

APPELLATE TERM SUPREME COURT
SECOND, ELEVENTH AND THIRTEENTH JUDICIAL DISTRICTS
DECEMBER 2017 TERM

SUBMISSION CALENDAR
CIVIL APPEALS

FRIDAY, DECEMBER 15, 2017

PRESENT: MICHAEL L. PESCE
THOMAS P. ALIOTTA
MARTIN M. SOLOMON

PRESIDING JUSTICE
ASSOCIATE JUSTICE
ASSOCIATE JUSTICE

THE FOLLOWING CASES WERE PLACED ON THE CIVIL CALENDAR
BY THE CLERK-FOR SUBMISSION ONLY-APPEALS PERFECTED.

1. 2011-00192 K C JAMAICA DEDICATED MEDICAL CARE, P.C., A/A/O CECILIO DELROSARIO, STEWART DELROSARIO, CARMEN FLORES and STEPHANY TAVAREZ v TRI STATE CONSUMER INS. CO.
2. 2014-02274 K C CAREFUL COMPLETE MEDICAL, P.C., A/A/O JEFFREY JOSEPH v AMERIPRISE INS. CO.
3. 2014-02783 Q C MEDICAL DIVERSIFIED SERVICES, INC., A/A/O WILLIAM TARPLAIN v MVAIC
4. 2014-02794 RI C GREATER N.Y. MEDICAL CARE, P.C., A/A/O OWOEYE, PRINCESS v ALLSTATE INSURANCE COMPANY
5. 2015-00151 Q C ACTIVE CHIROPRACTIC, P.C., A/A/O CHAMBERS JAREN v COUNTRY-WIDE INS. CO.
6. 2015-00155 Q C MT SERVICES P.T., P.C., A/A/O RICHARDSON STEVEN v COUNTRY-WIDE INS. CO.
7. 2015-00156 Q C AVENUE I MEDICAL, P.C., A/A/O FLOYD JOSEPH v COUNTRY-WIDE INS. CO.
8. 2015-00167 Q C VEGA CHIROPRACTIC, P.C., A/A/O FLOYD JOSEPH v COUNTRY-WIDE INS. CO.
9. 2015-00228 K C BIG APPLE ORTHO PRODUCTS, INC., A/A/O IANOTTI, ANN-MARIE v ALLSTATE INSURANCE COMPANY
10. 2015-00232 K C EASY CARE ACUPUNCTURE, P.C., A/A/O GARY PATTERSON v 21 CENTURY ADVANTAGE INS. CO.
11. 2015-00273 K C BEAL-MEDEA PRODUCTS, INC., A/A/O ALEXANDER ATIBA v ELRAC, INC. D/B/A ENTERPRISE RENT-A-CAR
12. 2015-00288 Q C FINE ARTS PT, P.C., A/A/O VERTILUS LESLY v COUNTRY-WIDE INS. CO.
13. 2015-00289 Q C MARIA S. MASIGLA, P.T., A/A/O BRUMAIRE, SHIMAINÉ v TRAVELERS INSURANCE COMPANY
14. 2015-00294 Q C EXCLUSIVE PHYSICAL THERAPY, P.C., A/A/O SZESER MICHAL v COUNTRY-WIDE INS. CO.
15. 2015-00303 Q C MARIA S. MASIGLA, P.T., A/A/O BRUMAIRE, YANICK v TRAVELERS INSURANCE COMPANY

