

**DAY CALENDAR**  
**Monday, April 6, 2015 - 10:00 AM**  
**HON. SAMUEL L. GREEN COURTROOM**

431.0  
TP 14-00414

**NATHANIEL JAY**  
**V**  
**HAROLD GRAHAM**

Proceeding pursuant to CPLR article 78 (transferred to the Appellate Division of the Supreme Court in the Fourth Judicial Department by order of the Supreme Court, Cayuga County [Mark H. Fandrich, A.J.], entered February 28, 2014) to review a determination of respondent. The determination found after a tier II hearing that petitioner had violated various inmate rules.

**NATHANIEL JAY for HIMSELF** Submitted

**PETER H. SCHIFF for HAROLD GRAHAM** Submitted

432.0  
KA 11-00418

**PEOPLE**  
**V**  
**TRENTON A. COOK**

Appeal from a judgment of the Monroe County Court (John L. DeMarco, J.), rendered January 5, 2011. The judgment convicted defendant, upon a nonjury verdict, of criminal possession of a controlled substance in the seventh degree.

**MARTIN P. MCCARTHY, II, for TRENTON A. COOK** Submitted

**STEPHEN X. O'BRIEN for THE PEOPLE OF THE STATE OF NEW YORK** Submitted

433.0  
KA 12-01988

**PEOPLE**  
**V**  
**DAVID KITCHING**

Appeal from a judgment of the Onondaga County Court (Joseph E. Fahey, J.), rendered January 24, 2012. The judgment convicted defendant, upon his plea of guilty, of gang assault in the second degree

**PIOTR BANASIAK for DAVID KITCHING** Submitted

**JAMES P. MAXWELL for THE PEOPLE OF THE STATE OF NEW YORK** Submitted

434.0  
KA 13-01647

**PEOPLE**  
**V**  
**MICHAEL E. HAUG**

Appeal from a judgment of the Erie County Court (Thomas P. Franczyk, J.), rendered January 30, 2013. The judgment convicted defendant, upon his plea of guilty, of vehicular assault in the first degree and driving while intoxicated, a misdemeanor.

**ROBERT L. KEMP for MICHAEL E. HAUG** Submitted

**DAVID A. HERATY for THE PEOPLE OF THE STATE OF NEW YORK** Submitted

435.0  
KA 13-02108

**PEOPLE**  
**V**  
**MARLAND D. BROOKS**

Appeal from a judgment of the Steuben County Court (Marianne Furfure, A.J.), rendered October 15, 2012. The judgment convicted defendant, upon his plea of guilty, of attempted assault in the second degree.

JOHN A. CIRANDO for MARLAND D. BROOKS 5 minutes

JOHN C. TUNNEY for THE PEOPLE OF THE STATE OF NEW YORK 5 minutes

436.0  
KA 13-02247

PEOPLE  
V  
STACEY CASTOR

Appeal, by permission of a Justice of the Appellate Division of the Supreme Court in the Fourth Judicial Department, from an order of the Onondaga County Court (Joseph E. Fahey, J.), dated December 5, 2013. The order denied the motion of defendant pursuant to CPL 440.10.

J. SCOTT PORTER for STACEY CASTOR 15 minutes

JAMES P. MAXWELL for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

437.0  
KA 12-01834

PEOPLE  
V  
QUENTIN J. HICKS

Appeal from a judgment of the Oswego County Court (Walter W. Hafner, Jr., J.), rendered February 27, 2012. The judgment convicted defendant, upon his plea of guilty, of attempted conspiracy in the second degree.

LINDA M. CAMPBELL for QUENTIN J. HICKS 10 minutes

AMY L. HALLENBECK for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

438.0  
KA 14-01022

PEOPLE  
V  
MICHAEL C.

Appeal from an adjudication of the Supreme Court, Monroe County (Francis A. Affronti, J.), rendered January 14, 2014. The adjudication found defendant to be a youthful offender upon his plea of guilty to robbery in the third degree.

MICHAEL A.C. for HIMSELF Submitted

ROBERT J. SHOEMAKER for THE PEOPLE OF THE STATE OF NEW YORK Submitted

439.0  
KA 14-01023

PEOPLE  
V  
MICHAEL A.C.

Appeal from a judgment of the Supreme Court, Monroe County (Francis A. Affronti, J.), rendered January 14, 2014. The judgment convicted defendant, upon his plea of guilty, of assault in the second degree

MICHAEL A.C. for HIMSELF Submitted

ROBERT J. SHOEMAKER for THE PEOPLE OF THE STATE OF NEW YORK Submitted

440.0  
KA 12-01580

PEOPLE  
V  
MARCUS WILLIAMS

Appeal from a judgment of the Supreme Court, Onondaga County (John J. Brunetti, A.J.), rendered January 10, 2012. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree.

PHILIP ROTHSCHILD for MARCUS WILLIAMS 10 minutes

JAMES P. MAXWELL for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

442.0  
CA 14-01751

JEFFREY CONSTANTINE, M.D.  
V  
STELLA MARIS INSURANCE COMPANY, LTD

Appeals and cross appeal from an order of the Supreme Court, Erie County (Joseph R. Glowina, J.), entered January 10, 2014 in a declaratory judgment action. The order denied the respective motions of the parties for summary judgment.

DAVID E. GUTOWSKI for CATHOLIC HEALTH EAST 5 minutes

KENNETH A. MANNING for STELLA MARIS INSURANCE COMPANY, LTD 15 minutes

TAMSIN J. HAGER for JEFFREY CONSTANTINE, M.D. 15 minutes

WILLIAM A. QUINLAN for MARY SERIO 15 minutes

444.0  
CAF 14-00219

In the Matter of  
CYLE J.F.

Appeal from an order of the Family Court, Seneca County (Dennis F. Bender, J.), entered January 10, 2014 in a proceeding pursuant to Family Court Act article 10. The order, among other things, placed respondent under the supervision of petitioner and placed the subject children in the custody of the Commissioner of Social Services of Seneca County.

STEVEN J. GETMAN for ALEXANDER F. Submitted

DAVID R. MORABITO, JR., for SENECA CO. DIVISION OF HUMAN SERVS. 10 minutes

MARYBETH D. BARNET, ATTORNEY FOR CHILD 10 minutes

445.0  
CAF 14-00178

In the Matter of  
DAVIANNA L.

Appeal from an order of the Family Court, Monroe County (Joseph G. Nesser, J.), entered January 10, 2014 in a proceeding pursuant to Social Services Law § 384-b. The order, among other things, adjudged that respondent had permanently neglected the subject child and transferred guardianship and custody of the subject child to petitioner.

ANDREW GOLDBERG for DAVID R. 10 minutes

CAROL LYNN EISENMAN for MONROE CO. DEPT. OF HUMAN SERVS. 5 minutes

BRYAN S. OATHOUT, ATTORNEY FOR CHILD 5 minutes

446.0  
CAF 14-00975

DARIO R. PEREZ  
V  
KARIN C. JOHNSON

Appeal from an order of the Family Court, Steuben County (Marianne Furfure, A.J.), entered October 15, 2013 in a proceeding pursuant to Family Court Act article 4. The order denied petitioner's objections to the order of the Support Magistrate.

	DARIO R. PEREZ for HIMSELF	10 minutes
	COLLEEN G. ZINK for KARIN C. JOHNSON	Submitted
447.0 CA 14-01992	<b>In the Matter of RORY G. WHITE, SUCCESSOR TRUSTEE</b>	
	Appeal from an order of the Surrogate's Court, Chautauqua County (Stephen W. Cass, S.), entered February 19, 2014. The order, among other things, denied petitioner's motion for an order approving the payment of reasonable attorney's fees and related expenses incurred by the Trust.	
	ALAN J. BOZER for RORY G. WHITE	10 minutes
	EDWARD P. WRIGHT for KIMBERLY G. VOWELL	10 minutes
448.0 CA 14-01952	<b>ALICE YARGEAU V LASERTRON</b>	
	Appeal from an order of the Supreme Court, Erie County (Diane Y. Devlin, J.), entered April 4, 2014. The order, among other things, granted defendants' cross motions for summary judgment and dismissed plaintiffs' complaint in its entirety against all defendants.	
	STEPHEN C. HALPERN for ALICE YARGEAU	15 minutes
	GEORGE SKANDALIS for LASERTRON	15 minutes
	MAURICE L. SYKES for CYBER SPORT MANUFACTURING, LLC	15 minutes
449.0 CA 14-01730	<b>SUSAN M. COFFED V JOHN N. MCCARTHY</b>	
	Appeal from an order of the Supreme Court, Erie County (Henry J. Nowak, Jr., J.), entered June 18, 2014. The order denied defendants' motion for summary judgment dismissing plaintiff's complaint.	
	NICOLE B. PALMERTON for JOHN N. MCCARTHY	10 minutes
	NELSON E. SCHULE, JR., for SUSAN M. COFFED	10 minutes
450.0 CA 14-01916	<b>TONYA TIEDE V FRONTIER SKYDIVERS, INC.</b>	
	Appeal from an order of the Supreme Court, Erie County (John L. Michalski, A.J.), entered August 20, 2014. The order, insofar as appealed from, denied the motion of defendant John Huber for summary judgment dismissing the complaint and all cross claims.	
	STEVEN P. CURVIN for JOHN HUBER	10 minutes
	PAUL B. BECKER for TONYA TIEDE	10 minutes
451.0 CA 14-01252	<b>JEFFREY NOVAK V FREDERICK D. HICKS, DMD</b>	

Appeal from an order of the Supreme Court, Wayne County (John B. Nesbitt, A.J.), entered March 31, 2014. The order denied the cross motion of plaintiff for summary judgment on liability and granted the motion of defendant Frederick D. Hicks, DMD, for summary judgment dismissing the complaint.

PETER ROLPH for JEFFREY NOVAK 20 minutes

RACHEL A. EMMINGER for FREDERICK D. HICKS, DMD 10 minutes

452.0  
CA 14-02068

**BENEDETTA D. MELNICK**  
V  
**PAUL J. FARRELL, ESQ.**

Appeal from an order of the Supreme Court, Oneida County (Norman I. Siegel, J.), entered February 10, 2014. The order granted the motion of defendants for summary judgment, dismissed the complaint and amended complaint and awarded defendants judgment for costs and disbursements.

JAMES D. LANTIER for BENEDETTA D. MELNICK 15 minutes

PAUL G. FERRARA for PAUL J. FARRELL, ESQ. 15 minutes

453.0  
CA 14-02035

**DAWN HARRISON**  
V  
**SAMARITAN MEDICAL CENTER**

Appeal from an order of the Supreme Court, Herkimer County (Norman I. Siegel, J.), entered August 19, 2014. The order, insofar as appealed from, denied the motion of defendant to dismiss plaintiff's first, second and fourth causes of action.

DANIEL J. MOORE for SAMARITAN MEDICAL CENTER 10 minutes

ROBERT ABDELLA for DAWN HARRISON Submitted

454.0  
CA 14-01772

**HELEN F. DRISCOLL**  
V  
**BJ'S WHOLESALE CLUB, INC.**

Appeal and cross appeal from an order of the Supreme Court, Cayuga County (Thomas G. Leone, A.J.), entered December 19, 2013. The order denied the motion of plaintiffs for sanctions against defendant BJ's Wholesale Club, Inc., for spoliation of evidence, dismissed plaintiffs' claim for spoliation of evidence, denied the motion of BJ's Wholesale Club, Inc., for costs, and denied the motions of defendants for summary judgment dismissing the complaint.

