc2d 547, 486 NYS2d 668 (NY Civ Ct, 1985); cited in, Park South Associates v Mason, 123 Misc2d 750, 474 NYS2d 672 (NY Civ Ct, 1984); cited in, McQueen v Grinker, 158 AD2d 355, 551 NYS2d 493 (1<sup>st</sup> Dept, 1990); cited in, 626 East 9 Street Housing Development Fund Corp. v Collins, 185 Misc2d 628, 712 NYS2d 261 (NY Civ Ct, 2000); cited in, Harris v Bigelow, 135 Misc2d 331, 515 NYS2d 176 (NY Civ Ct, 1987); cited in, The Application of the Fair Debt Collection Practices Act to Article 7 of the New York RPAPL, 74 St John's L Rev 451 (2000).
80. Boston Old Colony Ins. Co. v Tanya Casuals Ltd., 121 Misc2d 734, 468 NYS2d 838 (Civ Ct, NY Co, 1983) (Process - Service of Process).

81. Park South Assoc. v Daniels, 121 Misc2d 933, 469 NYS2d 319 (Civ Ct, NY Co, 1983) (Landlord & Tenant - Rent Regulation - Rights of Occupant Not Related to Tenant of Record); cited in, Langhorst v Guzzardo, 156 AD2d 272, 548 NYS2d 662 (1<sup>st</sup> Dept. 1989).
82. Brisbane House Inc. v Sims, 122 Misc2d 46, 469 NYS2d 561 (Civ Ct, NY Co, 1983); noted in NYLJ, Weekly Real Estate Law Digest, 3-14-84, p. 28, col. 2 (Condominiums and Cooperatives - Eviction of Shareholder - Necessity of Proving Underlying Charges in Court); cited in, Sherwood Village Co-op A, Inc. v Slovik, 134 Misc2d 922, 513 NYS2d 577 (NY Civ Ct, 1986).
83. East 55th Street Joint Venture v Litchman, 122 Misc2d 81, 469 NYS2d 1013 (Civ Ct, NY Co, 1983); affd, NYLJ, Nov 29, 1984, p. 10, col. 6; 126 Misc2d 1049, 487 NYS2d 256 (AT 1); feature article, NYLJ, 11-29-84, p. 1; featured case in NYLJ, Weekly Real Estate Law Digest, 2-6-85, p. 4, col. 1 (Landlord & Tenant - Rent Regulation - Recovery of Attorney's Fees by Prevailing Landlord); cited in, 119 Fifth Ave. Corp. v Berkhout, 134 Misc2d 963, 513 NYS2d 642 (NY Civ Ct, 1987); cited in, The Reunification of Contract Law: The Objective Theory of Consumer Form Contracts, 47 U Miami L Rev 1263 (1993).
84. Fiona Press, Inc., v Hewig and Marvic, Inc., 122 Misc2d 680, 471 NYS2d 530 (Civ Ct, NY Co, 1983) (Civ Ct - Jurisdiction - Unjust Enrichment Claim); cited in, Binderman v Kazdan, 145 Misc2d 628, 547 NYS2d 984 (NY Civ Ct, 1989); cited in, Tobet v New York City Transit Authority, 134 Misc2d 919, 512 NYS2d 770 (NY Civ, 1987).
85. Perrone v Porr, 117 Misc2d 565, 458 NYS2d 856 (Civ Ct, NY Co, 1983) (Trial - Adjournment).
86. Adler v Robson, Miller and Osserman, 121 Misc2d 411, 467 NYS2d 810 (Civ Ct, NY Co, 1983) (Costs - Transcription Costs).
87. Schrut v News America Pub. Inc., 123 Misc2d 845, 474 NYS2d 903 (Civ Ct, NY Co, 1984) (Copyrights - Jurisdiction - Action for Breach of Agreement Regarding Copyrighted Photograph); cited in, Maxey v. R.L. Bryan Co., Inc., 295 SC 334, 368 SE2d 466 (SC App, 1988); cited in, Arising Under Jurisdiction and the Copyright Laws, 44 Hastings LJ 337 (1993); Procd, Inc. v Zeidenberg: Section 301 Copyright Preemption of Shrinkwrap Licenses--A Real Bargain for Consumers?, 29 U Tol L Rev 117 (1997).
88. Greenview Trading Co., Inc. v Hershman & Leicher, P.C., NYLJ, 3-13-84, p. 5, col. 3; (Article), 123 Misc2d 152, 473 NYS2d 722 (Sup Ct, NY Co, Spec Term Part 1, 1984); featured article in The National Law Journal, Flaherty, "Two States Lay Claim to RICO," 5-7-84, p. 3, col. 1; cited approvingly in Ebnam Antique Rugs v N.Y. Marine Managers, Inc., NYLJ, 1-3-83, p. 14, col. 3 (Sup Ct, NY Co, Special Term Part 1); modified 108 AD2d 468, 489 NYS2d 502 (AD 1, 1985) (Courts - Jurisdiction - Civil Action under RICO Statute); cited in, Howard v Poseidon Pools, Inc., 133 Misc2d 43, 506 NYS2d 519 (NY Sup Ct, 1986); cited in, Ebnam Antique Rugs and Tapestries, Inc. v New York Marine Managers, Inc., 128

- Misc2d 84, 488 NYS2d 534 (NY Sup Ct, 1984); cited in, Simpson Elec. Corp. v Leucadia, Inc., 126 Misc2d 312, 481 NYS2d 627 (NY Sup Ct, 1984); cited in, Sedima, S.P.R.L. v Imrex Co., Inc., 496 F2d 482, 486 Fed Sec L Rep 91, (NY 2<sup>nd</sup> Cir, 1984); Hampton v Long, 686 FSupp 1202 (ED Tex, 1988); Kinsey v Nestor Exploration Ltd. - 1981A, 604 Fsupp 1364, Fed Sec L Rep 92 (ED Wash, 1985); cited in, A Rico You Can't Refuse: New York's Organized Crime Control Act, 53 Brook L Rev 979 (1988); cited in, RICO: The Insurers Fight Back, 21 Tort & Ins LJ 1 (1985); cited in, Civil RICO-Limitations in Limbo, 21 Willamette L Rev 683 (1985).
89. De Gregorio v CBS Inc., NYLJ, 4-16-84, p. 14, col. 3 (Decision of Interest), 123 Misc2d 491, 473 NYS2d 922 (Sup Ct, NY Co, Special Term Part 1, 1984) (Civil Rights - Right of privacy - Torts Intentional Infliction of Emotional Distress, etc.); cited in, Netzer v Continuity Graphic Associates, Inc., 963 Fsupp 1308, 235 Copr L Dec 27 (SDNY, 1997); cited in, Preston v Martin Bregman Productions, Inc., 765 FSupp 116, (SDNY, 1991); cited in, Anonsen v Donahue, 857 SW2d 700 (Tex App Hous, 1 Dist, 1993); cited in, Von Gerichten v Long Island Advance, 202 AD2d 495, 609 NYS2d 246 (2<sup>nd</sup> Dept, 1994); cited in, Love v. William Morrow and Co., Inc., 193 AD2d 586, 597 NYS2d 424 (2<sup>nd</sup> Dept, 1993); cited in, Han v State, 186 AD2d 536, 588 NYS2d 358 (2<sup>nd</sup> Dept, 1992); cited in, Royal Abstract Corp. v. Golenbock and Barell, 129 Misc2d 929, 494 NYS2d 613 (NY Sup Ct, 1985).; cited in, cited in, The Right to Solitude in the United States and Singapore: A Call For a Fundamental Reordering, 22 Loy LA Ent L Rev 443 (2002); cited in, Scowl Because You're on Candid Camera: Privacy and Video Surveillance, 31 Val U L Rev. 1079 (1997)' cited in, Identity Crisis: A Vision For the Right of Publicity in the Year 2020, 20 Colum--VLA JL & Arts 1 (1995).
90. Park South Associates v Mason, NYLJ, 5-3-84, p. 11, col. 4 (Decision of Interest), 123 Misc2d 750, 474 NYS2d 672 (Civ Ct, NY Co, 1984); featured in Apartment Law Insider and Weekly Real Estate Law Digest, NYLJ, 6-13-84; affd, NYLJ, 11-15-84, p. 6, col. 1 (AT 1) 126 Misc2d 945, 488 NYS2d 1020; mot. for lv to appeal (to AD 1) denied, NYLJ, 1-15-85, p. 6 col. 2, (AT1); leave to appeal (to AD1) denied, NYLJ, 2-20-85, p.11, col. 1 (AD 1) (Landlord & Tenant - Rent Regulation - Renewal Lease - Primary Residence); cited in, Hughes v. Lenox Hill Hosp., 226 AD2d 4, 651 NYS2d 418 (1<sup>st</sup> Dept, 1996); cited in, Cox v. J.D. Realty Associates, 217 AD2d 179, 637 NYS2d 27 1<sup>st</sup> Dept, 1995); cited in, Bruenn v Cole, 165 Ad2d 443, 568 NYS2d 351 1<sup>st</sup> Dept, 1991); cited in, Briar Hill Apartments Co. v Teperman, 165 AD2d 519, 568 NYS2d 50 (1<sup>st</sup> Dept, 1991); cited in, Kace Realty Co. v Levy, 130 Misc2d 858, 502 NYS2d 121 (AT, 1986); cited in, Madison Co. v Derderian, 130 Misc2d 200, 498 NYS2d 665 (AT, 1985); cited in, Ziess v Semenov, 126 Misc2d 917, 487 NYS2d 267 (AT, 1985); cited in, Wonko Realty Corp. v Estate of Dreisch, 150 Misc2d 1046, 572 NYS2d 276 (NY Civ Ct, 1991); cited in, Stein v Mauer, 130 Misc2d 619, 496 NYS2d 647 (NY Civ Ct, 1985); cited in, Tower 53 Associates v Bennett, 127 Misc2d 666, 487 NYS2d 299 (NY Civ Ct, 1985); cited in, Pamela Equities Corp. v Camp, 127 Misc2d 395, 486 NYS2d 149 (NY Civ Ct, 1985); cited in, Lufkin v Drago, 126 Misc2d 177, 481 NYS2d 850 (NY Civ Ct, 1984); cited in, Rocconi v Strong, 132 Misc2d 190, 503 NYS2d 677 (NY Ct, 1986).



91. Morrell & Co., The Wine Emporium v Richalan, NYLJ, 5-30-84, p.11, col. 3, n.o.r, (Decision of Interest) (Real Estate); featured in NYLJ, Weekly Real Estate Law Digest, 6-20-84, p. 4, col.1; modified, NYLJ, 12-13-84, p. 6, col. 1, 106 AD2d 270, 482 NYS2d 284 (1st Dept 1984).
92. Ciraldo v City of New York (Dept. of Finance), NYLJ, 6-5-84, p. 4, col. 3 (Decision of Interest), 123 Misc2d 602, 473 NYS2d 937 (Sup Ct, NY Co, Special Term Part 1, 1984) (Process - Service of Process); cited in, Fleisher v Crotty, 132 Misc2d 618, 504 NYS2d 974 (NY Sup Ct, 1986).
93. Barbaro v Citibank N.A., 123 Misc2d 662, 474 NYS2d 251 (Civ Ct, NY Co, 1984) (Banks and Banking - Deposit Slip as Receipt); cited in, Where is a Bank Account?, 57 Md L Rev 1 (1998).
94. Consolidated Edison Co. of N.Y. v 1297 Realty, NYLJ, 6-22-84, p. 13, col. 5, 123 Misc2d 827, 474 NYS2d 679; (Civ Ct, NY Co, 1984), (Jury - Right to Jury Trial - Trial de Novo following Compulsory Arbitration); cited in, Lehrman Kronick & Lehrman v Mancuso, 146 Misc2d 837, 552 NYS2d 533 (NY Civ Ct, 1990).
95. Axelrod v Various Tenants of Delano Village, NYLJ, 6-22-84, p. 13, col. 6, 123 Misc2d 922, 474 NYS2d 951 (Civ Ct, NY Co, 1984); featured in Apartment Law Insider and on 5-16-84; NYLJ, Weekly Real Estate Digest, p. 4, col. 1; (Landlord & Tenant - Rent Regulations - Federal Preemption of Federally Insured Subsidized Housing Projects); cited in, Mott v New York State Div. of Housing and Community Renewal, 211 AD2d 147, 628 NYS2d 712 (2<sup>nd</sup> Dept, 1995); cited in, Fairview Co. v Idowu, 148 Misc2d 17, 559 NYS2d 925 (NY Civ Ct, 1990); cited in, Dick v Strachan, 136 Misc2d 79, 517 NYS2d 894 (NY Civ Ct, 1987); Pleasant East Associates v Cabrera, 125 Misc2d 877, 480 NYS2d 693 (NH Civ Ct, 1984).
96. Matter of Hickman v Christian, NYLJ, 6-25-84, p. 13, col. 4; n.o.r. (Supreme Ct., NY Co, Spec. Term, Part 1, 1984) (Landlord & Tenant/Non-Desirability).
97. Forty Exchange Place Co. v Cohen, NYLJ, 7-2-84, p. 15, col. 4 (Decision of Interest), 125 Misc2d 475, 479 NYS2d 628 (Civ Ct, NY Co, 1984); cited extensively in 1985 Session Laws, Pamphlet No. 5, August 1985, Recommendation to the Law Revision Commission of the 1985 Legislature Relating to Mitigation of Damages under a Real Estate Lease (Torts - Interference with Contractual Relations - Lease) (Landlord & Tenant - Bad Faith Breach of Contract); cited in, Rubin v. Dondysh, 146 Misc2d 37, 549 NYS2d 579 (NY Civ Ct, 1989); cited in, Telerate Systems, Inc. v Caro, 689 FSupp 221, 8 USPQ2d 1740 (SDNY, 1988); All State Vehicles v Allstate Ins. Co., 620 FSupp 444 (SDNY, 1985); Fanarjian v Moskowitz, 237 NJ Super 395, 568 A2d 94 (AD, 1989).
98. Beachum v Koch, NYLJ, 7-3-84, p. 6, col. 1, n.o.r. (Decision of Interest) (Sup Ct, NY Co, Special. Term, Part 1, 1984) (Administrative Law/Laches).

99. Horn Waterproofing Corp. v Excelsior 57th Corp., NYLJ, 7-24-84, p. 6, col. 2, n.o.r (Decision of Interest) (Sup Ct, NY Co, Special Term Part 1, 1984); affd, NYLJ, 12-10-84, p. 12, col. 5 (AD 1). (Arbitration Issue).
100. Roman v McGuire, 123 Misc2d 1027, 475 NYS2d 222 (Sup Ct, NY Co, Special Term Part 1, 1984) (Searches & Seizures - Warrantless Search & Seizure - Admissibility of Items Seized at Civil Disciplinary Proceeding); cited in, Boyd v Constantine, 180 AD2d 186, 586 NYS2d 439 (4<sup>th</sup> Dept, 1992); cited in, Whitaker v. Prince George's County, 307 Md 368, 514 A2d 4 (1986).
101. Pasent Realty Co. v Sachellaridou, NYLJ, 12-27-84, p.6, col. 4, n.o.r. (Civ Ct, NY Co, Part 52, 1984) (Real Estate); affd, NYLJ, 12-5-84, p. 6, col. 3 (AT 1); featured in NYLJ, Weekly Real Estate Law Digest, 5-16-84, p. 4, col. 2.
102. Cais v Pichler, 123 Misc2d 275, 473 NYS2d 719 (Civ Ct, NY Co, 1984); cited in Siegel, New York Practice, 1985 Pocket Part Section 508; cited also in Siegel; Practice Commentaries, McKinney's Consolidated Laws of New York, Book 7B, CPLR 5222:11, Supplement p. 40 (Execution - Notification of Seizure); cited in, People v. Cobb, 172 Misc2d 851, 661 NYS2d 903 (AT, 1997).
103. Ansonia Assoc. v Pearlstein, 122 Misc2d 566, 471 NYS2d 527 (Civ Ct, NY Co, 1984) (Landlord & Tenant - Summary Proceedings); cited in, Glenbriar Co. v Nesbitt, 174 Misc2d 457, 665 NYS2d 1014 (NY Civ Ct, 1997); cited in, 780 P.P. Associates v Roth, 145 Misc2d 428, 546 NYS2d 806 (NY Civ Ct, 1989); Associated Blind Housing Development Fund Corp. v Katz, 161 AD2d 512, 555 NYS2d 802 (1<sup>st</sup> Dept, 1990); cited in, Bronx Dist. Atty. v Jackson, 173 Misc2d 676, 662 NYS2d 984 (AT, 1997); Spirer v. Adams, 144 Misc2d 903, 545 NYS2d 504 (NY Civ Ct, 1989); cited in, Harris v Timecraft Industries, Inc., 132 Misc2d 386, 503 NYS2d 987 (NY Civ Ct, 1986).
104. Travelers Indemnity Co. v Velez, 124 Misc2d 226, 476 NYS2d 48 (Sup Ct, NY Co, Special Term, Part 1, 1984) (Insurance).
105. Bernstein v Independence Properties Corp., 124 Misc2d 270, 476 NYS2d 251 (Civ Ct, NY Co., Special Term, Part 1, 1984) (Interpleader).
106. Bockian v Esanu Katsky, et. al, 124 Misc2d 607, 476 NYS2d 1009 (Sup Ct, NY Co., Special Term, Part 1, 1984) (Torts - Attorney's Liability for Acts of Process Server); cited in, Kleeman v Rheingold, 81 NY2d 270, 598 NYS2d 149 (NY Ct of App, 1993); cited in, Balzano v Lublin, 162 AD2d 252, 556 NYS2d 610 (1<sup>st</sup> Dept, 1990); cited in, Kleeman v. Rheingold, 148 Misc2d 853, 562 NYS2d 915 (NY Sup Ct, 1990); cited in, Feldman v Upton, Cohen & Slamowitz, 190 Misc2d 637, 740 NYS2d 790 (NY Dist Ct, 2002); cited in, Kleeman v Rheingold, 185 AD2d 118, 585 NYS2d 733 (1<sup>st</sup> Dept, 1992); Kersten v Van Grack, Axelson & Williamowsky, P.C., 92 MdApp 466, 608 A2d 1270, (Md App, 1992; cited in, Do Your Clients' Confidences Go Out The Window When Your Employees Go Out The

- Door?, 42 Hastings LJ 1667(1991); cited in, Kleeman v Rheingold: There Are No Small Mistakes - A Process Server's Negligence Leads to the Creation of a Nondelegable Duty, 15 Pac L Rev 871 (1995).
107. Georgette Ghica Designs v Bonanza Trucking, 124 Misc2d 1029, 478 NYS2d 531 (Sup Ct, NY Co, Special Term Part 1, 1984) (Dismissal and Nonsuit - Want of Prosecution).
108. 31 West 21 Street Assoc. v Evening of the Unusual, 125 Misc2d 661, 480 NYS2d 816 (Civ Ct, NY Co, Part 53, 1984) (Landlord & Tenant - Summary Proceedings - Use of Commercial Premises for Illegal Purposes); cited in, Recreational Developments of Phoenix, Inc. v City of Phoenix, 83 FSupp2d 1072 (D Ariz, 1999); cited in, State v Long, 14 Fla L Weekly 824, 544 So2d 219 (Fla App, 2 Dist, 1989); cited in, City of New York v. 580 Bar Corp., 278 AD2d 40, 717 NYS2d 524 (1<sup>st</sup> Dept, 2000); cited in, Another Look at Economic Substantive Due Process, 1987 Wis L Rev 265 (1987).
109. Beauvallon Corp. v The Second Presbyterian Church, NYLJ, 10-17-84, p. 6, col. 3 n.o.r. (Decision of Interest) (Real Estate); featured in NY Magazine, 10-22-84, p. 15; featured in NYLJ, Weekly Real Estate Law Digest, 11-7-84; affd, NYLJ, 6-7-85, p. 12, col. 5, 111 AD2d 1882, 491 NYS2d 216 (AD 1).
110. Spiegel Novelty Co. Inc. v Bankers Trust Co., NYLJ, 10-24-84, p. 11, col. 1 (Article); feature article NYLJ, same day, p. 1, col. 3; n.o.r. (Letters of Credit) (Sup Ct, NY Co., Special Term Part 1, 1984); cited in Chiat/Day Inc. Advertising v Rouhollah Kalimian, NYLJ, 1-8-85, p. 1; discussed in International Financial Law Review, February 1985, "Letters of Credit," p. 38.
111. River Arts Apartments, Inc. v LeTam Realty Corp., NYLJ, 10-31-84, p. 11, col. 3, n.o.r. (Decision of Interest) (Sup Ct, NY Co, Special Term, Part 1, 1984) (Agency Law).
112. Mubarez v G-T Properties Associates, NYLJ, 11-2-84, p. 6, col. 2, n.o.r. (Decision of Interest) (Real Estate) (Sup Ct, NY Co., Special Term, Part 1, 1984); noted in NYLJ Weekly Real Estate Law Digest, 11-21-84, p. 4, col. 2.

113. Under 21 Catholic Home v City of New York, NYLJ, 11-19-84, p. 14, col. 4, (Special Term, Part 1, 1984); 126 Misc2d 629, 481 NYS2d 632 (Sup Ct, NY Co.). In this case, I upheld a Board of Estimate resolution forbidding discrimination in hiring based on sexual preference (i.e., homosexuality), in connection with certain social service projects involving the use of municipal funds. This case attracted wide attention in the press, television and radio. See e.g., NYLJ, 11-16-84, Writ Denied To Upset Ban on Gay Job Bias, p. 5, col. 2; NY Post, Banner Headline, 11-15-84 (late Ed.), Story p. 5, NY Daily News, 11-16-84, p. 22; NY Times, 11-16-84, p. B. 3; Newsday (NY Ed.), 11-16-84, p. 4; NY Times, Sunday, 11-18-84, Sec. 4, The Week in Review, p. E9, col. 4; NY Times, 12-14-84, p. A1 (Civil Rights - Discrimination Based on Sexual Preference - Homosexuality). Opinion selected for summarization in West Publishing Company's "Judicial Highlights", January 1985, p. 2; feature article); cited in, Assessing Children's Best Interests When A Parent Is Gay or Lesbian: Toward a Rational Custody Standard, 32 UCLA L Rev 852 (1985); cited in, a Proposal to Ban Sexual Orientation Discrimination in Private Employment in Vermont, 15 Vt L Rev 435 (1991).
114. The Stock Shop Inc. v Bozell & Jacobs Inc., NYLJ, 11-27-84, p. 6, col. 1 (Decision of Interest), 126 Misc2d 95, 481 NYS2d 269 (Sup Ct, NY Co, Special Term Part 1 (Damages - Liquidated Damages)); cited in, Comind, Companhia de Seguros v Sikorsky Aircraft Div. of United Technologies Corp., 1988 AMC 1091, 116 FRD 397 (D Conn, 1987); cited in, Grossinger Motorcorp, Inc. v American Nat. Bank and Trust Co., 240 Ill App3d 607, NE2d 1337 (Ill App 1 Dist, 1992); cited in, Liquidated and Limited Damages and the Revision of Article 2: An Opportunity to Rethink The U.C.C.'s Treatment of Agreed Remedies, 27 Idaho L Rev. 427(1991); cited in, Damages in Breach of Contract Cases, 76 Mich B J 1068 (1997); cited in, Contractually Limiting Liability, 72 Mich B J 546 (1993); cited in, Liquidated Damages under the Uniform Commercial Code, 41 Sw L J 1083 (1988); cited in, The Standby Letter of Credit And The Unsecured or Underliquidated Damages Clause, 9 U Bridgeport L Rev 241 (1988); cited in, Mortgage Prepayment Clauses: An Economic And Legal Analysis, 40 UCLA L Rev 851 (1993); cited in, The Myth That Promises Prefer Supracompensatory Remedies: an Analysis of Contracting For Damage Measures, 100 Yale L J 369 (1990).
115. Cerisoles v Usinor Steel Corporation, NYLJ, 11-30-84, p. 4, col. 5, n.o.r. (Decision of Interest) (Sup Ct, NY Co, Special Term, Part 1, 1984); affd NYLJ, 6-20-85, p. 4, col. 4 (AD 1); 111 AD2d 1081; mot. for leave to appeal to Ct of Appeals denied, NYLJ, 11-25-85, p. 5, col. 2; 66 NY2d 604 (Ct of Appeals) (Employment/Contracts).

116. Futterman v South African Airways, NYLJ, 12-14-84, p. 7, col. 6 (Sup Ct, NY Co, Special Term Part 1, 1984); featured in NYLJ, Weekly Real Estate Law Digest, 12-12-84, p. 4, col. 1, 126 Misc2d 90, 481 NYS2d 283; affd, NYLJ, 1-6-86, p. 6, col. 3 (AD 1) (Landlord & Tenant - Option to Renew Sublease) 116 AD2d 1048; cited in, Regional Pacesetters, Inc. v Eckerd Drugs of Georgia, Inc., 183 Ga App 196, 358 SE2d 481 (Ga App, 1987); cited in, Middle Village Associates v Pergament Home Centers, Inc., 184 Misc2d 552, 708 NYS2d 840 (NY Sup Ct, 2000); cited in, Revisiting Rejection: Secured Party Interests in Leases and Executory Contracts, 103 Dick L Rev 497 (1999); cited in, Right of Sublessee to Enforce Options in Sublease May Be Dependent Upon Exercise by Sandwich Lessor of Corresponding Options in Prime Lease, SA81 ALI-ABA 429 (1996); cited in, Right of Sublessee to Enforce Options in Sublease May Be Dependent Upon Exercise by Sandwich Lessor of Corresponding Options in Prime Lease, C121 ALI-ABA 457 (1995); cited in, Right of Sublessee to Enforce Options in Sublease May Be Dependent Upon Exercise by Sandwich Lessor of Corresponding Options in Prime Lease, C908 ALI-ABA 577 (1994); cited in, Right of Sublessee to Enforce Options in Sublease May Be Dependent Upon Exercise by Sandwich Lessor or Corresponding Options in Prime Lease, C845 ALI-ABA 407 (1993).
117. Cable Films v Ampro Video Productions, NYLJ, 12-27-84, p. 6, col.3; 125 Misc2d 874, 480 NYS2d 458 (Civ Ct, NY Co., Part 33, 1984) (Arbitration - Compulsory Arbitration - Right to Trial de Novo); cited in, Finamore v Huntington Cardiac Rehabilitation Ass'n, 150 AD2d 426, 541 NYS2d 36 (2<sup>nd</sup> Dept, 1989); cited in, Mandatory Arbitration of Civil Cases, 18 Westchester B J 113 (1991).
118. Brafman v Houghton-Mifflin Company, NYLJ, 12-28-84, p. 6, col. 3, n.o.r. (Supreme Court, N.Y. Co., Special Term Part 1, 1984) (Libel); cited in NY Post, 12-27-84, p. 6.
119. Lufkin v Drago, 126 Misc2d 177, 481 NYS2d 850 (Civ Ct, NY Co, 1984); feature case in January 1985, Apartment Law Insider, p. 1; affd, 129 Misc2d 1108, 498 NYS2d 334 (AT1, 1985), mot. for leave to appeal (from AT1) denied, NYLJ, 3-6-86, p. 6, col. 12 (AD1) (Landlord & Tenant - Primary Residence - Unauthorized Occupancy by Subtenant); cited in, Stahl Associates Co. v State Div. of Housing and Community Renewal, Office of Rent Admin., 148 AD2d 258, 542 NYS2d 982 (1<sup>st</sup> Dept, 1989); cited in, 45th Street Associates v. Spence, 180 Misc2d 93, 689 NYS2d 355 (AT, 1999); cited in, 444 W. 54th Street Tenants Assoc. v Costello, 138 Misc2d 5, 523 NYS2d 374 (NY Civ Ct, 1987); cited in, Stein v Mauer, 130 Misc2d 619, 496 NYS2d 647 (NY Civ Ct, 1985); cited in, Pamela Equities Corp. v Camp, 127 Misc2d 395, 486 NYS2d 149 (NY Civ Ct, 1985); cited in, Tuckahoe Road Partnership v. Giananti, 135 Misc2d 780, 516 NYS2d 838 (NY Civ Ct, 1987); cited in, G. Warhit Real Estate, Inc. v Krauss, 127 Misc2d 845, 487 NYS2d 484 (NY Dist Ct, 1985); cited in, New York City Housing Authority v Velazquez, 191 Misc2d 15, 740 NYS2d 549 (AT, 2001).