16. 2015-00304 Q C MARIA S. MASIGLA, P.T., A/A/O BRUMAIRE, YANICK v TRAVELERS INSURANCE COMPANY
17. 2015-00307 Q C MARIA S. MASIGLA, P.T., A/A/O BRUMAIRE, GASTRY v TRAVELERS INSURANCE COMPANY
18. 2015-00315 Q C MARIA S. MASIGLA, P.T., A/A/O BRUMAIRE, GASTRY v TRAVELERS INSURANCE COMPANY
19. 2015-00317 Q C W.H.O. ACUPUNCTURE, P.C., A/A/O SMITH MONIQUE v COUNTRY-WIDE INS. CO.
20. 2015-00325 Q C QUEENS VILLAGE MEDICAL CARE, P.C., A/A/O LOUIS DOMINIQUE v GOVERNMENT EMPLOYEES INSURANCE COMPANY
21. 2015-00354 K C RIGHT AID MEDICAL SUPPLY CORP., A/A/O REYES, JONNATHAN v STATE FARM MUTUAL AUTOMOBILE INS. CO.
22. 2015-00363 K C CAREFUL COMPLETE MEDICAL, P.C., A/A/O SANDRA POPKIN-BUCKANAN v HARTFORD INSURANCE COMPANY
23. 2015-00379 K C ACTIVE CARE MEDICAL SUPPLY CORP., A/A/O BARLEY, TARYN v ELRAC, INC.
24. 2015-00398 K C Z.M.S. & Y ACUPUNCTURE, P.C., A/A/O FAMOJURO, OLAJUMOKE v GEICO GENERAL INSURANCE COMPANY
25. 2015-00402 K C Z.M.S. & Y ACUPUNCTURE, P.C., A/A/O FAMOJURO, GBENGA v GEICO GENERAL INSURANCE COMPANY
26. 2015-00410 K C Z.M.S. & Y ACUPUNCTURE, P.C., A/A/O HOLNESS, TABER v GEICO GENERAL INSURANCE COMPANY
27. 2015-00416 K C JYW MEDICAL, P.C., and VITAL FUNCTION PHYSICIAN SERVICES, P.C., A/A/O ELINA NISUYEVA v IDS PROPERTY INSURANCE COMPANY
28. 2015-00425 K C COMPAS MEDICAL, P.C., A/A/O JOSEPH, RAOUL v ALLSTATE INSURANCE COMPANY
29. 2015-00432 K C OLEG'S ACUPUNCTURE, P.C., A/A/O BELL JAMES v GEICO GENERAL INSURANCE COMPANY
30. 2015-00434 K C LYNBROOK PT & OT, PLLC, A/A/O PHILOMENA MAKINDE v AMERIPRISE INS. CO.
31. 2015-00436 Q C GENTLECARE AMBULATORY ANESTHESIA SERVICES; LYONEL F. PAUL, M.D., A/A/O BRUMAIRE, YANICK v TRAVELERS INSURANCE COMPANY
32. 2015-00447 K C PRECIOUS ACUPUNCTURE CARE, P.C., A/A/O VOREL HOPKINS v GEICO GENERAL INSURANCE COMPANY
33. 2015-00451 K C Z.M.S. & Y ACUPUNCTURE, P.C., A/A/O MELO, CARMEN v GEICO GENERAL INSURANCE COMPANY
34. 2015-00455 K C METRO PSYCHOLOGICAL SERVICES, P.C., A/A/O BAZAN RICARDO v TRAVELERS PROPERTY & CASUALTY INSURANCE COMPANY