ELIZABETH A. HOFFMAN for PAUL F. VITALE, INC. 10 minutes

STEPHEN SCOTT DAVIE for BJ'S WHOLESALE CLUB, INC. 15 minutes

MICHAEL G. BERSANI for HELEN F. DRISCOLL 10 minutes

**DAY CALENDAR**  
**Tuesday, April 7, 2015 - 10:00 AM**  
**HON. SAMUEL L. GREEN COURTROOM**

455.0  
TP 14-01741

**RALPH ALICEA**  
V  
**ANTHONY ANNUCCI**

Proceeding pursuant to CPLR article 78 (transferred to the Appellate Division of the Supreme Court in the Fourth Judicial Department by order of the Supreme Court, Wyoming County [Michael M. Mohun, A.J.], entered September 26, 2014) to review a determination of respondent. The determination found after a tier III hearing that petitioner had violated an inmate rule.

LEAH R. NOWOTARSKI for RALPH ALICEA Submitted

MARCUS J. MASTRACCO for ANTHONY ANNUCCI Submitted

456.0  
KA 11-02322

**PEOPLE**  
V  
**ERIC F. MCCLOUGH**

Appeal from a judgment of the Supreme Court, Monroe County (Francis A. Affronti, J.), rendered September 20, 2011. The judgment convicted defendant, upon his plea of guilty, of robbery in the second degree.

JANE I. YOON for ERIC F. MCCLOUGH Submitted

DANIEL A. GROSS for THE PEOPLE OF THE STATE OF NEW YORK Submitted

457.0  
KA 13-02113

**PEOPLE**  
V  
**SCOTT D. STANLEY**

Appeal from a judgment of the Orleans County Court (James P. Punch, J.), rendered October 28, 2013. The judgment convicted defendant, upon his plea of guilty, of rape in the second degree.

NICHOLAS P. DIFONZO for SCOTT D. STANLEY Submitted

KATHERINE K. BOGAN for THE PEOPLE OF THE STATE OF NEW YORK Submitted

458.0  
KA 13-02127

**PEOPLE**  
V  
**DAVID L. ALFONSO**

Appeal from a judgment of the Niagara County Court (Sara S. Farkas, J.), rendered September 30, 2013. The judgment convicted defendant, upon his plea of guilty, of attempted assault in the first degree.

ROBERT M. GRAFF for DAVID L. ALFONSO Submitted

LAURA T. BITTNER for THE PEOPLE OF THE STATE OF NEW YORK Submitted

459.0  
KA 11-01223

**PEOPLE**  
V  
**BRIAN L. PATTERSON**

Appeal from a judgment of the Supreme Court, Monroe County (Joseph D. Valentino, J.), rendered April 8, 2011. The judgment convicted defendant, upon a jury verdict, of assault in the second degree and criminal contempt in the first degree.

MARY P. DAVISON for BRIAN L. PATTERSON

Submitted

STEPHEN X. O'BRIEN for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

460.0  
KA 14-01527

PEOPLE  
V  
BRIAN L. PATTERSON

Appeal from a judgment of the Supreme Court, Monroe County (Joseph D. Valentino, J.), rendered April 15, 2011. Defendant was resentenced upon his conviction of assault in the second degree and criminal contempt in the first degree.

MARY P. DAVISON for BRIAN L. PATTERSON

Submitted

STEPHEN X. O'BRIEN for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

461.0  
KA 09-00607

PEOPLE  
V  
HERMAN H. BANK

Appeal from a judgment of the Monroe County Court (John J. Connell, J.), rendered February 27, 2009. The judgment convicted defendant, after a nonjury trial, of manslaughter in the second degree (two counts), vehicular manslaughter in the first degree, vehicular manslaughter in the second degree (two counts), vehicular assault in the second degree, operating a motor vehicle while ability is impaired by drugs, and one-way violation: designated road.

JAMES ECKERT for HERMAN H. BANK

10 minutes

LEAH R. MERVINE for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

462.0  
KA 11-00324

PEOPLE  
V  
THOMAS G. WITT

Appeal from a judgment of the Monroe County Court (Richard A. Keenan, J.), rendered October 14, 2010. The judgment convicted defendant, upon his plea of guilty, of criminal possession of stolen property in the fourth degree.

JAMES ECKERT for THOMAS G. WITT

10 minutes

LEAH R. MERVINE for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

463.0  
KA 13-01457

PEOPLE  
V  
SCOTT D. STANLEY

Appeal from a judgment of the Genesee County Court (Robert C. Noonan, J.), rendered August 1, 2013. The judgment convicted defendant, upon his plea of guilty, of attempted rape in the first degree and rape in the second degree.

NICHOLAS P. DIFONZO for SCOTT D. STANLEY

10 minutes

WILLIAM G. ZICKL for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

464.0  
KA 13-00523

PEOPLE  
V  
JAMES O. RICHARDSON

Appeal from a judgment of the Steuben County Court (Joseph W. Latham, J.), rendered September 26, 2012. The judgment convicted defendant, upon a jury verdict, of criminal possession of a controlled substance in the third degree (two counts), criminal sale of a controlled substance in the third degree, criminal nuisance in the first degree and criminal possession of a controlled substance in the fifth degree.

JOHN A. CIRANDO for JAMES O. RICHARDSON 10 minutes

JOHN C. TUNNEY for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

465.0  
KA 10-02118

PEOPLE  
V  
ALVIN E. SIMMONS

Appeal from a judgment of the Monroe County Court (Joan S. Kohout, A.J.), rendered September 3, 2010. The judgment convicted defendant, upon a jury verdict, of robbery in the first degree.

DAVID R. JUERGENS for ALVIN E. SIMMONS 10 minutes

NANCY GILLIGAN for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

466.0  
CA 14-01041

COUNTY OF GENESEE  
V  
NIRAV R. SHAH, M.D., M.P.H.

Appeal from a judgment of the Supreme Court, Genesee County (Robert C. Noonan, A.J.), entered May 22, 2014. The judgment, among other things, directed respondents to pay petitioner's claims for reimbursement of overburden expenditures.

VICTOR PALADINO for NIRAV R. SHAH, M.D., M.P.H. 10 minutes

CHRISTOPHER BUCKEY for COUNTY OF GENESEE 10 minutes

467.0  
CA 14-01440

VINCENT D. IOCOVOZZI                      **SETTLED**  
V  
BONNETTE IOCOVOZZI

Appeal from an order of the Supreme Court, Herkimer County (Erin P. Gall, J.), entered October 17, 2013. The order granted the motion of defendant for an award of expert fees, legal fees, costs and disbursements.

LORRAINE H. LEWANDROWSKI for VINCENT D. IOCOVOZZI

DEAN L. GORDON for BONNETTE IOCOVOZZI

468.0  
CAF 13-01801

In the Matter of  
ISHANELLYS O.

Appeal from an order of the Family Court, Erie County (Lisa Bloch Rodwin, J.), entered October 1, 2013 in a proceeding pursuant to Family Court Act article 10. The order determined that respondent had derivatively neglected and abused the subject children.

ALAN BIRNHOLZ for LUIS A. O. Submitted

JOSEPH T. JARZEMBEK for ERIE CO. DEPT. OF SOCIAL SERVS. 10 minutes

	LEAH A. BOUQUARD, ATTORNEY FOR CHILD	Submitted
	CHARLES D. HALVORSEN, ATTORNEY FOR CHILD	Submitted
469.0 CAF 13-01802	<b>In the Matter of JONATHAN L.P.</b>	
	Appeal from an order of the Family Court, Erie County (Lisa Bloch Rodwin, J.), entered October 1, 2013 in a proceeding pursuant to Family Court Act article 10. The order determined that respondent had abused the subject children.	
	ALAN BIRNHOLZ for LUIS O.	Submitted
	JOSEPH T. JARZEMBEK for ERIE CO. DEPT. OF SOCIAL SERVS.	Submitted
	CHARLES D. HALVORSEN, ATTORNEY FOR CHILD	Submitted
470.0 CAF 13-01932	<b>CANDIE A. FOSTER V ANDREW J. FOSTER</b>	
	Appeal from an order of the Family Court, Oneida County (Randal B. Caldwell, J.), entered October 11, 2013 in a proceeding pursuant to Family Court Act article 6. The order denied the petition.	
	PAUL M. DEEP for CANDIE A. FOSTER	5 minutes
	RICHARD A. COHEN for ANDREW J. FOSTER	Submitted
	JOHN J. RASPANTE, ATTORNEY FOR CHILD	Submitted
471.0 CAF 14-00140	<b>CHARLES E. WILSON, SR. V DARCIE M. HAYWARD</b>	
	Appeal from an order of the Family Court, Jefferson County (Diana D. Trahan, R.), entered December 27, 2013 in a proceeding pursuant to Family Court Act article 6. The order, among other things, adjudged that the custody of the subject children shall remain with Darcie M. Hayward.	
	PAUL B. WATKINS for CHARLES E. WILSON, SR.	10 minutes
	DARCIE M. HAYWARD for HERSELF	Submitted
	ASHLEY LYON, ATTORNEY FOR CHILD	10 minutes
472.0 CA 14-01405	<b>COUNTY OF ONEIDA V NIRAV R. SHAH, M.D., M.P.H.</b>	
	Appeal from an order of the Supreme Court, Oneida County (Bernadette T. Clark, J.), entered March 14, 2014. The order, among other things, directed respondents to pay petitioner's pending claims for reimbursement in the amount of \$3,123,878.56.	
	VICTOR PALADINO for NIRAV R. SHAH, M.D., M.P.H.	10 minutes
	CHRISTOPHER BUCKEY for COUNTY OF ONEIDA	10 minutes
473.0 CA 14-02013	<b>SARAH E. WOLF V ANDRE A. PERSAUD, M.D.</b>	

Appeal and cross appeal from an order and judgment (one paper) of the Supreme Court, Chautauqua County (Deborah A. Chimes, J.), entered February 26, 2014. The order and judgment, among other things, granted in part plaintiffs' posttrial motion to set aside the jury verdict.

MARYLOU KATHRYN ROSHIA for ANDRE A. PERSAUD, M.D.

20 minutes

JOHN A. COLLINS for SARAH E. WOLF

20 minutes

474.0  
CA 14-02046

**JAMES CHARLES**  
V  
**VILLAGE OF MOHAWK**

Appeal from an order of the Supreme Court, Herkimer County (Erin P. Gall, J.), entered May 21, 2014. The order, insofar as appealed from, denied the motion of defendant for summary judgment dismissing the complaint.

CHRISTINE GASSER for VILLAGE OF MOHAWK

15 minutes

JESSE B. BALDWIN for JAMES CHARLES

10 minutes

475.0  
CA 14-01003

**LOTFI BELKHIR**  
V  
**SOUAD AMRANE-BELKHIR**

Appeal from an order of the Supreme Court, Ontario County (William F. Kocher, A.J.), entered May 30, 2014 in a divorce action. The order, among other things, held plaintiff in civil contempt of court.

LOFTI BELKHIR for HIMSELF

15 minutes

LEONARD A. ROSNER for SOUAD AMRANE-BELKHIR

15 minutes

476.0  
CA 14-01909

**ACCADIA SITE CONTRACTING, INC.**  
V  
**JEFFREY SKURKA**

Appeal from an order of the Supreme Court, Erie County (Kevin M. Dillon, J., for Joseph R. Glowonia, J.), entered February 4, 2014. The order, insofar as appealed from, granted the cross motion of defendant to dismiss the complaint.