120. Trustees of Columbia University v Lefkowitz, 126 Misc2d 319, 482 NYS2d 669 (Civ Ct, NY Co, 1984) (Landlord & Tenant - Rent Regulation - Notice of Intent Not to Renew Lease - Exemptions).
121. Silver v Wycombe Meyer & Co., Inc., 124 Misc2d 717, 477 NYS2d 288 (Civil Ct., N.Y. Co., 1984); affd, NYLJ, 10-4-85, p. 11, col. 5 (AT 1), 130 Misc2d 227 (Sales - Risk of Loss); cited in, The Risk of Loss in Electronic Transactions: Vintage Law For 21st Century Consumers, 6 Va J L & Tech 15 (2001).
122. Ruppert House Co. Inc. v Altmann, 127 Misc2d 115, 485 NYS2d 472, (Civ Ct, NY Co, 1984); appeared in NYLJ, Weekly Real Estate Law Digest, 2-27-85, p. 4, col. 1 (Stipulations); cited in, Noble v O'Leary, 165 Misc2d 231, 628 NYS2d 930 (NY Sup Ct, 1995); cited in, 520 East 86th Street, Inc. v Leventritt, 127 Misc2d 566, 486 NYS2d 854 (NY Civ Ct, 1985).
123. Jones v NYCTA, NYLJ, 1-7-85, p.13, col. 1, 126 Misc2d 585, 483 NYS2d 623 (Civ Ct, NY Co, Part 33, 1984) (Blind juror); cited in, Com. v. Susi, 394 Mass 784, 477 NE2d 995 (Mass, 1985); cited in, Galloway v Superior Court of District of Columbia, 61 USLW 2568, 816 Fsupp (DDC, 1993); cited in, Jury Duty for the Blind in the Time of Reasonable Accommodations: The ADA's Interface With a Litigant's Right to a Fair Trial, 32 Creighton L Rev 849 (1999); cited in, Equal Protection and a Deaf Person's Right to Serve as a Juror, 17 NYU Rev L & Soc Change 81 (1990); cited in, The Disability-based Peremptory Challenge: Does it Validate Discrimination Against Blind Prospective Jurors?, 25 KY L Rev 531 (1998); cited in, Peremptory Challenges: the Last Barrier to Jury Service for People with Disabilities, 33 Willamette L Rev 1 (1997).
124. Gintzler v Schwarz, NYLJ, 1-31-85, p. 5, col. 1 (Decision of Interest), 126 Misc2d 491, 482 NYS2d 986 (Sup Ct, NY Co, Special Term, Part 1, 1984) (Process - Substituted Service - Due Diligence).
125. Radio City Music Hall Productions, Inc. v NYPD, NYLJ, 1-28-85, p. 13, col. 2 (Decision of Interest), 126 Misc2d 197, 481 NYS2d 612 (Sup Ct, NY Co, Special Term, Part 1, 1984); affd, NYLJ, 6-12-86, p. 7 col. 1, 121 AD2d 230, 503 NYS2d 722 (Disclosure - Discovery and Inspection); cited in, Deborah S. v Diorio, 153 Misc2d 708, 583 NYS2d 872 (NY Civ Ct, 1992).
126. Siegfried v Madell, NYLJ, 1-22-85, p. 15, col. 4, n.o.r. (Decision of Interest) (Special Term, Part 1, 1984) (Torts-Physician's Behavior Toward Patient).
127. Struna v Wolf, NYLJ, 2-7-85, p. 7, col. 2, 126 Misc2d 1031, 484 NYS2d 392 (Sup Ct, NY Co, Special Term Part 1, 1984) (Negligent Appraisal of Art); cited in, Sadtler v Jackson-Cross Co., 402 Pa Super 492, 587 A2d 727 (Pa Super, 1991); cited in, Copyright Royalties for Visual Artists: A Display-based Alternative to the Droit De Suite, 76 Cornell L Rev 510 (1991); cited in, Rembrandt Portraits: Economic Negligence in Art

- Attribution, 44 UCLA L Rev 1947 (1997); cited in, The Content of Museum Catalogues and Other Questions of Authenticity: When Can Museums Be Held Liable?, C794 ALI-ABA 413 (1993).
128. Pamela Equities Corp. v Camp, NYLJ, 3-5-85, p. 11, col. 1, (Article), p. 1, col. 2 (Decision), 127 Misc2d 395, 486 NYS2d 149, (Civ Ct, NY Co, Part 49, 1985); Weekly Real Estate Law Digest, NYLJ, 4-3-85, p. 6, col. 1 (Primary Residence; Subletting).
129. Maxwell v Cole, NYLJ, 3-11-85, p. 13, col. 1, (Article), 126 Misc2d 597, 482 NYS2d 1000, (Sup Ct, NY Co, Special Term, Part I, 1984) (Medical Malpractice); cited in, Mozingo by Thomas v Pitt County Memorial Hosp., Inc., 331 NC 182, 415 S.E.2d 341, (NC, 1992); Lownsbury v VanBuren,<sup>94</sup> Ohio St3d 231, 762 NE2d 354 (OH, 2002); cited in, Rivera v Prince George's County Health Dept., 102 Md App 456, 649 A2d 1212, (Md App, 1994); cited in, Latiff by Latiff v Wyckoff Heights Hosp., 144 AD2d 650, 535 NYS2d 2 (2<sup>nd</sup> Dept, 1988); cited in, Ellis v Brookdale Hosp. Medical Center, 122 AD2d 19, 504 NYS2d 189 (2<sup>nd</sup> Dept, 1986); cited in, Litigation in Medical Education: Retrospect And Prospect, 11 J Contemp Health L & Pol'y 317 (1995); cited in, Professional Liability in Postgraduate Medical Education; Who is Liable for Resident Negligence?, 15 J Legal Med 485 (1994); Liability in the Absence of a Traditional Physician-Patient Relationship: What Every "On Call" Doctor Should Know: Mozingo v Pitt County Memorial Hospital, 28 Wake Forest L Rev 747 (1993).
130. City of New York v Mississippi Holding Ltd., NYLJ, 3-12-85, p. 7, col. 4, 126 Misc2d 865, 483 NYS2d 956 (Civ Ct, NY Co, Part 52, 1984); NYLJ, Weekly Real Estate Law Digest 4-10-85, p. 4, col. 1 (Summary Proceedings; Jurisdiction); cited in, New York Overnight Partners, L.P. v Gordon, 217 AD2d 20, 633 NYS2d 288 (1<sup>st</sup> Dept, 1995).
131. West Coast Co. v Grafi, 127 Misc2d 49, 485 NYS2d 197, (Civ Ct, NY Co., Part 52, 1985) [prior order pending/CPLR 3211(a)(4)] (Landlord & Tenant).
132. 65 Central Park West Assoc. Inc. v Greenwald, NYLJ, 3-15-85, p. 12, col. 2 (Article), 127 Misc2d 547, 486 NYS2d 668, (Civ Ct, NY Co, Part 49, 1985); Weekly Real Estate Law Digest, NYLJ, 4-10-85, p. 4, col. 1 (Primary Residence, Nursing Home); cited in, Cox v J.D. Realty Associates, 217 AD2d 179, 637 NYS2d 27 (1<sup>st</sup> Dept, 1995); cited in, Parras v Ricciardi, 185 Misc2d 209, 710 NYS2d 792 (NY Civ Ct, 2000); cited in, Plaza Operating Partners Ltd. v IRM (U.S.A.) Inc., 143 Misc2d 22, 539 NYS2d 671 (NY Civ Ct, 1989); 444 W. 54th Street Tenants Assoc. v Costello, 138 Misc2d 5, 523 NYS2d 374 (NY Civ Ct, 1987); cited in, Soybel v Gruber, 132 Misc2d 343, 504 NYS2d 354 (NY Civ Ct, 1986); cited in, Resolution Trust Corp. v Diamond, 18 F3d 111 (2<sup>nd</sup> Cir, [NY] 1994); cited in, Brosnan v. Behette, 243 AD2d 524, 664 NYS2d 560 (2<sup>nd</sup> Dept, 1997); Katz v. Gelman, 177 Misc2d 83, 676 NYS2d 774 (AT, 1998).
133. Luisi v JWT Group Inc., NYLJ, 4-11-85, p. 6, col. 6 (Decision of Interest), 128 Misc2d 291, 488 NYS2d 554 (Sup Ct, NY Co, Special Term,

- Part I, 1985); discussed in Advertising Age, 3-21-85, p. 3 "Luisi Wins Libel Round;" Advertising Age, 3-25-85, p. 2 "'Scapegoat Luisi sues JWT on Libel;" Ad Week, 3-25-85, p. 3 "22 Luisi Suit Proceeds vs. JWT, Johnston"; affd, NYLJ, 2-6-86, p. 6, col. 4 (AD 1) (Libel and Slander); cited in, Netzer v. Continuity Graphic Associates, Inc., 963 FSupp. 1308 (SDNY, 1997); cited in, Giuntoli v. Garvin Guybutler Corp., 726 Fsupp 494 (SDNY, 1989); cited in, Gallagher v. Ashland Oil, Inc., 183 AD2d 1033, 583 NYS2d 624 (3<sup>rd</sup> Dept, 1992); cited in, Lawless v City of Buffalo, 177 AD2d 1007, 578 N.Y.S.2d 27 (4<sup>th</sup> Dept, 1991); cited in, Smith v New York State Elec. and Gas Corp., 155 AD2d 850, 548 NYS2d 117 (3<sup>rd</sup> Dept, 1989); cited in, Obsoluate on its Face: The Libel per Quod Rule, 45 Ark L Rev 1 (1992); cited in, Employment At-Will in the Second Circuit, 52 Brook L Rev 913 (1986).
134. Kolbert v Clayton, NYLJ, 4-12-85, p. 1, col. 2 (Article); Weekly Real Estate Law Digest, NYLJ, 5-1-85, p. 42, col. 3, 127 Misc2d 1036, 487 NYS2d 995 (Civ Ct, NY Co, 1985) (Treble Damages; Rent Overcharge); cited in, Crimmins v Handler & Co., 249 AD2d 89, 671 NYS2d 469 (1<sup>st</sup> Dept, 1998).
135. Tower 53 Associates v Bennett, NYLJ, 4-24-85, p. 4, col. 2; (Weekly Real Estate Law Digest), 127 Misc2d 666, 487 NYS2d 299 (Civ Ct, NY Co, 1985) NYLJ, 5-2-85, p. 7, col. 6 (Article); NYLJ, 5-6, 1985, p. 14, col. 1 (Decision); General Business Law Section 352 [eeee] [2] [c] [i]; Co-ops; Non-eviction Plan/Primary Residence); reversal on legal grounds that were not the law at time of original decision, NYLJ, 10-2-86, p.5, col.3 (AT 1); 133 Misc2d 801, 509 NYS2d 695; cited in, 224 East 18th Street Associates v Sijacki, 138 Misc2d 494, 524 NYS2d 964 (NY Civ Ct, 1987); cited in, Tuba Corp. v Laurence S. Freundlich, Inc., 128 Misc2d 337, 489 NYS2d 834 (NY Civ Ct, 1985).
136. Baxter v Captain Crow Management Inc., NYLJ, 5-8-85, p. 11, col. 2 (Decision of Interest), 128 Misc2d 254, 487 NYS2d 997 (Sup Ct, NY Co, Special Term, Part I 1985) (Co-ops, Loft Law); cited in, Eastern Pork Products Co. v New York State Div. of Housing and Community Renewal, 187 AD2d 320, 590 NYS2d (1<sup>st</sup> Dept, 1992); cited in, Carcione v Rizzo, 154 Misc2d 13, 593 NYS2d 152 (AT, 1992); cited in, Suraci v Mucktar, 187 Misc2d 848, 725 NYS2d 155 (NY Civ Ct, 2000); cited in, 483 Court Street Assoc. v. Lunghi, 129 Misc2d 1044, 496 NYS2d 644 (NY Civ Ct, 1985).
137. 520 E. 86th Street Inc. v Leventritt, NYLJ, 5-22-85, p. 7, col. 4, 127 Misc2d 566, 486 NYS2d 854 (Civ Ct, NY Co. 1985) (Landlord & Tenant; Conditional Limitation); cited in, Seamans Family Ltd. Partnership v Kennedy, 177 Misc2d 345, 675 NYS2d 489 (NY Civ Ct, 1998); cited in, Law v Franco, 180 Misc2d 737, 690 NYS2d 893 (NY Sup Ct, 1999); cited in, Saada v Master Apts. Inc., 152 Misc2d 861, 579 NYS2d 536 (NY Sup Ct, 1991).
138. Stitham v City of N.Y. (Dept of Probation), 127 Misc2d 906, 487 NYS2d 523 (Sup Ct, NY Co, Special Term, Part I, 1985) (Crimes - Sentence - Probation).



139. Flum v Goldman Band Concerts Inc., 128 Misc2d 42, 487 NYS2d 1015 (Civ Ct, NY Co, Part 33 1985) (De Novo Review); cited in, Valler v Lee, 949 P2d 51, 190 Ariz. 391 (Ariz App Div 2, 1997); cited in, Brenhouse v Anthony Industries, Inc., 156 AD2d 411, 548 NYS2d 533 (2<sup>nd</sup> Dept, 1989); cited in, Brooklyn Caledonian Hosp. v Cintron, 147 Misc2d 498, 557 NYS2d 842 (NY Civ Ct, 1990); cited in, Allison v State Painting & Decorating Co., Inc., 141 Misc2d 797, 535 NYS2d 310 (NY Civ Ct, 1988); cited in, Mandatory Arbitration of Civil Cases, 18 Westchester B J 113 (1991).
140. Miller v Daub, (Feature Article), NYLJ, 8-6-85, p. 1, col. 3, p. 7, col. 6 (Decision), 128 Misc2d 1060, 492 NYS2d 703 (Civ Ct, NY Co, 1985); modified NYLJ, 1-23-87, p.7, col.3, 134 Misc2d 613, 513 NYS2d 583 (AT1, 1987) (Trial - Evidence - Admissibility of Deposition); cited in, Lawyers Need Detailed Knowledge of Rules for Using Depositions at Trial, 73-OCT NY St B J 27 (2001).
141. Asian Americans for Equality v Koch, NYLJ, 8-14-85, p. 1, col. 5 (Feature Article), p. 11, col. 6 (Decision); See also, NY Post, 8-7-85, p. 14, col. 2; NY Daily News, 8-7-85, p. 28, col. 1; Editorial on Decision, NY Post, 8-8-85, p. 34, col. 1; Cited in Dobkin, Smith & Tockman, "Symposium: Litigating and Legislating For Affordable Housing: Zoning for the General Welfare: A Constitutional Weapon for Lower-Income Tenants," XIII, NYU Rev of Law & Social Change (No. 4) (1984-1985) 911, 912, fn. 3; 129 Misc2d 67, 492 NYS2d 837 (Sup Ct, NY Co, Special Term, Part I, 1985); included in materials for "Local Government Law," course prepared by Prof. Kathleen Sullivan, Spring 1986, p. 732, The Harvard Law School; cited in Payne, From the Courts, 15 Real Estate Journal 62 (1986); cited and discussed in Nolan "Community Development Law NYLJ, 12-22-86, p.1, col.1 (et seq.); modified (AD 1) NYLJ, 5-7-87, p.13, col. 2 (3-2), NYLJ, 5-13-87, p. 1, et seq.; (Exclusionary Zoning - Failure to Provide for Low-Income Housing), 128 AD2d 99, 514 NYS2d 939, order of AD1; affd by Ct of Appeals, NYLJ, 7-15-88, p. 15, col. 5, 72 NY2d 121, 531 NYS2d 782; cited in, Chinese Staff and Workers Ass'n v City of New York, 69 NY2d 359, 509 NYS2d 499 (Ct of App, 1986); cited in, Rose v Village of Upper Nyack, N.Y., 669 F.Supp. 654 (SDNY, 1987); cited in, Northeast Sanitary Landfill, Inc. v South Carolina Dept. of Health and Environmental Control, 843 F.Supp. 100 (DSC, 1992); cited in, From Litigation to Legislation in Exclusionary Zoning, 22 Harv C R-C L L Rev 623 (1987); cited in, Land Use-exclusionary Zoning-community Displacement Within New York City Not Actionable under New York Constitution-Asian Americans for Equality v Roch, 72 NY2d 121, 531 NYS2d 782 (1988), 102 Harv L Rev 1092 (1989).
142. The Squash Club v The New York Athletic Club of the City of N.Y., NYLJ, 9-20-85, p. 11, col. 5 (Sup Ct, NY Co. Special Term, Part I); NYLJ, 9-20-85, p. 1, col. 2, n.o.r.; Feature Article; noted in New York Magazine, 9-23-85, p. 9, col. 2 "Intelligencer." (Article 78/Corporate Decision-Making).

143. Gintzler v Schwarz, (on reargument), 129 Misc2d 836, 494 NYS2d 649 (Sup Ct, NY Co, Special Term, Part I 1985) (Defamation); ; cited in, Reliance Audio Visual Corp. v Bronson, 141 Misc2d 671, 534 NYS2d 313 (NY Civ Ct, 1988); cited in, Reliance Audio Visual Corp. v Bronson, 141 Misc2d 671, 534 NYS2d 313 (NY Civ Ct, 1988).
144. Vaccaro v Squibb Corp., NYLJ, 10-18-85, p. 1, col. 2 (Article), p. 11, col. 5, n.o.r. (Decision), (Sup Ct, NY Co, Special Term, Part I 1985) (Products Liability; Collateral Estoppel).
145. Theronier v Chemical Bank, NYLJ, 11-1-85, p. 1, col. 3 (Article), p. 11, col. 4, n.o.r. (Decision), (Sup Ct, NY Co, Special Term, Part I 1985) (Attorney Negligence; privity rule); affd for reasons stated by Saxe, J., NYLJ, 4-2-87, p. 14, col. 2, 128 AD2d 485, 513 NYS2d 341.
146. MRS Realty Co. v Higbee, NYLJ, 11-7-85, p. 1, col. 2 (Article), p. 6, col. 2 (Decision) (Sup Ct, NY Co, Special Term, Part I 1985), 130 Misc2d 763, 497 NYS2d 221 (Rent Strike, tenant collecting rent; motion for a preliminary injunction); noted in NYLJ, Weekly Real Estate Law Digest; cited in, Law v Franco, 180 Misc2d 737, 690 NYS2d 893 (NY Sup Ct, 1999); cited in, Prebble v U.S., 838 FSupp 36 (NDNY 1993).
147. Samuels v American Cyanamid Co., et. al., NYLJ, 12-6-85, p. 12, col. 3 (Decision of Interest), 130 Misc2d 175, 495 NYS2d 1006 (Sup Ct, NY Co, Trial Term, Part 27A) (Products Liability: Juror Misconduct); cited in, Saari v Merck & Co., Inc., 961 FSupp 387 (NDNY, 1997); cited in, Lacy v G.D. Searle & Co., 567 A2d 398 Del Supr, 1989); cited in, Perez v Wyeth Laboratories Inc., 734 A2d 1245 (NJ, 1999); cited in, Niemiera by Niemiera v Schneider, 555 A2d 1112 (NJ, 1989); cited in, Glucksman v Halsey Drug Co., Inc., 141 Misc2d 637, 533 NYS2d 827 (NY Sup Ct, 1988); cited in, Raney v Owens-Illinois, Inc., 897 F2d 94 (2<sup>nd</sup> Cir, NY, 1990); cited in, National Childhood Vaccine Injury Compensation Program: Is This the Best we can do for our Children?, 63 Geo Wash L Rev 144 (1994); cited in, Advertising Prescription Drugs to Consumers: Assessing the Regulatory and Liability Issues, 32 Ga L Rev 141 (1997); cited in, The Learned Intermediary Doctrine: Some New Medicine for an Old Ailment, 81 Iowa L Rev 1007 (1996).
148. Seagrave Establishment, Inc. v Goldberg, NYLJ, 12-13-85, p. 12, col. 4 (Civ Ct, NY Co, Part 49), 130 Misc2d 467, 497 NYS2d 287; (re: Golub v Frank); cited in NYLJ, Weekly Real Estate Law Digest, 1-29-86, p. 4, col. 2.
149. Drier v Broadway Hats & Caps, Inc., NYLJ, 12-16-85, p. 12, col. 6, n.o.r. (Sup Ct, NY Co, Special Term, Part I 1985) (Sales Commission Agreement - Statute of Frauds - Quantum Merit).
150. Cie Noga, S.A. v Heather Financial Corp., 130 Misc2d 1086, 498 NYS2d 985 (Sup Ct, NY Co, Special Term, Part I 1985) (Security for Costs - Foreign Corporation).

151. European American Bank v Katz; Irving Trust Co. v Katz, NYLJ, 1-13-86, p. 1, col. 3 (Article), p. 6, col. 5 (Irving), p. 6, col. 6 (EAB) (Sup Ct, NY Co, Special Term, Part I 1986), n.o.r. (Order of Attachment-Preliminary Injunction).
152. Chase Manhattan Bank, N.A. v Hakimi, NYLJ, 1-16-86, p. 12, col. 5, n.o.r. (Supreme Court, N.Y. Co., Special Term, Part I 1986) (Decision of Interest) [Settlement of Note/U.C.C. Section 4-212(i)].
153. Cooky's Island Steak Pub. v Yorkville Elec. Co., NYLJ, 1-31-86, p. 1, col. 2 (Article), p. 12, col. 2 (Decision); (Sup Ct, NY Co, Special Term, Part I), 130 Misc2d 869, 497 NYS2d 1005 (Process - Service of Process - Pending Action); cited in, Rohany v State, 144 Misc2d 940, 545 NYS2d 513 (NY Ct Cl, 1989).
154. Jo & Wo Realty Corp. v City of New York, NYLJ, 2-5-86, p. 1, col. 2 (Article), p. 11, col. 4; (cited in Weekly Real Estate Law Digest, 4-9-86, p. 5, col. 1), n.o.r. (Real Estate); affd NYLJ, 4-24-86, p. 11, col. 1, 119 AD2d 1013, 501 NYS2d 547; lv to app. denied 68 NY2d 611, 510 NYS2d 1025 (1986).
155. Wayne Adams Corp. v Johnston, NYLJ, Weekly Real Estate Law Digest, 2-13-86, p. 4, col. 2; Apartment Law Insider, n.o.r. (Attorney's Bad Faith).
156. Newmark, Posner and Mitchell, Inc. v Hudson and Filiberti, NYLJ, 2-14-86, p. 1, (Lead Article), p. 14, col. 1, (Decision), n.o.r. (Sup Ct, NY Co, Special Term, Part I 1986) (Employment Law).
157. Stone v McLoughlin, NYLJ, 2-19-86, p. 11, col. 6; cited in NYLJ, Weekly Real Estate Law Digest, p. 4, col. 4, n.o.r. (Decision of Interest) (Sup Ct, NY Co, Special Term, Part I 1986) (Action for Brokerage Commission, Statute of Frauds).
158. Ballet Oklahoma v All Arts Agency Inc., NYLJ, 2-21-86, p. 12, col. 5, n.o.r. (Sup Ct, NY Co, Special Term, Part I 1986) (Arbitration).
159. Korn v Batista, NYLJ, 2-26-86, p. 11, col. 3 (Decision of Interest), 131 Misc2d 196, 499 NYS2d 325 (Sup Ct, NY Co, Special Term, Part I) (Lofts); affd 123 AD2d 526, 506 NYS2d 656 (1986 AD1); lv denied 69 NY2d 602, 512 NYS2d 1025.
160. 66 Madison Avenue Realty Associates v Prince George Co., NYLJ, 3-12-86, p. 28, col. 3, Weekly Real Estate Digest, n.o.r.; NYLJ, 1-10-86, p. 11, col. 5 (Decision of Interest) (Sup Ct, NY Co, Special Term, Part I 1986).
161. Hacken v The United Station, NYLJ, 3-21-86, p. 12, col. 4, n.o.r. (Decision of Interest) (Supreme Court, NY Co, Special Term, Part I 1986) (Statute of Frauds).

162. Panel Realty Co. v Barclay's Bank of N.Y., NYLJ, 4-1-86, p. 6, col. 3 cited in NYLJ, Weekly Real Estate Law Digest, 3-26-86, p. 4, col. 4, n.o.r. (Sup Ct, NY Co, Special Term, Part I 1986); affd for reasons stated by Saxe, J., NYLJ, 5-27-87, p. 14, col. 2, 130 AD2d 427, 514 NYS2d 1010.
163. Guillet v City of New York, NYLJ, 4-3-86, p. 7, col. 2, 131 Misc2d 578, 500 NYS2d 946; (Decision of Interest) (Hiking, Definition, Negligence); cited in, Coote v Niagara Mohawk Power Corp., 234 AD2d 907, 651 NYS2d 799 (4<sup>th</sup> Dept, 1996); cited in, Into the Wild: A Review of the Recreational Use Statute, 70-AUG NY St B J 22 (1998); cited in, Outdoor Sports and Torts: An Analysis of Utah's Recreational Use Act, 1988 Utah L Rev 47 (1988).
164. Gerney v Tishman Construction Corp., NYLJ, 4-9-86, p. 1, col. 2 (Article), p. 13, col. 5, n.o.r. (IAS Part 21, Sup Ct, NY Co, 1986) (Personal Injury/Discovery-Municipal Immunity).
165. Cohen v Brown, Harris, Stevens, Inc., NYLJ, 6-11-86, p. 11, col. 6 (Decision of Interest) (Supreme Co., N.Y. Co.), 132 Misc2d 85, 502 NYS2d 941; cited in NYLJ, Weekly Real Estate Law Digest, 6-23-86, p.4, col. 4 (Damages re: use and occupancy on month-to-month tenancy and co-op conversion); cited in, NY Co-op & Condo Law Insider, August 1986, p. 2; cited in, People v Racine, 132 AD2d 899, 518 NYS2d 458 (3<sup>rd</sup> Dept, 1987).
166. Santana v New York City Transit Authority, NYLJ, 6-23-86, p.1, col. 3 (Article), p. 11, col.2 (Decision) 132 Misc2d 777; 505 NYS2d 775 (Sup Ct, NY Co) (Trial Practice - "Spanglish"); cited in, Report of the Working Committees to the Second Circuit Task Force on Gender, Racial and Ethnic Fairness in the Courts, 1997 Ann Surv Am L 117 (1997); cited in, Protecting the Rights of Linguistic Minorities: Challenges to Court Interpretation, 30 New Eng L Rev 227 (1996); cited in, Understanding Testimony: Official Translation and Bilingual Jurors in Hernandez v New York, 23 U Miami Inter-Am L Rev 515 (1992); cited in, Inadequate Interpreting Services in Courts and the Rules of Admissibility of Testimony on Extrajudicial Interpretations, 48 U Miami L Rev 399 (1993); cited in, The Role of Counsel and the Courts in Addressing Foreign Language and Cultural Barriers at Different Stages of a Criminal Proceeding, 19 W New Eng L Rev 193 (1997).
167. Chiasson v New York City Department of Consumer Affairs, NYLJ, 6-30-86, p. 1 (Article), p. 14, col. 1 (Decision), 132 Misc2d 640, 505 NYS2d 499, (Sup Ct, NY Co) (Declaratory and Injunctive Relief re: Unconstitutionality of Zoning Resolutions involving Jazz Musicians); cited in, Incorporated Village of Hempstead v Jablonsky, 187 Misc2d 792, 724 NYS2d 808, (NY Sup Ct, 2001); cited in, Gigs: Jazz and the Cabaret Laws in New York City. Paul Chevigny. New York: Routledge, 27 Harv CR-CL L Rev 303 (1992).
168. Matter of Mahon v Ward, NYLJ, 7-11-86, p. 6, col. 3 (Article), n.o.r. (Article 78: dismissal of police officer because of misconduct and

- alcoholism); affd, NYLJ, 6-4-87, p. 14, col. 3, 131 AD2d 980, 515 NYS2d 941.
169. Rubin v Locust Taxi Co. Inc., NYLJ, 7-17-86, p.1, col.2, (Article of Interest), p.7, col. 2 (Decision), 133 Misc2d 297, 506 NYS2d 800 (Sup Ct, NY Co) (Trial Adjournments - IAS Rules).
170. Fleischer v Crotty, 132 Misc2d 618, 504 NYS2d 974 (Sup Co, NY Co 1986) (Article 78 proceeding re: tax assessments and service of notice of hearing).
171. Weinberg v Norson Realty Corp., NYLJ, 8-20-86, p.6, col. 1, (Decision of Interest); cited in NYLJ, Weekly Real Estate Digest, 10-22-86, p.4, col.4, 132 Misc2d 1055; 506 NYS2d 504 (Co-op; injunctive relief; illegal subletting); cited in, The Yellowstone Injunction, or "How to Vex Your Landlord Without Really Trying", 58 Brook L Rev 155 (1992).
172. Manolovici v 136 East 64th Street Associates, Order Sup Ct, NY Co, 9-6-85; reversed in part, modified in part, NYLJ, 8-11-86, p. 6, col. 3, 122 AD2d 649; order of (AD 1) reversed by Ct of Appeals, 70 NY2d 785, and order of Special Term reinstated: Decision noted in NYLJ, Weekly Real Estate Law Digest, 11-4-87, p. 4, col. 2, (Declaratory Judgment - Condominiums and Cooperatives/Right of Tenant in Occupancy to Purchase Shares).
173. Matter of O'Quinn v N.Y. State Board of Parole, 132 Misc2d 92, 503 NYS2d 483 (Sup Ct, NY Co, 1986) (Penal Law); cited in, Pierre v Rodriguez, 131 AD2d 763, 517 NYS2d 61 (2<sup>nd</sup> Dept, 1987); cited in, Aletras v Neubert, 727 FSupp 852, (SDNY, 1990).
174. Landsdown Entertainment Corp. v New York City Department of Consumer Affairs, NYLJ, 9-26-86, p.1, col. 2 (Article), p. 13, col. 2 (Decision), 133 Misc2d 206; 506 NYS2d 825 (Sup Ct, NY Co) (Pre-emption; State and local legislation); cited in New York Law Journal's Review of 1986, (Hochberger, p.1 et. seq.); modified NYLJ, 7-5-88, p.22, col. 6, 141 AD2d 468, 530 NYS2d 574; affd by Ct of Appeals, NYLJ, 7-13-89, pg 18, col 2; NYLJ, 7-14,-89, p. 25, col. 2 (Decision), 74 NY2d 761, 250 NYS2d 801; cited in, Lansdown Entertainment Corp. v New York City Dept. of Consumer Affairs, 74 NY2d 761, 545 NYS2d 82 (1989); cited in, Wittenberg v City of New York, 134 Misc2d 363, 511 NYS2d 492 (NY Sup Ct, 1987); cited in, Seawall Associates v City of New York, 134 Misc2d 187, 510 NYS2d 435 (NY Sup Ct, 1986).
175. New York Public Interest Research Group, Inc. v Governor's Advisory Commission, NYLJ, 10-22-86, p. 1, col. 2 (Article), p.12, col. 5 (Decision) (Sup Ct, NY Co), 133 Misc2d 613; 507 NYS2d 798; (Municipal Home Rule Law); affd 135 AD2d 1149, 523 NYS2d 21 (AD1 1987); lv denied 71 NY2d 964, 529 NYS2d 74 (Ct of Appeals, 1988); cited in, Poughkeepsie Newspaper Div. of Gannett Satellite Information Network v Mayor's Intergovernmental Task Force on New York City Water Supply Needs, 145 AD2d 65, 537 NYS2d 582 (2<sup>nd</sup> Dept, 1989); cited in, Goodson Todman Enterprises, Ltd. v Town Bd. of Milan, 151 Ad2d 642, 542 NYS2d 373 (2<sup>nd</sup>

- Dept, 1989); cited in, Smith v City University of New York, 241 AD2d 410, 661 NYS2d 599 (1<sup>st</sup> Dept, 1997); American Soc. for Prevention of Cruelty to Animals v Board of Trustees of State University of New York, 165 AD2d 561, 568 NYS2d 631 (2<sup>nd</sup> Dept, 1991).
176. Williams v Axelrod, NYLJ, 11-21-86, p. 6, col. 5 (Decision of Interest); 133 Misc2d 817; 508 NYS2d 371 (1986) (Article 78; Benefits to son cannot be cut off because of unruly mother); cited in, Clinical Scholarship: Improving the Practice of Law, 2 Clinical L Rev 385 (1996); cited in, The Antinomies of Poverty Law and a Theory of Dialogic Empowerment, 16 NYU Rev L & Soc Change (1988).
177. Matter of Perez (City of N.Y.), NYLJ, 12-15-86, p. 15, col. 3 (Decision), 133 Misc2d 1083, 509 NYS2d 289, (Sup Ct, NY Co) (Notice of Claim); cited in, Lurie v New York City Office of Comptroller, 154 Misc2d 950, 587 NYS2d (NY Civ Ct, 1992).
178. City of New York v Southern Associates, NYLJ, 12-17-86, p. 12, col. 2 (Decision), 134 Misc2d 10, 509 NYS2d 997 (Facade Law); cited in NYLJ, Weekly Real Estate Law Digest, 2-11-87, p. 4, col. 2 (Sup Ct, NY Co); affd NYLJ, 10-3-88, p. 21, col. 6, 143 AD2d 544; mot for lv to appeal to Ct of Appeals, denied, NYLJ, 3-30-89, p. 21 col. 4.
179. New York City Health & Hospitals Corp. v State of New Jersey, NYLJ, 12-18-86, p. 14, col. 5, n.o.r. (Decision)(Medicaid payments: Contracts between two state officials).
180. Seawall Associates v City of New York, NYLJ, 12-26-86, p. 10, col. 4, 134 Misc2d 187, 510 NYS2d 435; Decision widely reported in NY Post, 12-23-86, p. 19; Daily News, 12-23-86, p. 20, NY Times, 1-23-87 p. B1;(Constitutionality of SRO Law) (Sup Ct, NY Co); cited in, Seawall Associates v City of New York, 74 NY2d 92, 544 NYS2d 542 (1989); cited in, City of New York v 17 Vista Associates, 84 NY2d 299, 618 NYS2d 249 (1994); cited in, City of New York v 17 Vista Associates, 153 Misc2d 194, 580 NYS2d 963 (NY Sup Ct, 1991); cited in, Cier Industries Co. v New York State Div. of Housing and Community Renewal, 135 Misc2d 1003, 517 NYS2d 660 (NY Sup Ct, 1987); cited in, 459 West 43rd Street Corp. v Corn, 139 Misc2d 856, 528 NYS2d 977 (NY Civ Ct, 1988); cited in, Akpan v Koch, 152 AD2d 113, 547 NYS2d 852 (1<sup>st</sup> Dept, 1989); cited in, Takings Jurisprudence Comes in from the Cold: Preserving Interiors Through Landmark Designation, 26 Conn L Rev 1105 (1994); cited in, Are Standing Requirements Becoming a Great Barrier Reef Against Environmental Actions?, 7 NYU Env'tl L J 1 (1999); cited in, Environmental Law, 42 Syracuse L Rev 535 (1991); cited in, Homeless Families: Do They Have a Right to Integrity?, 35 UCLA L Rev 159 (1987) ; cited in, Stonewalled by Seawall: New York Decision Impedes Legislative Solutions to Affordable Housing Shortage, 45 U Miami L Rev 467 (1991).
181. City of New York v David Siegel, NYLJ, 12-31-86, p. 10, col. 4; 134 Misc2d 172; 509 NYS2d 1021 (Forfeiture of Property) (Sup Ct, NY Co); cited in, Frank Santora Equipment Corp. v City of New York, 138 Misc2d 631, 524 NYS2d 663 (NY Sup Ct, 1988); cited in, Attorney-General of the