35. 2015-00486 K C DAILY MEDICAL EQUIPMENT DISTRIBUTION CENTER, INC., A/A/O KEPPLER, SUBRINA v ELRAC, INC.
36. 2015-00500 Q C FAITH ACUPUNCTURE, P.C., A/A/O QUINCHE MAURO v GLOBAL LIBERTY INSURANCE
37. 2015-00501 Q C HEALTHY WAY ACUPUNCTURE, P.C., A/A/O ELSIE CAMBERO v STATE FARM MUTUAL AUTOMOBILE INS. CO.
38. 2015-00516 Q C HEALTHWAY MEDICAL CARE, P.C., A/A/O PERDOMO, AMAURY v GLOBAL LIBERTY INSURANCE
39. 2015-00608 Q C ADELAIDA PHYSICAL THERAPY, P.C., A/A/O BELFORT, MAKERSON v 21ST CENTURY INSURANCE COMPANY
40. 2015-00624 Q C ACUPUNCTURE NOW, P.C., A/A/O FRANCO, NEREYDA v GEICO INS, CO.
41. 2015-00626 Q C CHARLES DENG ACUPUNCTURE, P.C., A/A/O TATIANA JOSEPH v UNITED SERVICES AUTOMOBILE ASSOCIATION
42. 2015-00667 Q C KENSINGTON RADIOLOGY GROUP, P.C., A/A/O NICOLE HALL v NATIONAL AMERICAN INSURANCE COMPANY
43. 2015-00859 Q C INTAZAM KHAN, M.D., A/A/O THOMAS ALTIMON v NEW YORK CENTRAL MUTUAL FIRE INSURANCE COMPANY
44. 2015-00861 Q C GL ACUPUNCTURE, P.C., A/A/O MARTINEZ, ANTONIO v MVAIC
45. 2015-00867 Q C TRIMED MEDICAL SUPPLY, INC., A/A/O JESSICA JOSEPH v GEICO INSURANCE COMPANY
46. 2015-00896 K C CAREFUL COMPLETE MEDICAL, P.C., A/A/O LONNIE WHEELER v DELOS INSURANCE COMPANY
47. 2015-00947 Q C MARIA S. MASIGLA, P.T., A/A/O GOMEZ, SARA E v ELRAC, INC.
48. 2015-00951 K C B.S.A. CHIROPRACTIC, P.C., A/A/O CRISTINA CORDERO v ELRAC, INC.
49. 2015-00953 K C EASTCOAST METROPOLITAN MEDICAL, P.C., A/A/O CRISTINA CORDERO v ELRAC, INC.
50. 2015-00962 K C VILLAGE MEDICAL SUPPLY, INC., A/A/O STEPHANE PHILOGENE v CITIWIDE AUTO LEASING INS. CO.
51. 2015-00965 K C BRONX ACUPUNCTURE THERAPY, P.C., A/A/O RAFAEL URIBE v A. CENTRAL INS. CO.
52. 2015-00976 K C ACUHEALTH ACUPUNCTURE, P.C., A/A/O NICOLA THIERENS v HEREFORD INS. CO.
53. 2015-00978 K C EASTCOAST METROPOLITAN MEDICAL, P.C., A/A/O JESSE FERRARO v ELRAC, INC.
54. 2015-00994 K C MEDICAL RECORDS RETRIEVAL, INC., D/B/A KAMARA SUPPLIES, A/A/O SIGUA JUAN v ALLSTATE INSURANCE COMPANY

55. 2015-00996 K C B.S.A. CHIROPRACTIC, P.C., A/A/O JESSE FERRARO v ELRAC, INC.
56. 2015-01013 Q C COMPREHENSIVE PSYCHOLOGICAL SERVICES OF NY, P.C., A/A/O MATTHEW LOBOEN v GEICO INSURANCE COMPANY
57. 2015-01014 K C CANON CHIROPRACTIC, P.C., A/A/O JOSEPH MIGUEL v METLIFE INS. CO.
58. 2015-01016 K C DOCTOR GOLDSHTEYN CHIROPRACTIC, P.C., A/A/O PAULETTE SAUNDERS v TRAVELERS INDEMNITY. CO.
59. 2015-01018 K C IRINA ACUPUNCTURE, P.C., A/A/O ZHANE DARQAN v NEW YORK CENTRAL MUTUAL FIRE INSURANCE COMPANY
60. 2015-01031 K C SILVER ACUPUNCTURE, P.C., A/A/O JULIANAH OBADEYI v GEICO (GOV EMPLOYEES)
61. 2015-01063 K C IRINA ACUPUNCTURE, P.C., A/A/O ZHANE DARQAN v NEW YORK CENTRAL MUTUAL FIRE INSURANCE COMPANY
62. 2015-01069 K C MOON REHAB, P.T., P.C., A/A/O FIGUEROA LIZZETTE v AMERIPRISE INSURANCE COMPANY
63. 2015-01076 K C SHIROM ACUPUNCTURE, P.C., A/A/O AMALIA MADERA v 21ST CENTURY NATIONAL INS. CO.
64. 2015-01085 K C PUGSLEY CHIROPRACTIC, PLLC, A/A/O MARVA LEWIS v CITIWIDE AUTO LEASING, INC.
65. 2015-01087 K C ISLAND LIFE CHIROPRACTIC, P.C., A/A/O BELFORT, MARKENS v 21ST CENTURY INSURANCE COMPANY
66. 2015-01090 K C EASY CARE ACUPUNCTURE, P.C., A/A/O PINTO THOMPSON v 21 CENTURY ADVANTAGE INS. CO.
67. 2015-01091 K C LONGEVITY MEDICAL SUPPLY, INC., A/A/O RANDAL CHACON v CITIWIDE AUTO LEASING
68. 2015-01094 K C V.S. CARE ACUPUNCTURE, P.C., A/A/O BARRY MICHAEL FORD v NY CENTRAL MUTUAL FIRE INS. CO.
69. 2015-01108 K C NOVA CHIROPRACTIC SERVICES, P.C., A/A/O OMAR ROSADO v AMERIPRISE AUTO & HOME
70. 2015-01116 K C HEALING ART ACUPUNCTURE, P.C., A/A/O SINGH NEILPATTIE v ALLSTATE INSURANCE COMPANY
71. 2015-01154 K C ACUPUNCTURE CHOICE, P.C., A/A/O EQUAN THOMASON v AMERICAN TRANSIT INS. CO.
72. 2015-01157 K C PERSONAL TOUCH MEDICAL CARE, P.C., A/A/O RIZWAN AHMED v MAYA ASSURANCE CO.
73. 2015-01160 K C ISLAND LIFE CHIROPRACTIC, P.C., A/A/O DESTINE, WOOSLIE v 21ST CENTURY INSURANCE COMPANY