JASON G. ULATOWSKI for ACCADIA SITE CONTRACTING, INC.

10 minutes

BRIAN D. GWITT for JEFFREY SKURKA

10 minutes

477.0  
CA 14-01406

**ROBERT H. METCALF**  
V  
**DAVID M. CUNNINGHAM**

Appeal and cross appeal from an order of the Supreme Court, Ontario County (William F. Kocher, A.J.), entered October 29, 2013. The order, among other things, denied the motion of David M. Cunningham, Joan S. Cunningham, Peter Cunningham and Kim Cunningham seeking to dismiss plaintiff's complaint.

JEFFREY F. ALLEN for DAVID M. CUNNINGHAM

10 minutes

PETER ROLPH for ROBERT H. METCALF

20 minutes

478.0  
CA 14-02011

**SCOTT M. HARVEY**  
V  
**HANDELMAN, WITKOWICZ AND LEVITSKY**

Appeal from an order of the Supreme Court, Monroe County (Ann Marie Taddeo, J.), entered March 18, 2014. The order granted the motion of defendants for summary judgment and dismissed the complaint.

ROBERT D. STEINHAUS for SCOTT M. HARVEY

15 minutes

JAMES J. DUGGAN for HANDELMAN, WITKOWICZ AND LEVITSKY

15 minutes

479.0  
CA 14-01989

**CHARLES T. SITRIN HEALTH CARE CENTER**

**V**

**COMMISSIONER OF HEALTH**

Appeal and cross appeal from a judgment (denominated order and judgment) of the Supreme Court, Oneida County (Samuel D. Hester, J.), entered March 19, 2014 in a proceeding pursuant to CPLR article 78. The judgment, among other things, annulled the determination of respondent Commissioner of Health of State of New York to the extent it applies to petitioner's capital cost component of its reimbursement rates for the time period of September 1, 2009 through September 30, 2011.

VICTOR PALADINO for COMMISSIONER OF HEALTH

10 minutes

RAUL A. TABORA, JR., for CHARLES T. SITRIN HEALTH CARE CENTER

10 minutes

**DAY CALENDAR**  
**Wednesday, April 8, 2015 - 10:00 AM**  
**HON. SAMUEL L. GREEN COURTROOM**

480.0  
TP 14-01740

**JAMES ODAM**  
V  
**ANTHONY ANNUCCI**

Proceeding pursuant to CPLR article 78 (transferred to the Appellate Division of the Supreme Court in the Fourth Judicial Department by order of the Supreme Court, Wyoming County [Michael M. Mohun, A.J.], entered September 26, 2014) to review a determination of respondent. The determination found after a tier III hearing that petitioner had violated various inmate rules.

LEAH R. NOWOTARSKI for JAMES ODAM Submitted

PETER H. SCHIFF for ANTHONY ANNUCCI Submitted

481.0  
TP 14-01811

**RICARDO RICHARDS**  
V  
**THOMAS STICHT**

Proceeding pursuant to CPLR article 78 (transferred to the Appellate Division of the Supreme Court in the Fourth Judicial Department by order of the Supreme Court, Erie County [M. William Boller, A.J.], entered June 17, 2014) to review a determination of respondent. The determination found after a tier III hearing that petitioner had violated various inmate rules.

RICARDO RICHARDS for HIMSELF Submitted

PETER H. SCHIFF for THOMAS STICHT Submitted

482.0  
KA 13-01646

**PEOPLE**  
V  
**DASHAWN L. RUSSELL**

Appeal from a judgment of the Cayuga County Court (Mark H. Fandrich, A.J.), rendered February 15, 2013. The judgment convicted defendant, upon his plea of guilty, of criminal sale of a controlled substance in the third degree.

DAVID P. ELKOVITCH for DASHAWN L. RUSSELL Submitted

CHRISTOPHER VALDINA for THE PEOPLE OF THE STATE OF NEW YORK Submitted

483.0  
KA 14-00381

**PEOPLE**  
V  
**DASHAWN L. RUSSELL**

Appeal from a judgment of the Cayuga County Court (Mark H. Fandrich, A.J.), rendered February 15, 2013. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a controlled substance in the third degree.

DAVID P. ELKOVITCH for DASHAWN L. RUSSELL Submitted

CHRISTOPHER VALDINA for THE PEOPLE OF THE STATE OF NEW YORK Submitted

484.0  
KA 11-02604

PEOPLE  
V  
HADJI S. HILL

Appeal from a judgment of the Monroe County Court (James J. Piampiano, J.), rendered October 20, 2011. The judgment convicted defendant, upon his plea of guilty, of manslaughter in the first degree.

KIMBERLY F. DUGUAY for HADJI S. HILL 5 minutes

GEOFFREY KAEUPER for THE PEOPLE OF THE STATE OF NEW YORK 5 minutes

485.0  
KA 11-02492

PEOPLE  
V  
JASON POGROSKI

Appeal from a judgment of the Onondaga County Court (Jeffrey R. Merrill, A.J.), rendered October 4, 2011. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a controlled substance in the third degree.

KRISTEN MCDERMOTT for JASON POGROSKI Submitted

MARIA MALDONADO for THE PEOPLE OF THE STATE OF NEW YORK Submitted

486.0  
KA 09-00853

PEOPLE  
V  
CHARLES MARSHALL

**SETTLED**

Appeal from a judgment of the Monroe County Court (Patricia D. Marks, J.), rendered June 7, 2006. The judgment convicted defendant, upon his plea of guilty, of manslaughter in the first degree (two counts) and robbery in the second degree.

KATHLEEN P. REARDON for CHARLES MARSHALL

DANIEL A. GROSS for THE PEOPLE OF THE STATE OF NEW YORK

487.0  
KA 13-01686

PEOPLE  
V  
HOWARD UNDERWOOD

Appeal from a judgment of the Onondaga County Court (Joseph E. Fahey, J.), rendered March 11, 2013. The judgment convicted defendant, upon his plea of guilty, of robbery in the first degree (two counts) and robbery in third degree.

LINDA M. CAMPBELL for HOWARD UNDERWOOD 5 minutes

JAMES P. MAXWELL for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

488.0  
KA 14-00678

PEOPLE  
V  
STEVEN WISNIEWSKI

Appeal from a judgment of the Supreme Court, Erie County (John L. Michalski, A.J.), rendered April 13, 2011. The judgment convicted defendant, upon his plea of guilty, of grand larceny in the third degree and offering a false instrument for filing in the first degree.

TIMOTHY P. MURPHY for STEVEN WISNIEWSKI 5 minutes

MATTHEW B. POWERS for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

	JODI A. DANZIG for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
489.0 KA 14-00679	PEOPLE V STEVEN WISNIEWSKI	
	Appeal from a judgment of the Supreme Court, Erie County (John L. Michalski, A.J.), rendered April 13, 2011. The judgment convicted defendant, upon his plea of guilty, of grand larceny in the second degree.	
	TIMOTHY P. MURPHY for STEVEN WISNIEWSKI	Submitted
	JODI A. DANZIG for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
490.0 KA 02-00049	PEOPLE V JAMES KENDRICK	
	Appeal from a judgment of the Supreme Court, Monroe County (Kenneth R. Fisher, J.), rendered February 1, 2001. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a controlled substance in the second degree.	
	WILLIAM G. PIXLEY for JAMES KENDRICK	5 minutes
	GEOFFREY KAEUPER for THE PEOPLE OF THE STATE OF NEW YORK	5 minutes
491.0 KA 11-00315	PEOPLE V MARLO J. BLOCKER	
	Appeal from a judgment of the Monroe County Court (Frank P. Geraci, Jr., J.), rendered July 9, 2010. The judgment convicted defendant, upon a jury verdict, of criminal possession of a controlled substance in the first degree, criminal possession of a controlled substance in the third degree and operating a motor vehicle without stop lamps.	
	JANE I. YOON for MARLO J. BLOCKER	10 minutes
	LEAH R. MERVINE for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
492.0 CAF 14-00690	FRANCIS J. GILMAN, JR. V VICTORIA P. GILMAN	
	Appeal from an order of the Family Court, Steuben County (Gerard J. Alonzo, A.J.), entered March 28, 2014. The order, among other things, awarded respondent sole custody of the subject child.	
	MICHELLE A. COOKE for FRANCIS J. GILMAN, JR.	10 minutes
	SUSAN BETZJITOMIR for VICTORIA P. GILMAN	10 minutes
	TRAVIS J. BARRY, ATTORNEY FOR CHILD	Submitted
493.0 CAF 14-00119	SCOTT J. LAMAY V KIMBERLY R. STAVES	
	Appeal from an order of the Family Court, Oswego County (Bobette J. Morin, R.), entered August 9, 2013, in a proceeding pursuant to Family Court Act article 6. The order, among other things, awarded Scott J. LaMay legal and physical custody of the subject child.	

	STEPHANIE N. DAVIS for KIMBERLY R. STAVES	10 minutes
	LINDA M. CAMPBELL for SCOTT J. LAMAY	15 minutes
	LAURA ESTELA CARDONA, ATTORNEY FOR CHILD	10 minutes
494.0 CAF 13-01776	<b>ALLYSON A. MILLS</b> V <b>JOEL T. RIEMAN</b>	
	Appeal from an order of the Family Court, Erie County (Rosalie S. Bailey, J.), entered September 13, 2013 in a proceeding pursuant to Family Court Act article 6. The order granted Joel Rieman sole custody of the subject child.	
	EMILIO COLAIACOVO for ALLYSON A. MILLS	10 minutes
	CHARLES J. MARCHESE for JOEL T. RIEMAN	10 minutes
	MINDY LYNN MARRANCA, ATTORNEY FOR CHILD	10 minutes
495.0 CA 14-01451	<b>SHNEIKA M. ROBERTS</b> V <b>ELVIRA A. NORTHINGTON</b>	
	Appeals from an order of the Supreme Court, Erie County (John M. Curran, J.), entered January 31, 2014. The order granted the motion of plaintiff to vacate orders of dismissal and reinstated the complaint.	
	GARY J. O'DONNELL for ELVIRA A. NORTHINGTON	10 minutes
	BETHANY A. RUBIN for JETUANA MOODY	10 minutes
	LOUIS ROSADO for SHNEIKA M. ROBERTS	10 minutes
496.0 CA 14-01911	<b>REGENCY OAKS CORPORATION</b> V <b>NORMAN-SPENCER MCKERNAN, INC.</b>	
	Appeal from an order of the Supreme Court, Monroe County (Matthew A. Rosenbaum, J.), entered August 20, 2014. The order granted the motion of plaintiff for partial summary judgment on liability.	
	DEBRA M. KREBS for NORMAN-SPENCER MCKERNAN, INC.	15 minutes
	ANDREW JOSEPH RYAN for REGENCY OAKS CORPORATION	15 minutes
497.0 CA 14-02072	<b>DAVID E. WHITEHOUSE</b> V <b>CINZIA INZINNA</b>	
	Appeal from an order of the Supreme Court, Monroe County (Matthew A. Rosenbaum, J.), entered August 20, 2014. The order, insofar as appealed from, denied the motion of plaintiff for summary judgment in lieu of complaint and conditionally granted the cross motion of defendants to dismiss pursuant to CPLR 3211 (a) (10).	
	JUSTIN P. ALEXANDER for DAVID E. WHITEHOUSE	10 minutes
	JOHN C. NUTTER for CINZIA INZINNA	10 minutes
498.0 CA 14-01753	<b>WILMONT WOOD</b> V <b>DAVID GIORDANO</b>	

Appeal from an order of the Supreme Court, Monroe County (John J. Ark, J.), rendered December 6, 2013. The order, insofar as appealed from, denied the motion of defendant David Giordano for summary judgment.