- State of New York v One Green 1993 Four Door Chrysler: Does The Punishment Fit the Crime?, 12 Touro L Rev 715 (1996).
182. Scott v Carter-Wallace Inc., NYLJ, 1-2-87, p. 12, col. 2, (Discrimination, Human Rights Law), 134 Misc2d 458, 511 NYS2d 767; modified NYLJ, 5-25-89, p. 23, col. 2, 147 AD2d 33, 541 NYS2d 780; appeal dismissed, 75 NY2d 764, 551 NYS2d 104 (Ct of Appeals, 1989); cited in, Bawa v Brookhaven Nat. Laboratory, Associated Universities, Inc., 968 FSupp 865 (SDNY 1997).
183. Wittenberg v City of New York, et al., NYLJ, 1-21-87, p.13, col.1 (Lead Article p.1, et seq.); 134 Misc2d 363, 511 NYS2d 492 (Constitutionality of Retroactive Fee) (Supreme Court, NY Co.); reversed NYLJ, February 4, 1988, p.1 col. 6; 135 AD2d 132; Order (AD1) affd by Ct of Appeals, NYLJ, 11-25-88, p. 21, col 2; (1988); motion for leave to appeal to Ct of Appeals granted; affd Ct of Appeals, 73 NY2d 753, 536 NYS2d 57 (1988); cited in, Frontier Ins. Co. v State, 160 Misc2d 437, 609 NYS2d 748, (NY Ct Cl, 1993).
184. Harris v MABSTOA, NYLJ, 1-26-87, p. 6, col. 6, n.o.r. (Decision of Interest); modified NYLJ, 6-13-88, p. 25, col. 3, 138 AD2d 56, 529 NYS2d 290 (Personal Injury).
185. Feld v Khamooshpoar, NYLJ, 2-4-87, p. 14, col. 3; n.o.r. (Co-op shares/Divorce).
186. Archer v Ward, 133 Misc2d 909, 508 NYS2d 877 (Article 78: Police Pension - Psychiatric Disability).
187. Bukovsky v Trud, NYLJ, 3-12-87, p. 14, col. 5; n.o.r. (Defamation); affd NYLJ, 2-11-88, p. 6, col. 5, 136 AD2d 976, 523 NYS2d 332; appeal dismissed by Ct of Appeals, NYLJ, 6-2-88, p. 21, col. 3, 72 NY2d 839, 530 NYS2d 554.
188. Wade v Clemenza, NYLJ, 3-12-87, p. 14, col. 6, n.o.r. (Injunction - Transit Service).
189. Drive Trans Corp. v N.Y.C. Taxi and Limousine Commission, NYLJ, 3-17-87, p. 12, col. 3, 134 Misc2d 1035, 513 NYS2d 920 (Article 78: Random Stop Searches of Taxis); cited in, McCauley v Com., 17 Va App 150, 435 SE2d 891 (1993); cited in, V-1 Oil Co. v Means, 94 F3d 1420 (10<sup>th</sup> Cir, WY, 1996).
190. Beharry v O'Grady, NYLJ, 4-3-87, p. 13, col. 1, n.o.r. (Trial Practice); affd (AD1), NYLJ, 2-22-88, p. 6, col. 3, 137 AD2d 970, 524 NYS2d 313.
191. Sanders v City of New York, NYLJ, 4-21-87, p. 11, col. 1; n.o.r. (Sup Ct, NY Co) (Justiciability).
192. Federation of New York State Rifle and Pistol Clubs, Inc. v N.Y.C. Police Dept., et. al. Order and Judgment (one paper) (Sup Ct, NY Co, 3-

- 27-87 (AD1); affd NYLJ, 3-14-88, p. 14, col 4, 138 AD2d 988, 525 NYS2d 455; reversed 73 NY2d 92, 535 NYS2d 226 (1989).
193. Coe et al. v LaGuardia Airport Hotel Associates, Inc.d/b/a Sheraton Inn-LaGuardia, 134 Misc2d 579, 511 NYS2d 1004 (Sup Ct, NY Co, 1987) (Pleading - Names of Parties - Use of Fictitious Names).
194. Kaufman v Axelrod, NYLJ, 5-12-1987, p. 2, col. 3 (Article) p. 12, col. 5 (Decision) (Sup Ct, NY Co), 135 Misc2d 293, 515 NYS2d 202 (Rights of Patients).
195. Pascarella v City of New York, NYLJ, 5-20-87, p. 1, col. 3 (Article), p. 12, col. 3 (Decision), 135 Misc2d 719, 516 NYS2d 579 (Sup Ct, NY Co) (Torts - "Special Duty" Rule); reversed NYLJ, 3-20-89, p. 22, col. 3; printed in full NYLJ, 3-21-89, p. 21, col 3, 146 AD2d 61, 538 NYS2d 815; mot. for leave to appeal den., NYLJ, 9-14-89, p. 21, col 4.; lv denied 74 NY2d 610, 546 NY2d 554 (Ct of Appeals); cited in, Cooper v City of New York: The Fellow Servant Rule - Wanted Dead or Alive, 15 Pace L Rev 911 (1995).
196. Mass Transportation Electrical Constr. Corp. v Penta Constr. Corp., NYLJ, 5-27-87, p. 12, col. 5, n.o.r. (Sup Ct, NY Co) (Surety Bonds - Construction), modified 140 AD2d 174, 527 NYS2d 422 (1988).
197. Matter of Cier Industries Co. (State Division of Housing and Community Renewal), NYLJ, 6-3-87, p. 1, col. 2 (Article), p. 11, col. 4 (Sup Ct, NY Co), 135 Misc2d 1003, 517 NYS2d 660 (Co-ops/Condominiums; "Hardship" Increases); cited in, Grand Leasing Co. v New York State Div. of Housing and Community Renewal, 147 AD2d 562, 537 NYS2d 855 (2<sup>nd</sup> Dept, 1989).
198. D'Ambrogio v Morgenstern, NYLJ, 6-5-87, p. 1. col. 3 (Article), p. 12, col. 5 (Decision), 135 Misc2d 643, 516 NYS2d 447 (Sup Ct, NY Co) (Co-ops/Condominiums - Down Payment); appeal dismissed (AD1) NYLJ, 11-7-88, p. 22, col. 3; cited in, Friend v McGarry, 141 Misc2d 479, 533 NYS2d 357 (NY Sup Ct, 1988); cited in, Lang v Blumenthal, 203 AD2d 252, 609 NYS2d 336 (2<sup>nd</sup> Dept, 1994); cited in, Rivas Paniagua Inc. v World Airways, Inc., 673 FSupp 708 SDNY, 1987).
199. Miller v Gloda/Briarwood Corp., NYLJ, 7-9-87, p. 1 (Article), p. 12, col. 1 (Decision), 136 Misc2d 155; 518 NYS2d 340 (Sup Ct, NY Co) (Prima Facie Tort); cited in, Varela v Investors Ins. Holding Corp., 185 AD2d 309, 586 NYS2d 272 (2<sup>nd</sup> Dept, 1992); cited in, Constant v Hallmark Cards, Inc., 172 AD2d 641, 568 NYS2d 441 (2<sup>nd</sup> Dept, 1991); cited in, The Economics of Enmity, 69 U Chi L Rev 211 (2002).
200. Gerney v Tishman Construction Co., et. al., NYLJ, 7-23-87, p. 1, col. 2 (Article), p. 11, col. 3, 136 Misc2d 1051, 518 NYS2d 564 (Sup Ct, NY Co) (Collateral Estoppel); cited approvingly in Banker, New York Practice - Recent Developments, NYLJ, 3-28-88, p. 1, col. 5; cited in, Burks v Jakubowski, 837 FSupp. 48 (NDNY, 1993); cited in, Graves v DiStasio, 166 AD2d 261, 560 NYS2d 636, 637, 263 (1<sup>st</sup> Dept, 1990); cited in, U.S. v



- Private Sanitation Industry Ass'n of Nassau/Suffolk, Inc., 811 F.Supp. 808 (EDNY, 1992); cited in, National Union Fire Ins. Co. of Pittsburgh, Pa. v Mason, Perrin & Kanovsky, 765 FSupp. 15 (DDC, 1991); cited in, Levitin v Rosenthal, 903 FSupp. 400 (EDNY, 1995); cited in, U.S. v Private Sanitation Industry Ass'n of Nassau/Suffolk, Inc., 899 FSupp. 974 (EDNY, 1994); cited in, Issue Preclusion Affect of Criminal Convictions in Subsequent Civil Litigation, 17 Westchester B J 207 (1990).
201. In Rem Tax Foreclosure Action No. 31, Borough of Manhattan[Block 2133, Lot 1, (Light Land Realty Co.)], NYLJ, 8-7-87, p. 1 (Article), p. 12, col. 5 (Decision); and 8-26-87, p. 7, col. 2, n.o.r. (Decision of Interest) (Sup Ct, NY Co) (In rem Foreclosure).
202. In Rem Tax Foreclosure Action No. 31, Borough of Manhattan, Block 1981, Lot 14 and 15 (Patco Real Estate Investors, Inc.); Supreme Court, N.Y. County, NYLJ, 8-7-87, p. 12, col. 6 Decision), 136 Misc2d 522, 518 NYS2d 916 (In rem Foreclosure).
203. Sene v NYCTA, NYLJ, 8-21-87, p. 1 (Decision of Interest), p. 6, col. 5, n.o.r. (Decision) (Sup Ct, NY Co) (Concepts of Negligence Comparative Negligence/Last Clear Chance).
204. Matter of Lagrua (Ward), NYLJ, 8-28-87, p. 1 (Decision of Interest), p. 6, col. 5 (Sup Ct, NY Co), 136 Misc2d 655, 519 NYS2d 98 (Ethnic Classification/Article 78 proceeding); affd NYLJ, 10-27-88, p. 22, col. 8 (Decision), 143 AD2d 604, 533 NYS2d 419; cited in, Blake v Sanchez, 155 AD2d 364, 547 NYS2d 332 (1<sup>st</sup> Dept, 1989); cited in, Hispanics: Not a Cognizable Ethnic Group, 63 U Cin L Rev 497 (1994).
205. Ortiz v City of New York, NYLJ, 8-27-87, p. 1 (Decision of Interest), p. 11, col. 3 (Decision), 136 Misc2d 500, 518 NYS2d 913 (Sup Ct, NY Co) (Recusal-Judicial); cited in, Hop Wah v State, 137 Misc2d 751, 522 NYS2d 413 (NY Ct Cl, 1987); cited in, Demoulas v Demoulas, 432 Mass 43, 732 NE2d 875 (Mass, 2000); cited in, ECCP Centers of America, Inc. v Vasomedical, Inc., 277 AD2d 349, 717 NYS2d 897 (2<sup>nd</sup> Dept, 2000).
206. McAvity v Mirabel, NYLJ, 9-21-87, p. 9, col. 3 (Decision of Interest), 136 Misc2d 823, 519 NYS2d 206; (Sup Ct, NY Co) (Co-op Conversion/Rent Stabilization).
207. Smith v Ortiz, 136 Misc2d 110; 517 NYS2d 352 (Sup Ct, NY Co, 1987) (Alcoholism as Disability/Article 78 Proceeding); cited in, Beyond Reasonable Accommodation: The Availability and Structure of a Cause of Action for Workplace Harassment Under The Americans With Disabilities Act, 15 Cardozo L Rev 1475 (1994); cited in, No One is Above the Law When it Comes to the ADA and the Rehabilitation Act-not Even Federal, State, or Local Law Enforcement Agencies, 30 Loy L A L Rev 977 (1997); cited in, The Americans with Disabilities Act, its Antecedents, and its Impact on Law Enforcement Employment, 58 Mo L Rev 869 (1993); cited in, Fit for Duty? Cops, Choirpractice, and Another Chance for Healing, 47 U Miami L Rev 1079 (1993).

208. Lincoln First Commercial Corp. v New York State Tax Comm., 136 Misc2d 478, 518 NYS2d 904 (Sup Ct, NY Co, 1987) (U.C.C./Conflicting Priorities).
209. 77 East 12 Owners, Inc. v Yager, NYLJ, 10-16-87, p. 1 (Article), p. 13, col. 4 (Decision); discussed in the NY Times (Sunday) 12-12-87 Real Estate Section, p. 1, 137 Misc2d 138, 520 NYS2d 132 (Sup Ct, NY Co) (Condominiums and Cooperatives - Actions of the Board of Directors); cited in, An Exception to the Levandusky Business Judgment Rule: Owner and Shareholder Interests in Condominium and Cooperative Board Decisions, 14 Cardozo L Rev 1021 (1993).
210. Cameron v Knapp, NYLJ, 10-29-87, p. 14, col. 6 (Decision of Interest), 137 Misc2d 373, 520 NYS2d 917 (Sup Ct, NY Co) (Medical Malpractice - Evidence); cited in, Zafran v Zafran, 191 Misc2d 60, 740 NYS2d 596 (NY Sup Ct, 2002); cited in, Selig v Pfizer, Inc., 185 Misc2d 600, 713 NYS2d 898 (NY Sup Ct, 2000); cited in, Matter of Palmentiere, 171 AD2d 871, 567 NYS2d 797 (2<sup>nd</sup> Dept, 1991); cited in, Keene Corp., Inc. v Hall, 96 Md App 644, 626 A2d 997 (Md App, 1993); cited in, Frye, Frye, Again: the Past, Present, and Future of the General Acceptance Test, 41 Jurimetrics J 385 (2001); cited in, The Case for Recognizing a New Constitutional Entitlement: the Right to Present Favorable Evidence in Civil Cases, 1990 Utah L Rev 1 (1990).
211. Caruso v Anderson, NYLJ, 11-9-87, p. 14, col. 4 (Decision of Interest), (Sup Ct, NY Co) (Article 78; Collective Bargaining), 138 Misc2d 719, 525 NYS2d 109; affd NYLJ, 12-27-88, p. 23, col. 2; affd 145 AD2d 1004, 536 NYS2d 689; cited in, Caruso v MacDonald, 169 AD2d 644, 564 NYS2d 776 (1<sup>st</sup> Dept, 1991).
212. Ortiz v City of New York (II), NYLJ, 11-16-87, p. 18, col. 3. n.o.r. (Decision of Interest) (Sup Ct, NY Co) (Wrongful Death).
213. Blackstar Pub. Co. Inc. v 460 Park Associates, NYLJ, 11-17-87, p. 12, col. 6, (Decision of Interest), 137 Misc2d 414, 520 NYS2d 922 (Sup Ct, NY Co); discussed in Manhattan Lawyer issue of 12-17-87 (Landlord Tenant - Lease/Tax Escalation Clause).
214. Scott v Carter-Wallace, Inc. (II) (Reargument), NYLJ, 11-19-87, p. 13, col. 3 (Decision of Interest), 137 Misc2d 672, 521 NYS2d 614 (Sup Ct, NY Co); modified NYLJ, 5-30-89, p. 22 col. 3; affd as modified 147 AD2d 33, 541 NYS2d 780 (1st Dept, 1989); lv denied 75 NY2d 764, 551 NYS2d 963 (Civil Rights/Discrimination); cited in, Giuntoli v Garvin Guybutler Corp., 726 FSupp 494, (SDNY, 1989); Brunson v Wall, 405 Mass 446, 541 NE2d 338 (Mass, 1989).
215. 340 St. John's Place Associates Inc. v Crotty, NYLJ, 11-20-87, p. 13, col. 4, n.o.r. (Decision of Interest) (Sup Ct, NY Co) (HPD Repair/Vacate Order - Article 78); cited approvingly in Robbins, "Powerbrokering for the Gentry - The Saga of a Sacking, The Village Voice, 3-22-88, p. 10.

216. Seawall Associates v City of New York (II), NYLJ, 11-24-87, p. 1. col. 3 (Article), 11-25-87, p. 7, col 1 (Decision), 138 Misc2d 96, 523 NYS2d 353; NY Post, 11-23-87, pg 10 and 22; decision cited in the NY Times, 11-24-87; Crain's New York, 11-30-87, p. 1; p. 1 et seq; The New York Observer, 11-30-87, p. 7; New York Post, 12-1-87, p. 26 (Editorial); Daily News, 12-1-87, p. 26 (Editorial); New York Post, 12-16-87, p. 34 (Editorial Page); cited and summarized in NYLJ, Weekly Real Estate Law Digest, 12-16-87, p. 4, col. 1; Insight, 1-11-88, p. 55; Order and Judgment entered on 3-16-88; affirmed in part, reversed in part, NYLJ, 12-5-88, p. 27, col. 1, NYLJ, 12-7-88, p. 21, col. 2 (Decision of Interest); 142 AD2d 72, 534 NYS2d 958; Order reversed by the Ct of Appeals, NYLJ, 7-10-89, p. 24, col 3. The Ct of Appeals noted at col 4: "Supreme Court, in another thorough opinion by Justice David B. Saxe, held that the so-called "buy-out," "replacement," and "hardship" exemptions failed to save Local Law No. 9 from the infirmities of its predecessor, and concluded that the law was invalid as a taking without just compensation in violation of both the federal and state constitution, the Appellate Division disagreed, declaring the law constitutional in all respects. For the following reasons, we now reverse" (emphasis added); New York Times, 7-7-89, p. B1; Article; NYLJ, 7-7-89, p. 1; analyzed and commented upon favorably in "Sweeney, Seawall Decision; An Important Essay on Land Use and Fundamental Fairness," NYLJ, 9-6-89, p. 1; 74 NY2d 92, 544 NYS2d 542; cert denied, US Sup Ct, NY Times, Justice David B. Saxe, 11-28-89, p. B1; NYLJ, 11-28-89, p. 1, col. 2, 110 SCT 500, 107 LE2d 503; cited in, Tanney v Greaux, 174 AD2d 728, 571 NYS2d 765 (2<sup>nd</sup> Dept, 1991); cited in, Akpan v Koch, 152 AD2d 113, 547 NYS2d 852 (1<sup>st</sup> Dept, 1989); cited in, City of New York v 17 Vista Associates, 153 Misc2d 194, 580 NYS2d 963 (NY Sup Ct, 1991); cited in, Forced Tenancies as Takings of Property in Seawall Associates v City of New York: Expanding on Loretto and Nollan, 40 DePaul L Rev 245 (1990); cited in, Local Government Environmental Mitigation Fees: Development Exactions, the Next Generation, 45 Fla L Rev 835 (1993); cited in, Why Rent Control is a Regulatory Taking, 6 Fordham Envtl L J 755 (1995); cited in, The First Applications of the Nollan Nexus Test: Observations and Comments, 13 Harv Envtl L Rev 13 Harv Envtl L Rev 585 (1989); cited in, Zoning and Land Use, 42 Syracuse L Rev 761 (1991); cited in, Stonewalled by Seawall: New York Decision Impedes Legislative Solutions to Affordable Housing Shortage, 45 U Miami L Rev 467 (1991); cited in, Impact Fees in Pennsylvania: Requiring Land Developers to Bear Development-related Costs, 50 U Pitt L Rev 1101 (1989).
217. Textron v Unisys Corp., NYLJ, 11-27-87, p. 14, col. 5 (Decision of Interest) (Sup Ct, NY Co) 138 Misc2d 124, 523 NYS2d 715 (Arbitration).
218. Jo & Wo Realty Corp. v City of New York, (II), NYLJ, 12-11-87, p. 13, col. 4, n.o.r. (Sup Ct, NY Co) (Consolidation within IAS Guidelines).
219. Lane Bryant Inc., v Republic National Bank, NYLJ, 12-23-87, p. 11, col. 6, n.o.r.; noted in NYLJ, Weekly Real Estate Law Digest, 1-13-88, p. 4, col. 1 (Sup Ct NY Co) (Reformation/Mutual Mistake).

220. Rodriquez v City of New York, NYLJ, 1-13-88, p. 12, col. 5, n.o.r. (Sup Ct, NY Co) (Grand Jury Minutes).
221. Santiago v New York City Housing Authority, NYLJ, 2-2-88, p. 7, col. 2, n.o.r. (Decision of Interest) (Sup Ct, NY Co) (Notice of Claim).
222. Chiasson v New York City Department of Consumer Affairs, et. al., NYLJ, 1-29-88, p. 1, col. 5; NY Times, 1-29-88, p. 1, col. 1; Daily News, 1-29-88, p. 3, col. 1-5 and Editorial, "Jammin' with Justice Saxe," 1-29-88, p. 42; NY Post, 1-29-88' commented on favorably in the New York Times, Topics of the Times; NY Times, 2-1-88, p. B1, B7; NYLJ, 2-2-88, p. 7, col. 1 (Decision of Interest) (Sup Ct, NY Co) (Unconstitutionality of 'Incidental Music Exception' - NYC Cabaret Law); cited in "Backstage," 2-5-88, Sec. 2, p. 1; also cited and discussed, NY Times, Topics of the Times, p. 3, col. 1-4; 2-8-88, p.18; cited in National Law Journal, 2-22-88, p. 13, "City Lawyers Should Listen to the Music"; cited in Cylkowski, "Musicians May Now Toot Their Horns," NYLJ, 3-25-88, p. 5; cited in "Governing," April 1988, Vol. 1, No. 7, p. 10 (a Publication of Congressional Quarterly, Inc.): featured in West Publishing Company's "Judicial Highlights," Advance Sheets, week of 4-4-88; 138 Misc2d 394, 524 NYS2d 649; cited extensively in Chevigny "Gigs, Jazz and the Cabaret Laws in New York City" (1991), pp. 114, 115-16, pp. 127-131, 131-134, 138, 152, 176; cited in Dawson v Village of Spring Valley, 151 Misc2d 128, 572 NYS2d 1000 (Sup Co Rockland Co 1991); cited in, Dawson v Village of Spring Valley, 151 Misc2d 128, 572 NYS2d 1000 (NY Sup Ct, 1991); cited in, People v Caroline's for Comedy, Inc., 141 Misc2d 1061, 535 NYS2d 904 (NY Crim Ct, 1988).
223. Gerney v Tishman Construction Corp. of N.Y. et. al., (II), NYLJ, 2-4-88, p. 13, col. 5, n.o.r. (Decision of Interest) (Sup Ct, NY Co) (Procedure - Severance).
224. Nelson v F.J. Wilkes & Co., Inc., NYLJ, 2-16-88, p. 14, col. 5, n.o.r. (Article of Interest) (Administrative action/collateral estoppel); also appeared in, NYLJ, 3-3-88, p. 13, col. 4 (Decision).
225. Frank Santora Equipment Corp. v City of New York, NYLJ, 2-18-88, p. 12, col. 1 (Decision of Interest), 138 Misc2d 631, 524 NYS2d 663 (Civil Forfeiture); cited in, Property Clerk, New York City Police Dept. v Molomo, 179 AD2d 210, 583 NYS2d 251 (1<sup>st</sup> Dept, 1992); cited in, Property Clerk, New York City Police Dept. v Bauman, 146 Misc2d 874, 552 NYS2d 1015 (NY Sup Ct, 1990); cited in, Chrysler Credit Corp. v Shaw, 139 Misc2d 154, 527 NYS2d 172 (NY Civ Ct, 1988); cited in, Property Clerk of New York City Police Dept. v Molomo, 81 NY2d 936, 597 NYS2d 661 (1993); cited in, City of New York v East New York Wrecking Corp., 161 AD2d 489, 555 NYS2d 755 (1<sup>st</sup> Dept, 1990); cited in, City of New York v Salamon, 161 AD2d 470, 555 NYS2d 380 (1<sup>st</sup> Dept, 1990); cited in, New York Coalition of Recycling Enterprises, Inc. v City of New York, 158 Misc2d 1, 598 NYS2d 649 NY, Sup Ct, 1992); cited in, The New York City Civil Forfeiture Law: Is it Going Too Far?, 5 Hofstra Prop L J 457 (1993).
226. In re Atkinson, Order, entered 2-24-88 (Sup Ct, NY Co); reversed NYLJ, 5-3-90, p. 24, col. 1, 161 AD2d 152, 554 NYS2d 554.

227. Akpan, et. al., v Koch, NYLJ, 3-28-88, p. 15, col. 2, n.o.r. (Decision of Interest) (Environmental Conservation Law - Atlantic Terminal Project Withstand Environmental Challenge Under SEQRA); affd NYLJ, 11-24-89, p. 25, col. 1; 11-29-89, p. 23; noted in NYLJ, Weekly Realty Law Digest, 1-3-90, p. 4, col. 4, 152 AD2d 113, 547 NYS2d 852 (AD-1) (3-2); affd NYLJ, 4-11-90, p. 22, col. 1, 75 NY2d 561, 555 NYS2d 16.
228. 144 East 24th Street Corp. v Powell, NYLJ, 3-29-88, p. 7, col. 4, n.o.r. (Decision of Interest); cited and discussed in NYLJ, Weekly Real Estate Law Digest, 5-4-88, p. 4, col. 6 (Landlord & Tenant: Rent Stabilization: Illusory Prime Tenant).
229. Avaq Industries, Inc., v Gates Corp., NYLJ, 4-5-88, p. 11, col. 1, n.o.r. (Decision of Interest) (Fraud, etc.).
230. Giovia v Wald, NYLJ, 4-5-88, p. 11, col. 4, n.o.r. (Decision of Interest) (Actions/prior action pending).
231. Kilcommons v City of New York, NYLJ, 4-5-88, p. 11, col. 5 (Decision of Interest), 138 Misc2d 815, 525 NYS2d 145 (NYS Retirement Fund; Civil Service - Retirement and Pension Benefits - Transfer of Member Between Systems); affd NYLJ, 11-15-88, p. 22, col. 1, 144 AD2d 1047, 553 NYS2d 642 (AD1); Mot for lv to appeal den., NYLJ, 9-19-89, p. 21, col 3, 74 NY2d 605, 543 NYS2d 398 (Ct of Appeals).
232. Aradi v City of New York, NYLJ, 4-8-88, p. 13, col. 3 (Decision of Interest), 139 Misc2d 148, 527 NYS2d 160 (Civil Service Law/Seniority Ranking); affd 158 AD2d 409, 551 NYS2d 522 (AD1); cited in, Civil Service Employees Ass'n Inc., Local 1000 AFSCME AFL-CIO v New York State Office of Mental Health, 196 AD2d 276, 609 NYS2d 403 (3<sup>rd</sup> Dept, 1994); cited in, Telink, Inc. v U.S., 24 F3d 42 (9th Cir, Cal, 1994).
233. Nuez v New York City Health & Hospitals Corp., NYLJ, 4-22-88, p. 7, col. 2, n.o.r. (Decision of Interest) (Late Notice of Claim - Child with Down's Syndrome May File Late Notice of Claim - GML 50-e [5]).
234. Citibank, N.A. v Press Realty Corp. Inc., NYLJ, 5-5-88, p. 14, col. 4 (Decision of Interest), 139 Misc2d 558, 528 NYS2d 307 (Mortgagor's Right of Redemption - RPAPL 1341); cited in, Trustco Bank v 11 North Pearl Associates, 153 Misc2d 340, 580 NYS2d 847 (NY Sup Ct, 1992); cited in, Bowery Sav. Bank v Harbert Offset Corp., 147 Misc2d 633, 558 NYS2d 821 (NY Sup Ct, 1990).
235. Iwankow v Mobil Corporation, NYLJ, 5-10-88, p. 6, col. 6 (Decision of Interest), 139 Misc2d 728, 528 NYS2d 313 (NY Civil Rights Law - Jurisdiction); modified NYLJ, 5-30-89, p. 22, col.2, 150 AD2d 272, 541 NY2d 428 (AD1).
236. 421 Hudson Street Tenants Association v Abrams, NYLJ, 5-11-88, p. 13, col. 1 (Decision of Interest) (Co-op Conversion - Warehousing); noted in

- NYLJ, Weekly Realty Law Digest, 6-22-88, p. 41, col. 4, 140 Misc2d 166, 530 NYS2d 441; cited in, Lieberman v Gelstein, 80 NY2d 429, 590 NYS2d 857 (1992).
237. R. K. Chevrolet, Inc., v Barron's Limousine Services, Inc., NYLJ, 5-18-88, p. 12, col 2 (Decision of Interest), 139 Misc2d 251, 528 NYS 2d 315 (Default Judgment).
238. J. R. Cummings Company, Inc. v Barron's Limousine Services, Inc., NYLJ, 5-18-88, p. 12, col 1, n.o.r. (Decision of Interest) (Brokerage Fees).
239. Rainbow Travel, Inc. v Omabuild N.V., NYLJ, 5-25-88, p. 23, col 3, (Decision of Interest), 139 Misc2d 279, 528 NYS2d 791, (Commercial Leasing - "Yellowstone Injunction").
240. Epstein Becker Borsody & Green, P.C., v Soltzer, NYLJ, 5-31-88, p. 23, col 3, n.o.r. (Decision of Interest) (Account Stated).
241. Jo & Wo Realty Corp. v City of New York (II), case cited in NY Times, 6-18-88, p. 50; Newsday, 6-18-88, p. 15; NYLJ, 6-22-88, p. 1, col. 3 (Article), p. 23, col 1 (Decision) (Competitive Bidding - Urban Renewal Exception), 140 Misc2d 154; 530 NYS2d 479; decision discussed in NYLJ, Realty Law Digest, 7-23-88, p. 4, col 3; affd NYLJ, 5-11-90, p. 21, col. 3 (Article of Interest), 157 AD2d 205, 555 NYS2d 271 (AD I); affd Ct of Appeals, NYLJ, 11-29-90, p. 21, col. 5 (Decision); 76 NY2d 962, 563 NYS2d 727.
242. Nemser v New York City Transit Authority, NYLJ, 7-1-88, p. 22, col. 3 (Decision of Interest), 140 Misc2d 369, 530 NYS2d 493 (Legal Tender Statute); affd NYLJ, 5-4-89, p. 23, col. 4 (Decision), 150 AD2d 993, 542 NYS2d 1003 (AD 1); lv denied NYLJ, 9-14-89, p. 21, col. 3 (Decision), 75 NY2d 610, 546 NYS2d 554.
243. Rieara v City of New York, Order, 7-5-88, affd 156 AD2d 206, 548 NYS2d 466 (AD1, 1989) (Late Notice of Claim/Personal Injury).
244. Levin v Department of Housing Preservation and Development of the City of New York, NYLJ, 7-13-88, p. 31, col 3 (Decision of Interest), 140 Misc2d 110, 529 NYS2d 973 (Article 78: Inheriting Public Housing); noted in NYLJ, Realty Law Digest, 8-17-88, p. 4, col 6; modified NYLJ, 6-12-89, p. 29, col 2; favorably noted, NY Times, 2-3-90, p. 29, col. 2 (Decision), 151 AD2d 264, 543 NYS2d 897.
245. City of New York v S & G Hotel Corp., NYLJ, 7-20-88, p. 22, col 4, n.o.r. (Decision of Interest) (Public Nuisance/Preliminary Injunction).
246. Kaminsky v Carnegie Park Associates, NYLJ, 8-17-88, p. 14, col. 4, n.o.r. (Decision of Interest) (Error in Certificate of Occupancy Does not Preclude Rent Collection).
247. Matter of Mason & Sharpton (CBS Inc.), NYLJ, 9-13-88, p. 18, col. 4, n.o.r. (Decision of Interest) (Pre- action disclosure).