74. 2015-01163 K C ALAS LIFESPAN WELLNESS, PT, P.C., A/A/O TARRANT JILES v GLOBAL LIBERTY INS. CO. OF NY
75. 2015-01179 K C PUGSLEY CHIROPRACTIC, PLLC, A/A/O ORAUDE BOSTON v CITIWIDE AUTO LEASING, INC.
76. 2015-01180 Q C PIERRE JEAN JACQUES RENELIQUE, A/A/O AUDLEY NOYAN v ALLSTATE INSURANCE COMPANY
77. 2015-01186 K C CANON CHIROPRACTIC, P.C., A/A/O KATORAH DAVIS v TRAVELERS PROPERTY CASUALTY COMPANY OF AMERICA
78. 2015-01204 Q C MAXIM TYORKIN, M.D., A/A/O IAN CABY v COUNTRY WIDE INSURANCE COMPANY
79. 2015-01208 Q C PIERRE JEAN JACQUES RENELIQUE, A/A/O TRISTAN GRIFFITH v ALLSTATE INSURANCE COMPANY
80. 2015-01221 K C HEALTHY WAY ACUPUNCTURE, P.C., A/A/O KENIA ROSADO v NY CENTRAL MUTUAL FIRE INS. CO.
81. 2015-01223 K C AEE MEDICAL DIAGNOSTIC, P.C., A/A/O CLAUDIA WILLIAMS v CITIWIDE AUTO LEASING, INC.
82. 2015-01232 K C ARGUELLES, M.D., P.C., A/A/O MARTINE GANTHIER v OMNI INDEMNITY COMPANY
83. 2015-01242 K C CHARLES DENG ACUPUNCTURE, P.C., A/A/O DOREUS, GRAY v NEW YORK CENTRAL MUTUAL FIRE INSURANCE COMPANY
84. 2015-01264 K C ACTIVE CARE MEDICAL SUPPLY CORP., A/A/O RODRIGUEZ, EFRAIN v AMERIPRISE AUTO & HOME
85. 2015-01268 K C TAM MEDICAL SUPPLY CORP., A/A/O BAH, OUSMANE v MVAIC
86. 2015-01339 K C GBI ACUPUNCTURE, P.C., A/A/O GRAY, WILLIE v STATE FARM MUTUAL AUTOMOBILE INS. CO.
87. 2015-01500 K C NEW MILLENNIUM MEDICAL IMAGING, P.C., A/A/O CARLOS JOSSET MIGUEL RAMOS v MVAIC
88. 2015-01503 K C CHARLES DENG ACUPUNCTURE, P.C., A/A/O NOEL, JUNIOR v UNITRIN AUTO AND HOME INSURANCE COMPANY
89. 2015-01504 K C ACTIVE CARE MEDICAL SUPPLY CORP., A/A/O JEANNITON, MARLYNE v AMERIPRISE AUTO & HOME
90. 2015-01506 K C EASY CARE ACUPUNCTURE, P.C., A/A/O MURIELLE BIEN AIME v 21 CENTURY ADVANTAGE INS. CO.
91. 2015-01527 Q C ISLAND LIFE CHIROPRACTIC, P.C., A/A/O GILBERT, ANTHONY v NATIONAL LIABILITY & FIRE INSURANCE COMPANY
92. 2015-01528 Q C MARIA S. MASIGLA, P.T., A/A/O CADET, DANIEL v COUNTRY WIDE INSURANCE COMPANY