DEBRA A. ADLER for DAVID GIORDANO

15 minutes

MO J. ATHARI for WILMONT WOOD

10 minutes

GARY H. ABELSON for GERALD BREEN, III

Submitted

499.0  
OP 14-01988

COLEEN LAUZONIS

SETTLED

V

HON. FRANK CARUSO

Proceeding pursuant to CPLR article 78 (initiated in the Appellate Division of the Supreme Court in the Fourth Judicial Department pursuant to CPLR 506 [b][1]) for a writ of mandamus, and for other relief.

KATHLEEN ELLEN HOROHOE for COLEEN LAUZONIS

OWEN DEMUTH for HON. FRANK CARUSO

500.0  
CA 14-01816

JOHN ARD

V

THOMPSON & JOHNSON EQUIPMENT CO.

Appeals from an order of the Supreme Court, Onondaga County (Anthony J. Paris, J.), entered February 5, 2014. The order, insofar as appealed from, denied the motions of defendants Thompson & Johnson Equipment Co., Inc., and Totall Attachments, Inc., for summary judgment dismissing the complaint.

MAURICE L. SYKES for THOMPSON & JOHNSON EQUIPMENT CO.

15 minutes

CORY WEBER for TOTALL ATTACHMENTS, INC.

15 minutes

STEPHEN C. HALPERN for JOHN ARD

10 minutes

501.0  
CA 14-01155

GINGER KURTZ

V

JOHN J. POIRIER

Appeal from a judgment of the Supreme Court, Onondaga County (James P. Murphy, J.), entered February 19, 2014. The judgment dismissed the complaint upon a jury verdict of no cause of action.

JOEL FEROLETO for GINGER KURTZ

10 minutes

LAURENCE D. BEHR for JOHN J. POIRIER

10 minutes

502.0  
CA 14-01685

GINGER KURTZ

V

JOHN J. POIRIER

Appeal from an order of the Supreme Court, Onondaga County (James P. Murphy, J.), entered April 10, 2014. The order denied the motion of plaintiff to set aside a jury verdict and upheld and affirmed the verdict of no cause of action.

JOEL FEROLETO for GINGER KURTZ

Submitted

LAURENCE D. BEHR for JOHN J. POIRIER

Submitted

503.0  
CA 14-01938

AMY SHAUL  
V  
HAMBURG CENTRAL SCHOOL DISTRICT

Appeal from an order of the Supreme Court, Erie County (Shirley Troutman, J.), entered July 14, 2014. The order granted the motion of plaintiff for leave to file a late notice of claim.

KINSEY O'BRIEN for HAMBURG CENTRAL SCHOOL DISTRICT 10 minutes

MATTHEW T. MOSHER for AMY SHAUL Submitted

504.0  
CA 14-01456

SUSAN E. ROSE  
V  
KIM A. LEBERTH

Appeal from an order of the Supreme Court, Monroe County (Thomas A. Stander, J.), entered May 5, 2014. The order granted the motion of defendant for summary judgment and dismissed the complaint.

ROBERT L. BRENNAN, JR., for SUSAN E. ROSE 10 minutes

MICHAEL ANTHONY REDDY for KIM A. LEBERTH 15 minutes

**DAY CALENDAR**  
**Wednesday, April 8, 2015 - 10:00 AM**  
**COURTROOM 2**

505.0  
KA 12-02113

**PEOPLE**  
**V**  
**JAKOTA W. BARNES**

Appeal from a judgment of the Supreme Court, Erie County (Penny M. Wolfgang, J.), rendered July 13, 2010. The judgment convicted defendant, upon his plea of guilty, of manslaughter in the first degree.

**ROBERT L. KEMP for JAKOTA W. BARNES**

**Submitted**

**DAVID A. HERATY for THE PEOPLE OF THE STATE OF NEW YORK**

**Submitted**

**DAY CALENDAR**  
**Thursday, April 9, 2015 - 10:00 AM**  
**HON. SAMUEL L. GREEN COURTROOM**

506.0  
TP 14-01752

**ERIC BARNES**  
V  
**ANTHONY ANNUCCI**

Proceeding pursuant to CPLR article 78 (transferred to the Appellate Division of the Supreme Court in the Fourth Judicial Department by order of the Supreme Court, Jefferson County [James P. McClusky, J.], entered September 26, 2014) to review a determination of respondent. The determination found after a tier III hearing that petitioner had violated various inmate rules.

**ERIC BARNES for HIMSELF** Submitted

**PETER H. SCHIFF for ANTHONY ANNUCCI** Submitted

507.0  
KA 14-00327

**PEOPLE**  
V  
**ROGER BEAVER**

Appeal from a judgment of the Supreme Court, Erie County (John L. Michalski, A.J.), rendered April 17, 2013. The judgment convicted defendant, upon his plea of guilty, of failure to register and/or verify as a sex offender.

**SUSAN C. MINISTERO for ROGER BEAVER** Submitted

**DANIEL J. PUNCH for THE PEOPLE OF THE STATE OF NEW YORK** Submitted

508.0  
KA 12-01234

**PEOPLE**  
V  
**MATTHEW J. WIGGINS**

Appeal from a judgment of the Monroe County Court (Vincent M. Dinolfo, J.), rendered January 12, 2012. The judgment convicted defendant, upon his plea of guilty, of burglary in the second degree.

**CARA A. WALDMAN for MATTHEW J. WIGGINS** Submitted

**STEPHEN X. O'BRIEN for THE PEOPLE OF THE STATE OF NEW YORK** Submitted

509.0  
KA 14-00379

**PEOPLE**  
V  
**HENRY S. SPENCER, IV**

Appeal from a judgment of the Allegany County Court (Terrence M. Parker, J.), rendered January 15, 2014. The judgment convicted defendant, upon his plea of guilty, of burglary in the third degree and grand larceny in the fourth degree.

**CHRISTOPHER HAMMOND for HENRY S. SPENCER, IV** Submitted

**PETER JEROME DEGNAN for THE PEOPLE OF THE STATE OF NEW YORK** Submitted

510.0  
KA 12-00100

**PEOPLE**  
V  
**KENNEDY D. WALKER**

Appeal from a judgment of the Monroe County Court (Frank P. Geraci, Jr., J.), rendered November 9, 2011. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree.

JANE I. YOON for KENNEDY D. WALKER 10 minutes

ROBERT J. SHOEMAKER for THE PEOPLE OF THE STATE OF NEW YORK 5 minutes

511.0  
KA 10-02099

PEOPLE  
V  
KATISHA BEATY

Appeal from a resentence of the Erie County Court (Michael F. Pietruszka, J.), rendered March 5, 2010. Defendant was resented upon her conviction of manslaughter in the first degree.

DAVID J. PAJAK for KATISHA BEATY Submitted

DONNA A. MILLING for THE PEOPLE OF THE STATE OF NEW YORK Submitted

512.0  
KA 10-01490

PEOPLE  
V  
RICHARD M. LEONARD

Appeal from a judgment of the Monroe County Court (Richard A. Keenan, J.), rendered March 25, 2010. The judgment convicted defendant, upon a jury verdict, of sexual abuse in the first degree and unlawfully dealing with a child in the first degree.

BRIAN SHIFFRIN for RICHARD M. LEONARD 15 minutes

ROBERT J. SHOEMAKER for THE PEOPLE OF THE STATE OF NEW YORK 15 minutes

513.0  
KA 14-00376

PEOPLE  
V  
RICHARD MICHAEL LEONARD

Appeal, by permission of a Justice of the Appellate Division of the Supreme Court in the Fourth Judicial Department, from an order of the Monroe County Court (James J. Piampiano, J.), rendered January 28, 2014. The order denied the motion of defendant to vacate his conviction pursuant to CPL 440.10.

BRIAN SHIFFRIN for RICHARD MICHAEL LEONARD Submitted

ROBERT J. SHOEMAKER for THE PEOPLE OF THE STATE OF NEW YORK Submitted

514.0  
KA 11-02368

PEOPLE  
V  
MANNIX A. MITCHELL

Appeal from a judgment of the Monroe County Court (Melchor E. Castro, J.), rendered August 26, 2013. The judgment convicted defendant, upon a jury verdict, of criminal contempt in the first degree

JAMES ECKERT for MANNIX A. MITCHELL 10 minutes

ROBERT J. SHOEMAKER for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

515.0  
KA 13-00975

PEOPLE  
V  
HERLAND W. BOUWENS, III

Appeal from a judgment of the Ontario County Court (Frederick G. Reed, A.J.), rendered May 30, 2013. The judgment convicted defendant, upon a jury verdict, of assault on a peace officer, police officer, fireman or emergency services professional, resisting arrest and obstructing governmental administration in the second degree.

WILLIAM G. PIXLEY for HERLAND W. BOUWENS, III

10 minutes

JAMES B. RITTS for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

516.0  
KA 13-01758

PEOPLE

V

STEVEN C. MCKNIGHT, JR.

Appeal from a judgment of the Genesee County Court (Robert C. Noonan, J.), rendered July 29, 2013. The judgment convicted defendant, upon his plea of guilty, of attempted burglary in the second degree.

CAITLIN M. CONNELLY for STEVEN C. MCKNIGHT, JR.

10 minutes

WILLIAM G. ZICKL for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

517.0  
KA 13-01759

PEOPLE

V

STEVEN C. MCKNIGHT, JR.

Appeal from a judgment of the Genesee County Court (Robert C. Noonan, J.), rendered July 29, 2013. The judgment convicted defendant, upon his plea of guilty, of attempted burglary in the second degree.

CAITLIN M. CONNELLY for STEVEN C. MCKNIGHT, JR.

Submitted

WILLIAM G. ZICKL for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

519.0  
TP 14-01876

TYRONE PITTS

V

NEW YORK STATE OFFICE OF CHILDREN

Proceeding pursuant to CPLR article 78 (transferred to the Appellate Division of the Supreme Court in the Fourth Judicial Department by order of the Supreme Court, Onondaga County [Hugh A. Gilbert, J.], entered October 8, 2014) to review a determination of respondent. The determination found petitioner to be the subject of an indicated report of child abuse or maltreatment.

KATIE FELICIA PITTS for TYRONE PITTS

Submitted

JULIE M. SHERIDAN for NEW YORK STATE OFFICE OF CHILDREN

Submitted

520.0  
CAF 14-00274

In the Matter of

DAVID W., JR.

Appeal from an order of the Family Court, Erie County (Sharon M. LoVallo, J.), entered August 9, 2013 in a proceeding pursuant to Social Services Law § 384-b. The order terminated the parental rights of respondent.

ALAN BIRNHOLZ for DAVID W.

Submitted

JOSEPH T. JARZEMBEK for ERIE CO. DEPT. OF SOCIAL SERVICES

10 minutes

CHARLES D. HALVORSEN, ATTORNEY FOR CHILD

Submitted

521.0  
CAF 14-00466

In the Matter of

DREW F.-C.

**SETTLED**

Appeal from an order of the Family Court, Genesee County (Eric R. Adams, J.), entered February 10, 2014 in a proceeding pursuant to Family Court Act article 3. The order, among other things, placed respondent in a limited secure facility with an onsite mental health component/program.

PAUL B. WATKINS, ATTORNEY FOR CHILD

DURIN BRIX ROGERS for GENESEE COUNTY ATTORNEY

522.0  
CAF 14-00467

In the Matter of  
DREW F.-C.