248. Friend v McGarry et. al., NYLJ, 9-23-88, p. 22, col 3 (Article of Interest), 141 Misc2d 479, 533 NYS2d 357 (Cooperative Contract - Letter of Commitment).
249. Ameruso v City of New York, NYLJ, 9-27-88, p. 1 (Article of Interest), p. 18, col. 6 (Decision); mentioned in NY Post, 9-28-88, p. 14 (Pensions - Lump Sum - Accrued Annual Leave), 141 Misc2d 389, 532 NYS2d 992.
250. 2550 Olinville Ave., Inc. v Crotty, NYLJ, 10-12-88, p. 22, col. 3 (Article of Interest), 141 Misc2d 238, 532 NYS2d 996 (Mitchell-Lama Mortgage Prepayments); cited and discussed in NYLJ, Weekly Realty Law Digest, 11-2-88, p. 4, col. 3.
251. Presidents' Council of Trade Waste Association Inc., v City of New York, NYLJ, 10-27-88, p. 24, col. 5 (Decision of Interest) (Statute Imposing Dumping Fees Challenged as Unconstitutional); Article/Update, NYLJ, 12-15-88, p. 23, col.4, 142 Misc2d 135, 536 NYS2d 656; affd NYLJ, 4-2-90, p. 24, col. 3, 159 AD2d 428, 553 NYS2d 665.
252. Frazier v City of New York, NYLJ, 10-28-88, p. 22, col. 6 (Decision of Interest) 141 Misc2d 536 533 NYS2d 680 (Evidence).
253. Heitner v Heitner, NYLJ, 10-31-88, p. 30 col. 1 (Decision of Interest) (Retirement Benefits: Ex-wife may not Claim Retirement Benefits), 141 Misc2d 557, 533 NYS2d 812; affd NYLJ, 11-14-89, p. 23, col. 3, 155 AD2d 282, 547 NYS2d 45 (AD1).
254. Property Clerk, N.Y. City Police Department v Santana, NYLJ, 11-1-88, p. 22, col. 4, n.o.r. (Decision of Interest) (Criminal Law: Money is not Proceed of Crime in Drug Possession Case).
255. Jackson v Jackson, NYLJ, 11-3-88, p. 24, col.3 (Decision of Interest) (Domestic Relations - Tax Liability Clause); cited in Manhattan Lawyer Weekly Opinion Service, 11-29 through 12-5-88, p. 25, 142 Misc2d 73, 535 NYS2d 878; NYLJ, 4-3-92, p. 30, col. 4 (Decision of Interest), affd 157 AD2d 577, 550 NYS2d 300 (AD1).
256. Valerio v City of New York, NYLJ, 11-4-88, p. 22, col. 6, n.o.r. (Decision of Interest)(Personal Injury; TA not Liable for Defect on Sidewalk Abutting Station).
257. Glucksman v Halsey Drug Co., Inc., NYLJ, 11-7-88, p. 23, col. 1 (Decision of Interest), 141 Misc2d 637, 549 NYS2d 317 (Products Liability - Cause of Injury is Doctor's Failure to Warn of Drug's Side Effects); order (upon reargument) entered 7-10-89, reargument granted 145 Misc2d, 549 NYS2d 317; reversed NYLJ, 4-22-90, p. 26, col. 2 (Decision of Interest), 160 AD2d 305, 553 NYS2d 724; reargument granted 163 AD2d 163, 553 NYS2d 724.
258. Greenfield v Philles Records, Inc., NYLJ, 11-14-88, p. 22,

- col. 1, n.o.r. (Decision of Interest) (Civil Procedure - Royalty Claims are subject to Statute of Limitations); affd NYLJ, 11-19-90, p. 25, col. 5, 160 AD2d 458, 553 NYS2d 771.
259. Anderson v Consolidated Rail Corporation, NYLJ, 11-23-88, p. 23, col. 2, n.o.r. (Decision of Interest) (Forum non conveniens).
260. 207 Realty Associates v 210 Central Park North Realty Corp., et. al. 140 Misc2d 684, 531 NYS2d 712 (1988) (Mortgages).
261. Seelig v Koehler, Article 78/Judgment, 1-6-89, affd NYLJ, 2-23-90, p. 23, col. 3, 160 AD2d 550, 554 NYS2d 201.
262. Bijan Designer for Men v St. Regis Sheraton, NYLJ, 1-18-89, p. 22, col. 5 (Decision of Interest) (Partial Constructive Eviction), 142 Misc2d 175, 536 NYS2d 951; cited in McCain, "Renovations Often Leads to Tenant-Owner Disputes," NY Times, Sunday Real Estate Section, 1-29-89, p. 20; cited in NYLJ, Realty Law Digest, 2-1-89, p. 4, col. 3; affd for reasons stated below, NYLJ, 5-22-89, p. 22, col. 4; 150 AD2d 244, 543 NYS2d 296 (AD1).
263. Matter of O'Brien, NYLJ, 1-19-89, p. 23, col. 3, n.o.r. (Decision of Interest) (Article 78).
264. M. J. Raynes, Inc. v James A. Pepitone Corp., NYLJ, 1-20-89, p. 22, col. 4, n.o.r. (Decision of Interest) (Real Estate Brokers); NYLJ, Realty Law Digest, 2-1-89, pg 4, col. 3; reversed NYLJ, 7-24-89, p. 22, col. 2, 152 AD2d 492, 544 NYS2d 349 (AD1, 3-2).
265. Ruskin v Ward, NYLJ, 2-2-89, p. 23, col. 1 (Decision of Interest) (Civil Procedure) n.o.r.; affd 167 AD2d 261, 561 NYS2d 241 (AD1, 1990).
266. Jerry Kindman & Co. v Stollar, NYLJ, 2-15-89, p. 22, col. 3 (Decision of Interest) (Trial by Jury; Interrelationship of Legal & Equitable Claims), 142 Misc2d 603, 537 NYS2d 785.
267. Arthur Young & Co. v Galasso, NYLJ, 3-3-89, p. 22, col. 4 (Decision of Interest) (Restrictive Covenants) 142 Misc2d 738, 538 NYS2d 424.
268. Matter of Macholda, (Computecture, Inc.), NYLJ, 3-28-89, p. 1, col. 2 (Article), p. 23, col. 3, n.o.r. (Decision of Interest) (Shareholder Status/Corporate Dissolution).
269. Botkin v United Federation of Teachers, NYLJ, 3-31-89, p. 24, col. 4 (Article); also NYLJ, 4-10-89, p. 24, col. 4, n.o.r. (Decision of Interest) (Collective Bargaining/Res Judicata); affd NYLJ, 11-19-90, p. 23, col. 4; 167 AD2d 233, 561 NYS2d 730.
270. Cowen & Co. v Anderson, noted in NY Times, 3-31-89, p. 20; The Wall Street Journal, 4-3-89, p. 15 (Arbitration), NYLJ, 4-4-89, p. 22, col. 4, n.o.r. (Decision of Interest); affd NYLJ, 11-6-89, p. 22, col. 5, 155 AD2d 243, 546 NYS2d 621 (AD1); affd NYLJ, 7-11-90, p. 1



- (Article), 7-12-90, p. 21 col. 3 (Decision of Interest), 176 NY2d 318, 559 NYS2d 225.
271. Sieratzki v Jacobs & Zinns, NYLJ, 4-3-89, p. 24, col. 3, n.o.r. (Decision of Interest) (Transactional Res Judicata).
272. Levin v Kasmir World Travel, Inc. 143 Misc2d 245, 540 NYS2d 245 (Civ Ct, City of NY, NY Co., Small Claims Part, 1989) (Duties of Travel Agent).
273. Barzilay v Siegman, NYLJ, 4-11-89, p. 22, col. 2, n.o.r. (Decision of Interest)(Arbitration/Diamond Club); affd, NYLJ, 5-21-90, p. 25, col. 6, 161 AD2d 427, 555 NYS2d 726.
274. Abbey v Montedison S.P.A., NYLJ, 4-13-89, p. 1, col. 3 (Article of Interest), p. 23, col. 4 (Decision), 143 Misc2d 72, 539 NYS 2d 862 (Corporate Tender Offers).
275. Rand v National Broadcasting Co., Inc., NYLJ, 4-19-89, p 1 (Article of Interest), p. 22, col. 1, n.o.r. (Decision) (Privacy; Civil Rights; Defamation).
276. Ellivkroy Realty Corp. v HDA Sponsor Corp., Order), 4-20-89, affd NYLJ, 6-18-90, p. 24, col. 2, (Decision), 162 AD2d 238, 556 NYS2d 339 (Co-op Law/Summary Judgment).
278. Butler v Primavera, Order, 4-20-89, affd NYLJ, 8-20-90, p. 21, col. 1 (Decision) (Third-Party Dismissal/Summary Judgment), 164 AD2d 794, 559 NYS2d 532.
279. Gratz v Century Apartment Associates, NYLJ, 4-25-89, p. 22, col. 1 (Decision of Interest); NYLJ, Weekly Realty Law Digest, 5-17-89, pg 4, col. 5, 143 Misc2d 423, 540 NYS2d 940 (Condominiums and Cooperatives).
280. Louis Saunders Company, Inc. v Chase Manhattan Bank, N.A., NYLJ, 5-1-89, p. 23, col. 2, n.o.r. (Decision of Interest)(Real Estate Brokers).
281. Ambassador Assocs. v Corcoran, NYLJ, 5-12-89, p. 24, col. 4 (Decision of Interest) (Excess Insurance Coverage - "Drop-Down"), 143 Misc2d 706, 541 NYS2d 715, affd. NYLJ, 12-13-90, p. 22, col. 3 (Decision of Interest), 168 AD2d 281, 562 NYS2d 507; affd. for the reasons stated in the opinion by Saxe, J., and reasons stated by (AD1) in memorandum decision, NYLJ, 2-18-92, p. 25, col. 4, 79 NY2d 871, 581 NYS2d 276.
282. Piedmont Steel Corp. v Gotham Construction Corp., NYLJ, 5-25-89, p. 25, col. 2, n.o.r. (Decision of Interest) (Liquidating Agreements).
283. McGowan v New York Telephone Co. NYLJ, 6-27-89, p. 1, (Article of Interest, p. 22, col. 1 (Decision) (Revival Statute), 144 Misc2d 625, 544 NYS2d 423.

284. Offenhartz v Cohen, 144 Misc2d 130, 543 NYS2d 867 (1989) (Kidnapping/Prima Facie Tort); NYLJ, 7-10-89, p. 31, col. 2; affd NYLJ, 12-10-90, p. 24, cols. 3 and 4, 168 AD2d 268, 562 NYS2d 507.
285. Gordon v Gordon, NYLJ, 7-12-89, p. 23, col. 1 (Decision of Interest) (Domestic Relations/Sale of Co-op), 144 Misc2d 27, 543 NYS2d 638.
286. In re Science Development Corp. (Schonberger), NYLJ, 7-14-89, pg 27, col. 2, n.o.r. (Decision of Interest) (Attorney's Fees/Charging Liens/Intervention); affd NYLJ, 12-21-89, p. 22, col. 1; order modified 159 AD2d 343; Order 10-3-91 affd for reasons stated by Saxe, J. NYLJ, 3-5-92, p. 22, col. 1, 181 AD2d 407, 580 NYS2d 1013.
287. Warshaw v Warshaw, NYLJ, 7-18-89, pg 18, col. 4, n.o.r. (Decision of Interest) (Domestic Relations/Corroboration Requirement/Fault/ non-Working Spouse - Maintenance); affirmed as modified NYLJ, 1-10-91, p. 22, col. 5, 169 AD2d 408, 564 NYS2d 137 (AD1).
288. Rosenfeld v Bower & Gardner, Order entered on or about 7-18-89; affd NYLJ, 5-17-90, p. 21, col. 5, 161 AD2d 374, 555 NYS2d 320 (Defendant's Non-Compliance of Discovery) (AD1).
289. League of Voluntary Hospitals & Homes of New York v Local 1199 et. al., NYLJ, 8-18-89, pg 17, col. 5, (Decision of Interest); 8-18-89, pg 1, col 2 (Decision of Interest), 144 Misc2d 433, 545 NYS2d 244 (Labor Law - Enjoining Union from Mass Picketing at Hospital).
290. Doe v Axelrod, NYLJ, 8-16-89, p. 1, col. 3 (Article of Interest) p. 18, col. 1 (Decision), 144 Misc2d 777, 545 NYS2d 490 (Challenge to Tranquilizer Regulation).
291. Powers v Strohm et. al., NYLJ, 8-22-89, p. 21, col. 5, n.o.r. (Decision of Interest) (Election Law).
292. Harden v Board of Elections, NYLJ, 8-24-89, p. 22, col. 2 (Decision of Interest) (Election Law/Write in Balloting); affd NYLJ, 8-30-89 p. 22, col. 3 (Decision of Interest), 153 AD2d 540, 544 NYS2d 899; reversed 9-1-89, pg 1, col. 2 (Article of Interest), 74 NY2d 796, 545 NYS2d 686 (Ct of Appeals, 5-1).
293. Matter of Bradlow (NYC Board of Elections), NYLJ, 8-28-89, p. 23, col. 1 (Decision of Interest), 144 Misc2d 793, 545 NYS2d 247 (Election Law).
294. Leeds v Welt, NYLJ, 9-13-89, p. 1, col. 2 (Article of Interest), p. 22, col. 4, n.o.r. (Decision) (Statute of Frauds).
295. Greengard v Edelstein, NYLJ, 9-26-89, pg 22, col. 2, n.o.r. (Decision of Interest) (Civil Procedure/Action will not be Dismissed if Amendment will Cure Defect).

296. Naco Construction Corp. v Hargate Bldg. Corp., NYLJ, 10-4-89, p. 23, col. 2, n.o.r. (Decision of Interest) (Foreclosure of Liens).
297. Noonan v New York Telephone Co., NYLJ, 10-12-89, p. 23, col. 2, n.o.r. (Decision of Interest) (Toxic Torts/Revival Statute).
298. Lichtenstein v Nager Electric Co., NYLJ, 10-27-89, p. 1 (Article of Interest), p. 23, col. 1 (Gifts); affd NYLJ, 5-17-90, p. 22, col. 4, 161 AD2d 397, 555 NYS2d 331.
299. Parker Chapin Flattau & Klimpl v Fzus, Inc., NYLJ, 11-2-89, p. 24, col. 4, n.o.r. (Decision of Interest) (Withdrawal of Counsel).
300. Prewitt v Beverly-50th Street Corp., NYLJ, 11-3-89, p. 1 (Article of Interest), p. 24, col. 5 (Decision) (Videotape), 145 Misc2d 25, 546 NYS2d 815.
301. Roberts v Gin Realty Corp., NYLJ, 11-3-89, p. 22, col. 2 (Decision of Interest), 145 Misc2d 618, 547 NYS2d 527 (Broker's Commissions); cited in NYLJ, Realty Law Digest 11-29-89 p. 5, p. 32, col. 4.
302. Nassau Federal Savings & Loan Assn. v CLU Assoc., NYLJ, 11-6-89, p. 24, col. 5, n.o.r. (Decision of Interest) (Mortgage Foreclosure - Intervention).
303. Waller v 79th Realty Co., NYLJ, 11-22-89, p. 22, col. 1 (Article of Interest); cited in NYLJ, Weekly Realty Law Digest, 12-13-89, p.27, col. 6, n.o.r. (Preliminary Injunction/ Construction).
304. Federal Insurance Company v Cowan, NYLJ, 12-13-89, p. 22, col. 1, n.o.r., 145 Misc2d 992, 549 NYS2d 338 (Decision of Interest) (Property Insurance).
305. Walker v Sperry & Hutchinson Co., Inc., 144 Misc2d 308, 544 NYS2d 958 (1989) (Retirement and Pension Benefits - Right to Jury Trial).
306. Matter of Fraioli's Hydro-Power v Department of Environmental Protection of the City of New York, 143 Misc2d 866, 542 NYS2d 944 (1989) (Emergency Drought Regulations-Challenge).
307. Weinroth v Weinroth, NYLJ, 1-5-90, p. 22, col. 2 (Decision of Interest), 146 Misc2d 98, 549 NYS2d 576 (Date of Valuation - Equitable Distribution).
308. Bankers Trust Company v Sommer, NYLJ, 1-10-90, p. 1, col. 3 (Article of Interest), p. 22, col. 1, n.o.r. (Local Law 5); affd. for reasons stated by Saxe, J. NYLJ, 4-25-91, p. 25, col. 2, 172 AD2d 391, 568 NYS2d 877.
309. Napoli v Napoli, NYLJ, 1-12-90, p. 22, col. 4 (Decision of Interest), 146 Misc2d 152, 549 NYS2d 577 (Income Execution).

310. Dennis v 5 Worth Street Corp., NYLJ, 1-16-90, p. 28, col. 3, n.o.r. (Decision of Interest)(Condominiums); noted in NYLJ, Weekly Realty Law Digest, 2-14-90, p. 4, col. 3.
311. Klein v Deveney, NYLJ, 1-23-90, p. 1 (Article of Interest), p. 22, col. 3, n.o.r. (Decision) (AIDS/Release).
312. Matter of Brownstone Publishers, Inc. v N.Y.C. Department of Bldgs., NYLJ, 2-5-90, p. 25, col. 1 (Decision of Interest) (FOIL), 146 Misc2d 376, 550 NYS2d 564; affd NYLJ, 10-22-90, p. 22, col. 5, 166 AD2d 294, 560 NYS2d 642.
313. Guttman v National Westminster Bank USA, NYLJ, 2-8-90, p. 25, col. 2 (Decision of Interest) (U.C.C.), 146 Misc2d 391, 550 NYS2d 812.
314. New Jersey Steel Acquisition Corp. v Von Roll A.G., et al., Order, entered 3-5-90 (on renewal); affd NYLJ, 6-25-90, p. 22, col. 4, 162 AD2d 297, 556 NYS2d 644; unanimous affd with costs NYLJ, 12-3-92, p. 23, col. 3. (Grounds for Summary Judgment/Stock Purchase Agreement).
315. Magier v Abrams, Order and Judgment (one paper) entered on or about 3-6-90; affd NYLJ, 6-18-90, p. 24, col. 4 (Decision), 162 AD2d 244, 556 NYS2d 604 (Landlord & Tenant/Conversion to Co-op).
316. Tele-Pac Inc. v Grainger, NYLJ, 3-23-90, p. 22, col. 1 (Decision of Interest) (Contracts), 146 Misc2d 1088, 552 NYS2d 550; order reversed NYLJ, 6-3-91, p. 1, col. 2 (Article of Interest), p. 27, col. 2 (Decision) (AD1,4-1); cited Rudell, "The Language of Videocassette Rights," (Entertainment Law, NYLJ, 6-28-91, p. 3; 168 AD2d 11, 570 NYS2d 521; not for lv to appeal to Ct. of Appeals denied (no final order), NYLJ, 12-23-91, p. 22, col. 6, 79 NY2d 822, 580 NYS2d 201.
317. Caruso v Board of Managers, Murray Hill Terrace, 146 Misc2d 405, 550 NYS2d 548 (1990) (Condominiums).
318. Schmidt v The Park Avenue Bank, N.A., NYLJ, 3-26-90, p. 25, col. 5 (Decision of Interest) (Employment Contracts), 147 Misc2d 1043, 558 NYS2d 779.
319. Sergio v Benjolo, NYLJ, 4-3-90, p. 1, col. 3 (Article of Interest), p. 26, col. 5, 146 Misc2d 1011, 553 NYS2d 978 (Premises Liability); affd NYLJ, 12-10-90, p. 22, col. 2, 168 AD2d 235, 562 NYS2d 476.
320. Greenberg v Coronet Properties Co., Order, 4-4-90, modified NYLJ, 11-29-90, p. 22, col. 5 (Decision of Interest), 167 AD2d 291, 562 NYS2d 33 (Landlord & Tenant).
321. Rose v Elias, NYLJ, 5-4-90, p. 1, col. 2 (Article of Interest), p. 23, col. 1(Contracts); cited in Donnell v Stogel, NYLJ, 9-26-90, p. 21, col.

- 2 (AD2); affd NYLJ, 11-25-91, p. 22, col. 6, 177 AD2d 415, 576 NYS2d 257.
322. Sacks v Rubin, NYLJ, 6-15-90, p. 22, col. 1, n.o.r. (Decision of Interest) (Entertainment Law).
323. Kahn v Kahn, NYLJ, 7-6-90, p. 1 (Article of Interest), p. 27, col. 1, (Domestic Relations), 147 Misc2d 954, 559 NYS2d 103.
324. Holzberg v Tourneau, NYLJ, 7-13-90, p. 22, col. 1 (Decision of Interest) (Consumer Protection/Disclosure of Refund Policy), 147 Misc2d 987, 558 NYS2d 830.
325. Jimenez v Chasen, Levine & Ross, NYLJ, 7-19-90, p. 24, col 3, n.o.r. (Decision of Interest) (Civil Practice).
326. Laing v Laing, NYLJ, 7-23-90, p. 24, col. 2, n.o.r. (Decision of Interest) (Antenuptial Agreements).
327. Biamonte v 55-57 East 76 St., Inc., NYLJ, 7-25-90, p. 18, col. 2, n.o.r. (Decision of Interest) (Cooperatives); NYLJ, Weekly Realty Digest, 8-22-90, p. 4, col. 8; affd. for reasons stated by Saxe, J., NYLJ, 2-10-92, p. 26, col. 2 (Decision), 180 AD2d 440, 580 NYS2d 652.
328. Cuillo v Shupnick, NYLJ, 7-27-90, p. 18, col. 5, n.o.r. (Decision of Interest) (Injunction).
329. Livingston v City of New York, NYLJ, 7-30-90, p. 23, col. 1, n.o.r. (Decision of Interest) (Land Use).
330. Kahn v Kahn (II), NYLJ, 7-31-90, p. 17, col. 5, n.o.r. (Decision of Interest) (Counsel Fees).
331. Nagourney v Celnik, NYLJ, 9-3-90, p. 25, col. 1, n.o.r. (Decision of Interest) (Trade Secrets/Business Law).
332. Wing Ming Properties (USA) Ltd. v Mott Operating Corp., NYLJ, 9-5-90, p. 18, col. 3 (Decision of Interest) (Air Development Rights), 148 Misc2d 680, 561 NYS2d 337; NYLJ, Weekly Realty Law Digest, 9-12-90, p. 4, col. 4; affd. NYLJ, 4-18-91, p. 23, col. 1 (Decision), 172 AD2d 301, 568 NYS2d 605; affd 79 NY2d 1021, 584 NYS2d 427 (1992).
333. Gangitano v TCI Construction Corp., NYLJ, 9-6-90, p. 18, col 2. n.o.r. (Decision of Interest) (Set-off's/Mechanic's Liens).
334. Matter of Northern Piping & Sprinkler Corp. v Tri-Equities, Inc., NYLJ, 9-11-90, p. 22, col. 4 (Decision of Interest) (Liens) 148 Misc2d 293; 560 NYS2d 262.

335. The Residences of World Wide Plaza & Tax Commission of the City of New York, NYLJ, 9-12-90, p. 22, col. 1, n.o.r. (Decision of Interest) (Attorney Disqualification).
336. Sorrendeguy v Cobham Ent. Inc., NYLJ, 9-17-90, p. 24, col. 3, n.o.r. (Decision of Interest) (Medical Malpractice).
337. Condom Sense Inc. v New York Telephone Co., NYLJ, 9-20-90, p. 1 (Article of Interest), p. 25, col. 4 (Decision) (Preliminary Injunction), 148 Misc2d 354; 560 NYS2d 385.
338. Security Pacific Business Credit Inc. v Peat Marwick Main & Co., NYLJ, 9-20-90, p. 25, col. 5 (Decision of Interest); reversed NYLJ, 5-1-91 p. 1, col. 3 (Article of Interest) (Tort Law/Negligence); NYLJ, 5-6-91, p. 21, col. 3, 165 AD2d 622, 569 NYS2d 57 (AD1, 3-2); lv granted 175 AD2d 685, 573 NYS2d 894 (1991); order reversed NYLJ, 7-2-92, p. 1, col. 3 (Article of Interest); NYLJ, 7-8-92 p. 23, col. 5 (Decision), et seq, 80 NY2d 918, 589, NYS2d 302; analyzed "Arnoff & Klampert, Professional Liability--Accountants: The Privity--Causation Equation," NYLJ, 8-25-92, p. 3 col. 3.
339. 31-32 Gourmet Corp. v Cable Bldg. Assoc., NYLJ, 9-6-90, p. 1, col. 3 (Article of Interest), n.o.r.; 9-27-90, p. 17, col. 1 (Decision) (Real Estate/Commercial Lease).
340. Liberman v Gelstein, NYLJ, 10-3-90, p. 21, col. 5 n.o.r. (Decision of Interest); noted in Weekly Realty Law Digest, NYLJ, 10-24-90, p. 4, col. 3; affd NYLJ, 12-16-91, p. 26, col. 6 (Decision), 178 AD2d 215, 577 NYS2d 271; affd 80 NY2d 429, 590 NYS2d 857 (Real Estate Law).
341. Phibro Distributors Corp. v Fidelity International Bank, NYLJ, 10-11-90, p. 23, col. 6 (Decision of Interest) (Letter of Credit Issue), 148 Misc2d 498, 560 NYS2d 952; reversed NYLJ, 9-3-91, p. 22, col. 3 (Decision), 175 AD2d 777, 573 NYS2d 617; lv denied 79 NY2d 755, 583 NYS2d 191.
342. Ganson v Goldfader, NYLJ, 10-22-90, p. 24, col. 4 (Decision); NYLJ, 10-31-90, p. 4, col. 5 (Weekly Realty Law Digest), 148 Misc2d 608, 561 NYS2d 366 (Real Estate Law).
343. Robin v Cook, NYLJ, 10-30-90, p. 22, col. 1, n.o.r. (Decision of Interest) (Contracts).
344. Sommer v Dreyer & Traub, NYLJ, 10-23-90, p. 1, col. 3 (Article of Interest); NYLJ, 10-24-90, p. 22, col. 4, n.o.r. (Decision) (Temporary Restraining Order).
345. Weidman v Fuchsberg, NYLJ, 10-25-90, p. 30, col. 2 (Article of Interest) (Arbitration/Bad Faith), n.o.r.; modified NYLJ, 11-15-91, p. 1, col. 3 (Article of Interest); NYLJ, 11-18-91, p. 21, col. 1 (Decision of Interest), 177 AD2d 342, 576 NYS2d 232; lv denied 79 NY2d 758, 583 NYS2d 193

346. Matter of Allstate Ins. Co., NYLJ, 10-25-90, p. 30, col. 4 (Decision of Interest) (Insurance Law), 148 Misc2d 759, 561 NYS2d 362; NYLJ, 10-29-90, p. 26, col. 1 (Decision); affd NYLJ, 12-5-91, p. 24, col. 4 (Decision); 178 AD2d 142, 576 NYS2d 577; lv denied 79 NY2d 756, 583 NYS2d 191.
347. Marcus v Zenith Travel, Inc., NYLJ, 11-19-90, p. 25, col. 3 (Decision of Interest) (Travel Law); affd NYLJ, 1-3-92, p. 22, col. 5, 178 AD2d 372, 577 NYS2d 820.
348. Baskin & Sears v Lyons, NYLJ, 11-21-90, p. 23, col. 1, n.o.r. (Decision of Interest) (Summary Judgment); affd 188 AD2d 307, 590 NYS2d 475 (AD1, 1992).
349. Tarigo v Tarigo, NYLJ, 11-23-90, p. 27, col. 1, n.o.r. (Decision of Interest) (Landlord & Tenant/Succession).
350. Newmark & Co. Real Estate v Murray Feiss Lamp Corp., NYLJ, 11-28-90, p. 22, col. 3, n.o.r. (Decision of Interest) (Real Estate).
351. Ansonia Tenants' Coalition Inc. v Ansonia Associates, NYLJ, 12-4-90, p. 28, col. 2 (Decision of Interest); Realty Law Digest; NYLJ, 12-19-90, p. 4, col. 3 (denying tenants' motion for injunction against co-op conversion), 151 Misc2d 213, 573 NYS2d 211; affd for the reasons stated by Saxe, J.; NYLJ, 5-29-91, p. 22, col. 2 (Decision of Interest) (Co-ops); noted in NYLJ, Realty Law Digest, 6-5-91, p. 4, col. 5; NYLJ, 2-3-92, p. 23, col. 3, AD2d 594, 580 NYS2d 649.
352. Brockman v Frank, NYLJ, 1-25-91, p. 1, col. 3 (Article of Interest), p. 22, col. 3 (Decision), 149 Misc2d 399, 565 NYS2d 426 (Defamation).
353. Jeffries Avlon, Inc. v Gallagher, NYLJ, 2-7-91, p. 24, col. 2 (Decision of Interest), 149 Misc2d 552; 567 NYS2d 339; (Defamation, Punitive Damages).
354. Gracie Associates v Marine Midland Bank, N.A., NYLJ, 2-25-91, p. 1, col. 3, (Article of Interest), n.o.r.; 2-26-91, p. 21, col. 5, (Decision of Interest) (Co-ops; Insolvency).
355. Murnane v Olympia & York Battery Co., NYLJ, 4-5-91, p. 28, col. 1, n.o.r. (Decision of Interest) (Labor Law § 240).
356. Siegel v Sulfonic Intermediates, NYLJ, 4-9-91, p. 25, col. 6, n.o.r. (Decision of Interest) (Personal Jurisdiction).
357. Rentschler v Rentschler, NYLJ, 3-8-91, p. 22, col. 1, n.o.r. (Decision of Interest) (Domestic Relations).
358. Katell v Morgan Stanley Group, Inc., NYLJ, 6-24-91, p. 25, col. 2, n.o.r. (Decision of Interest) (Partnership Law).

359. Denburg v Parker Chapin Flattau & Klimpl, NYLJ, 4-2-91, p. 1, col. 3 (Article of Interest), p. 22, col. 4, n.o.r (Decision) (Partnership Law); modified NYLJ, 6-22-92. p. 25, col. 1, 184 AD2d 343, 586 NYS2d 107; modified 82 NY2d 375, 604 NYS2d 900 (1993).
360. Klaperman v Klaperman, NYLJ, 4-12-91, p. 21, col. 2 (Decision of Interest), 151 Misc2d 36, 571 NYS2d 863 (Domestic Relations).
361. Rattner v Rattner, NYLJ, 4-25-91, p. 26, col. 2, n.o.r. (Decision of Interest) (Domestic Relations).
362. 69/70 Street Assoc. v Board of Managers of Kingsley Condominiums, NYLJ, 5-1-90, p. 21, col. 6, n.o.r. (Decision of Interest); noted in NYLJ, Realty Law Digest, 5-15-91 (Condominiums).
363. Prudential Insurance v Ward, NYLJ, 5-15-91, p. 22, col. 2 (Decision of Interest); noted in NYLJ, Realty Law Digest, 5-29-91, p. 4. col. 6, 150 Misc2d 591, 570 NYS2d 264 (Real Property).
364. Confrerie de la Chaine des Rotisseurs Ltd. v Chase, NYLJ, 5-23-91, p. 24, col. 5, n.o.r. (Decision) (Association Members Rights).
365. Thomson U.S. Inc. v Gosnell, NYLJ, 6-27-91, p. 24, col. 2 (Decision), 151 Misc2d 249, 573 NYS2d 375, aff'd, 181 AD2d 558, 581 NYS2d 764 (Commercial Law).
366. Beigel v Cohen, NYLJ, 7-11-91, p. 22, col. 2 (Decision); 7-12-91, p. 2, col. 3 (Article of Interest), n.o.r. (Dismissal with and without Prejudice).
367. Abramowitz v Woodner, NYLJ, 7-17-91, p. 22, col. 2, n.o.r. (Decision of Interest) (Storage Room) (Landlord & Tenant).
368. Septimo v Monaco, NYLJ, 7-24-91, p. 22, col. 2, n.o.r (Decision of Interest) (Estate Law).
369. Glasser v Liberty Travel Service, Inc., NYLJ, 9-6-91, p. 21, col. 5, n.o.r. (Decision) (Contract Law); affd 190 AD2d 616, 593 NYS2d 820 (AD1).
370. Norwood v Cicatelli, NYLJ, 9-12-91, p. 22, col. 5, n.o.r. (Decision of Interest) (Employment Law).
371. Bell v Allen, NYLJ, 9-18-91, p. 22, col. 4, n.o.r. (Decision of Interest); noted NYLJ, Weekly Realty Law Digest, 10-9-91, p. 4. col. 6 (Real Estate Law).
372. DeSantis v White Rose Assoc., NYLJ, 9-11-91, p. 1, col. 3 (Article of Interest) (Real Estate Law); p. 21, col. 3 (Decision); noted in NYLJ, Realty Law Digest, 9-25-91, p. 7; noted in NY Times, Sunday Real Estate Section, 10-6-91, p. 1; 152 Misc2d 567, 578 NYS2d 363; cited in Federal Mtge. Corp. v DHCR, 87 NY2d 325 (1995).



373. Matter of Zaretsky (NYCH & HC), NYLJ, 9-24-91, p. 21, col. 6, n.o.r. (Decision of Interest) (Employment Law); reversed 196 AD2d 454, 601 NYS2d 290; affd NYLJ, 7-7-94, p. 25, col. 2, 84 NY2d 140, 615 NYS2d 341.
374. Manning v Ritter, NYLJ, 10-3-91, p. 1, col. 3, n.o.r. (Article of Interest) (Co-op Law); 10-4-91, p. 22, col. 1 (Decision).
375. Drexel Burnham Lambert, Inc. v Telex Corp., NYLJ, 10-31-91, p. 24, col. 2, n.o.r. (Decision of Interest) (Bankruptcy Law).
376. Association of Surrogates and Supreme Court Reporters v Office of Court Administration, [decision dictated into the record] NYLJ, 10-31-91, p. 1, col. 3 (Article), n.o.r.; affd NYLJ, 12-23-91, p. 1, col. 2 (Article), 178 AD2d 314, 577 NYS2d 386 (AD 1); 12-30-91, p. 29, col. 1 (Decision); affd NYLJ, 1-22-92, p. 22, col. 2, 79 NY2d 39, 580 NYS2d 153 (Lag-payroll Case) (Civil Service Law).
377. Levine v Gottlieb, NYLJ, 11-27-91, p. 22, col. 4, n.o.r. (Decision of Interest) (Co-op Law); noted, NYLJ, Realty Law Digest, 1-8-92, p. 4, col. 5.
378. MK West Street Co. v Imperial Equipment Corp., NYLJ, 12-3-91, p. 25, col. 3, n.o.r. (Decision of Interest) (UCC Law).
379. The Original Homestead Restaurant Inc v 58 & 60 Ninth Avenue Realty Corp., NYLJ, 12-11-91, p. 22, col. 4, n.o.r. (Decision of Interest) (Real Estate Law); noted in New York Law Journal Weekly Realty Law Digest, NYLJ, 1-22-92, p. 5, col. 3.
380. Sacks v Rubin, NYLJ, 12-10-91, p. 1 col. 3 (Article of Interest), n.o.r.; 12-11-91, p. 22, col. 5 (Decision) (Contract Law).
381. Albrecht Advertising & Design, Inc. v Lear Publishing Inc., NYLJ, 12-19-91, p. 25, col. 6, n.o.r. (Decision of Interest) (Commercial Law).
382. North River Ins. Co. v United National Ins. Co., NYLJ, 3-7-91, p. 25, col. 1 (Decision), n.o.r.; modified NYLJ, 12-10-91, p. 21, col. 3, 172 AD2d 46, 577 NYS2d 588 (AD1); lv dismissed 75 NY2d 865, 552 NYS2d 930; lv granted NYLJ, 7-6-92, p. 25, col. 6 (Insurance) (Ct of Appeals), 80 NY2d 753, 587 NYS2d 904; and order reversed 81 NY2d 812, 595 NYS2d 377 (1993).
383. Weiss v Alterman, NYLJ, 12-27-91, p. 23, col. 3 (Decision of Interest), 152 Misc2d 629, 577 NYS2d 768 (Secured Transactions).
384. Cooke v Wozencraft, NYLJ, 12-16-91, p. 31, col. 3, n.o.r. (Decision of Interest) (Civic RICO).
385. Mendez v HRH Construction Co. Inc., NYLJ, 12-30-91, p. 29, col. 3 (Decision of Interest), 152 Misc2d 610, 578 NYS2d 383 (Personal Injury).