93. 2015-01530 Q C MARIA S. MASIGLA, P.T., A/A/O CADET, DANIEL v COUNTRY WIDE INSURANCE COMPANY
94. 2015-01545 Q C JEAN CLAUDE COMPAS, M.D., A/A/O WRIGHT, EULANA v TRAVELERS INSURANCE COMPANY
95. 2015-01563 K C Z.M.S. & Y ACUPUNCTURE, P.C., A/A/O STRATTON, BRENDA v GEICO GENERAL INSURANCE COMPANY
96. 2015-01569 K C JAMAICA MEDICAL PLAZA, P.C., A/A/O ANA CASIANO v GEICO GENERAL INSURANCE COMPANY
97. 2015-01608 K C ACTIVE CARE MEDICAL SUPPLY CORP., A/A/O COPE, ASSELETTA v AMERIPRISE AUTO & HOME
98. 2015-01619 K C RECOVER MEDICAL SERVICES, P.C., A/A/O ANASTASIYA MISHCHENKO v AMERIPRISE INSURANCE COMPANY
99. 2015-01635 K C CLINTON PLACE MEDICAL, P.C., A/A/O GOINS WARREN v MVAIC
100. 2015-01732 Q C TAM MEDICAL SUPPLY CORP., A/A/O McCROSEKY, TIANA v MVAIC
101. 2015-01734 Q C STATEN ISLAND ADVANCED SURGICAL SUPPLY, A/A/O GU ZHANG v GEICO INS. CO.
102. 2015-01737 Q C ALUR MEDICAL SUPPLY, INC., A/A/O JOSEPH GARRAWAY v GEICO INS. CO.
103. 2015-01738 Q C ALUR MEDICAL SUPPLY, INC., A/A/O DANIELS, DONALD v GEICO INS. CO.
104. 2015-01741 Q C STATEN ISLAND ADVANCED SURGICAL SUPPLY, A/A/O LEI DAI v GEICO INS. CO.
105. 2015-01843 Q C STATEN ISLAND ADVANCED SURGICAL SUPPLY, A/A/O CHIA CHIA WANG v GEICO INS. CO.
106. 2015-01846 Q C CITY CARE ACUPUNCTURE, P.C. and JAMAICA WELLNESS MEDICAL, P.C., A/A/O IRINA SERGHEICIUC v ALLSTATE PROPERTY AND CASUALTY INSURANCE COMPANY
107. 2015-01887 Q C W.H.O. ACUPUNCTURE, P.C., A/A/O ALEXANDER, AMANDA v GEICO INDEMNITY COMPANY
108. 2015-01900 Q C ACUPUNCTURE HEALTHCARE PLAZA I, P.C., A/A/O DELEON, RUFINO v ALLSTATE INSURANCE COMPANY
109. 2015-01943 Q C GBI ACUPUNCTURE, P.C., A/A/O CHOWDHRY, RAMRATTIE v GEICO INS. CO.
110. 2015-02032 K C GREENWAY MEDICAL SUPPLY CORP., A/A/O MOLINA, JOSE v AMERICAN TRANSIT INS. CO.
111. 2015-02033 Q C ACUPUNCTURE HEALTHCARE PLAZA I, P.C., A/A/O BENTOV, DAN v ALLSTATE INSURANCE COMPANY
112. 2015-02034 Q C GBI ACUPUNCTURE, P.C., A/A/O CHOWDHURY, MOHAMMED v GEICO INS. CO.
113. 2015-02038 Q C JCC MEDICAL, P.C., A/A/O SANTIAGO, BASILIO v METLIFE AUTO & HOME

114. 2015-02044 K C T & S MEDICAL SUPPLY CORP., A/A/O LOPEZ, WILFREDO v NATIONAL LIABILITY & FIRE INSURANCE COMPANY
115. 2015-02055 K C ACTIVE CARE MEDICAL SUPPLY CORP., A/A/O DRUMGOLD, CHERYL v AMERICAN TRANSIT INS. CO.
116. 2015-02059 K C CHAPA PRODUCTS CORP., A/A/O LUZ ORTEGA v ELRAC, INC.
117. 2015-02182 K C ACTUAL CHIROPRACTIC, P.C., A/A/O LUIS OCASIO v TRAVELERS INSURANCE