**SETTLED**

Appeal from an order of the Family Court, Genesee County (Eric R. Adams, J.), entered February 10, 2014 in a proceeding pursuant to Family Court Act article 3. The order, among other things, placed respondent in a limited secure facility with an onsite mental health component/program.

PAUL B. WATKINS, ATTORNEY FOR CHILD

DURIN BRIX ROGERS for GENESEE COUNTY ATTORNEY

523.0  
CAF 13-01536

CHARLES L. HIGGINS  
V  
JESSE M. HIGGINS

Appeal from an order of the Family Court, Genesee County (Eric R. Adams, J.), entered August 15, 2013 in a proceeding pursuant to Family Court Act article 6. The order, insofar as appealed from, granted the petition for modification of primary residential custody of the children.

BRIDGET L. FIELD for JESSE M. HIGGINS

Submitted

CHARLES L. HIGGINS for HIMSELF

30 minutes

PETER M. CASEY, ATTORNEY FOR CHILD

Submitted

525.0  
CA 14-01855

KATHLEEN BENEDETTI  
V  
ERIE COUNTY MEDICAL CENTER CORP.

Appeal from an order of the Supreme Court, Erie County (Christopher J. Burns, J.), entered January 31, 2014. The order denied the motion of defendant Erie County Medical Center Corporation to dismiss the complaint as untimely.

FRANK C. CALLOCCHIA for ERIE COUNTY MEDICAL CENTER CORP.

10 minutes

STEVEN M. COHEN for KATHLEEN BENEDETTI

10 minutes

526.0  
CA 14-01956

BAUSCH & LOMB INCORPORATED  
V  
RES EXHIBIT SERVICES, LLC

Appeal from an order of the Supreme Court, Monroe County (Matthew A. Rosenbaum, J.), entered August 14, 2014. The order, among other things, granted plaintiff's cross motion for partial summary judgment

CHAD W. FLANSBURG for RES EXHIBIT SERVICES, LLC

15 minutes

TERRENCE L. ROBINSON, JR., for BAUSCH & LOMB INCORPORATED

10 minutes

527.0  
TP 14-01847

RICHARD H. PEESO  
V  
BARBARA J. FIALA

Proceeding pursuant to CPLR article 78 (transferred to the Appellate Division of the Supreme Court in the Fourth Judicial Department by order of the Supreme Court, Monroe County [Ann Marie Taddeo, J.], entered October 10, 2014) to review a determination of respondent. The determination revoked the operator's license of petitioner.

DAVID M. ABBATOY, JR., for RICHARD H. PEESO 10 minutes

OWEN DEMUTH for BARBARA J. FIALA 10 minutes

528.0  
CA 14-01996

**In the Matter of Arbitration Between  
TOWN OF SCRIBA  
(TEAMSTERS LOCAL 317)**

Appeal from an order and judgment (one paper) of the Supreme Court, Oswego County (James W. McCarthy, J.), entered April 22, 2014 in a proceeding pursuant to CPLR article 75. The order and judgment granted the petition of petitioner to set aside an arbitrator's award and dismissed the cross petition of respondents to enforce the arbitrator's award.

MAIREAD ELLEN CONNOR for TEAMSTERS LOCAL 317 15 minutes

KEVIN COYER CARACCIOLI for TOWN OF SCRIBA 15 minutes

529.0  
CA 14-02069

**SANTO S. SCRUFARI  
V  
FEDERAL INSURANCE COMPANIES**

Appeal from an order of the Supreme Court, Niagara County (Timothy J. Walker, A.J.), entered January 30, 2014. The order, among other things, granted the cross motion of defendant Federal Insurance Companies for summary judgment dismissing plaintiff's complaint.

RICHARD T. SULLIVAN for SANTO S. SCRUFARI 10 minutes

KAREN Y. BONVALOT for FEDERAL INSURANCE COMPANIES 10 minutes

530.0  
CA 14-01785

**In the Matter of  
JUANITA QUINONES**

Appeal from an order and judgment of the Surrogate's Court, Chautauqua County (Stephen W. Cass, J.), entered December 2, 2013. The order and judgment directed petitioner to pay respondent the amount of \$927.50, representing fees as guardian ad litem.

DARYL BRAUTIGAM for CARMEN M. QUINONES Submitted

MICHAEL J. SULLIVAN for HIMSELF Submitted

**DAY CALENDAR**  
**Monday, April 13, 2015 - 10:00 AM**  
**HON. SAMUEL L. GREEN COURTROOM**

531.0  
KA 14-00314

PEOPLE  
V  
EDDIE WASHINGTON

Appeal, by permission of a Justice of the Appellate Division of the Supreme Court in the Fourth Judicial Department, from an order of the Onondaga County Court (Thomas J. Miller, J.), dated January 14, 2014. The order denied the motion of defendant pursuant to CPL 440.10.

EDDIE WASHINGTON for HIMSELF Submitted

MARIA MALDONADO for THE PEOPLE OF THE STATE OF NEW YORK Submitted

532.0  
KA 12-01160

PEOPLE  
V  
TRAVIS O. LEWIS, IV

Appeal from a judgment of the Monroe County Court (Vincent M. Dinolfo, J.), rendered March 29, 2012. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree.

CARA A. WALDMAN for TRAVIS O. LEWIS, IV Submitted

STEPHEN X. O'BRIEN for THE PEOPLE OF THE STATE OF NEW YORK Submitted

533.0  
KA 13-01590

PEOPLE  
V  
GEORGE CAMPBELL

Appeal from a judgment of the Erie County Court (Thomas P. Franczyk, J.), rendered May 10, 2013. The judgment convicted defendant, upon a nonjury verdict, of criminal possession of a weapon in the second degree, driving while intoxicated, a misdemeanor (two counts), improper automobile equipment and improper license plates.

SHERRY A. CHASE for GEORGE CAMPBELL 5 minutes

NATHANIEL KAPPERMAN for THE PEOPLE OF THE STATE OF NEW YORK 5 minutes

534.0  
KA 12-01048

PEOPLE  
V  
CORY L. IVERSON

Appeal from a judgment of the Supreme Court, Monroe County (Francis A. Affronti, J.), rendered April 10, 2012. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a controlled substance in the third degree.

KIMBERLY F. DUGUAY for CORY L. IVERSON Submitted

STEPHEN X. O'BRIEN for THE PEOPLE OF THE STATE OF NEW YORK Submitted

535.0  
KA 12-00840

PEOPLE  
V  
MARIO CLARK

Appeal from a judgment of the Supreme Court, Onondaga County (John J. Brunetti, A.J.), rendered February 24, 2012. The judgment convicted defendant, upon a jury verdict, of burglary in the second degree (two counts) and robbery in the third degree (two counts) and upon a plea of guilty, of burglary in the second degree and robbery in the third degree.

KRISTEN N. MCDERMOTT for MARIO CLARK 15 minutes

JAMES P. MAXWELL for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

536.0  
KA 12-00517

PEOPLE  
V  
JAMES L. CARR

Appeal, by permission of a Justice of the Appellate Division of the Supreme Court in the Fourth Judicial Department, from an order of the Supreme Court, Erie County (M. William Boller, A.J.), dated February 21, 2012. The order denied the motion of defendant pursuant to CPL 440.10.

EVAN M. LUMLEY for JAMES L. CARR 10 minutes

DONNA A. MILLING for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

537.0  
KA 13-01617

PEOPLE  
V  
TIMOTHY INGRAM

Appeal from a judgment of the Yates County Court (W. Patrick Falvey, J.), rendered June 18, 2013. The judgment convicted defendant, upon his plea of guilty, of driving while ability impaired (two counts), aggravated unlicensed operation in the first degree and criminal mischief in the fourth degree.

JOHN A. CIRANDO for TIMOTHY INGRAM 10 minutes

MEGAN P. DADD for THE PEOPLE OF THE STATE OF NEW YORK 5 minutes

538.0  
KA 13-01797

PEOPLE  
V  
KURT J. HAZZARD

Appeal from a judgment of the Lewis County Court (Daniel R. King, J.), rendered August 16, 2013. The judgment convicted defendant, upon a jury verdict, of rape in the first degree, rape in the third degree, criminal sexual act in the first degree, criminal sexual act in the third degree and endangering the welfare of a child.

BRUCE R. BRYAN for KURT J. HAZZARD 20 minutes

MARK R. LEMIEUX for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

539.0  
KA 12-00552

PEOPLE  
V  
HAVERT STEPHENS

Appeal from a judgment of the Supreme Court, Onondaga County (John J. Brunetti, A.J.), rendered October 26, 2011. The judgment convicted defendant, upon a nonjury verdict, of criminal possession of a controlled substance in the third degree, criminal possession of a controlled substance in the fifth degree and sound reproduction.

KRISTEN MCDERMOTT for HAVERT STEPHENS 10 minutes

JAMES P. MAXWELL for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

540.0  
KA 11-00941

PEOPLE  
V  
RONNIE R. WALKER

Appeal from a judgment of the Supreme Court, Monroe County (Francis A. Affronti, J.), rendered February 22, 2011. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a controlled substance in the fourth degree.

KIMBERLY F. DUGUAY for RONNIE R. WALKER 10 minutes

ROBERT J. SHOEMAKER for THE PEOPLE OF THE STATE OF NEW YORK 5 minutes

541.0  
KAH 14-00042

PEOPLE EX REL.  
RICKY ORTA  
V  
DALE ARTUS

Appeal from an order of the Supreme Court, Erie County (Christopher J. Burns, J.), entered June 12, 2013 in a habeas corpus proceeding. The order, insofar as appealed from, denied the petition.

MICHAEL J. STACHOWSKI for RICKY ORTA 10 minutes

ERIC T. SCHNEIDERMAN for DALE ARTUS Submitted

542.0  
CAF 14-00271

In the Matter of  
LUNDYNN S.

Appeal from an order of the Family Court, Cayuga County (Mark H. Fandrich, A.J.), entered February 7, 2014 in a proceeding pursuant to Social Services Law § 384-b. The order terminated the parental rights of respondent.

ADAM H. VAN BUSKIRK for AL-RAHIM S. 10 minutes

DANIEL A. TESTA, III, for CAYUGA CO. HEALTH AND HUMAN SERVS. 10 minutes

MICHELE RITA DRISCOLL, ATTORNEY FOR CHILD 10 minutes

543.0  
CAF 14-00328

JONATHAN D. VANSKIVER  
V  
MALLORY J. CLANCY

Appeal from an order of the Family Court, Steuben County (Gerard J. Alonzo, J.H.O.), entered January 29, 2014 in a proceeding pursuant to Family Court Act article 6. The order granted petitioner sole legal custody and physical custody of the parties' child.

CARA A. WALDMAN for MALLORY J. CLANCY Submitted

JONATHAN D. VANSKIVER for HIMSELF Submitted

SAMANTHA PETERS SMITH, ATTORNEY FOR CHILD Submitted

544.0  
TP 14-01088

JOHN WILLIAMS  
V  
PETER TROIANO

Proceeding pursuant to CPLR article 78 (transferred to the Appellate Division of the Supreme Court in the Fourth Judicial Department by order of the Supreme Court, Onondaga County [Walter W. Hafner, Jr., A.J.], dated May 15, 2014) to review a determination of respondent Peter Troiano, Commissioner, Department of Personnel, Onondaga County. The determination, among other things, affirmed the decision to place petitioner on involuntary leave.