386. Omabuild Corp. v Dolron Restaurant, NYLJ, 1-8-92, p. 22, col. 2, n.o.r. (Decision of Interest) (Landlord & Tenant); appeal dismissed 198 AD2d 922, 603 NYS2d 936 (1993).
387. Rosenberg v Showa Denko K.K., NYLJ, 1-13-92, p. 24, col. 6, n.o.r. (Decision of Interest) (Consolidation).
388. Paul Stuart, Inc. v Individualized Shirt Co., NYLJ, 1-16-92, p. 24 col. 5, n.o.r. (Decision of Interest) (Trade Regulation).
389. Morgan v Commonwealth Land Title Insurance Co., NYLJ, 1-22-92, p. 25, col. 1, n.o.r. (Decision of Interest) (Title Insurance); noted in NYLJ, Realty Law Digest, 3-18-92, p. 5, col. 2
390. Ansonia Associates v New York State Division of Housing and Community Renewal, NYLJ, 1-29-92, p. 21, col. 6 (Decision of Interest), n.o.r.; modified NYLJ, 6-24-93, p. 21, col. 5; 194 AD2d 446, 599 NYS2d 275 (AD1, 1993); lv appeal dismissed 82 NY2d 875, 610 NYS2d 138; lv appeal denied 82 NY2d 662, 610 NYS2d 149; rearg denied 83 NY2d 801, 611 NYS2d 137 (Landlord & Tenant).
391. Weiss v Alterman, NYLJ, 2-4-92, p. 22, col. 2 (Decision of Interest), 152 Misc2d 629, 577 NYS2d 768 (Debtor and Creditor).
392. Zemar Nuova SRL v Monique Shoes, Inc., NYLJ, 2-10-92, p. 28, col. 2, n.o.r. (Decision of Interest) (Fraudulent Conveyance).
393. South Street Seaport L.P. v Jade Sea Restaurant, Inc., NYLJ, 2-11-92, p. 22, col. 5, n.o.r. (Decision of Interest) (Landlord & Tenant).
394. Matter of J.L. (McBarnette), NYLJ, 2-20-92, p. 23, col. 3, n.o.r. (Decision of Interest) (Administrative Law).
395. New Connecticut Bank & Trust, N.A. v Gross, NYLJ, 2-27-92, p. 25, col. 3, n.o.r. (Decision) (Commercial Law).
396. Commissioner of the State Insurance Fund v Global Distributors Inc., NYLJ, 2-24-92, p. 35, col. 5, n.o.r. (Decision of Interest) (Workers' Compensation).
397. Gordon v Gordon, NYLJ, 3-9-92, p. 1, col. 3 (Article of Interest) (Domestic Relations), n.o.r.; 3-10-92, p. 22, col. 5, (Decision of Interest); affd 205 AD2d 446, 614 NYS2d 904 (AD1, 1994).
398. Hakim v Hakim, NYLJ, 3-16-92, P. 27, col. 5, n.o.r. (Decision) (Domestic Relations).
399. S.B.S. Assoc. v Weissman-Heller Inc., NYLJ, 3-18-92, p. 22, col. 2, n.o.r. (Decision of Interest) (Real Property Tax).

400. Board of Managers of the Seaport South Condominium v 130 Water St. Assoc., NYLJ, 4-8-92, p. 28, col. 5 (Decision of Interest) (Condominiums); discussed and reported in NYLJ, Realty Law Digest, 5-13-92, p. 4. col. 6, 153 Misc2d 813, 583 NYS2d 142.
401. Flax v Flax, NYLJ, 4-20-92, p. 28, col. 1, n.o.r. (Decision of Interest) (Fixing of Valuation Date).
402. Matter of Duane St. Assocs., NYLJ, 4-29-92, p. 22, col. 5, n.o.r. (Decision of Interest) (Real Property Law).
403. Relide Realty v Bernard Lang & Co., NYLJ, 5-6-92, p. 22, col. 1 (Decision of Interest), n.o.r..
404. Kipper v Kipper, NYLJ, 5-13-92, p. 21, col. 5, n.o.r. (Decision of Interest) (Domestic Relations).
405. Backe v Young Broadcasting, Inc., NYLJ, 5-22-92, p. 22, col. 3, n.o.r. (Decision of Interest) (Contracts).
406. Bernard v Nash, NYLJ, 6-3-92, p. 22, col. 3, n.o.r. (Decision of Interest) (Landlord & Tenant).
407. Merrick v Merrick, NYLJ, 6-5-92, p. 27, col. 2, 154 Misc2d 559, 585 NYS2d 989 (Domestic Relations); affd 190 AD2d 516, 593 NYS2d 192 (AD1, 1993).
408. Uboh-Abiola v Abiola, NYLJ, 6-11-92, p. 1, col. 2 (Article of Interest); 6-12-92, p. 22, col. 1, n.o.r. (Decision) (Domestic Relations).
409. Chin v Lau, NYLJ, 7-24-92, p. 21, col. 6, n.o.r. (Decision of Interest) (Evidence-Domestic Relations).
410. McCarthy v McCarthy, NYLJ, 7-13-92, p. 32, col. 3, n.o.r. (Decision of Interest) (Child Custody).
411. Matter of Dentom Transportation Inc., NYLJ, 7-31-92, p. 22, col. 2, n.o.r. (Decision of Interest) (City Charter).
412. Sullivan v Sullivan, NYLJ, 9-22-92, p. 1, col. 3 (Article/Equitable Distribution); 9-23-92, p. 22, col. 1 (Decision of Interest), 155 Misc2d 440, 588 NYS2d 232; affd 201 AD2d 417, 607 NYS2d 937 (AD1, 1995).
413. Rentschler v Rentschler, NYLJ, 9-22-92, p. 22, col. 1 (Decision of Interest) (Child Custody); modified NYLJ, 5-5-94, p. 26, col. 5 (Decision), 204 AD2d 60, 611 NYS2d 523 (AD 1, 1994); dismissed NYLJ, 1-19-95, p. 25, col. 4, 84 NY2d 1027, 623 NYS2d 182 (Ct of Appeals).
414. Patibandla Pharmacy Inc. v Perales, NYLJ, 9-24-92, p. 25, col. 2, n.o.r. (Decision of Interest) (Medicaid Law).

415. Matter of Jackson (Triborough Bridge & Tunnel Authority), NYLJ, 10-19-92, p. 28, col. 6 (Decision of Interest), 155 Misc2d 715, 589 NYS2d 748 (Civil Service Law).
416. Marjorie G. v Stephen G., NYLJ, 10-29-92, p. 24, col. 1 (Decision of Interest), 156 Misc2d 198, 592 NYS2d 209 (Domestic Relations).
417. Peterson v Peterson, NYLJ, 11-18-92, p. 22, col. 1 (Decision of Interest); affd 199 AD2d 100, 605 NYS2d 865 (Domestic Relations) (AD1, 1993).
418. Merrick v Merrick, NYLJ, 11-23-92, p. 1, col. 3 (Article of Interest); 11-24-92, p. 31, col. 4 (Decision), 163 Misc2d 929, 622 NYS2d 852 (Matrimonial Law - Attorney Disqualification).
419. Anonymous v Anonymous, NYLJ, 12-14-92, p. 28, col. 2, (Decision of Interest) (Matrimonial Law).
420. Carleton Woolen Mills Inc. v Richman Brothers Co., NYLJ, 12-28-92, p. 22, col. 2, n.o.r. (Decision of Interest) (Arbitration Law).
421. Matter of Antelis (Dept. of Sanitation), NYLJ, 1-8-93, p. 21, col. 6, n.o.r. (Decision of Interest) (Administrative Code).
422. McCann v McCann, NYLJ, 1-15-93, p. 22, col. 1 (Decision of Interest) (Domestic Relations), 156 Misc2d 540, 593 NYS2d 917.
423. Zelnic v Zelnic, NYLJ, 2-9-93, p. 1, col. 6 (Article of Interest); 2-10-93, p. 22, col. 1 (Decision); 196 AD2d 700, 601 NYS2d 701 (Domestic Relations) (AD1).
424. Matter of Baines (Shapiro), NYLJ, 4-8-93, p. 24, col. 1, n.o.r. (Decision of Interest) (Partnership).
425. Horton v Horton, NYLJ, 4-8-93, p. 1, col. 6 (Decision of Interest); NYLJ, p. 22, col. 1 (Decision); 157 Misc2d 480; 597 NYS2d 564 (Domestic Relations).
426. Barrett v Barrett, NYLJ, 4-20-93, p. 22, col. 5, n.o.r. (Decision of Interest) (Domestic Relations).
427. Merrick v Merrick, NYLJ, 5-3-93, p. 1, col. 1 (Today's News - Update); 5-3-93, p. 28, col. 1 (Decision), 154 Misc2d 559, 585 NYS2d 989 (Domestic Relations); affd 190 AD2d 516, 593 NYS2d 192 (AD1, 1993).
428. Encore College Bookstores, Inc. v State University of New York Fashion Institute of Technology, New York, NYLJ, 5-20-93, p. 29, col. 3, n.o.r. (Decision of Interest) (Domestic Relations).
429. Schapiro v Schapiro, NYLJ, 5-24-93, p. 27, col. 3 (Decision of Interest), n.o.r.; affd 5-9-94, p. 26, col. 3 (Decision), 204 AD2d 87, 612 NYS2d 6 (Domestic Relations).

430. Greer v Bane, NYLJ, 6-2-93, p. 1, col. 3 (Article of Interest); 6-3-93, p. 22, col. 5 (Decision of Interest), 158 Misc2d 486, 600 NYS2d 607 (Claim for Foster-Care Funds).
431. Ballschmieder v New York City Employees Retirement System, affd NYLJ, 6-8-93, p. 23, col. 3 (Decision of Interest), 205 AD2d 363, 614 NYS2d 900 (Administrative Law).
432. Meyheroff v Meyerhoff, NYLJ, 6-17-93, p. 24, col. 4, n.o.r. (Decision of Interest)(Jurisdiction).
433. Cohen v Cohen, affd NYLJ, 6-28-93, p. 23, col. 1 (Decision of Interest), 209 AD2d 329, 619 NYS2d 546 (Mental Hygiene of Law) (AD1, 1994).
434. Matter of Early, NYLJ, 7-1-93, p. 1 col. 3, (Article of Interest); 7-2-93, p. 22, col. 2, n.o.r. (Decision)(Mental Hygiene of Law).
435. Ewerse v Elghanayan, NYLJ, 8-3-93, p. 22, col. 2, n.o.r. (Decision of Interest)(Contracts).
436. Lenczycki v Shearson Lehman Hutton, NYLJ, 8-3-93, p. 1, col. 3 (Article of Interest); 8-4-93, p. 22, col. 3, n.o.r. (Decision)(Contracts).
437. Baritz v Haber, NYLJ, 8-16-93, p. 23, col. 4 (Decision of Interest), 198 AD2d 922, 603 NYS2d 936 (Domestic Relations).
438. Ward v Ward, NYLJ, 8-27-93, p. 22, col. 5, n.o.r. (Decision of Interest)(Domestic Relations).
439. Matter of Ansonia Associates v NYS Division of Housing, NYLJ, 9-1-93, p. 21, col. 5, n.o.r. (Decision)(Landlord & Tenant).
440. Landa v Landa, NYLJ, 9-1-93, p. 21, col. 6, n.o.r. (Decision)(Domestic Relations).
441. Flashner v Harvis, NYLJ, 9-3-93, p. 22, col. 1, n.o.r. (Decision of Interest)(Domestic Relations).
442. Baines v Shapiro, NYLJ, 9-13-93, p. 1, col, 3, n.o.r. (Article of Interest); 9-14-93, p. 21, col. 6(Decision) (Partnership Law).
443. Anonymous v Anonymous, NYLJ, 9-23-93, p. 1, col. 6, (Article of Interest); 9-24-93, p. 22, col.1.. n.o.r. (Domestic Relations); discussed at length in Florescue, "Distribution of a Law Partnership" (Domestic Relations Law Column) 10-29-93, p. 3, col. 1; affd NYLJ, 12-21-95, p. 25, col. 3 (Decision), 222 AD2d 305, 636 NYS2d 12.
444. Cooke v Cooke, NYLJ, 9-24-93, p. 21, col. 5 (Decision of Interest), 201 AD2d 400, 607 NYS2d 662 (Domestic Relations).

445. Kerzner v Kerzner, NYLJ, 10-4-93, p. 24, col. 2, n.o.r. (Decision of Interest) (Domestic Relations).
446. Rivera v Bane, NYLJ, 10-15-93, p. 22, col. 1, n.o.r. (Decision of Interest) (Civil Procedure).
447. Glass v Glass, NYLJ, 11-1-93, p. 29, col. 1, n.o.r. (Decision of Interest) (Domestic Relations).
448. Meikle v Soft Sheen Products, Inc., NYLJ, 11-17-93, p. 28, col. 5, n.o.r. (Decision of Interest) (Insurance Law).
449. Goldstein v Goldstein, NYLJ, 12-2-93, p. 24, col. 5 (Decision); affd, for the reasons stated by Saxe, J., 6-20-94, p. 26 col. 5, 205 AD2d 375, 614 NYS2d 126 (Domestic Relations) (AD1).
450. Merrick v Merrick, NYLJ, 12-9-93, p. 1, col. 6 (Article of Interest); 12-10-93, p. 26, col. 3 (Decision), 165 Misc2d 180, 627 NYS2d 884 (Domestic Relations); affd 223 AD2d 373, 636 NYS2d 1006 (for reasons stated by Saxe, J.).
451. Matter of Gilchinsky (Rodgers & Hammerstein), NYLJ, 12-21-93, p. 21, col. 6, n.o.r. (Decision of Interest) (Civil Rights); affd 4-20-95, p. 26, col. 6 (Decision), 214 AD2d 421, 625 NYS2d 184.
452. Anonymous v Anonymous, NYLJ, 1-3-94, p. 1, col. 1 (Article of Interest), n.o.r.; 1-4-94, p. 34, col. 5 (Decision), affd 213 AD2d 183, 623 NYS2d 576 (Domestic Relations).
453. Matter of Gloria R. and Alfred R. v Jane R., NYLJ, 1-10-94, p. 1, col. 3 (Article of Interest); 1-11-94, p. 22, col. 4 (Decision), n.o.r. (Grandparent Visitation); affd 209 AD2d 179, 618 NYS2d 24; lv dismissed in part, lv denied in part 85 NY2d 882, 626 NYS2d 752 (Ct of Appeals, 1995).
454. Mongelli v Mongelli, NYLJ, 1-18-94, p. 1, col. 3 (Article of Interest); 1-19-94, p. 22, col. 4, n.o.r. (Decision) (Sequestration of Assets/Divorce).
455. McCarthy v McCarthy, NYLJ, 1-12-94, p. 21, col. 6, n.o.r. (Decision of Interest) (Relocation).
456. Matter of Nadelson (Citibank, N.A.), NYLJ, 2-4-94, p. 22, col. 3, n.o.r. (Decision of Interest) (Real Property).
457. Gorelik v Gorelik, NYLJ, 2-14-94, p. 26, col. 3, n.o.r. (Decision of Interest); republished NYLJ, 2-16-94, p. 21, col. 5 (Domestic Relations).
458. Fisher v Fisher, NYLJ, 2-17-94, p. 24, col. 5 (Decision of

- Interest), 159 Misc2d 1115, 608 NYS2d 383 (Domestic Relations); affd. 202 AD2d 255, 609 NYS2d 782 (AD1, 1994).
459. Proner v Julien & Schlesinger PC, NYLJ, 3-8-94, p. 26, col. 1, n.o.r. (Decision of Interest)(Evidence); affd 4-24-95, p. 27, col. 1 (Decision), 214 AD2d 460, 625 NYS2d 207 (AD1).
460. Matter of Manners, NYLJ, 3-31-94, p. 32, col. 5, n.o.r. (Decision of Interest)(Sanctions).
461. Kanbar v Ka Wah Bank, NYLJ, 4-22-94, p. 22, col. 3, n.o.r. (Decision of Interest)(Real Property).
462. Matter of Abrams (Bistricher), NYLJ, 4-28-94, p. 28, col. 1 (Decision of Interest), 160 Misc2d 824; 611 NYS2d 422 (Business Law).
463. W. 47th Associates v 426 W. 47th St. Inc., NYLJ, 5-4-94, p. 29, col. 5, n.o.r. (Decision of Interest) (Real Property Law).
464. Kosovsky v Zahl, NYLJ, 5-6-94, p. 29, col. 6, n.o.r. (Decision of Interest)(Domestic Relations); affd, 10-11-94, p. 26, col. 6, 208 AD2d 831, 618 NYS2d 204 (AD1).
465. Megibow v Megibow, NYLJ, 5-17-94, p. 21, col. 5 (Decision of Interest), 161 Misc2d 69, 612 NYS2d 758 (Domestic Relations).
466. Wittich v Wittich, NYLJ, 6-10-94, p. 29, col. 1 (Decision of Interest) (Domestic Relations); affd, NYLJ, 12-22-94, p. 27, col. 2, 210 AD2d 138, 620 NYS2d 351 (AD1).
467. Koons v Koons, NYLJ, 6-17-94, p. 1, col. 1 (Article of Interest) (Domestic Relations); 6-20-94, p. 28, col. 5, 161 Misc2d 842, 615 NYS2d 563; affd NYLJ, 2-6-95, p. 27, col. 1, 212 AD2d 370, 622 NYS2d 242.
468. Cappiello v Cappiello, NYLJ, 6-20-94, p. 28, col. 4, n.o.r. (Decision of Interest)(Domestic Relations).
469. Matter of Fondacaro (Kelly), NYLJ, 6-24-94, p. 26, col. 4 (Decision of Interest) (Article 78), n.o.r.; reversed, 12-23-96, p. 32, col. 3, 234 AD2d 173, 652 NYS2d 604 (AD1).
470. Mahony v Mahony III, NYLJ, 6-30-94, p. 28, col. 1, n.o.r. (Decision of Interest)(Domestic Relations).
471. Peress v Peress, NYLJ, 7-12-94, p. 26, col. 2, n.o.r. (Decision of Interest)(Domestic Relations).
472. Baum v Baum, NYLJ, 8-8-94, p. 28, col. 1 (Decision of Interest), 162 Misc2d 123, 615 NYS2d 955 (Domestic Relations).
473. Prudential Insurance Co. v Ward, NYLJ, 8-16-94, p. 22, col. 6, n.o.r. (Decision of Interest)(Real Property).

474. Silverman v Silverman, NYLJ, 10-11-94, p. 28, col. 3 (Decision of Interest), n.o.r. (Domestic Relations).
475. Jordan v Richardson, NYLJ, 11-1-94, p. 26, col. 2, n.o.r. (Decision of Interest) (Domestic Relations).
476. Matter of Farbstein, NYLJ, 11-7-94, p. 1, col.3 (Article of Interest); 11-8-94, p. 26, col. 4 (Decision), 163 Misc2d 26, 619 NYS2d 239 (Mental Hygiene Law).
477. Koons v Koons, NYLJ, 11-16-94, p. 1 col. 2 (Today's News - Update), p. 22, col. 2 (Decision) n.o.r. (Domestic Relations/Custody).
478. Shugar v Shugar, NYLJ, 12-1-94, p. 28, col. 4, n.o.r. (Decision of Interest) (Domestic Relations).
479. Morrison v Shen, NYLJ, 12-5-94, p. 29, col. 3 (Decision); featured in Today's News, NYLJ, 12-5-94, p. 1, col. 2, n.o.r. (Lawyer Criticized for Sexist Affidavit) (Domestic Relations).
480. Bland v Bland, NYLJ, 12-16-94, p. 26, col. 3, n.o.r. (Decision of Interest) (Equitable Distribution - Trial Decision); discussed at length in Florescue, "Appreciation in Value of a Practice," 1-9-95, p. 3, col. 1.
481. Curry v Curry, NYLJ, 12-21-94, p. 21, col. 5, n.o.r. (Decision of Interest) (Domestic Relations/Equitable Distribution).
482. Gann v Gann, NYLJ, 12-27-94, p. 27, col. 4 (Decision of Interest); 163 Misc2d345, 620 NYS2d 707 (Equitable Distribution - Trial Decision); affd NYLJ, 11-18-96, p. 28, col. 3, 233 AD2d 188, 649 NYS2d 154.
483. Bond v Bond, NYLJ, 1-3-95, p. 26, col. 4, n.o.r. (Decision of Interest) (Domestic Relations); affid NYLJ, 1-3-95, p. 25, col. 31, 210 AD2d 189, 621 NYS2d 27.
484. Mann v Mann, NYLJ, 1-9-95, p. 1, col. 5, n.o.r. (Article of Interest); 1-10-95, p. 26, col. 1 (Trial Decision - Equitable Distribution).
485. Matter of Travers (Bratton), NYLJ, 1-27-95, p. 26, col. 3, n.o.r. (Decision of Interest) (Civil Procedure - Article 78 Proceeding).
486. Merrick v Merrick, NYLJ, 1-31-95, p. 1, col.3 (Article of Interest); NYLJ, 2-1-95, p. 27, col. 2; 163 Misc2d 929, 622 NYS2d 852 (Domestic Relations; Necessaries-Legal Fees); affd NYLJ, 4-1-96, p. 26, col. 2, 225 AD2d 491, 639 NYS2d 818.
487. Manor v Manor, NYLJ, 3-7-95, p. 26, col. 1, n.o.r. (Decision of Interest) (Foreign Country, Child Support Award).
488. Matter of Abel (New York City Council), NYLJ, 3-14-95, p. 26, col. 2, n.o,r. (Decision of Interest) (Constitutional Law).



489. Key Bank of NY v Mahl, NYLJ, 3-22-95, p. 26, col. 5, n.o.r. (Decision of Interest) (Commercial Law).
490. Mayer v Mayer, NYLJ, 3-27-95, p. 28, col. 2 (Decision of Interest), 164 Misc2d 320, 624 NYS2d 749 (Domestic Relations).
491. Goldstein v Goldstein, NYLJ, 4-14-95, p. 26, col. 1, n.o.r. (Decision of Interest) (Domestic Relations).
492. Joy Silverman v Jeffrey Silverman, NYLJ, 4-19-95, p. 26, col. 3, n.o.r. (Decision of Interest) (Domestic Relations).
493. Maresca v Maresca, NYLJ, 4-24-95, p. 28, col.2, n.o.r. (Decision of Interest) (Domestic Relations-Civil Procedure).
494. Gittens v Gittens, NYLJ, 5-9-95, p. 26, col. 2, n.o.r. (Decision of Interest) (Domestic Relations).
495. Kosovsky v Zahl, NYLJ, 5-16-95, p. 25, col. 5 (Decision of Interest) 165 Misc2d 164, 627 NYS2d 523 (Surveillance tapes/custody trial); affd 208 AD2d 381, 61 NYS2d 204.
496. Silverman v Silverman, affd NYLJ, 5-23-95, p. 26, col. 3, 219 AD2d 550, 632 NYS2d 65 (Domestic Relations - Adultery or Cruel and Inhuman Treatment).
497. Merrick v Merrick, NYLJ, 5-24-95, p. 1, col. 5 (Article of Interest); referred to in NY Times, 5-14-95, p. B.7, col. 3 (Chronicles); NY Post, 5-24-95, p. 20, col. 4; NY Daily News, 5-24-95, p. 6 (Early Edition); NYLJ, 5-26-95, p. 26, col. 1, 165 Misc2d 180, 627 NYS2d 884 (Domestic Relations - Abandonment); affd for the reasons stated by Saxe, J., NYLJ, 1-11-96, p. 26, col. 3, 223 AD2d 373, 636 NYS2d 1006 (AD1 1996).
498. Matter of Fondacaro (Kelley), NYLJ, 6-13-95, p. 26, col. 3, n.o.r. (Decision of Interest) (Civil Procedure) (Contempt Application).
499. Apple Bank v One Arden Street Assoc., NYLJ, 6-14-95, p. 31, col. 5 (Decision of Interest), 165 Misc2d 1011, 630 NYS2d 1012 (Real Property).
500. Brentrup v Culkin, Order of Temporary Joint Custody issued on the record, 6-26-95 (Part 18, Sup Ct, NY Co; in NY Post, 6-22-95, p. 8; NY Daily News, 6-22-95, p. 24; 6-23-95, p. 17; NY Times, 6-22-95, Metro, p. B5; NY Times, 6-27-95, Metro, p. B2; NYLJ, 6-27-95, p. 1 col. 2 (Article); NY Daily News, 6-27-95, p. 5; NY Newsday, 6-27-95, p. A8, n.o.r. (Domestic Relations).
501. Willow Funding Co. LP v Blum. NYLJ, 6-28-95, p. 27, col. 1, n.o.r. (Decision of Interest) (Real Property).

502. Joy Silverman v Jeffrey Silverman, NYLJ, 7-14-95, p. 1, col. 2 (Update); 7-17-95, p. 30, col. 1 (Decision), 166 Misc2d, 400, 632 NYS2d 393 (Domestic Relations/Adultery).
503. Matter of Spruils v NYC Housing Authority Police Dept, New York, NYLJ, 7-28-95, p. 21, col. 6, n.o.r. (Decision of Interest)(Freedom of Information Law).
504. DiSalvo v Graff, NYLJ, 8-4-95, p. 22, col. 5, n.o.r. (Decision of Interest)(Domestic Relations).
505. Richardson v Richardson, NYLJ, 8-11-95, p. 26, col. 4, n.o.r.(Decision of Interest) (Domestic/Discovery).
506. Goldman v Hansen, NYLJ, 9-15-95, p. 25, col. 5, n.o.r. (Decision of Interest)(Civil Procedure).
507. Matter of Gloria R., NYLJ, 9-19-95, p. 26, col. 6 (Decision of Interest), 166 Misc2d 141, 631 NYS2d 1011 (Domestic Relations-Grandmother Visitation), affd NYLJ, 5-13-96, p. 29, col. 3, 227 AD2d 207, 642 NYS2d 511.
508. Matter of Lloyd, NYLJ, 10-11-95, p. 25, col.6, n.o.r. (Decision)(Domestic Relations)(Change of Name/Merrick's Paramour).
509. Sabella v Sabella, NYLJ, 11-17-95, p. 25, col. 6, n.o.r. (Domestic Relations)(Civil Procedure).
510. Silverman v Silverman, NYLJ, 11-21-95, p. 1, col. 1. (Today's News-Update); affd 11-22-95, p. 26, col.1 (Decision), 219 AD2d 550, 732 NYS2d 65 (Domestic Relations/Contempt).
511. Brentrup v Culkin, NYLJ, 12-5-95, p. 26, col. 1 (Decision) (Family Law); 12-1-95 p. 1, col. 2 (Today's News-Update), 166 Misc2d 870, 635 NYS2d 1016 (Custody, Sealing Courtroom); reversed 9-20-96, p. 1, col. 3 (Article of Interest) 9-23-96, p. 25, col. 2 (Decision), 223 AD2d 294, 647 NYS2d 732 (AD1).
512. O'Brien v O'Brien, NYLJ, 1-11-96, p. 28, col. 2, n.o.r. (Decision of Interest)(Family Law).
513. Toys "R" Us v Silva, et al., NYLJ, 1-22-96, p. 1, col. 5 (Article of Interest); 1-23-96, p. 25, col. 4 (Decision), 167 Misc2d 897, 639 NYS2d 881 (Real Estate/Zoning Law); affd 7-5-96, p. 26, col. 3 (Decision), 229 AD2d 308, 646 NYS2d 91; reversed, 12-23-96, p. 1, col. 3 (Article of Interest); 12-20-96 p. 25, col. 1 (Decision), 89 NY2d 411, 654 NYS2d 100 (Ct of Appeals).
514. Edgerly v Moore, NYLJ, 2-9-96, p. 29, col. 3, n.o.r. (Decision of Interest) (Domestic Relations); modified on the law 10-10-96, p. 22, col. 5 (Decision), 232 AD2d 214, 647 NYS2d 773.

515. Kosovsky v Zahl, NYLJ, 3-1-96, p. 26, col. 1, n.o.r. (Decision of Interest)(Domestic Relations).
516. Raskopf v Raskopf, NYLJ, 3-4-96, p. 1, col. 3 (Article of Interest) 3-5-96, p. 25, col. 6, 167 Misc2d 1017, 641 NYS2d 993 (Equitable Distribution-Defunct Law Firm).
517. Brentrup v Culkin, NYLJ, 3-7-96, p. 27, col. 4 (Decision of Interest), 167 Misc2d 211, 639 NYS2d 247 (Domestic Relations/Custody-Support).
518. Shteyn v Shteyn, NYLJ, 3-11-96, p. 28, col. 4, n.o.r. (Decision of Interest) (Domestic Relations-Custody).
519. Matter of Brown v Franco, NYLJ, 3-13-96, p. 25, col. 5, (Decision of Interest), (Landlord-Tenant), n.o.r.
520. Ferguson v Barrios-Paoli, NYLJ, 3-21-96, p. 1, col. 3 (Article of Interest); 3-22-96, p. 28, col. 1 (Decision) (Article 78), n.o.r..
521. Campbell v Fine, Olin & Anderman, NYLJ, 5-2-96, p. 1, col. 3 (Article of Interest); 5-3-96, p. 29, col. 6 (Decision), 168 Misc2d 365, 642 NYS2d 819 (Legal Malpractice/Limited Retainer Issue).
522. Druva v Buckley, NYLJ, 5-3-96, p. 29, col. 5, n.o.r. (Decision of Interest) (Domestic Relations).
523. Matter of Winner International Corp., NYLJ, 5-9-96, p. 30, col. 3, n.o.r. (Decision of Interest) (Civil Rights Law).
524. Cullen v 350-52-54 W. 12th St. Owners Corp., NYLJ, 6-5-96, p. 26, col. 2, n.o.r. (Decision of Interest) (Real Property), n.o.r.
525. Sherman v Jackson, NYLJ, 6-14-96, p. 33, col. 2. n.o.r. (Decision of Interest) (Constitutional Law); appeal dismissed 88 NY2d 972, 648 NYS2d 877 (Ct of Appeals, 1996).
526. Johnson v Birchett, NYLJ, 6-18-96, p. 25, col. 4, n.o.r. (Decision of Interest) (Civil Procedure).
527. Kaston v Schambach, NYLJ, 6-28-96, p. 26, col. 2, n.o.r. (Decision of Interest) (Contracts).
528. Ansonia Associates Limited Partnership v Ansonia Tenants' Coalition, et al., NYLJ, 8-6-96, p. 1, col. 1, n.o.r. (Article), 8-7-96, p. 22, col. 1, (Decision) (Landlord & Tenant).
529. MCEG Sterling, Inc. v Phillips Nizer, et al., NYLJ, 8-8-96, p. 22, col. 1, (Decision of Interest), 169 Misc2d 625, 646 NYS2d 778 (Legal Malpractice).
530. GSL Enterprises Inc. v Bella Carla Fashions, Inc., NYLJ, 8-28-96, p. 22, col. 2, n.o.r. (Decision of Interest) (Landlord-Tenant).