**NATHANIEL G. LAMBRIGHT for JOHN WILLIAMS** 15 minutes

**RAMONA L. RABELER for PETER TROIANO** 15 minutes

**545.0**  
**CAF 14-01596**

**In the Matter of**  
**CARSON W.**

Appeal from an order of the Family Court, Oswego County (Kimberly M. Seager, J.), entered August 27, 2014 in a proceeding pursuant to Family Court Act article 10. The order terminated the placement of the subject child and placed him in the custody of respondents.

**LESLEY C. SCHMIDT for OSWEGO CO. DEPT. OF SOCIAL SERVS.** 10 minutes

**COURTNEY S. RADICK for RYAN W.** 10 minutes

**LINDA M. CAMPBELL for JAMIE G.** 10 minutes

**DONALD H. DODD, ATTORNEY FOR CHILD** Submitted

**546.0**  
**CA 14-01820**

**LEANNE J. WAGNER**  
**V**  
**WATERMAN ESTATES, LLC**

Appeal from an order of the Supreme Court, Erie County (Joseph R. Glownia, J.), entered May 27, 2014. The order, among other things, denied the motion of defendants/third-party plaintiffs' for summary judgment.

**JEFFREY F. BAASE for WATERMAN ESTATES, LLC** 15 minutes

**THOMAS J. GRILLO, JR., for LEANNE J. WAGNER** 10 minutes

**WILLIAM J. KITA for JEFFREY WAGNER** 10 minutes

**547.0**  
**CA 14-01994**

**ANTHONY BOTTOM**  
**V**  
**BRIAN FISCHER**

Appeal from a judgment of the Supreme Court, Wyoming County (Mark H. Dadd, A.J.), entered December 26, 2013 in a CPLR article 78 proceeding. The judgment, insofar as appealed from, denied in part the application of petitioner for disclosure under the Freedom of Information Act.

**MICHAEL KUZMA for ANTHONY BOTTOM** 5 minutes

**ALLYSON B. LEVINE for BRIAN FISCHER** 10 minutes

**548.0**  
**CA 14-01096**

**DAVID K. BORYSZEWSKI**  
**V**  
**JOHN E. HENDERSON**

Appeal from a judgment of the Supreme Court, Erie County (Tracey A. Bannister, J.), entered February 21, 2014. The judgment, among other things, awarded defendants costs and disbursements.

**RALPH C. LORIGO for DAVID K. BORYSZEWSKI** 15 minutes

	PAUL D. MCCORMICK for JOHN E. HENDERSON	10 minutes
549.0 CA 14-01097	DAVID K. BORYSZEWSKI V JOHN E. HENDERSON	
	Appeal from an order of the Supreme Court, Erie County (Tracey A. Bannister, J.), entered March 17, 2014. The order, among other things, denied plaintiff's motion to set aside the jury verdict.	
	RALPH C. LORIGO for DAVID K. BORYSZEWSKI	Submitted
	PAUL D. MCCORMICK for JOHN E. HENDERSON	Submitted
550.0 CA 14-02000	REBECCA L. LALKA V ACA INSURANCE COMPANY	
	Appeal from an order of the Supreme Court, Erie County (Patrick H. NeMoyer, J.), entered January 27, 2014. The order, insofar as appealed from, denied, in part, the motion of plaintiff to compel disclosure.	
	NATHAN C. DOCTOR for REBECCA L. LALKA	15 minutes
	BENJAMIN R. WOLF for ACA INSURANCE COMPANY	15 minutes
551.0 CA 14-01818	V.M. PAOLOZZI IMPORTS, INC. V JUNIOR STEFANINI	
	Appeal from an order of the Supreme Court, Jefferson County (Hugh A. Gilbert, J.), entered December 20, 2013. The order granted defendant Junior Stefanini's motion for summary judgment dismissing plaintiffs' complaint as against him.	
	BRIAN J. BUTLER for V.M. PAOLOZZI IMPORTS, INC.	15 minutes
	DANA SCALERE for JUNIOR STEFANINI	15 minutes
552.0 OP 14-02036	BRIAN SCHENK V PAUL K. GULLO	
	Proceeding pursuant to Public Officers Law § 36 (initiated in the Appellate Division of the Supreme Court in the Fourth Judicial Department) for the removal of respondent from the Office of Trustee of the Village of Naples.	
	DAVID P. MILLER for BRIAN SCHENK	Submitted
	PAUL K. GULLO for HIMSELF	Submitted
553.0 CA 14-01991	In the Matter of GEICO INDEMNITY COMPANY (SHACARA M. PULLMAN)	SETTLED
	Appeal from an order of the Supreme Court, Erie County (Thomas P. Franczyk, A.J.), entered February 20, 2014. The order, insofar as appealed from, denied the application of petitioner for a temporary stay of arbitration.	
	JEFFREY C. SENDZIAK for GEICO INDEMNITY COMPANY	
	CHRISTOPHER D. D'AMATO for SHACARA M. PULLMAN	

**DAY CALENDAR**  
**Tuesday, April 14, 2015 - 10:00 AM**  
**HON. SAMUEL L. GREEN COURTROOM**

554.0  
TP 14-01910

**GILBERT ORTIZ**  
**V**  
**ANTHONY ANNUCCI**

Proceeding pursuant to CPLR article 78 (transferred to the Appellate Division of the Supreme Court in the Fourth Judicial Department by order of the Supreme Court, Wyoming County [Michael M. Mohun, A.J.], entered October 17, 2014) to review a determination of respondent. The determination found after a tier III hearing that petitioner had violated various inmate rules.

**NORMAN P. EFFMAN for GILBERT ORTIZ** Submitted

**PETER H. SCHIFF for ANTHONY ANNUCCI** Submitted

555.0  
KA 12-01515

**PEOPLE**  
**V**  
**JOSE A. PADILLA**

Appeal from a judgment of the Monroe County Court (Vincent M. Dinolfo, J.), rendered January 19, 2012. The judgment convicted defendant, upon his plea of guilty, of burglary in the second degree.

**DAVID R. JUERGENS for JOSE A. PADILLA** Submitted

**STEPHEN X. O'BRIEN for THE PEOPLE OF THE STATE OF NEW YORK** Submitted

556.0  
KA 14-00056

**PEOPLE**  
**V**  
**SHAWN J. SIVERTSON**

Appeal from a judgment of the Supreme Court, Erie County (Christopher J. Burns, J.), rendered December 18, 2013. The judgment convicted defendant, upon a jury verdict, of robbery in the first degree.

**BARBARA J. DAVIES for SHAWN J. SIVERTSON** 10 minutes

**ASHLEY R. LOWRY for THE PEOPLE OF THE STATE OF NEW YORK** 10 minutes

557.0  
KA 14-00925

**PEOPLE**  
**V**  
**JOSHUA J. FRENCH**

Appeal from a judgment of the Erie County Court (Michael L. D'Amico, J.), rendered April 3, 2014. The judgment convicted defendant, upon his plea of guilty, of two counts of driving while intoxicated, class D felonies and two counts of aggravated unlicensed operation of a motor vehicle in the first degree, class E felonies.

**TIMOTHY P. MURPHY for JOSHUA J. FRENCH** Submitted

**MATTHEW B. POWERS for THE PEOPLE OF THE STATE OF NEW YORK** Submitted

558.0  
KA 14-01950

**PEOPLE**  
**V**  
**ROBERT C. DIEHL**

Appeal from a judgment of the Lewis County Court (Donald E. Todd, A.J.), rendered December 4, 2013. The judgment convicted defendant, upon a nonjury verdict, of grand larceny in the third degree, offering a false instrument for filing in the first degree and official misconduct.

CARMEN M. GARUFI for ROBERT C. DIEHL

15 minutes

JOHN A. CIRANDO for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

559.0  
KA 10-01503

PEOPLE

V

JAMIE C. HARRISON

Appeal from a judgment of the Oneida County Court (Michael L. Dwyer, J.), rendered June 20, 2007. The judgment convicted defendant, upon a jury verdict, of murder in the second degree.

CARA A. WALDMAN for JAMIE C. HARRISON

Submitted

STEVEN G. COX for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

560.0  
KA 11-01613

PEOPLE

V

JAMELL R. MCCULLOUGH

Appeal from a judgment of the Supreme Court, Monroe County (David D. Egan, J.), rendered July 29, 2010. The judgment convicted defendant, upon a jury verdict, of burglary in the first degree, robbery in the first degree, robbery in the second degree and assault in the second degree.

JAMES A. HOBBS for JAMELL R. MCCULLOUGH

10 minutes

NANCY GILLIGAN for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

561.0  
KA 13-01465

PEOPLE

V

HAROLD HOWARD

Appeal from a judgment of the Erie County Court (Michael L. D'Amico, J.), rendered January 30, 2013. The judgment convicted defendant, upon a jury verdict, of criminal possession of a weapon in the second degree and criminal possession of a controlled substance in the fourth degree.

KRISTIN M. PREVE for HAROLD HOWARD

10 minutes

NICHOLAS T. TEXIDO for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

562.0  
KA 13-00462

PEOPLE

V

ANDRE TERRY

Appeal from a resentence of the Onondaga County Court (Joseph E. Fahey, J.), rendered November 22, 2011. Defendant was resented upon his convictions of assault in the second degree (three counts), reckless endangerment in the first degree (three counts) and criminal possession of a weapon in the second degree (four counts).

PHILIP ROTHSCHILD for ANDRE TERRY

Submitted

ROMANA A. LAVALAS for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

563.0  
KA 13-00301

PEOPLE

V

REBECCA R. WALTER

Appeal from a judgment of the Ontario County Court (Frederick G. Reed, A.J.), rendered May 23, 2012. The judgment convicted defendant, upon a jury verdict, of assault in the third degree and endangering the welfare of a child.

GARY MULDOON for REBECCA R. WALTER 10 minutes

JAMES B. RITTS for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

564.0  
CAF 14-02014

In the Matter of  
ANDREW B.

Appeal from an order of the Family Court, Monroe County (Joan S. Kohout, J.), entered May 21, 2014 in a proceeding pursuant to Family Court Act article 7. The order, insofar as appealed from, held petitioner in contempt.

PETER ANDREW ESSLEY for MONROE CO. DEPT. OF HUMAN SERVS. 5 minutes

TANYA CONLEY, ATTORNEY FOR CHILD 10 minutes

565.0  
CAF 14-00280

CHAD SPRINGSTEAD  
V  
SALINA WINSHIP BUNK

Appeal from an order of the Family Court, Cattaraugus County (Judith E. Samber, R.), entered January 10, 2014 in a proceeding pursuant to Family Court Act article 6. The order, among other things, awarded respondent sole legal and physical custody of the subject child.

JANINE C. FODOR for CHAD SPRINGSTEAD 10 minutes

LYLE T. HAJDU for SALINA WINSHIP BUNK Submitted

BRONWYN E. ENDERS, ATTORNEY FOR CHILD Submitted

566.0  
CAF 13-01303

In the Matter of  
EMILY A.

Appeal from an order of the Family Court, Livingston County (Dennis S. Cohen, J.), entered June 3, 2013 in a proceeding pursuant to Family Court Act article 10. The order, among other things, continued the subject child's placement with petitioner.

KELIANN M. ARGY for GINA A. 10 minutes

JOHN T. SYLVESTER for LIVINGSTON CO. DEPT. OF SOCIAL SERVS. Submitted

MARY P. DAVISON for GARY L. 10 minutes

SUSAN JAMES, ATTORNEY FOR CHILD 10 minutes

567.0  
CAF 13-01764

In the Matter of  
EMILY A.