531. IBJ Schroder Bank & Trust Company v Bank for Foreign Economic Affairs of the USSR, NYLJ, 9-11-96, p. 1, col. 3 (Article of Interest), 9-12-96, p. 22, col. 6 (Decision), 170 Misc2d 294, 647 NYS2d 930 (International Commerce).
532. Lange v Roman Catholic Diocese of Dallas, NYLJ, 10-10-96, p. 24, col. 4 (Decision of Interest), 170 Misc2d 43, 648 NYS2d 265 (Civil Procedure).
533. Ansonia Tenants' Coalition Inc. v Ansonia Goons, NYLJ, 10-15-96, p. 28, col. 6, n.o.r. (Decision of Interest) (Real Property).
534. 801 Gourmet Food v Crystal Realty Associates, NYLJ, 12-11-96, p. 26, col. 4, n.o.r. (Decision of Interest) (Landlord-Tenant) Noted in NYLJ, 6-3-98, p. 5, col. 4, Weekly Landlord Tenant Law column (Yellowstone Injunctions).
535. Kerzner v Kerzner, NYLJ, 12-17-96, p. 25, col. 6 (Decision of Interest), 170 Misc2d 1006, 653 NYS2d 219 (Domestic Relations) (Trial Decision).
536. Senft v Halperin, NYLJ, 12-18-96, p. 25, col. 5, n.o.r. (Decision of Interest) (Real Property).
537. Kerzner v Kerzner, NYLJ, 1-14-97, p. 29, col. 3, n.o.r. (Decision of Interest) (Attorneys Fee-Domestic Relations).
538. Gearns v Gearns, NYLJ, 2-4-97, p. 1, col. 3, n.o.r. (Article of Interest); 2-5-97, p. 26, col. 5, (Decision) (Domestic Relations-Equitable Distribution).
539. Nacinovich v Tullett & Tokyo Forex, New York, NYLJ, 2-6-97, p. 28, col. 1, n.o.r. (Decision of Interest) (Defamation).
540. Straker v Giuliani, NYLJ, 2-14-97, p. 30, col. 2, n.o.r. (Decision of Interest) (Civil Service Law).
541. State of New York v Metz, NYLJ, 2-13-97, p. 1, col. 1 (Article of Interest); 2-14-97 p. 30, col. 4 (Decision), 2-18-97, p. 26, col. 5 (Decision of Interest), 171 Misc2d 525, 654 NYS2d 989 (Civil Procedure).
542. Bank of New York v Ansonia Associates, NYLJ, 2-27-97, p. 1, col. 6 (Article of Interest); 2-28-97, p. 26, col. 1 (Decision) 172 Misc2d 70, 656 NYS2d 813 (Trial Practice/Case Management).
543. Matter of Culkin, NYLJ, 3-5-97, p. 1, col. 3, n.o.r. (Article of Interest); 3-6-97, p. 28, col. 1 (Decision) (Custody/Property Guardianship).

544. Matter of Bleiburg Restaurant, Inc. v New York City Department of Health, NYLJ, 3-7-97, p. 26, col. 2 (Decision of Interest) 172 Misc2d 495, 658 NYS2d 574 (Administrative Law).
545. Yanchewski v Amex Assurance Co., NYLJ, p. 29, col. 2, n.o.r. (Decision of Interest) (Insurance Law).
546. Bankers Federal Savings v Windsor Apartments, Inc., NYLJ, 3-12-97, p. 26, col. 1, n.o.r. (Decision of Interest) (Landlord-Tenant).
547. V Marangi Carting Corp. v Judex Enterprises, Inc., NYLJ, 3-13-97, p. 1, col. 3 (Article of Interest); 3-14-97, p. 26. col. 4 (Decision), 171 Misc2d 820, 655 NYS2d 832 (Tortious Interference with Contract Limited).
548. Brause v Polonez Press Box, NYLJ, 3-19-97, p. 25, col. 6 (Decision of Interest), 171 Misc2d 957, 656 NYS2d 132 (Landlord-Tenant).
549. Miller v American Foreign Steamship, NYLJ, 3-20-97, p. 29, col. 1, n.o.r. (Decision of Interest) (Products Liability).
550. Matter of Amalgamated Transit Union v Amboy Bus Co., NYLJ, 3-25-97, p. 27, col. 1, n.o.r. (Decision of Interest) (Arbitration).
551. Samsung v Yugoslav-Korean Consulting & Trading Co., NYLJ, 4-3-97, p. 28, col. 5, n.o.r. (Decision of Interest) (Contracts); modified on the law, NYLJ, 3-30-98, p. 26, col. 2, 248 AD2d 290, 670 NYS2d 466.
552. Brentrup v Culkin, NYLJ, 4-7-97, p. 28, col. 2 (Trial Decision), n.o.r. (Domestic Relations/Custody).
553. Robles v New York City Department of Health, NYLJ, 4-8-97, p. 25, col. 5, n.o.r. (Decision of Interest) (Administrative Law).
554. Sid Deutsch Gallery, Inc. v Dintenfass, Inc., NYLJ, 4-10-97, p. 26, col. 3, n.o.r. (Decision of Interest) (Fraud).
555. D & D Carting Co. v NYC, NYLJ, 4-24-97, p. 29, col. 4 (Decision of Interest), 172 Misc2d 544, 658 NYS2d 825 (Administrative Law).
556. SoHo Alliance v World Farm Inc., NYLJ, 5-14-97, p. 29, col. 1, n.o.r. (Decision of Interest) (Torts).
557. Miller v American Export Lines, NYLJ, 5-15-97, p. 28, col. 2, n.o.r. (Decision of Interest) (Torts).
558. Ansonia Tenants' Coalition Inc. v Ansonia Goons, NYLJ, 5-16-97, p. 26, col. 2 (Decision of Interest), n.o.r.; affd NYLJ, 6-22-98, p. 27, col. 1, 251 AD2d 163, 673 NYS2d 1002 (Defamation).

559. Matter of Bleiburg Restaurant Inc. v NYC Department of Health, NYLJ, 6-4-97, p. 26, col. 4 (Decision of Interest), 172 Misc2d 495, 658 NYS2d 574 (Personal Injury).
560. Oppenheim v United Charities of New York, NYLJ, 7-3-97, p. 32, col. 3, n.o.r. (Decision of Interest) (Personal Injury).
561. Raji v Nejad, NYLJ, 7-10-97, p. 1, col. 1, n.o.r. (Article of Interest); 7-11-97, p. 26, col. 2 (Domestic Relations).
562. People v Spain, NYLJ, 7-18-97, p. 1, col. 4, n.o.r. (Decision of Interest) (Criminal Law/Drug Sale/Criminal Possession).
563. Republic National Bank of NY v Nagel Hillside Development Corp., NYLJ, 7-23-97, p. 22, col. 5, n.o.r. (Decision of Interest) (Social Services Law).
564. Moore v Dormin, NYLJ, 7-29-97, p. 1, col. 6, (Article of Interest); 7-30-97, p. 22, col. 1 (Decision) 173 Misc2d 836, 662 NYS2d 239 (Civil Rights/Defamation).
565. Matter of Smith v Wing, NYLJ, 7-31-97, p. 22, col. 3, n.o.r. (Decision of Interest) (Social Services Law).
566. People v Collazo, NYLJ, 8-8-97, p. 22, col. 3, n.o.r. (Decision of Interest) (Criminal Law-Jury Issue).
567. Rekrem, Inc. v Soho Development Corp., NYLJ, 8-13-97, p. 1, col. 3 (Decision of Interest) p. 21, col. 6 (Decision), n.o.r. (Real Estate/Yellowstone Injunction); Noted in NYLJ, Weekly Real Estate Law Digest, 9-24-97, p. 5, col. 1; Noted in NYLJ, Weekly Landlord Tenant Law column, 6-3-98, p. 7, col. 1., (Yellowstone Injunctions).
568. Porter v Parker, Chapin, Flattau & Kimpl, NYLJ, 9-11-97, p. 28, col. 1, n.o.r. (Decision of Interest) 9-16-97, p. 27, col. 4 (Decision/republished) (Arbitration).
569. People v McKenzie. MYLJ, 9-25-97, p. 29, col. 3, n.o.r. (Decision of Interest) (Criminal Procedure).
570. Matter of Van Ness v Cuevas, NYLJ, 10-6-97, p. 1, col. 2 (Article of Interest) NYLJ, 10-7-97, p. 26, col. 2, n.o.r.; (Animal Protection/1997 Election Ballot Issue); affd for reasons stated by Saxe, J., NYLJ, 10-14-97, p. 26, col. 4, 243 AD2d 283, 669 NYS2d 510; 90 NY2d 963, 665 NYS2d 400 (Ct of Appeals, 1997).
571. People v Paz, NYLJ, 10-10-97, p. 26, col. 1, n.o.r. (Decision of Interest) (Criminal Procedure).
572. Colton, Harnick, Yamin & Sheresky v Feinberg, NYLJ, 10-24-97, p. 29, col. 5, n.o.r. (Decision of Interest) (Civil Procedure).

573. ML/Lutz LLC v NLI Lutz LLC, NYLJ, 11-12-97, p. 26, col. 2. n.o.r. (Decision of Interest) (Landlord-Tenant).
574. Mont v Goldman, NYLJ, 11-19-97, p. 26, col. 2 (Decision of Interest), 174 Misc2d 857, 666 NYS2d 386 (Civil Procedure).
575. RKO Century Warner Theatres Inc. v Morris Industrial Builders, NYLJ, 11-24-97, (Article of Interest) NYLJ, p. 26, col. 3, 11-25-97 (Decision), 174 Misc2d 954, 667 NYS2d 217 (Yellowstone Injunction Issue); reargument and renewal, NYLJ, 1-14-98, (Article of Interest) NYLJ, p. 26, col. 6, (Decision of Interest), n.o.r. (Yellowstone Injunction Issue); Noted in NYLJ, Weekly Landlord Tenant Law column 6-3-98, p. 5, col. 2, (Yellowstone Injunctions).
576. People v Singletary, NYLJ, 12-31-97, p. 22, col. 5, n.o.r. (Decision of Interest) (Criminal Procedure).
577. Benetar Bernstein Schair & Stein v New Direction Color Inc., NYLJ, 1-2-98, p. 25, col. 3, n.o.r. (Decision of Interest) (Evidence).
578. Matter of Mayo v Roberts, NYLJ, 1-6-98, p. 22, col. 2, n.o.r. (Decision of Interest) (Administrative Law).

APPELLATE DIVISION FIRST DEPARTMENT OPINIONS

579. Matter of Kimberly H., NYLJ, 5-13-98, p. 1, col. 3 (Article of Interest), NYLJ 5-14-98, p. 25, col. 3 (Decision), 242 AD2d 35, 673 NYS2d 96 (Family Law, Parental Rights).
580. Swift v Choe, NYLJ, 6-8-98, p. 1, col. 3 (Article of Interest), p. 25, col. 3 (Decision), 242 AD2d 188, 674 NYS2d 17 (Attorney Malpractice).
581. Seinfeld v Robinson and American Express Co., NYLJ, 8-28-98, p. 1, col. 5 (Article of Interest), NYLJ, 8-31-98, p. 25 col. 2 (Decision), 246 AD2d 291, 676 NYS2d 579 (Derivative Suit/Attorneys' Fees).
582. Mercado v New York City Health and Hospitals Corporation, NYLJ, 9-9-98, p. 1, col. 3 (Article of Interest), 9-9-98, p. 21, col. 3 (Decision), 247 AD2d 55, 677 NYS2d 314 (Municipal Corporations/Notice of Claim).
583. Aviles v Crystal Management, dissenting opinion, NYLJ, 9-14-98, p. 26, col. 1, 253 AD2d 607, 677 NYS2d 330 (Negligence); lv to appeal denied, 93 NY2d 804, 689 NYS2d 16 (1999).
584. Elkins v Ferencz, dissenting opinion, NYLJ, 9-14-98, p. 26, col. 1, 253 AD2d 601, 677 NYS2d 342 (Dental Malpractice/Jury Verdict); **reversed** (remitted to AD1 for disposition), 93 NY2d 938, 693 NYS2d 502 (1999).
585. New York Telephone Company v AAER Sprayed Insulations, et al., NYLJ, 10-22-98, p. 1, col. 3 (Article of Interest), NYLJ, 10-22-98, p. 25, col. 3 (Decision), 250 AD2d 49, 679 NYS2d 21 (Products Liability).
586. Mendez v Reynolds, NYLJ, 12-9-98, p. 1,, col. 3 (Article of Interest), NYLJ, 12-11-98, p. 25, col. 3 (Decision), 248 AD2d 62, 681 NYS2d 494 (Education Law).
587. Garrett v Twin Parks Northeast Site 2 Houses, Inc., concurring opinion, NYLJ, 12-31-98, p. 22, col. 1, 256 AD2d 224, 682 NYS2d 349 (Landlord's Duty of Security).
588. Soho Generation of New York, Inc. v Tri-City Insurance Brokers, Inc., dissenting opinion, NYLJ, 12-31-98, p. 23, col. 2, 256 AD2d 229, 683 NYS2d 31 (Sufficiency of Trial Verdict).
589. People v Samuel Butler, dissenting opinion, NYLJ, 2-24-99, p. 1, col. 3 (Article of Interest); NYLJ, 2-26-99, p. 25, col. 2 (Decision), 258 AD2d 368, 686 NYS2d 372 (jury challenge).
590. Commissioner of the Administration for Children's Services of the City of New York on Behalf of A.G., NYLJ, 3-10-99, p. 25, col. 2 (Decision of the Day), 253 AD2d 318, 686 NYS2d 396 (Sexual Abuse & Neglect).
591. Schwartz v Armand Erpf Estate, NYLJ, 4-14-99, p. 1, col. 5 (Article of Interest); NYLJ, 4-15-99, p. 25, col. 2 (Decision), 255 AD2d 35, 688 NYS2d 55 (Personal Injury/Animals).



592. Grunfeld v Grunfeld, NYLJ, 4-16-99, p. 1, col. 3 (Article of Interest), NYLJ, 4-19-99, p. 25, col. 3 (Decision), 255 AD2d 12, 688 NYS2d 77 (Family Law/Equitable Distribution); **modified** NYLJ, 5-12-2000, p. 1, col. 3 (Article of Interest); NYLJ, p. 27, col. 3 (Decision), 94 NY2d 696, 731 NYS2d 142.
593. Jones v Maples, NYLJ, 5-28-99, p. 1, col. 3 (Article of Interest), NYLJ, 6-1-99, p. 25, col. 3 (Decision), 257 AD2d 53, 691 NYS2d 429 (Discovery/Video Tape Deposition).
594. Rybka v NYC Health and Hospitals Corporation, dissenting opinion, NYLJ, 7-26-99, p. 26, col. 2 (Decision), 263 AD2d 403, 693 NYS2d 566 (Notice of Claim/Statute of Limitations).
595. Kapur v Stiefel, dissenting opinion, NYLJ, 9-20-99, p. 25, col. 2 (Decision of the Day), 264 AD2d 602, 695 NYS2d 330 (Co-op Law).
596. Finkelstein v Tainter, dissenting opinion, NYLJ, 9-20-99, p. 26, col. 4 (Decision of the Day), 264 AD2d 587, 695 NYS2d 336 (Co-op Law).
597. Kiamos & Tooker, Inc. v Zelis Florist, Inc., dissenting opinion, NYLJ, 9-20-99, p. 28, col. 6 (Decision), 264 AD2d 623, 695 NYS2d 86 (Trial Practice).
598. The Diversified Group Inc. v Sahn, NYLJ, 10-8-99, p. 25, col. 2 (Decision of the Day), 259 AD2d 47, 696 NYS2d 133 (Consumer Law).
599. People v Redd, concurring opinion, NYLJ, 11-5-99, p. 1, col. 1 (Article), NYLJ, 11-8-99, p.27, col. 3 (Decision), 266 AD2d 12, 698 NYS2d 214 (Jury Charges).
600. People v Jovanovic, NYLJ, 12-22-99, p. 1, col. 3 (Article), NYLJ, 12-23-99 (Decision of the Day), p. 25, col. 3 263 AD2d 182, 700 NYS2d 156 (Criminal Law/Rape Shield Law).
601. Alvarez v Snyder, concurring opinion, NYLJ, 1-14-2000, p. 1, col. 3 (Article), NYLJ, 1-18-2000, p. 25, col. 3, (Decision of the Day), 264 AD2d 27, 702 NYS2d 5 (Criminal Law).
602. People v Darby, NYLJ, 1-19-2000, p. 1, col. 5 (Article), NYLJ, 1-20-2000, p. 25, col. 3 (Decision of the Day), 263 AD2d 112, 701 NYS2d 395 (Criminal Law/Evidence).
603. People v Mason, dissenting opinion, NYLJ, 3-1-2000, p. 1, col. 3 (Article), NYLJ, 3-2-2000, p. 25, col. 3 (Decision), 263 AD2d 73, 706 NYS2d 1 (Criminal Procedure).
604. Dilluvio v City of NY, dissenting opinion, NYLJ, 3-3-2000, p. 1, col. 3 (Article), NYLJ, 3/6/2000, p. 21, col. 3 (Decision) 264 AD2d 115, 704 NYS2d 550 (Labor Law); **affirmed** 95 NY2d 928, 721 NYS2d 603
605. Inchaustegui v 666 5<sup>th</sup> Avenue Limited Partnership, NYLJ, 4-14-2000, p. 1, col. 3 (Article), NYLJ, 4-18-2000, p. 25, col.2 (Decision), 268 AD2d 121, 706 NYS2d 396 (Landlord-Tenant); **affirmed** NYLJ, 4-27-01, p. 20, col. 1 (Decision), 96 NY2d 111, 725 NYS2d 627.

606. Salichs v James, NYLJ, 6-1-2000, p. 25, col. 3 (Decision of the Day), 268 AD2d 168, 708 NYS2d 385 (Family Law).
607. Ohdan v The City of New York, et al., NYLJ, 4-28-2000, p. 1, col. 1 (Article), NYLJ, 5-1-2000, p. 21, col. 3 (Decision), 268 AD2d 86, 706 NYS2d 419 (Negligence/Trial Practice).
608. Gibbs and Robert W. Sheehan v Breed Abbott, et al., dissenting opinion, NYLJ, 7-14-2000, p. 1, col. 5 (Article), NYLJ, p. 21, col. 2 (Decision), 271 AD2d 180, 710 NYS2d 578 (Law Firm Dissolution).
609. Charpie v Charpie, NYLJ, 7-17-2000, p. 1, col. 5 (Article), NYLJ, p. 25, col. 2 (Decision), 271 AD2d 169, 710 NYS2d 363 (Matrimonial/Counsel Fees).
610. Dubbs v Stribling & Associates, et al., dissenting opinion, NYLJ, 7-28-2000, p. 1, col. 5 (Article), NYLJ, 7-31-2000, p. 25, col. 3 (Decision), 274 AD2d 32, 712 NYS2d 19 (Real Estate-Broker's Duty); **affirmed** NYLJ, 6-14-01, p. 19, 96 NY2d 337, 728 NYS2d 413.
611. Crucey v Jackall, concurring opinion, NYLJ, 8-28-2000, p. 22, col. 2, 275 AD2d 258, 713 NYS2d 20.
612. Perry-Rogers v Fasano, NYLJ, 10-27-2000, p. 1, col. 5 (Article), NYLJ, 10-31-2000, p. 25, col. 3 (Decision), 276 AD2d 67, 715 NYS2d 19 (Family Law).
613. Reiss v Financial Performance Corp., dissenting opinion, NYLJ, 11-7-2000, p. 1, col. 3 (Article), p. 25, col. 3 (Decision), 279 AD2d 13, 715 NYS2d 29 (Business Law); **reversed** NYLJ, 12-19-01, p. 20, col. 3, 97 NY2d 195, 738 NYS2d 658.
614. People v Perez, concurring opinion, NYLJ, 11-6-2000, p. 22, col. 1 (Decision), 277 AD2d 1, 715 NYS2d 398 (Criminal Law/Drug Sale).
615. Gibli v Kadosh, NYLJ, 12-7-2000, p. 25, col. 3 (Decision of the Day), 279 AD2d 35, 717 NYS2d 553 (Torts-Dental Malpractice).
616. Baez v City of New York, dissenting opinion, NYLJ, 12-18-2000, p. 23, col. 6 (Decision), 278 AD2d 83, 717 NYS2d 584 (Personal Injury).
617. Petrosky v Brasner, dissenting opinion, NYLJ, 1-5-01, p. 1, col. 3 (Article of Interest), NYLJ, 1-8-01, p. 21, col. 3 (Decision), 279 AD2d 75, 718 NYS2d 340 (Duty of Insurer).
618. N.X. v Cabrini Medical Center, dissenting opinion, NYLJ, 1-22-01, p. 21, col. 3 (Decision of Interest), 280 AD2d 34, 719 NYS2d 60 (Torts); **modified** NYLJ, 2-15-02, p. 1, col. 5 (Article of Interest), 97 NY2d 247, 739 NYS2d 348; cited in Medical Malpractice by Thomas A. Moore & Matthew Gaier, "Hospital Liability for Security of Patients," NYLJ, 3-5-02, p. 3, col. 1.
619. Romero v Martinez, NYLJ, 2-9-01, p. 1, col. 3 (Article of Interest), NYLJ, 2-13-01, p. 21, col. 3 (Decision), 280 AD2d 58, 721 NYS2d 17 (Landlord-Tenant).

620. Batas v Prudential Insurance Co., dissenting opinion, NYLJ, 3-21-01, p. 1, col. 6 (Article of Interest), NYLJ, 3-23-01, p. 17, col. 3 (Decision), 281 AD2d 260, 724 NYS2d 3 (Bad Faith HMO/Insurance Law); The National Law Journal, 4-2-01, p. B6, col. 1 (Article).
621. Board of Managers of the Europa Condominium v Orenstein, dissenting opinion, NYLJ, 4-2-01, p. 23, col. 1 (Decision), 281 AD2d 354, 722 NYS2d 527 (Real Estate/Co-op/Condo Law).
622. People v Napolitano, dissenting opinion, NYLJ, 4-13-01, p. 1, col. 3 (Article), NYLJ, 4-16-01, p. 23, col. 1 (Decision), 282 AD2d 49, 724 NYS2d 702 (Criminal Law/Martin Act Conviction).
623. People v Robinson, NYLJ, 5-25-01, p. 1, col. 5 (Article), NYLJ, 6-1-01, p. 17, col. 3 (Decision), 282 AD2d 75, 728 NYS2d 421 (Criminal Law/Probable Cause).
624. Acquista v New York Life Insurance Co., NYLJ, 7-6-01, p. 1, col. 3 (Article), NYLJ, 7-10-01, p. 17, col. 3 (Decision of the Day), 285 AD2d 73, 730 NYS2d 272 (Insurance Law); NYLJ, 3-13-02, p. 1, col. 1, Outside Counsel by Mahler & Gillett, "Acquista Expands Remedies for Breach by Insurer," (Article); cited in, commented and discussed in, Comment, Acquista v New York Life Insurance Company, "Consequential Damages, Emotional Distress, and Projecting the Insured and the Insurer," (John U. Bauco), 76 St. John's L. Rev. 201 (2002). The same reasoning used in this decision was employed by the Court of Appeals in Bi-Economy Market, Inc. v Harleysville Ins. Co. of N.Y. (\_\_\_ NY3d \_\_\_, 2008 WL 423451, 2008 NY Slip Op 01418 [Feb 19, 2008]) and Panasia Estates, Inc. v Hudson Ins. Co. (\_\_\_ NY3d \_\_\_, 2008 WL 420014, 2008 NY Slip Op 01419 [Feb 19, 2008]), albeit without acknowledgment of it by the majority. However, in each of those cases the dissenting opinion filed by Smith, J., explains that the majority was implicitly adopting the reasoning of this decision ("With less frankness than the Acquista court -- indeed, without even citing either Rocanova or Acquista -- the majority here reaches the same result").
625. People v Hausman, concurring opinion, NYLJ, 7-9-01 p. 1, col. 2 (Today's News/Update), NYLJ, 7-9-01, p. 18, col. 2 (Decision) 285 AD2d 352, 727 NYS2d 109 (Criminal Law/Jury Selection).
626. Chianese v Meier, NYLJ, 8-3-01, p. 1, col. 3 (Article), NYLJ, 8-7-01, p. 17, col. 3, 285 AD2d 315, 729 NYS2d 460 (Tort Liability); **reversed**, NYLJ, 6-14-02, p. 1, col. 3 (Article), 98 NY2d 270, 746 NYS2d 657.
627. Stankowski v Kim, dissenting opinion, NYLJ, 8-30-01, p. 26, col. 1 (Decision), 286 AD2d 282, 730 NYS2d 288 (Torts).
628. Ober v Ober, dissenting opinion, NYLJ, 10-11-01, p. 18, col. 5 (Decision), 287 AD2d 282, 731 NYS2d 7 (Domestic Relations Law).
629. Point O'Woods Association v Those Underwriters of Lloyd's, London, etc., dissenting opinion, NYLJ, 11-19-01, p. 23, col. 1 (Decision), 288 AD2d 78, 733 NYS2d 146 (Insurance Law).

630. D&L Holdings, LLC v RCG Goldman Company, LLC, NYLJ, 12-10-01, p. 1, col. 3 (Article), NYLJ, 12-12-01, p. 17, col. 3 (Decision), 287 AD2d 65, 734 NYS2d 25 (Real Estate Law).
631. Bates Advertising USA, Inc. v 498 Seventh, LLC, NYLJ, 3-21-01, p. 1, col. 3 (Article), 3-25-01, p. 17, col. 3, (Decision of Interest), 291 AD2d 179, 739 NYS2d 71 (Commercial Leases/Rent Abatement Clauses); cited & discussed in Realty Law Digest by Scott E. Mollen, NYLJ, 5-22-02, p. 5, col. 1.
632. Theatre Row Phase II Associates v National Recording Studios, Inc., NYLJ, 3-22-02, p. 17, col. 3 (Decision of Interest); 3-26-02, p. 1, col. 1 (Article), 291 AD2d 172, 739 NYS2d 671 (Landlord & Tenant/Illegal Sublet of Recording Studio); cited & discussed in Estis & Robbins, A New Viewpoint, "Rethinking Consequential Damages from Illegal Sublets"/ Landlord-Tenant, NYLJ, 4-3-02, p. 5 col. 1.
633. Gottlieb v Such, dissenting opinion, NYLJ, 4-8-02, p. 18, col.2 (Decision), 293 AD2d 267, 740 NYS2d 44 (Attorney Fees/ Domestic Relations).
634. Revill et al. v Boston Post Road Development Corp., et al., dissenting opinion, NYLJ, 5-7-02, p. 1, col.1 (Article); p. 17, col. 3 (Decision), 293 AD2d 138, 741 NYS2d 223 (Jury Ruling, Landlord & Tenant Law).
635. NY County Lawyers Association v State of New York, NYLJ, 5-10-02, p. 1, col. 4 (Article); 5-14-02, p. 18, col 1, (Decision of the Day), 294 AD2d 69, 742 NYS2d 16 (18-B Fees, Constitutionality); discussed in, NYLJ, 7-8-02, p. 2, col. 6, Letters to the Editor, "18-B Rates Reflect Lack of Concern."
636. McNulty v the City of NY, NYLJ, dissenting opinion, NYLJ, 5-22-02, p. 1, col. 5 (Article); 5-24-02, p. 18, col. 1 (Decision of the Day), 295 AD2d 42, 742 NYS2d 242 (Medical Malpractice/Liability of Physicians); **reversed** 100 NY2d 227, 762 NYS2d 12.
637. 40 West 67<sup>th</sup> Street v Pullman, dissenting opinion, NYLJ, 5-24-02, p. 1, col. 3 (Article), 5-29-02, p. 18, col. 1 (Decision), 296 AD2d 120, 742 NYS2d 264 (Eviction of Co-op Shareholder); **affirmed** 100 NY2d 147. Cited in NYLJ, 6-7-02, p. 4, col 5, column of Peter H. Herman, "No Judicial Review for Co-op's Eviction of 'Objectionable' Tenant"; discussed in Romano, "Court Backs an Eviction from Co-op," NY Times, Sunday Real Estate Section, 6-9-02, pg. 5, col. 1; discussed in Mollen, "Realty Law Digest," Real Estate Update, NYLJ, 8-14-02, p. 5, col. 1.
638. CIBC Mellon Trust Company, etc. v Mora Hotel Coporation N.V., NYLJ, 5-31-02, p. 1, col. 3 (Article); 6-3-02, p. 18, col. 1 (Decision of the Day), 296 AD2d 81, 743 NYS2d 408, **affirmed** 100 NY2d 215, 762 NYS2d 5 (Jurisdiction).
639. Bonifacio v 910-930 Southern Boulevard LLC, NYLJ, 6-18-02, p. 1, col. 3 (Article); 6-19-02, p. 18, col. 1 (Decision), 295 AD2d 86, 743 NYS2d 105 (Premises Liability); cited and discussed in Estis & Robbins, "Owner's Liability [Issue of First Impression Involving MDL § 78]," NYLJ 10-2-02, Real Estate Update, pg. 5.

640. Campaign for Fiscal Equity v State of New York, dissenting opinion, NYLJ, 6-26-02, p. 1, col. 5 (Article); p. 18 (Decision), 295 AD2d 1, 744 NYS2d 130, **modified** 100 NY2d 893, 769 NYS2d 106 (Constitutional Law/School Financing). Discussed in, NY Times, 6-26-02, "Court Reverses Finance Ruling on City Schools," by Richard Perez-Pena; Editorial Page, p. A22, col. 1, editorial entitled, "Blaming the Victim," stated that Justice David B. Saxe's writing was a "forceful dissent"; discussed in, NY Times, 6-27-02, p. A29, col. 5, Op-Ed, "The Bare Minimum," by Bob Herbert; discussed in, NY Daily News, 6-26-02, p. 10, col. 6, "Courts KOs Funding Fix for Schools, by Joanne Wasserman and Allison Gendar; discussed in, NY Post, 6-26-02, p. 2, col. 2, "9<sup>th</sup> Grade Good Enough for City Kids, Court Says," by Kenneth Lovett, Carl Campanile and Dareh Gregorian; discussed in, NY Post, 6-26-02, p. 28, col. 1, Editorial, "DeGrasse Denied".
641. Block v Block, dissenting opinion, NYLJ, 7-22-02, p. 1, col. 3 (Article), p. 18, col. 1 (Decision), 296 AD2d 343, 746 NYS2d 15 (Attorney's Fees/Domestic Relations Law).
642. In re: Applic. of Rivera v Espada, dissenting opinion, NYLJ, 9-3-02, p. 20, col. 2 (Decision) (Election Law); 297 AD2d 251, 747 NYS2d 1; **reversed**, incorporating the recent dissent of J. Saxe, NYLJ, 9-3-02, p. 18, col. 1 (Decision), 98 NY2d 422, 748 NYS2d 343.
643. Houbigant Inc. v Deloitte & Touche LLP, NYLJ, 1-24-03, p. 18 (Featured Decision); Article of Interest, p. 1 (Pleading Fraud); 303 AD2d 92, 753 NYS2d 494.
644. Silverman v Silverman, NYLJ, 2-25-03 p. 18, col. 1; 304 AD2d 41, 756 NYS2d 14.
645. Hammer v American Kennel Club, NYLJ, 2-28-03 p. 1; 304 AD2d 74, 758 NYS2d 276 (Challenge to Tail Docking Rule), **affirmed** 1 NY3d 294.
646. In Re Judy Keele, An Incapacitated Person, dissenting opinion, NYLJ p. 13, col 5, 305 AD2d 145, 760 NYS2d 24 (Fee for Guardian).
647. The Vermont Teddy Bear Co., Inc. v 538 Madison Realty Company, NYLJ, 6-9-03, p. 18, col. 1 (Featured Decision); Article of Interest, p.1; 308 AD2d 33, 761 NYS2d 620 (Lease Interpretation); **reversed** 1 NY3d 470. Cited and discussed in Mollen, "Realty Law Digest Real Estate Update," New York Law Journal, July 23, 2003, p. 5.
648. Maheshwari v City of New York, dissenting opinion, cited and discussed in "In Brief," NYLJ 8-11-03, p.1, col. 1; 307 AD2d 797, 763 NYS2d 287 (Concert Security); **affirmed** 2 NY3d 288, 778 NYS2d 442, 2004 NY LEXIS 978.
650. Richbell v Jupiter, NYLJ, 9-26-03, p. 18, col. 1, 309 AD2d 288, 765 NYS2d 575 (Formation of Joint Venture).
651. ABS Partnership v Airtran Airways, Inc., NYLJ, 10-27-03, p. 18, col. 1, 1 AD3d 24, 765 NYS2d 616 (Contract Construction).

652. In re Adoption of Madeline S., NYLJ, 12-16-03, p. 1 (Article), NYLJ, 12-18-03, (Decisions of Interest), p. 18, col. 1; 3 AD3d 13, 769 NYS2d 22.
653. People v Darryl Stephens, NYLJ, 12-26-03, p. 18, col. 1 (Decision of the Day), 3 AD3d 57, 769 NYS2d 249.
654. Michele M. v Board of Education, dissenting opinion, NYLJ, 1-20-04, p. 20, col. 1, 3 AD3d 370, 771 NYS2d 89 (Duty to Supervise).
655. Mahase v Manhattan and Bronx Surface Transit Operating Authority, dissenting opinion, NYLJ, 1-22-04, p. 27, col. 5; 3 AD3d 410, 771 NYS2d 99 (Tort Liability).
656. Jones v Presbyterian Hosp., dissenting opinion, NYLJ, 1-29-04, p. 18, col. 4 (Decision of the Day), 3 AD3d 225, 771 NYS2d 109 (Premises Liability).
657. Ruth Westbrook v WR Activities-Cabrera Markets, NYLJ, 3-10-04, p. 1 (Article); NYLJ, 3-15-04, p. 18, col. 1 (Decision of the Day), 5 AD3d 69, 773 NYS2d 38 (Premises Liability/Open and Obvious Doctrine).
658. EMF General Contracting Corp. v Bisbee, NYLJ, 4-1-04, p. 18, col. 1 (Decision of the Day), 6 AD3d 45, 774 NYS2d 39 (Specific Performance); discussed in Mollen, Realty Law Digest, NYLJ, 6-16-04, p. 5, Real Estate Update.
659. Matter of Jermaine J., NYLJ, 4-26-04, p. 18, col. 1 (Decision of the Day), 6 AD3d 87, 775 NYS2d 287; (Family Law/Family Court Practice).
660. Siobhan McDermott v Coffee Beanery Ltd., concurring opinion NYLJ, 5-27-04, p. 18, col. 1 (Decision of the Day), 9 AD3d 195, 777 NYS2d 103, 2004 NY App Div LEXIS 7102 (Directed Verdict).
661. Mary McGarvey v Bank of New York, dissenting opinion, NYLJ, 5-27-04, p. 25, col. 1, 7 AD3d 431, 776 NYS2d 793, 2004 NY App Div LEXIS 7201 (Tort Law).
662. 1029 Sixth, LLC v Riniv Corp., NYLJ, 6-2-04, p. 18, col. 1 (Decision of the Day), 9 AD3d 142, 777 NYS2d 122, 2004 NY App Div LEXIS 7222 (Contract Interpretation); cited and discussed in article entitled, "Stipulations" by Warren A. Estis in the Real Estate *Update* section of the New York Law Journal, 8-4-04, p. 5
663. Svetlana Tikhonova v Ford Motor Co., NYLJ, 6-25-04, p. 18, col. 1 (Decision of the Day), 10 AD3d 185, 779 NYS2d 47, 2004 NY App Div LEXIS 8678 (Diplomatic Immunity/Vicarious Liability); *aff'd* 4 NY3d 621 [5/5/05]; discussed in article by Perrotta, "Car Owner Is Found Liable for Accident Caused by Diplomat," NYLJ, 6-24-04, p. 1.
664. Marco Srour v Dwelling Quest Corp., NYLJ, 9-10-04 p.1; (Broker May Hold On to Fee After Apartment Deal Collapses); 11 AD3d 36, 781 NYS2d 515; 2004 NY App Div LEXIS 10529 [September 9, 2004], NYLJ 9-17-04 p. 18 col 1. (Decision of the Day); reversed, 5 NY3d 874; discussed and analyzed in the New York Law Journal Realty Digest Column (Scott Mollen, Esq.), NYLJ 10-27-04, p. 5, Col 1 et seq.; see Herman,

- "Leave Rescinded Prior to Occupancy; Broker Still Gets Commission," [Outside Counsel, NYLJ, 12-09-04, p. 4.
665. People v Abdul Warith Johnson, concurring opinion, 11 AD3d 224, 783 NYS2d 5 [October 7, 2004]
666. K. v B., dissenting opinion, NYLJ, 11-10-04, Article of Interest, p. 1; NYLJ, 11-16-04 p. 18, col. 1 (Decision of the Day), 13 AD3d 12, 784 NYS2d 76 (2004).
667. Georgia Marsh v James Smyth, M.D., concurring opinion, 12 AD3d 307, 785 NYS2d 44, 2004 NY App Div LEXIS 14435 [November 30, 2004]; noted in Hoenig, 'Gatekeeping' Experts: 'Daubert' Boils and 'Frye' Sizzles, NYLJ [Products Liability column], 4-11-05, p. 3; cited and discussed in "Panel Relaxes Standard For Causation Evidence," by Daniel Wise, NYLJ, 2-16-06, p. 1, col. 3.; concurrence noted favorably in Kimmel, "'Frye's' Applicability to Medical Malpractice Cases," NYLJ, 6-13-07, p. 4, 8
668. People v Alvaro Carvajal, NYLJ, 12-10-04, Article of Interest p. 1; NYLJ, 12-15-04, p. 18, col. 1 (Decision of the Day), 14 AD3d 165, 786 NYS2d 450 (2004), **affirmed**, 6 NY3d 305.
669. Thompson v Abbasi, dissenting opinion, discussed in "Panel Calls for Clarification Of 'Serious Injury' in Mishaps" NYLJ, 1/5/05, p. 1; NYLJ, 1-10-05 p. 18, col. 1 (Decision of the Day); 15 AD3d 95, 788 NYS2d 48, 2005; Dissent (Saxe, J.) Cited and discussed favorably in Kelner and Kelner, Trial Practice: "Disturbing Trends in Judicial Analysis of 'Serious Injuries'," NYLJ [Trial Practice Column], 1-25-05, p.3. Col. 1; Cited and discussed in Outside Counsel article in the NYLJ by Nelson E. Timken, 6-23-05, p. 4.; Cited and discussed in Outside Counsel article in the NYLJ by Nelson E. Timken, 6-23-05, p. 4.
670. Bent v Jackson, dissenting opinion, discussed in "Panel Calls for Clarification Of 'Serious Injury' in Mishaps" NYLJ, 1-5-04, p. 1; NYLJ 1-11-05 p. 18, col. 1 (Decision of the Day); 15 AD3d 46, 788 NYS2d 56 (2005); Cited and discussed favorably in Kelner and Kelner, Trial Practice: "Disturbing Trends in Judicial Analysis of 'Serious Injuries'," NYLJ [Trial Practice Column], 1-25-05, p.3. Col. 1; Cited and discussed in Outside Counsel article in the NYLJ by Nelson E. Timken, 6-23-05, p. 4.
671. Gilson v Metropolitan Opera, NYLJ, 1-12-05 Article of Interest p. 1; NYLJ, 1-13-05, p. 18, col. 1 (Decision of the Day), 15 AD3d 55, 788 NYS2d 342 (2005); **affirmed** 5 NY3d 574 (2005).
672. Bartha v Bartha, NYLJ, 1-31-05, p. 18 col. 1 (Decision of the Day), 15 AD3d 111, 789 NYS2d 13, 2005; cited and discussed in "Expensive Townhouse Ruled Marital Property in Messy Divorce," NYLJ In Brief, 1-28-05, p. 1.
673. Hispanic AIDS Forum v Estate of Joseph Bruno, dissenting opinion, NYLJ 3-31-05, p. 26; cited and discussed in NYLJ 3-30-05 "In Brief" "Panel Dismisses AIDS Group's Suit Against Landlord," p. 1, col. 1; 16 AD3d 294, 792 NYS2d 43, 2005; discussed in Daily News article entitled "Judges slam ladies-room door on drag queens," 3-31-05, p. 6.

674. John A. v Bridget M., concurring opinion, NYLJ 4-4-05, Article of Interest p. 1 and concurring opinion p. 27; 16 AD3d 324, 791 NYS2d 421; discussed in "Tug-O'-Love Twist" in the New York Post, 4-1-05, p. 5.
675. People v James Devonish, dissenting opinion, 17 AD3d 111, 792 NYS2d 438, 2005 NY App Div LEXIS 3463 [April 5, 2005]; **reversed** 6 NY3d 727 [December 15, 2005], NYLJ 12/16/05 p. 22 col. 5.
676. 520 East 81<sup>st</sup> Street v State of New York, NYLJ 4-21-05, p. 18 Col. 1 (Decision of the Day), 19 AD3d 24, 799 NYS2d 1 (2005).
677. Hyundai Corp. v Republic of Iraq, dissenting opinion, 20 AD3d 56, 794 NYS2d 327, 2005 NY App Div LEXIS 4479 [April 28, 2005], NYLJ 5-4-05 p. 18 col. 1.
678. People v David Garcia, 19 AD3d 17, 795 NYS2d 216, 2005 NY App Div LEXIS 5462 [May 19, 2005], NYLJ 5-25-05 p. 18 col. 1.
679. River Seafoods, Inc. v JPMorgan Chase Bank, dissenting opinion, NYLJ 6-6-05, p. 25, Col. 2, discussed in "Panel Invokes Collateral Estoppel to Find Bank Liable Despite Ineffective Notice," NYLJ, 6-16-05, p. 1; 19 AD3d 120, 796 NYS2d 71 (2005).
680. Mary Brooks v New York City Transit Authority, dissenting opinion, NYLJ 6-13-05, p. 27, col. 6, 19 AD3d 162, 798 NYS2d 381 (2005).
681. Pavlou v City of New York, dissenting opinion, NYLJ 6-27-05, p. 18, col. 6 (Decision of the Day), 21 AD3d 74, 797 NYS2d 478 (2005); Cited and discussed in NYLJ article, "'Mis-recorded' Verdict Must be Upheld, Panel Determines," 6-24-05, p. 1, col. 2; my dissent commented upon in article by Rubinowitz & Torgan: Trial Advocacy/"Continuing to Try Your Case After the Summations," NYLJ, 5-04-06, p. 3.
682. Lazard Freres & Co. v West Group Properties LLC, et al., NYLJ 7-14-05, p. 18, col. 1, (Decision of the Day); 22 AD3d 45, 799 NYS2d 437 (2005).
683. Aaron Rivera, etc. v Nelson Realty, LLC, dissenting opinion, NYLJ 7-18-05, p. 25, col. 1, 20 AD3d 316, 799 NYS2d 198 (2005); **affirmed**, cited and discussed in NYLJ article, "Landlords Need Not Cover Radiators, Judges Determine," 6-15-05, p. 1.
684. Jalen Rodriguez v City of New York, dissenting opinion, NYLJ 7-18-05, p. 26, col. 4; 20 AD3d 327, 799 NYS2d 195 (2005); cited and discussed in NYLJ article, "Landlords Need Not Cover Radiators, Judges Determine," 6-15-05, p. 1.
685. 101123 LLC v Solis Realty LLC, NYLJ 9-28-05, p. 18, col. 1 (Decision of the Day); 23 AD3d 107, 801 NYS2d 17, 2005; discussed and noted, Mollen, Realty Law Digest, NYLJ 11-09-05, p. 5; discussed and commented upon in Estis and Robbins, "Limitations of Remedies," NYLJ, 12-07-05, p. 5.
686. Fundamental Portfolio Advisors, Inc. v Tocqueville Asset Management, dissenting opinion, NYLJ 10-6-05, p. 28, 22 AD3d 204, 802 NYS2d 17, 2005; **reversed**, 7 NY3d 96 [6/6/06].



687. People v Ahib Paul, NYLJ, 11-02-05, p. 18, col. 1, (Decision of the Day); 25 AD3d 165, 803 NYS2d 66, cited and discussed in NYLJ article, "Admission of Dying Declaration Found Not to Violate 'Crawford'," NYLJ, 10-28-05, p. 1.
688. Laratro v The City of New York, NYLJ, 11-17-05, p. 18, col. 1, (Decision of the Day); 25 AD3d 184, 808 NYS2d 145, **reversed**, cited and discussed in NYLJ article, "Friend's Ties to Victim Revive 911 Response Suit," 11-14-05, p. 1.
689. Hernandez v Robles, dissenting opinion, NYLJ, 12-14-05, p. 18, col. 1, (Decision of the Day); 26 AD3d 98, 805 NYS2d 354; argument noted in NYLJ, 9-14-05, p. 1; cited and discussed in NYLJ article, "Panel Upholds Ban on Same-Sex Marriages," 12-9-05, p. 1; discussed in article in Daily News, 12-9-05, p. 4; discussed in The New York Times, 12-9-05, p. B3.
690. Santos v Baldwin-Endico Realty Associates, dissenting opinion, NYLJ, 12-19-05, p. 25, col. 4; 24 AD3d 225, 806 NYS2d 197, **affirmed**.
691. Cicconi v McGinn, Smith & Co. et al., NYLJ, 12-30-05, p. 18, col. 1 (Decision of the Day); 27 AD3d 59, 808 NYS2d 604, cited and discussed in NYLJ article, "Court Upholds Immunity For Brokers' U-5 Forms," 12-28-05, p. 1.
692. In re The CIT Group/Commercial Services, Inc. v 160-09 Jamaica Avenue Limited Partnership et al., dissenting opinion, NYLJ, 1-5-06, p. 22; 25 AD3d 301, 808 NYS2d 187.
693. Wajeh Saleme v Roger Toussaint, et al., dissenting (in part) opinion, NYLJ, 1-17-06, p. 28, col. 6; 25 AD3d 411, 810 NYS2d 1.
694. People v Eddie Salgado, NYLJ, 1-18-06, p. 18, col. 1, (Decisions of Interest); 27 AD3d 71, 808 NYS2d 54, cited and discussed in NYLJ article, "Panel Views Total Delay In Speedy Trial Dispute," 1-17-06, p. 1.
695. Perez v Rodriguez, dissenting opinion, NYLJ, 2-2-06, p. 25, col. 4; 25 AD3d 906, 809 NYS2d 15.
696. Robert T. Johnson v Hon. Richard Lee Price, et al., NYLJ, 2-2-06, p. 18, col. 1 (Decision of the Day); 28 AD3d 79, 810 NYS2d 133, cited and discussed in "Panel Turns Down Writ to Block Sentencing Ruling It Call Wrong," by Mark Fass, NYLJ, 2-3-06, p. 1.
697. Anna Pezhman v City of New York, et al., NYLJ, 3-28-06, p. 18, col. 1 (Decision of the Day); 29 AD3d 164, 812 NYS2d 14; cited and discussed in NYLJ article, "Panel Reinstates Bronx Teacher's Pro Se Libel Action," 3-22-06, p. 1.
698. Campaign for Fiscal Equity v State of New York, dissenting opinion, NYLJ, 3-30-06, p. 18, col. 1 (Decision of the Day); 29 AD3d 175, 814 NYS2d 1.
699. Unjoo Paek v The City of New York, dissenting opinion, NYLJ 4-6-06, p. 29, col. 3, 28 AD3d 207, 812 NYS2d 83.

700. Sean O'Sullivan v IDI Construction Company, dissenting in part, NYLJ, 4-10-06, p. 27, col. 2, 28 AD3d 225, 813 NYS2d 373, **affirmed**, 7 NY3d 805.
701. Ariela Braun, et al. v 941 Park Avenue, concurring in part and dissenting in part, NYLJ, 6-12-06, p. 22 (Decision of the Day); 32 AD3d 21, 816 NYS2d 58; discussed in "Panel Splits on Board's Remedy for Dispute Over Shared Vestibule," NYLJ, 6-7-06, p. 1.
702. Alan D. Oboler and Eileen Oobler v City of New York, dissenting opinion, NYLJ, 7-24-06. p. 32, col. 2; 31 AD3d 308, 819 NYS2d 34.
703. Williamson v PricewaterhouseCoopers LLP, NYLJ, 6-28-06, p. 26., col. 1 (Decision of the Day); 32 AD3d 179, 817 NYS2d 61, 2006 NY App Div LEXIS 8297 [June 22, 2006], cited and discussed in Fass, "Panel Rejects Audit Firm's Definition of Discrete Service, NYLJ, 6-26-06, p. 1, col. 3; "Should Faulty Old Audits Be Forgotten?," The New York Times, 7-14-06, p. C1; discussed in Milonas and Brodie, "Key Appellate Division Decisions in Past Quarter," NYLJ 9-7-06 p. 3 col. 1.
704. Chahee Pickard v Pickard, NYLJ, 8-15-06, p. 22, col. 1 (Decision of the Day); 33 AD3d 202, 820 NYS2d 547, 2006 NY App Div LEXIS 9961 [August 10, 2006]; cited and discussed in "No Reason Found to Delay Valuation of Asset in Divorce," NYLJ, 8-11-06, p. 1.
705. Lempert v Steinberg & Pokoik Management, dissenting opinion, NYLJ 8-7-06, p. 34, col. 5, 32 AD3d 215, 820 NYS2d 215, 2006 NY App Div LEXIS 9810 [August 3, 2006], **reversed**, 7 NY3d 917 [December 21, 2006].
706. Pahlad v Brustman, dissenting opinion, NYLJ 10-30-06 p. 28 col. 1; 33 AD3d 518, 823 NYS2d 61, 2006 NY App Div LEXIS 12757 [October 26, 2006], affd 8 NY2d 901 [March 27, 2007].
707. Mitschele v Schultz, NYLJ, 12-7-06, p. 22, col. 1 (Decision of the Day); 36 AD3d 249, 826 NYS2d 14, 2006 NY App Div LEXIS 14134 [November 30, 2006]; cited and discussed in "News In Brief, NYLJ 12-4-06, p. 1.
708. K.T. v Damon Dash, NYLJ, 12-20-06, p. 22, col. 1 (Decision of the Day); 37 AD3d 107, 827 NYS2d 112, 2006 NY App Div LEXIS 14851 [December 14, 2006]; cited and discussed in "N.Y. Law Picked Over Brazil's In Rape Case, NYLJ 12-15-06, p. 1.
709. Kelly v Berberich, #9734, 36 AD3d 475, 828 NYS2d 332 [January 11, 2007] [DISSENT]
710. People v Hall, NYLJ 2-13-07, p. 22 col 1 [Opinion]; cited and discussed in "Visual Body Cavity Search Was Justified, Court Rules, NYLJ, 2-7-07, p. 1, 39 AD3d 100, 829 NYS2d 85, 2007 NY App Div LEXIS 1360 [February 6, 2007]
711. Kaiser Woodcraft v The City of New York, NYLJ, 2-26-07, p. 22, col. 1 (Decision of the Day); cited and discussed in "'Kaiser Woodcraft' Brings Confusion," NYLJ, 2-25-09, p. 3, 39 AD3d 131, 837 NYS2d 2, 2007 App Div LEXIS 1905

712. Phillips v Dennison, 41 AD3d 17, 834 NYS2d 121 [April 12, 2007]  
[Opinion]
713. Daniele Bernstein v Penny Whistle Toys, #614, 40 AD3d 224, 834 NYS2d 173 [May 1, 2007] [dissent]; Court of Appeals affirmed majority. I wrote reversal; my dissent cited favorably in Reardon & McGarry, 'Products Liability, Body Cavity Searches, and Dog Bites, NYLJ 4-10-08, p. 3 [N.Y. Court of Appeals Roundup]
714. Farkas v Farkas, #9070, 40 AD3d 207, 835 NYS2d 118 [May 1, 2007] [DISSENT], reversed 11 NY3d 300 [October 23, 2008]
715. Litwack v Plaza Realty Invs., #9542-43, 40 AD3d 250, 835 NYS2d 151 [May 3, 2007] [DISSENT], affirmed 11 NY3d 820 [October 28, 2008]
716. Hughes v Tishman Constr. Corp., #10004-10005, 40 AD3d 305, 836 NYS2d 86 [May 10, 2007] [DISSENT]
717. Delosangeles v. Asian Americans For Equality, dissenting opinion, NYLJ, 6-4-07, p. 26, col. 5; 40 AD3d 550, 838 NYS2d 26
718. Discolo v River Gas & Wash Corp., dissenting opinion, NYLJ, 6-7-07, p. 27, col. 2, 41 AD3d 126, 837 NYS2d 95
719. Kudrov v Laro Services Systems, #1335, 41 AD3d 315, 837 NYS2d 153 [June 26, 2007] [DISSENT]
720. Corsino v NYC Trans Auth., #617, 42 AD3d 325, 839 NYS2d 490 [July 5, 2007] [DISSENT], modified 9 NY3d 978 [Nov 20, 2007]
721. Fischetti v Scherer, #1278, 44 AD3d 89, 840 NYS2d 575 [July 19, 2007] [OPINION]
722. Bloom v Lula Realty Corp., #1339, 43 AD3d 662, 840 NYS2d 870 [September 6, 2007] [DISSENT]
723. Gerard Egan v. Monadnock Construction, Inc., dissenting in part, NYLJ, 9-20-07, p. 35, col. 4, 43 AD3d 692, 841 NYS2d 547; 43 AD3d 692 (1<sup>st</sup> Dep't. 2007) lv. den. 10 NY3d 706 (2008) dissent by Saxe, J. The Court of Appeals followed the reasoning of Justice Saxe's dissent in Gallagher v New York Post, 6 NY3d 550 (2006); My dissent in Egan was cited and discussed extensively in Shoot. "The Closed Ladder Accident: Who is Responsible?" [Construction Accident Litigation], NYLJ 10-11-2013, pg 3, Col 1.
724. OneBeacon Insurance company v. NL Industries, Inc. et al., dissenting, NYLJ, 9-20-07, p. 36, col. 3, 43 AD3d 716, 841 NYS2d 543
725. Stawski v Stawski, #9490, 43 AD3d 776, 843 NYS2d 544 [September 27, 2007] [DISSENT]
726. Imtarios v Goldman Sachs, #1075, 44 AD3d 383, 843 NYS2d 569 [October 9, 2007] [DISSENT]
727. Walker v City of New York, #1539, 46 AD3d 278, 847 NYS2d 173 [December 6, 2007] [DISSENT]

728. LaSalle Bank National Association v. Nomura Asset Capital Corp., NYLJ, 11-19-07, p. 18, (Decision of the Day); 47 AD3d 103, 846 NYS2d 97
729. Matter of Albert Milton K., 47 AD3d 261, 848 NYS2d 173; [Decided 12-20-2007]
730. Lisa Green v. William Penn Life Ins., 48 AD3d 37, 848 NYS2d 109, reversed, 12 NY3d 342 [2009]
731. White v. Diaz, NYLJ, 1-31-08, p. 26, (Decision of the Day), 49 AD3d 134, 854 NYS2d 106
732. Judicial Declaration of Death of Sneha Anne Philip, etc., NYLJ, 2-5-08, p. 1, (Decision of the Day); 50 AD3d 81, 851 NYS2d 141; cited and discussed in "Doctor Missing Since 9/10 Is Declared a Victim of 9/11," New York Times, 2-2-08, p. B5, "9/11 'Tryst' Twist, New York Post, 2-1-08, p. 7, "Death was on 9/11, Court Finds," NYLJ, 2-1-08, p. 1
733. Cohen v. Memorial Sloan-Kettering, 50 AD3d 227, 850 NYS2d 435, 2008 NY App Div LEXIS 941, reversed, 11 NY3d 823 [2008]
734. American Business Training Inc. v. American Management Association, NYLJ, 2-20-08, p. 26 (Decision of the Day); also noted in "New-In-Brief, NYLJ, 2-20-08, p. 1; 50 AD3d 219, 851 NYS2d 491
735. People v. Jebb Corliss, 51 AD3d 79, 853 NYS2d 45, cited and discussed in "Panel Revives Criminal Case In Empire State Jump Attempt, NYLJ, 3-5-08, p. 1, discussed in "Bid to Jump Off 86<sup>th</sup> Floor Was Illegal, Court Ruled, New York Times, 3-5-08, p. B5, discussed in "Oh, Chute! Rap is Back," New York Post, 3-5-08, p. 27; commented upon in Milonas and Brodie, "Empire State Jumper Gets Reckless Endangerment Charge," [Appellate Division Review], NYLJ, 3-21-08, p. 3
736. McCleery v. Consolidated Edison of New York, dissenting, NYLJ, 3-13-08, p. 32, 49 AD3d 312, 852 NYS2d 757; reversed by Court of Appeals on dissent of Appellate Division, 11 NY3d 778; see Michael Hoenig, NYLJ November 19, 2008 at 3, col 5.
737. Gletzer v. Harris, 51 AD3d 196, 854 NYS2d 10, NYLJ, 3-18-08, p. 26, (Decision of the Day); cited and discussed favorably in Bagwell, "Lien Gaps," NYLJ, 7-09-08, p. 5 [Real Estate Trends] and in Bailey and Treiman, "State High Court Decision Exorcises Ghosts of Liens Past," 8-12-09, p. 5 [Real Estate Trends]; affirmed in part, 12 NY3d 468 [2009]
738. Jovan Fludd v. Hon. Arlene Goldberg, 51 AD3d 153, 854 NYS2d 362, dissenting,
739. Avins v. Federation Employment and Guidance Service, 52 AD3d 30, 857 NYS2d 550, dissenting,
740. Flowers v. Townhouse, NYLJ, 5-19-08, p. 18, Col. 1; cited and discussed in "Panel Rules Billionaire Is Entitled to Abatement For Unfinished Work on East Side Townhouse," NYLJ, 5-16-08, p. 1, 52 AD3d 104, 857 NYS2d 146

741. Peo v. Rashan May, 52 AD3d 147, 861 NYS2d 276
742. Tyrone Guzman v. 4030 Bronx Blvd., 54 AD3d 42, 861 NYS2d 298, dissenting
743. Littman v. Magee, NYLJ, 6-13-08, p. 26 (Decision of the Day); cited and discussed in "General Release Does Not Preclude Suit, Panel Holds," NYLJ, 6-13-08 p. 1, 54 AD3d 14, 860 NYS2d 24, 2008 NY Slip Op 05347
744. Peckham v. Calogero, cited and discussed in "Panel Rules Against State Over Demolition Review," NYLJ, 6-27-08, p. 1; Decision of the Day, NYLJ, 7-2-08, p. 26, 54 AD3d 27, 861 AD2d 316; affirmed, 12 NY3d 424 [2009]
745. TOA Construction Co. Inv. v. Tsitsires, 54 AD3d 109, 861 NYS2d 335, cited and discussed in "'Absent' Mentally Ill Tenant Loses Bid to Keep Apartment," NYLJ, 7-9-08, p. 1
746. McCoy v. Metropolitan Transp. Auth., 53 AD3 457, 863 NYS2d 8, dissenting
747. First Hudson Capital v. Seaborn, cited and discussed in "Panel Bars Eviction of Tenant Who Overcharged Roommates," NYLJ, 8-6-08, p. 1; dissenting opinion decision in NYLJ, 8-7-08, p. 35; 54 AD3d 251, 862 NYS2d 501, 2008 NY Slip Op 06503
748. Executive Risk Indemnity Inc. v. Pepper Hamilton LLP, cited and discussed in "Panel Clarifies Insurers' Obligation To Law Firm, NYLJ, 9-24-08, p. 1, 56 AD3d 196, 865 NYS2d 25, 2008 NY Slip Op 7044; modification by Court of Appeals cited and discussed in "Insurers Found Not Obligated To Cover Firm," NYLJ, 10-21-09, p. 1; modified by the Court of Appeals, 13 NY3d 313 [2009]
749. In re: Comverse Technology Inc. Derivative Litigation, cited and discussed in "Court Reinstates Backdating Action," NYLJ, 10-08-08, p. 1; Decision of the Day, NYLJ, 10-14-08, p. 18, 56 AD3d 49, 866 NYS2d 10, 2008 NY Slip Op 7595
750. Devore v. Pfizer Inc., NYLJ, 12-28-08, p. 26 (Decision of the Day); cited and discussed in "Dismissal of N.Y. Lipitor Suits by Michigan Residents Is Upheld," NYLJ, 12-1-08, p. 1, 58 AD3d 138, 867 NYS2d 425, 2008 NY Slip Op 9194
751. Hotel 71 Mezz Lender LLC v Falor, NYLJ, 12-22-08, p. 18, col. 1 (Decision of the day) (dissenting); cited and discussed in "Attachment Order on Assets Outside N.Y. Is Reversed, NYLJ, 12-18-08, p. 1, 58 AD3d 270, 869 NYS2d 61, 2008 NY Slip Op 9848; reversed 14 NY3d 303 [2010]
752. Espada 2001 v NYC Campaign, 59 AD3d 57, 870 NYS2d 293, 2008 NY Slip Op 10228
753. Braddock v. Braddock, NYLJ, 1-12-09, p. 26, Decision of the Day; cited and discussed in "Panel Permits \$20 Million Fraud Claim To Go Forward, NYLJ, 1-7-09, p. 1, 60 AD3d 84, 871 NYS2d 68, 2009 NY Slip Op 39

754. Wandel v Eisenberg, NYLJ, 1-20-09, Article Decision of Interest, "Derivative Shareholder Suit's Dismissal Upheld; Complaint Did Not Support Demand Futility," p. 18; 60 AD3d 77, 871 NYS2d 102, 2009 NY Slip Op 115
755. Kowalchuk v Stroup, NYLJ, 2-18-09, p. 28, (Decision of Interest), 61 AD3d 118, 873 NYS2d 43
756. People v Albright, #4699, 59 AD3d 336, 874 NYS2d 65, dissenting
757. Speranza v Repro Lab Inc., NYLJ, 3-2-09; (Decision of Interest) p. 18, Col. 1; cited and discussed in "Parents Denied Right to Dead Son's Sperm," NYLJ, 3-4-09, p. 1; 62 AD3d 49, 875 NYS2d 449
758. People v Casanova, 62 AD3d 88, 875 NYS2d 31
759. Hoffman v Parade Publs., 65 AD3d 48, 878 NYS2d 320; reversed 15 NY3d 285 [2010]
760. Sport Rock Int'l v Am. Cas. Co of Reading, 65 AD3d 12; 878 NYS2d 339, concurring
761. Bleecker Street Tenants Corp. v Bleecker Jones LLC, NYLJ, ... commented on in Estis & Robbins, "Landlord-Tenant, Applying Rule, Court Voids Lease Renewal Option Clause," NYLJ Real Estate Trends, 8-05-09, p. 3; 65 AD3d 240; 882 NYS2d 42; reversed 16 NY3d 272 [2011]
762. Batsidis v Wallack Management, NYLJ, 7-7-09, (Decision of Interest) p. 36; cited and discussed in "Ruling Endorses Cost-Shifting Clause for Co-op Renovations," NYLJ, 7-7-09, p. 1; 65 AD3d 332, 882 NYS2d 102
763. People v. Simmons, 66 AD3d 292, 884 NYS2d 9; affirmed 15 NY3d 728 [2010]
764. Resort Sports Network Inc. v PH Ventures III, LLC, et al., NYLJ, 9-30-09, p. 26 (Decision of Interest); 67 AD3d 132, 886 NYS2d 5 dissenting
765. Matter of Erin C. v Peter H., #4138 (child support), 66 AD3d 451. 2009 NY Slip Op 7305 [October 13, 2009] [CONC/DIS]
766. Thome v The Alexander & Louisa Calder Foundation, NYLJ, 12-2-09, cited and discussed in "Panel Declines to Force Group to Say Stage Sets Were by Calder," NYLJ, 12-2-09, p. 1; cited and discussed in "Ruling on Artistic Authenticity: The Market vs. the Law," New York Times, 8-6-12, p. C1; 70 AD3d 88
767. Warner v Kaplan, NYLJ, 12-17-09, p. 25 (Decision of Interest); 71 AD3d 1
768. Beudert-Richard v Richard, NYLJ, 1-20-10, p. (Decision of Interest); cited and discussed in Scheinberg, "General Obligations Law §3-309 and Post-Death Marital Real Property, NYLJ/Outside Counsel, 4-15-10, p. 4, col. 5; 72 AD3d 101, 894 NYS2d 32
769. Rosenthal v Quadriga, NYLJ, 1-25-10, p. 25; 69 AD3d 504, 894 NYS2d 32, concurring opinion

770. Dessasore v NYC Housing Authority, NYLJ, 2-11-10, p. 33; 70 AD3d 440 dissenting opinion
771. Bazin v Walsam 240 Owner LLC, NYLJ, 2-17-2010, p. 26 (Decision of Interest); 72 AD3d 190
772. Ohlhausen v City of New York, 73 AD3d 89; 898 NYS2d 120
773. Matter of Tatiana N., NYLJ, 4-9-10, p. 25 (Decision of Interest); also, cited and discussed in Wise, "Unarmed Teen Liable for Assault as Accessory, Majority Concludes," p. 1; 73 AD3d 186, 899 NYS2d 21
774. CPS Operating v Pathmark Stores, NYLJ, p. 18 (Decision of Interest) 76 AD3d 1 dissenting; affirmed 18 NY3d 26 [2011]
775. Lisa Green v William Penn Life Ins., NYLJ, 6-21-10, p. 24, also cited and discussed in, "New Trial is Ordered to Consider Whether Insured Killed Himself," NYLJ, 6-21-10, p. 1; 74 AD3d 570
776. Pacific Coast Silks v 247 Realty, NYLJ, 7-12-10, p. 18 (Decision of Interest); cited and analyzed in Estis and Robbins, "Parties Right When Elevator Service Is Delayed," NYLJ, 8-04-10, p. 5; 76 AD3d 167
777. Gotham Partners v. High River Limited Partnership, NYLJ, 7-26-10, Decision of Interest, also cited and discussed in "Prevailing Party's Bid for Fees Fails 'Exacting' Test Panel Find," NYLJ, 7-22-10, p. 1; 76 AD3d 203
778. Brad H. v. City of New York, 1811N, NYLJ, 8-11,10, p. 1, cited and discussed in "Courts Can No Longer Enforce City Pact With Ex-Inmates, Panel Says; 77 AD3d 103 (2010), reversed 17 NY3d 180 [2011]
779. Meade v OTA Hotel Owner LP, (dissenting in part), 76 AD3d 470; 907 NYS2d 185
780. MH Residential 1, LLC v Barrett, 2010 Slip Op 06554, dated September 14, 2010; 78 AD3d 99, 908 NYS2d 6, cited and discussed in Condominium Law column; Bailey & Metz, "Fair-Market Tenants and Condominium Conversions," NYLJ, 2-11-15, p. 5
781. Torres v Alesso, NYLJ, 10-12-10, cited and discussed in News In Brief, p. 1; 80 AD3d 46
782. Alfred E. Mann Living Trust v ETIRC Aviation, NYLJ, 10-26-10, Decision of Interest, also cited and discussed in, "Denial of Improper Service Defense Upheld Where Note's Guarantor Served by E-Mail, NYLJ, 10-26-10, p. 25; 2010 NYSlipOp 07412 dated October 19, 2010; 78 AD3d 137
783. Williams v Hooper, [concurring opinion] cited and discussed in "Jury Charge Is Faulted as Panel Upsets Personal Injury Verdict," NYLJ, 11-12-10, p. 1; 82 AD3d 448
784. Prometheus Realty Corp. v City of New York, cited and discussed in "City Law Allowing Tenants to Sue Over Harassment Upheld," NYLJ, 11-17-10, p. 1; 80 AD3d 206.