Appeal from an order of the Family Court, Livingston County (Dennis S. Cohen, J.), entered August 28, 2013 in a proceeding pursuant to Family Court Act article 6. The order, among other things, terminated respondent's parental rights.

KELIANN M. ARGY for GINA A. Submitted

JOHN T. SYLVESTER for LIVINGSTON CO. DEPT. OF SOCIAL SERVS. Submitted

MARY P. DAVISON for GARY L. Submitted

	<b>SUSAN JAMES, ATTORNEY FOR CHILD</b>	<b>Submitted</b>
<b>568.0</b> <b>CA 14-01849</b>	<b>NANCY BURKHART</b> <b>V</b> <b>PEOPLE, INC.</b>	
	Appeal from an order of the Supreme Court, Niagara County (Catherine R. Nugent Panepinto, J.), entered February 18, 2014. The order denied the motion of defendants People, Inc., Elisa Smith, Katelynne Coleman and Amy Mazurkiewicz for summary judgment dismissing the complaint.	
	<b>AMY ARCHER FLAHERTY for PEOPLE, INC.</b>	<b>15 minutes</b>
	<b>JOSEPH D. MORATH, JR., for NANCY BURKHART</b>	<b>15 minutes</b>
<b>569.0</b> <b>CA 14-02024</b>	<b>MANUEL LOPEZ</b> <b>V</b> <b>FAHS CONSTRUCTION GROUP, INC.</b>	
	Appeal and cross appeals from an order of the Supreme Court, Oswego County (James W. McCarthy, J.), entered June 13, 2014. The order, insofar as appealed from, denied the motion of plaintiff for partial summary judgment and denied the motions of defendant and third-party defendant for summary judgment dismissing plaintiff's Labor Law §§ 240 (1) and 241 (c) claims.	
	<b>ROBERT A. QUATROCCI for MANUEL LOPEZ</b>	<b>10 minutes</b>
	<b>KAREN J. KROGMAN for FAHS CONSTRUCTION GROUP, INC.</b>	<b>15 minutes</b>
<b>570.0</b> <b>CA 14-00179</b>	<b>ERROL WEATHERS</b> <b>V</b> <b>ANTHONY ANNUCCI</b>	
	Appeal from a judgment of the Supreme Court, Wyoming County (Mark H. Dadd, A.J.), entered December 16, 2013 in a proceeding pursuant to CPLR article 78. The judgment denied the motion of petitioner for a default judgment and dismissed the petition.	
	<b>ADAM W. KOCH for ERROL WEATHERS</b>	<b>Submitted</b>
	<b>PETER H. SCHIFF for ANTHONY ANNUCCI</b>	<b>Submitted</b>
<b>571.0</b> <b>CA 14-01424</b>	<b>DONALD SCHULTZ</b> <b>V</b> <b>EXCELSIOR ORTHOPAEDICS, LLP</b>	
	Appeal from an order of the Supreme Court, Erie County (John M. Curran, J.), entered July 18, 2014. The order, insofar as appealed from, denied the motion of defendants Michael A. Parentis, M.D., and Keith C. Stube, M.D., P.C., individually and doing business as Knee Center of Western New York, to set aside a jury verdict and enter judgment in their favor.	
	<b>LAWRENCE J. VILARDO for MICHAEL A. PARENTIS, M.D.</b>	<b>20 minutes</b>
	<b>JEFFREY A. BLACK for DONALD SCHULTZ</b>	<b>20 minutes</b>
	<b>GREGORY T. MILLER for EXCELSIOR ORTHOPAEDICS, LLP</b>	<b>10 minutes</b>
<b>572.0</b> <b>CA 14-01425</b>	<b>DONALD SCHULTZ</b> <b>V</b> <b>EXCELSIOR ORTHOPAEDICS, LLP</b>	

Appeal from a judgment of the Supreme Court, Erie County (John M. Curran, J.), entered July 18, 2014. The judgment awarded plaintiffs structured money damages, upon a jury verdict, against defendants Michael A. Parentis, M.D., and Keith C. Stube, M.D., individually, and doing business as Knee Center of Western New York.

LAWRENCE J. VILARDO for MICHAEL A. PARENTIS, M.D.

Submitted

JEFFREY A. BLACK for DONALD SCHULTZ

Submitted

573.0  
CA 14-01920

**DONALD SCHULTZ**  
V  
**EXCELSIOR ORTHOPAEDICS, LLP**

Appeal from a judgment of the Supreme Court, Erie County (John M. Curran, J.), entered June 18, 2014. The judgment dismissed the complaint and awarded judgment to defendants Excelsior Orthopaedics, LLP, and Andrew C. Stoeckl, M.D.

LAWRENCE J. VILARDO for MICHAEL A. PARENTIS, M.D.

Submitted

GREGORY T. MILLER for EXCELSIOR ORTHOPAEDICS, LLP

Submitted

574.0  
CA 14-01817

**SUSAN M. ANDREWS**  
V  
**RENAISSANCE CHIROPRACTIC, P.C.**

Appeal from an order of the Supreme Court, Erie County (John M. Curran, J.), entered April 24, 2014. The order, insofar as appealed from, denied in part the motion of defendants Renaissance Chiropractic, P.C., and Thomas Joseph Insinna, DC, individually, and as principle owner, officer, director and/or shareholder of Renaissance Chiropractic, P.C. for summary judgment.

JONATHAN H. BARD for RENAISSANCE CHIROPRACTIC, P.C.

15 minutes

KELIANN M. ARGY for SUSAN M. ANDREWS

5 minutes

575.0  
CA 14-01907

**SYNAPSE SUSTAINABILITY TRUST, INC.**  
V  
**CAR CHARGING GROUP, INC.**

Appeal from an order of the Supreme Court, Onondaga County (Deborah H. Karalunas, J.), entered January 2, 2014. The order granted the motion of plaintiff for a preliminary injunction and enjoined defendant Car Charging Group, Inc., from impeding or preventing plaintiff's sale of certain stock pursuant to their contract.

MICHAEL I. BERNSTEIN for CAR CHARGING GROUP, INC.

15 minutes

RICHARD PERTZ for SYNAPSE SUSTAINABILITY TRUST, INC.

10 minutes

576.0  
CA 14-01993

**LYUBOV KLEPANCHUK**  
V  
**COUNTY OF MONROE**

Appeal from an order of the Supreme Court, Monroe County (Ann Marie Taddeo, J.), entered January 10, 2014. The order, insofar as appealed from, denied the motion of defendants for summary judgment dismissing the complaint.

STEPHANIE CAMPBELL for COUNTY OF MONROE

15 minutes

K. JOHN WRIGHT for LYUBOV KLEPANCHUK

10 minutes

ERIC FRIEDHABER for WILLIAM HILL, JR.

Submitted

577.0  
CA 14-01839

WAYNE F. HURLBURT  
V  
NOBLE ENVIRONMENTAL POWER, LLC

Appeal from an order of the Supreme Court, Wyoming County (Mark H. Dadd, A.J.), entered December 24, 2013. The order, insofar as appealed from, denied the motion of defendant Frank Monteleone, doing business as Frank Monteleone Dump Truck & Excavating for summary judgment dismissing the complaint.

RICHARD C. BRISTER for FRANK MONTELEONE

15 minutes

BRADLEY P. KAMMHOLZ for WAYNE F. HURLBURT

15 minutes

578.0  
CA 14-01840

NICOLE MARTIN  
V  
TOWN OF GRAND ISLAND

**SETTLED**

Appeal from an order of the Supreme Court, Erie County (Timothy J. Drury, J.), entered March 10, 2014. The order denied defendants' motion for summary judgment.

JENNA W. KLUCSIK for TOWN OF GRAND ISLAND

THOMAS S. LANE for NICOLE MARTIN

578.2  
CA 14-01480

STEPHEN CLENDENIN  
V  
TOWN OF MILO

Appeal from an order of the Supreme Court, Yates County (Dennis F. Bender, A.J.), entered November 8, 2013. The order granted the motions of defendants Town of Milo, Colby Petersen, Gary Boardman and Yates County Soil and Water Conservation District for summary judgment.

ANTHONY P. ADORANTE for STEPHEN CLENDENIN

15 minutes

JOHN M. WELLS for COLBY PETERSEN

10 minutes

THOMAS D. SEAMAN for TOWN OF MILO

10 minutes

**DAY CALENDAR**  
**Wednesday, April 15, 2015 - 10:00 AM**  
**HON. SAMUEL L. GREEN COURTROOM**

579.0  
KA 14-00118

**PEOPLE**  
**V**  
**CHRISTOPHER M. AMRHEIN**

Appeal from a judgment of the Allegany County Court (Terrence M. Parker, J.), rendered November 12, 2013. The judgment convicted defendant, upon a jury verdict in the second degree.

MARCEL LAJOY for CHRISTOPHER M. AMRHEIN Submitted

ERIC R. SCHIENER for THE PEOPLE OF THE STATE OF NEW YORK Submitted

580.0  
KA 13-02109

**PEOPLE**  
**V**  
**DOMINGO E. CANDELARIA**

Appeal from a judgment of the Orleans County Court (James P. Punch, J.), rendered October 21, 2013. The judgment convicted defendant, upon his plea of guilty, of assault in the second degree.

CAITLIN M. CONNELLY for DOMINGO E. CANDELARIA Submitted

KATHERINE K. BOGAN for THE PEOPLE OF THE STATE OF NEW YORK Submitted

581.0  
KA 12-01594

**PEOPLE**  
**V**  
**DELROY GILLESPIE**

Appeal from a judgment of the Supreme Court, Monroe County (Francis A. Affronti, J.), rendered June 25, 2012. The judgment convicted defendant, upon his plea of guilty, of reckless endangerment in the second degree.

CARA A. WALDMAN for DELROY GILLESPIE Submitted

STEPHEN X. O'BRIEN for THE PEOPLE OF THE STATE OF NEW YORK Submitted

582.0  
KA 13-01872

**PEOPLE**  
**V**  
**STEVEN T. SHORT**

Appeal from a judgment of the Cayuga County Court (Mark H. Fandrich, J.), rendered August 20, 2013. The judgment convicted defendant, upon his plea of guilty, of assault in the third degree.

CHARLES A. MARANGOLA for STEVEN T. SHORT Submitted

CHRISTOPHER VALDINA for THE PEOPLE OF THE STATE OF NEW YORK Submitted

583.0  
KA 13-01650

**PEOPLE**  
**V**  
**TIGE BILLINGSLEY**

Appeal from a judgment of the Supreme Court, Erie County (Christopher J. Burns, J.), rendered August 19, 2013. The judgment convicted defendant, upon a nonjury verdict, of robbery in the first degree, burglary in the first degree and assault in the second degree.