785. Matter of Noah Jeremiah J., dissenting, NYLJ, (Decision of Interest) 12-30-10, p. 25; 81 AD3d 37; 914 NYS2d 105
786. Koren Rogers v Standard Microsystems, dissenting, NYLJ, 12-30-10, p. 26; 79 AD3d 607
787. Jo-Fra Properties v Bobbe, NYLJ, 12-23-10, p. 25, Decision of Interest; 81 AD3d 29
788. Applewhite v Accuhealth, concurring in part and dissenting in part, NYLJ, Decision of Interest, 1-5-11, p. 25; 81 AD3d 94.
789. People v Western Express, NYLJ, 4-20-11, p. 1, cited and discussed in "'Enterprise' Charge in Cyber Crime Upheld," also cited and discussed in "'Western Express' and the Organized Crime Control Act," NYLJ, 8-23-11, p. 5; 85 AD3d 1; reversed \_\_\_NY3d \_\_\_ [10/18/12]
790. Sandals Resorts International v. Google, 100628/10, NYLJ 1202494732440, at \*1, cited and discussed in, "Claims in E-Mail Sent Via Google Found to Be Opinion, Not Libel," NYLJ, 5-23-11, p. 1; 86 AD3d 32
791. In re Alaire K.G. v. Anthony P.G., 3583, NYLJ 120249577929 at \*1, dissenting, cited and discussed in, "Split Court Approves Relocation of Child of Divorce to California," NYLJ, 6-3-11, p. 1; 86 AD3d 216
792. Nascimento v Bridgehampton Construction Corp., 110581/08, NYLJ 1202496371057, at \*1; NYLJ, Decision of Interest, 6-9-11, p. 1; 86 AD3d 189
793. Stephenson v. City of New York, 4326, NYLJ 1202497762285, at \*1, dissenting, NYLJ, 6-20-11, p., 85 AD3d 523; affirmed \_\_\_NY3d \_\_\_ [10/18/12]
794. Raniola v. Montefiore Med Ctr, dissenting, 85 AD3d 641
795. Mulgrew v. Board of Education, 260000/10, NYLJ 1202508909600, at \*1, cited and discussed in, "Panel Finds Suit Should Be Heard By School's Chief, Not the Court," NYLJ, 7-29-11, p. 1; 88 AD3d 72
796. Illinois Union Ins. Co. v Assurance Co. of Amer., #4176, 86 AD3d 501 [July 28, 2011] [DISSENT]
797. People v Anonymous, dissenting, NYLJ, 8-15-11, p. 23, col. 3; 87 AD3d 443
798. Shalam v KPMG LLP, 112732/05, NYLJ 1202520586811, at \*1, cited and discussed in, "Panel Upsets Investor's Suit Against Bank Over Illegal Tax Shelter," NYLJ, 10-28-11, p. 1; 89 AD3d 155
799. 135 E 57<sup>th</sup> Street v Daffy's Inc., 101857/10, NYLJ 1202533417094, at \*1, cited and discussed in, "Daffy's Wins Bid to Keep Its Lease Despite Late Notice of Renewal," NYLJ, 11-23-11, p. 1; 91 AD3d 1
800. Khaira v. Khaira, 312487/10, NYLJ 1202541708835, at \*1, cited and discussed in, "Temporary Maintenance Award Must Be Explained, Panel Says,



- NYLJ, 2-8-12, p. 1; 93 AD3d 194, 938 N.Y.S.2d 513 (Decided February 7, 2012)
801. People v McFarlane, dissenting, 93 AD3d 467 (2012); lv granted
802. De Jesus v. Mishra, 25804/04, NYLJ 1202544237971, at \*1, cited and discussed in, "Panel Dismisses Suit Against Doctor Who Did C-Section After Baby Died, NYLJ, 3-02-12, p. 1; 93 AD3d 135
803. Denza v Independence Plaza Assoc., LLC, 117673/05, NYLJ 1202547968643, at \*1, cited and discussed in, "Unauthorized Benefits Do Not Trigger Rent Stabilization, Panel Says," NYLJ, 4-3-12, p. 1; 95 AD3d 153
804. Matter of Neal Eugene Wiesner, dissenting, cited and discussed in, "Panel Admits Lawyer Convicted of Crimes in His 'Earlier Life'," NYLJ, 3-21-12, p. 1; 94 AD3d 167
805. Nandkumar Ramkumar v Grand Style Transportation, dissenting, NYLJ, 4-12-12, p. 22, col. 2; 94 AD3d 484, lv granted 2012 NY LEXIS 1975 [8/28/12]
806. Bregman v. 111 Tenants Corp, 6707, NYLJ 1202552830266, at \*1 (App. Div., 1<sup>st</sup>, Decided May 3, 2012), cited and discussed in "Co-Op's Resolution Against Subleases Found Valid Even If Shareholder Was Sole Target, NYLJ, 5-10-12, p. 21 (Court Decisions); 97 AD3d 75
807. Weinreb v. 37 Apartments Corp, NYLJ 650868/11, cited and discussed in, "Individual Co-op Board Members Found Immune From Injunction, NYLJ, 5-11-12, p. 1; 97 AD3d 54
808. Timothy M. Sonbuchner v Lakshmi Swamy Sonbuchner, dissenting opinion, cited and discussed in "Pro Se Divorce Litigant Should Have Been Given Expert Report, Panel Finds," NYLJ, 6-27-12, p. 6, col. 4, 96 AD3d 566, 947 NYS2d 80, 2012 NY Slip Op 4933 [June 19, 2012]
809. The Plaza PH2001 LLC v Plaza Residential Owner, 98 AD3d 89, 947 NYS2d 498, 2012 NY App Div LEXIS 5036; 2012 NY Slip Op 5119 [June 26, 2012] [OPINION]
810. Ashwood Capital v OTG Mgmt, NYLJ 652087/10, cited and discussed in "Despite Intention, Contract Working is Clear, Panel Says," [News In Brief], NYLJ, 7-12-12, p. 1, 99 AD3d 1, 948 NYS2d 292, 2012 NY App Div LEXIS 5389, 2012 NY Slip Op 5483 [July 10, 2012] [OPINION]
811. Wo Yee Hing Realty v Howard Stern, cited and discussed in "'Strong Evidence' of Negligence But No Legal Malpractice Found," NYLJ, 8-1-12, p. 1, 99 AD3d 58, 949 NYS2d 50, 2012 NY App Div LEXIS 5719, 2012 NY Slip Op 5792 [OPINION] [July 31, 2012]
812. Wells Fargo Bank v U.S. Airways, 100 AD3d 1, 950 NYS2d 50, 2012 NY App Div LEXIS 5873, 2012 NY Slip Op 5949 [OPINION] [August 14, 2012]
813. PMJ Capital v PAF Capital, cited and discussed in "First Department Addresses Contract Formation," NYLJ, 9-21-12, dissenting opinion 98 AD3d 429, 949 NYS2d 385, 2012 NY App Div LEXIS 5876, 2012 NY Slip Op 5946 [August 14, 2012]

814. Mark Komlosi v Cuomo, cited and discussed in "State Does Not Have to Pay Award Against Ex-Employee, Panel Says," NYLJ, 10-11-12, p. 1, dissenting opinion in NYLJ, 10-15-12, p. 12, col. 1, 99 AD3d 458, 952 NYS2d 488, 2012 NY App Div LEXIS 6688, 2012 NY Slip Op 6729 [October 9, 2012]
815. Matter of Adoption of Yary, cited and discussed in "Court Says Agency Must Consent To Adoption of Child in Its Care," NYLJ,, 10-12-12, p. 1, 100 AD3d 200, 952 NYS2d 514, 2012 NY App Div LEXIS 6815, 2012 NY Slip Op 6858 [OPINION] [October 11, 2012]
816. Wathne Imports, Ltd v PRL USA Inc., cited and discussed in "Trial Court's Refusal to Allow Expert Testimony Overturned," NYLJ, 10-22-12 and online; 101 AD3d 83, 953 NYS2d 7, 2012 NY App Div LEXIS 6960, 2012 NY Slip Op 7045 [October 18, 2012] [OPINION]
817. Stephen Villanueva Medina v City & NYPD, 102 AD3d 101, 953 NYS2d 43, 2012 NY App Div LEXIS 7122, 2012 NY Slip Op 7218 [October 23, 2012] [OPINION]
818. Koulajian v Smith, dissenting, 100673/10, NYLJ 120581621066 at \*1 (App.Div., 1<sup>st</sup>, Decided December 13, 2012), cited and discussed in "Dissenters Wonder if 2-Year-Old Made Dragged Suitcase Dangerous," NYLJ, 12/17/12, p. 1; 101 AD3d 498; 954 N.Y.S.2d 871
819. The People v. Graham Reid, 7360, NYLJ 1202583703807, at \*1 (App. Div., 1<sup>st</sup>, Decided January 3, 2013), cited and discussed in COURT DECISIONS "At Patdown Officer Had Probable Cause to Arrest For Drunken Driving; Knife Not Suppressed," NYLJ, [date] p. \_\_; 104 A.D.3d 58; 957 N.Y.S.2d 332
820. Devash LLC. v. German Am. Capital Corp., 8409, NYLJ 1202584498056, at \*1 (Sup., App., 1<sup>st</sup>, Decided January 10, 2013), cited and discussed in COURT DECISIONS "Breach, Tortious Interference Claim Properly Dismissed in Mortgage Loan Transfer Action," NYLJ 1-17-13, p. \_\_; 104 A.D.3d 71, 959 N.Y.S.2d 10
821. Millennium Import v Reed Smith, 603350/07, cited and discussed in "Panel Revives Reed Smith's Suits Against Firms in Malpractice Case," NYLJ, 1-25-13, p. 1; (Decided January 24, 2013) 104 A.D.3d 190; 958 N.Y.S.2d 375
822. Nassau Beekman, LLC v. Ann/Nassau Realty, LLC, 116402/08, NYLJ 1202586634412, at \*1 (App. Div., 1<sup>st</sup> Decided January 31, 2013), cited and discussed in "Panel Uses Case to Warn: Put Contract Amendments in Writing," NYLJ, 2-04-13, p. 1; 105 A.D.3d 33; 960 N.Y.S.2d 70
823. Access Point Medical v Edward Mandell, #8850 (SL for fid duty), 106 AD3d 40, 963 NYS2d 44, 2013 NY App Div LEXIS 2131, 2013 NY Slip Op 2208 [April 2, 2013] [OPINION]
824. Seneca v Cimran, 601087/10, cited and discussed in "Panel Uses Case to Reaffirm 'Ancient Principle' of Insurance Law," NYLJ, 4-10,13, p. 1; 106 A.D.3d 166; 963 N.Y.S.2d 182 (Decided April 19, 2013)

825. Boyd v NYCHA, (gate unsecured), 105 Ad3d 542, 964 NYS2d 10, 2013 NY App Div LEXIS 2460; 2013 NY Slip Op 2507 [April 16, 2013] [DISSENT]
826. The People v. Horacio Blackwood, cited and discussed in "Rape Conviction Is Upheld Despite Trial Testimony on Earlier Acts, NYLJ, 5-24-13, p.1; (Decided May 23, 2013) 108 A.D.3d 163; 965 N.Y.S.2d 479
827. In re James Holmes v. Jana Winter, 30037/13, cited and discussed in, "Fox News Reporter Fights Subpoena in Colorado Shooting Case," NYLJ, 6-14-13, p. 1; (Decided August 20, 2013) 110 A.D.3d 134, 970 N.Y.S.2d 766, 2013 NY App Div LEXIS 5585, 2013 NY Slip Op 5666 [August 20, 2013] [DISSENT], revd 22 NY3d 300, 980 NYS2d 357, 2013 NY LEXIS 3249; 2013 NY Slip Op 8194 [December 10, 2013]
828. Aetna Life Insurance Company v Appalachian Asset Management Corp., et al., (Decision of Interest) NYLJ, 8-06-13, p. 21; [dec.nylj.com/1202613579795](http://dec.nylj.com/1202613579795); (Decided July 30, 2013); 110 A.D.3d 32; 970 N.Y.S.2d 750
829. Goldstone v Gracie Terrace Apartment Corp., 604235/07, cited and discussed in "No Irreparable Harm Seen In Co-op's Changes to Dwelling, NYLJ, 8-29-13, p. 1, (Decided August 27, 2013) 110 A.D.3d 101, 970 N.Y.S.2d 783
830. Kevin McK. v Elizabeth A.E., cited and discussed in "Panel Grants Mother's Petition To Relocate to Mississippi," NYLJ 10-2-13, p. 1 (Decided October 1, 2013) 111 A.D.3d 124, 972 N.Y.S.2d 25; cited in Abromowitz & Jacobi-Parisi, "Relocation: Can a Woman Just Take the Child and Go?" Divorce Law, NYLJ, 4-30-2014, p. 3
831. People v Puesan, cited and discussed in NEWS IN BRIEF, "Panel Upholds Conviction For Computer Offenses," NYLJ, 10-10-13, p. 1; also featured in Crusco, "Security Breaches and New York's Computer Crimes, NYLJ, 12-24-13, p. 5 (Decided October 8, 2013) 111 A.D.3d 222; 973 N.Y.S.2d 121
832. Strong v City of New York, cited and discussed in "Sanctioned for Destruction of Police Radio Call Recordings, NYLJ, 10-16-13,, p. 1 also commented on in Hoening, "Complex Litigation: Appellate Division Clarifies Spoliation Standards," NYLJ, 10-21-13, p. 3 (Decided October 15, 2013) 112 A.D.3d 15; 973 N.Y.S.2d 152
833. Hutchinson v Sheridan Hill, *dissenting*, NYLJ, 10-23-13. p. 23 (Decided October 22, 2013); 110 A.D.3d 552; 973 N.Y.S.2d 178
834. Venecia V. v August V., 305594/4, cited and discussed in "Parents May Claim Malpractice to Fight Fees for Kids' Lawyers, NYLJ, 12-6-13, p. 1, col. 5, (Decided December 5, 2013) 113 A.D.3d 122; 977 N.Y.S.2d 199
835. Gural v Drasner, cited and discussed in "Panel Upsets Earlier Case Law On Contract Part Performance, NYLJ, 12-19-13, p. 1 (Decided December 17, 2013) 114 A.D.3d 25; 977 N.Y.S.2d 218
836. Lucker v Bayside Cemetery, cited and discussed in "Relatives Are Denied Standing to Sue For Burial Plot Care, NYLJ, 1-6-14, p. 1; (Decided December 31, 2013); 114 A.D.3d 162; 979 N.Y.S.2d 8

837. People v Patrick Thomas, (Decided January 16, 2014); 115 A.D.3d 69; 979 N.Y.S.2d 34; 2014 NY App Div LEXIS 286
838. People v William Brown, *dissenting*, (Decided January 16, 2014); 115 A.D.3d 38; 978 N.Y.S.2d 206; 2014 NY App Div LEXIS 281
839. A. Bernard Frechtman v Gutterman, cited and discussed in "Panel Says Lawyer Not Defamed By Critical Letter From Client, NYLJ, 1-27-14, p 1; (Decided January 23, 2014); 115 A.D.3d 102; 979 N.Y.S.2d 58; 2014 NY App Div LEXIS 429, 2014 NY Slip Op 437
840. People v Raymond Denson, *dissenting*, cited and discussed in "Advances to Girl Held Enough for Attempted Kidnapping," NYLJ, 2-20-14; (Decided February 18, 2014); 114 A.D.3d 543; 980 N.Y.S.2d 434; 2014 NY App Div LEXIS 1119, 2014 NY Slip Op 1141
841. Kamel Sadek v Jenkins Wesley, cited and discussed in, "Panel Finds Doctor's Testimony Improperly Barred From Trial, NYLJ, 4-17-14, p. 1; (Decided April 15, 2014), 117 A.D.3d 193; 986 N.Y.S.2d 25; 2014 N.Y. App. Div. LEXIS 2799; 2014 NY Slip Op 2551
842. CashZone Check Cashing Corp v Vigilant Insurance Co., cited and discussed in "Stolen Cash Ruled 'In Transit,' Insurer Must Make Loss Good," NYLJ 3-12-14, p 1; (Decided March 11, 2014); 116 A.D.3d 146; 981 N.Y.S.2d 698; 2014 NY App Div LEXIS 1525, 2014 NY Slip Op 1565
843. Jenice McGinley v Mystic West Realty Corp., et al. [DISSENTING IN PART] (Decided May 13, 2014); 117 A.D.3d 504; 985 N.Y.S.2d 528, 2014 N.Y. App. Div. LEXIS 3372; 2014 NY Slip Op 3435
844. National Union Fire Ins. v Turner Construction, et al., (Decided May 15, 2014); 119 A.D.3d 103; 986 N.Y.S.2d 74; 2014 N.Y. App. Div. LEXIS 3546; 2014 NY Slip Op 3607
845. Mirta Ramos v Renata Weber MD, *dissenting*, (Decided June 3, 2014) 118 AD3d 408, 987 NYS2d 51, 2014 NY App Div LEXIS 3908, 2014 NY Slip Op 3943
846. Greater New York Taxi Assoc. v New York City Taxi and Limousine, et al., (Decided June 10, 2014) 121 A.D.3d 21; 988 N.Y.S.2d 5; 2014 N.Y. App. Div LEXIS 4085; 2014 NY Slip Op 4156; cited and discussed in "Panel Finds Agency Has Power to Require 'Taxi' of Tomorrow,'" NYLJ, 6-11-14, p. 1
847. Miller Tabak & Co., LLC v Senetek PLC, [dissenting in part] (Decided June 17, 2014); 118 A.D.3d 520; 988 N.Y.S.2d 141; 2014 N.Y. App. Div. LEXIS 4351; 2014 NY Slip Op 4418
848. Mayra Duluc v AC & L Food Corp., [dissent][7.10.2014]; 119 A.D.3d 450; 990 N.Y.S.2d 24; 2014 N.Y. App. Div. LEXIS 5214; 2014 NY Slip Op 5243
849. Larry Martin v Daily News, NYLJ, July 21, 2014, p. 18; cited and discussed in "Ruling Upholds Dismissal of Judge's Defamation Suit, NYLJ, 7-18-14, p. 1; 121 AD3d 90; 990 NYS2d 473, NY App Div LEXIS 5325, 2014 NY Slip Op 5369

850. Yousufu Sangaray v West River Assocs, #12543, 121 AD3d 602, 996 NYS2d 13, 2014 NY App Div LEXIS 7404; 2014 NY Slip Op 07421 [October 30, 2014] [CONCURRENCE], lv granted
851. Anonymous v Anonymous, (concurring), cited and discussed in, "Panel Allows Non-Monied Spouse to Challenge Fee-Waiver Provision in Prenuptial Agreement, NYLJ, 12-19-14, p. 1, 123 AD3d 581, 99 NYS2d 386, 2014 NY App Div LEXIS 8689; 2014 NY Slip Op 08766 [December 16, 2014]
852. Shelton Stewart v New York City Transit Authority, (dissenting) (Decided December 30, 2014), 125 AD3d 129, 998 NYS2d 371, 2014 NY App Div LEXIS 8980; 2014 NY Slip Op 09063 [December 30, 2014]
853. People v Daviel McCummings, (dissenting), cited and discussed in Article of Interest entitled, "Conviction Upset Over Failure to Explore Defendant's Request for New Trial Attorney," NYLJ, 1-26-15, p. 1; the same article also appeared in the paper edition of the NYLJ in the Perspective section on 1-30-15, p. 6; 124 AD3d 502, 1 NYS3d 97, 2015 NY App Div LEXIS 619, 2015 NY Slip Op 00610 [January 22, 2015]
854. Maththew Mayers v Stone Castle Partners, (Decided January 8, 2015), cited and discussed in "Panel Clarifies 'Harm' Needed To Disqualify An Attorney, NYLJ, 1-9-15, p. 1; 126 AD3d 1, 1 NYS3d 58, 2015 App Div LEXIS 258; 2015 NY Slip Op 00295 [January 8, 2015]
855. In re The Bank of New York Mellon v. Retirement Board, cited and discussed in "Court Upholds \$8.5B Bank of America RMBS Settlement, NYLJ, 3-6-15, p. 1; 127 AD3d 120, 4 NYS3d 204, 2015 NY App Div LEXIS 1833; 2015 NY Slip Op 1880 [March 5, 2015]
856. Landenberg Thalmann & Co., Inc. v. Signature Bank, Decision of Interest, NYLJ, 3-27-15, p. 21; 128 AD3d 360, 6 NYS3d 33, 2015 NY App Div LEXIS 2241; 2015 NY Slip Op 02224 [March 19, 2015]
857. Nisha Buckingham v Simon Buckingham, (concurring opinion) cited and discussed in Article of Interest, "Prenup Blocks \$950,000 Payment to Ex-Wife, Panel Concludes," NYLJ, 3-20-15, p. 1; 127 AD3d 480, 9 NYS3d 2, 2015 NY App Div LEXIS 2166; 2015 NY Slip Op 02190 [March 19, 2015]
858. Andrew Sasson, et al. v TLG Acquisition LLC, et al., (concurrence), NYLJ, 4-13-2015, p. 21, col. 6; 127 AD3d 480, 9 NYS3d 2, 2015 NY App Div LEXIS 3032; 2015 NY Slip Op 03049 [April 9, 2015]
859. People v Carlos Valentin - (dissenting) New York Law Journal, 5-11-15; 128 AD3d 428, 8 NYS3d 317, 2015 NY App Div LEXIS 3873; 2015 NY Slip Op 03914 [May 7, 2015]
860. People v. Andre Graham, (dissenting) New York Law Journal, 5-28-15; 128 AD3d 572, 10 NYS3d 54, 2015 NY App Div LEXIS 4327, NY Slip Op 04401 [May 26, 2015]
861. Dimas Medinas v MILT Holdings, 131 AD3d 121, 2015 NY App Div LEXIS 5890, 2015 NY Slip Op 06044 [July 9, 2015]

862. Nancy Cruz v Bronx Lebanon Hospital Center, (dissenting) NYLJ 7-2-15, p. 30, Col. 4; 129 AD3d 631, 13 NYS3d 27, 2015 NY App Div LEXIS 5469, 2015 NY Slip Op 05601 [June 30, 2015]
863. Caceres v Standard Realty, (dissenting); 131 AD3d 433, 2015 N.Y. App. Div LEXIS 6539, 2015 NY Slip Op 06645 [August 25, 2015]
864. Beinstein v Amtzis, (dissenting), New York Law Journal, 8/6/15, p. 22; 131 AD3d 401, 2015 NY App Div LEXIS 6277, 2015 NY Slip Op 06403 [August 4, 2015]
865. In re Elihu Kover, (dissenting), NYLJ, 10/28/15, p. ; cited and discussed in "Split Panel Affirms Sanction Against Article 81 Attorney", NYLJ, 10/29/15, p. 1; 134 AD3d 64, 19 NYS3d 228, 2015 NY Slip Op 07802, 2015 NY App Div LEXIS 7859 [October 27, 2015]
866. Public Adjustment Bureau v Greater NY Mutual/Seward Pk, cited and discussed in NYLJ (In Brief) "Panel Vacates Ruling Barring Enforcement of Retainer," 11-2, 15, p. 4; 135 AD3d 41, 19 NYS3d 43, 2015 NY App Div. LEXIS 8000, 2015 NY Slip Op 07942 [October 29, 2015]
867. Anthony Oddo v Queens Village, (dissenting) cited and discussed in "Treatment Center Faces Suit Over Stabbing", NYLJ, 12/4/15, p. 6; 135 AD3d 211, 2015 NY App Div LEXIS 9030, 2015 NY Slip Op 08943 [December 3, 2015]
868. Forman v Henkin, (dissenting) cited and discussed in "Defendant Denied Access to Plaintiff's Facebook Photos," NYLJ, 12/18/15, p. ; 134 AD3d 529, 2015 NY App Div LEXIS 9353, 2015 NY Slip Op 09350 [December 17, 2015]
869. Matter of Lafayette Boynton Hsg Corp. v Pickett (concurring) cited and discussed in "Court's Return of Disabled Tenant to Apartment Upheld," NYLJ 1/19/16, p. ; 135 AD3d 518, 2016 NY App Div LEXIS 252, 2016 NY Slip Op 00253 [January 14, 2016]
870. Srikishun v Edye, (concurring), Decision of Interest, NYLJ, 1-27-16, p. 21, 137 AD3d 1, 2016 NY App Div LEXIS 309, 2016 NY Slip Op 00315 [January 19, 2016]
871. Connaughton v Chipotle Mexican Grill, Inc., (dissenting in part) 135 AD3d 535;, 2016 NY App Div LEXIS 272, 2016 NY Slip Op 00273 [January 19, 2016]
872. Jacob Gottlieb v Alexandra Lumiere Gottlieb (concurring) cited and discussed in "Panel Says Prenup May be 'Callus,' but Is Enforceable," NYLJ 1/29/16, p. 1; Decision in NYLJ, 2/1/16, p. 21; 138 AD3d 30, 25 N.Y.S.3d 90; 2016 N.Y. App. Div. LEXIS 575; 2016 NY Slip Op 00613
873. Estate of Helen Del Terzo, et al. v 33 Fifth Avenue Owners Corp., (dissenting) NYLJ 154950-12; cited and discussed in "Split Panel Finds Tenant's Children Are Entitled to Co-op", NYLJ, 2-18-16; 136 AD3d 486; 25 N.Y.S.3d 154; 2016 N.Y. App. Div. LEXIS 1031; 2016 NY Slip Op 01039
874. BMW Group LLC et al v Castle Oil, cited and discussed in "Panel Revives Claims Companies Delivered Adulterated Heating Oil," NYLJ, 3/17/16, p. 1, 139 AD3d 78, 29 N.Y.S.3d 2531 2916 N.Y. App. Div. LEXIS1782; 2016 NY Slip Op 01790

875. Salvador v Touro College, cited and discussed in "Panel Finds Student Ineligible for LLM Cannot Sue Touro," NYLJ, 3-18-16, p. 1, 139 AD3d 27, 27 N.Y.S.3d 44; 2016 N.Y. App. Div. LEXIS 1914; 2016 N.Y. Slip Op 01924
876. People v Elmer Castillo [Final 3.17.16]
877. DDG Warren LLC v Assouline Ritz 1 et al [Final 3.28.16]
878. American Economy Insurance Co v State of New York [On the List 4-14-16]
879. Carmelo Maisonet v Michael Roman, (dissenting); 139 AD3d 121; 30 N.Y.S.3d 24; 2016 N.Y. App. Div. LEXIS 2603; 2016 NY Slip Op 02725
880. Patrick Quintavalle v Nestor Perez, III, et al., NYLJ, 4-27-16, p. 24, Col. 6; cited and discussed in, "Panel Finds No Comparative Negligency for Injured Pedestrian," NYLJ, 4-28-16, p. 1; \_\_\_ AD3d \_\_\_, 30 N.Y.S.3d 81, 2016 N.Y. App. Div. EXIS 2998, 2016 NY Slip Op 03126 dated April 26, 2016
881. St. George Tower, et al v Insurance Company of Greater New York, (opinion) NYLJ, 4.27.16, p. \_\_\_; \_\_\_ AD3d \_\_\_, 30 N.Y.S.3d 60, 2016 N.Y. App. Div. LEXIS 2971, 2016 NY Slip Op 03100, dated April 21, 2016.
882. Costa v State of New York, NYLJ, 6-3-2016, p. \_\_\_, \_\_\_ AD3d \_\_\_, 32 N.Y.S.3d 147; 2016 N.Y. App. Div. LEXIS 3981; 2016 NY Slip Op 04119
883. New York State Association for Affordable Housing, et al. v Council of the City of New York, (dissenting), \_\_\_ AD3d \_\_\_, \_\_\_ N.Y.S.3d \_\_\_, 2016 N.Y. App. Div. LEXIS 4145; 2016 NY Slip Op 04320
884. West Midtown Management Group, Inc. v State of New York (dissenting), NYLJ 9-23-16, \_\_\_ AD3d \_\_\_, N.Y.S.3d \_\_\_
885. Sandra Delgado v City of New York, et al., (dissenting); NYLJ , 9-30-16; 2016 NY Slip Op 06185
886. Lebedev v Blavatnik and Vekselberg, [Final 9.7.16] 2016 NY Slip Op 06463
887. Wyble v Lange, [Final 10.27.16]
888. Guidance Enhanced Green Terrain, LLC v Bank of Am. Merrill Lynch, \_\_\_ AD3d \_\_\_, 2017 NY Slip Op 00068 January 5, 2017
889. Landi v SDS William Street, LLC, NYLJ, 12-20-16, p. 22, 2016 NY Slip Op 08340 (12-13-2016)
890. NYC C.L.A.S.H., et al., v City of New York, \_\_\_ AD3d \_\_\_, 2017 NY Slip Op 00042 January 3, 2017
891. Stega v New York Downtown Hospital, cited and discussed in "Hospital's Comments to FDA Granted Absolute Privilege," NYLJ, 1.12.17, p. 1; decision published on NYLJ.com; \_\_\_ AD3d \_\_\_, 2017 NY Slip Op 00139 January 10, 2017

892. On v BKO Express LLC; \_\_\_ AD3d \_\_\_; 2017 NY Slip Op 00281 January 17, 2017
893. People v Grohoski, NYLJ, 2-2-17, p. 22, col. 1, \_\_\_ AD3d \_\_\_, 2017 NY Slip Op 00617 January 31, 2017
894. Collateral Loanbrokers Association v. City of New York, et al., (Decision of Interest) NYLJ, 20-09-17, p. 22; \_\_\_ AD3d. 2017 NY Slip Op 00953 February 7, 2017
895. James v 1620 Westchester Ave. LLC, \_\_\_ AD3 \_\_\_; 2017 NY Slip Op 01303 February 21, 2017
896. Transit Funding v Capital One Equip., \_\_\_ AD3d \_\_\_; 2017 NY Slip Op \_ February 28, 2017
897. Matter of NYC Asbestos Litig.: Juni v Ford Motor Co., \_\_\_ AD3d \_\_\_ 2017 NY Slip Op \_\_\_ February 28, 2017