DEBORAH K. JESSEY for TIGE BILLINGSLEY 10 minutes

	DAVID A. HERATY for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
584.0 KA 13-01493	PEOPLE V ANTOINE HAILEY	
	Appeal from a judgment of the Supreme Court, Erie County (Christopher J. Burns, J.), rendered June 4, 2013. The judgment convicted defendant, upon a nonjury verdict, of criminal possession of a weapon in the second degree.	
	SUSAN C. MINISTERO for ANTOINE HAILEY	5 minutes
	DANIEL J. PUNCH for THE PEOPLE OF THE STATE OF NEW YORK	5 minutes
585.0 KA 13-00803	PEOPLE V KYLE M. JULIANO	
	Appeal from a judgment of the Supreme Court, Herkimer County (John J. Brennan, A.J.), rendered November 13, 2012. The judgment convicted defendant, upon a jury verdict, of criminal sexual act in the first degree.	
	PETER J. DIGIORGIO, JR., for KYLE M. JULIANO	15 minutes
	JACQUELYN M. ASNOE for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
586.0 KA 13-01550	PEOPLE V ANTHONY J. MANGIARELLA	
	Appeal from a judgment of the Ontario County Court (Frederick G. Reed, J.), rendered January 9, 2013. The judgment convicted defendant, upon his plea of guilty, of rape in the second degree (three counts).	
	TYSON BLUE for ANTHONY J. MANGIARELLA	10 minutes
	ROBERT C. JEFFRIES for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
587.0 KA 12-01232	PEOPLE V MARCUS A. NORMAN	
	Appeal from a judgment of the Chautauqua County Court (Joseph T. Ward, J.), rendered March 19, 2012. The judgment convicted defendant, upon his plea of guilty, of criminal trespass in the first degree.	
	JOHN A. CIRANDO for MARCUS A. NORMAN	10 minutes
	ANDREW M. MOLITOR for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
588.0 KA 11-00802	PEOPLE V CAMERON L. WILLIAMS	
	Appeal from a judgment of the Monroe County Court (Frank P. Geraci, Jr., J.), rendered February 2, 2011. The judgment convicted defendant, upon a jury verdict, of murder in the second degree.	
	WILLIAM G. PIXLEY for CAMERON L. WILLIAMS	10 minutes
	LEAH R. MERVINE for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes

592.0  
CAF 14-00421

AMBER MEHTA  
V  
FREDERICK FRANKLIN, JR.

Appeal from an order of the Family Court, Erie County (Sharon M. LoVallo, J.), entered July 31, 2013 in a proceeding pursuant to Family Court Act article 6. The order, among other things, designated Amber Mehta as the primary residential parent of the subject child.

EMILIO COLAIACOVO for FREDERICK FRANKLIN, JR. 15 minutes

CATHARINE M. VENZON for AMBER MEHTA 15 minutes

JAMES A. CIMINELLI, ATTORNEY FOR CHILD 10 minutes

593.0  
CAF 14-00422

AMBER MEHTA  
V  
FREDERICK FRANKLIN, JR.

Appeal from an order of the Family Court, Erie County (Sharon M. LoVallo, J.), entered September 30, 2013 in a proceeding pursuant to Family Court Act article 6. The order denied Frederick Franklin, Jr.'s motion to reargue and renew.

EMILIO COLAIACOVO for FREDERICK FRANKLIN, JR. Submitted

CATHARINE M. VENZON for AMBER MEHTA Submitted

JAMES A. CIMINELLI, ATTORNEY FOR CHILD Submitted

594.0  
CAF 14-01955

LUCILLE A. SOLDATO  
V  
RAYMOND BENSON

Appeal from a decision and order of the Family Court, Oneida County (Randal B. Caldwell, J.), entered February 26, 2014, in a proceeding pursuant to Family Court Act article 4. The decision and order denied and dismissed the objections of petitioner to an order of a support magistrate.

RICHARD P. FERRIS for LUCILLE A. SOLDATO Submitted

RAYMOND BENSON for HIMSELF Submitted

595.0  
CAF 14-00012

APRIL A. BURLEY  
V  
BERNARD D. BURLEY

Appeal from an order of the Family Court, Monroe County (John J. Rivoli, J.H.O.), entered November 19, 2013 in a proceeding pursuant to Family Court Act article 8. The order, among other things, directed respondent to stay away from petitioner.

KATHLEEN P. REARDON for BERNARD D. BURLEY 5 minutes

JAMES A. HOBBS for APRIL A. BURLEY 5 minutes

MARGARET MCMULLEN, ATTORNEY FOR CHILD 5 minutes

596.0  
CA 14-01450

ROBERT GERRISH  
V  
SUNY BUFFALO

Appeal from an order of the Supreme Court, Erie County (John A. Michalek, J.), entered May 5, 2014. The judgment, among other things, granted defendants' motions to dismiss plaintiff's complaint without leave to replead.

FRANK T. HOUSH for ROBERT GERRISH 15 minutes

BENJAMIN ZUFFRANIERI, JR., for UB FOUNDATION SERVICES 15 minutes

FRANK BRADY for SUNY BUFFALO 10 minutes

597.0  
CA 14-01306

**In the Matter of  
ESTATE OF ROBERT BODKIN**

Appeal from a memorandum and order of the Surrogate's Court, Erie County (Barbara Howe, S.), entered October 2, 2012. The memorandum and order denied the motion of objectants to disqualify counsel for petitioner.

LESLIE MARK GREENBAUM for DAWN GUETTI 15 minutes

ALAN J. BOZER for ROBIN GRAHAM 15 minutes

WILLIAM D. MALDOVAN for NYS ATTORNEY GENERAL'S OFFICE Submitted

598.0  
CA 14-01307

**In the Matter of  
ESTATE OF ROBERT BODKIN**

Appeal from an order of the Surrogate's Court, Erie County (Barbara Howe, S.), entered September 9, 2013. The order denied the motion and supplemental motion of objectants to compel disclosure.

LESLIE MARK GREENBAUM for DAWN GUETTI Submitted

ALAN J. BOZER for ROBIN GRAHAM Submitted

WILLIAM D. MALDOVAN for NYS ATTORNEY GENERAL'S OFFICE Submitted

599.0  
CA 14-01308

**In the Matter of  
ESTATE OF ROBERT BODKIN**

Appeal from a memorandum and order of the Surrogate's Court, Erie County (Barbara Howe, S.), entered March 28, 2014. The memorandum and order granted the motion of petitioner for summary judgment, dismissed the objections to probate and admitted to probate the November 3, 2011 last will and testament of decedent.

LESLIE MARK GREENBAUM for DAWN GUETTI Submitted

ALAN J. BOZER for ROBIN GRAHAM Submitted

WILLIAM D. MALDOVAN for NYS ATTORNEY GENERAL'S OFFICE Submitted

600.0  
CA 14-01957

**KEMPER INDEPENDENCE INSURANCE CO.  
V  
LENORE ELLIS**

Appeals from a decision and order of the Supreme Court, Onondaga County (Donald A. Greenwood, J.), entered May 30, 2014. The decision and order granted the motion of defendant William L. LeVea for summary judgment on the duty to defend, denied the motion of LeVea for summary judgment on the duty to indemnify and denied the cross motions of plaintiff and defendant Lenore Ellis, as Administratrix of the Estate of Christopher Spack, for summary judgment.

	ADAM P. MASTROLEO for LENORE ELLIS	10 minutes
	STEVEN E. PEIPER for KEMPER INDEPENDENCE INSURANCE CO.	10 minutes
	MICHAEL J. KAWA for WILLIAM L. LEVEA	Submitted
601.0 CA 14-02023	<b>PAULA ANN REEVES</b> V <b>GARY J. GIANNOTTA</b>	
	Appeal from an order of the Supreme Court, Cayuga County (Mark H. Fandrich, A.J.), entered February 19, 2014. The order denied the motion of defendants for summary judgment dismissing the complaint.	
	BRADLEY J. STEVENS for CITY OF AUBURN	10 minutes
	STEWART L. WEISMAN for PAULA ANN REEVES	10 minutes
602.0 CA 14-01889	<b>CHARLES M. ALBERT</b> V <b>KATHLEEN A. MACHOLS</b>	
	Appeal from an order of the Supreme Court, Monroe County (Ann Marie Taddeo, J.), entered June 24, 2014. The order denied the motion of defendant for summary judgment dismissing the complaint.	
	MICHAEL ANTHONY REDDY for KATHLEEN A. MACHOLS	20 minutes
	FRANK GAETANO MONTEMALO for CHARLES M. ALBERT	20 minutes
603.0 CA 14-01999	<b>RICH PRODUCTS CORPORATION</b> V <b>KENYON &amp; KENYON, LLP</b>	
	Appeal and cross appeal from an order of the Supreme Court, Erie County (Timothy J. Walker, J.), entered June 19, 2014. The order, among other things, granted in part defendant's motion for summary judgment and granted in part plaintiff's cross-motion for summary judgment.	
	ROBERT JOSEPH LANE, JR., for RICH PRODUCTS CORPORATION	15 minutes
	DENNIS R. MCCOY for KENYON & KENYON, LLP	15 minutes
604.0 CA 14-01396	<b>CHRISTOPHER CANESTARO</b> V <b>RAYMOUR AND FLANIGAN FURNITURE</b>	
	Appeal from an order of the Supreme Court, Erie County (Timothy J. Walker, A.J.), entered April 4, 2014. The order granted the motion of defendants to dismiss the complaint.	
	BENJAMIN ZUFFRANIERI, JR., for CHRISTOPHER CANESTARO	10 minutes
	JOHN P. AMATO for RAYMOUR AND FLANIGAN FURNITURE	10 minutes
605.0 CA 14-02073	<b>CATRINA SARAF</b> V <b>ROGER SMITH, JR.</b>	
	Appeal from a decision and order of the Supreme Court, Niagara County (Richard C. Kloch, Sr., A.J.), entered January 29, 2014. The decision and order denied the motion of plaintiff to set aside a verdict.	
	RICHARD E. UPDEGROVE for CATRINA SARAF	10 minutes

**MICHAEL F. PERLEY for ROGER SMITH, JR.**

**10 minutes**

**606.0  
CA 14-01927**

**P&B CAPITAL GROUP, LLC**

**V**

**RAB PERFORMANCE RECOVERIES, LLC**

**Appeal from an order of the Supreme Court, Erie County (Timothy J. Walker, A.J.), entered June 24, 2014. The order denied the motion of plaintiffs for summary judgment, granted the motion of defendant RAB Performance Recoveries, LLC, for summary judgment and declared that said defendant is the sole owner of the accounts at issue.**

**CHRISTOPHER W. MCMASTER for P&B CAPITAL GROUP, LLC**

**15 minutes**

**DENNIS R. MCCOY for RAB PERFORMANCE RECOVERIES, LLC**

**15 minutes**

**DAY CALENDAR**  
**Thursday, April 16, 2015 - 10:00 AM**  
**HON. SAMUEL L. GREEN COURTROOM**

607.0  
KA 13-01885

**PEOPLE**  
**V**  
**PETER DAVIS**

Appeal from a judgment of the Yates County Court (W. Patrick Falvey, J.), rendered September 10, 2013. The judgment convicted defendant, upon his plea of guilty, of driving while ability impaired by drugs.

CARA A. WALDMAN for PETER DAVIS 5 minutes

MEGAN P. DADD for THE PEOPLE OF THE STATE OF NEW YORK 5 minutes

608.0  
KA 13-00521

**PEOPLE**  
**V**  
**DERRELL A.E.**

Appeal from a judgment of the Ontario County Court (William F. Kocher, J.), rendered October 3, 2012. The judgment convicted defendant, upon his plea of guilty, of robbery in the second degree.

JOHN A. CIRANDO for DERRELL A.E. 10 minutes

BRIAN D. DENNIS for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

609.0  
KA 13-00667

**PEOPLE**  
**V**  
**DERRELL A.E.**

Appeal from a judgment of the Supreme Court, Ontario County (William F. Kocher, J.), rendered October 3, 2012. The judgment revoked a term of probation and imposed a term of incarceration.

JOHN A. CIRANDO for DERRELL A.E. Submitted

BRIAN D. DENNIS for THE PEOPLE OF THE STATE OF NEW YORK Submitted

610.0  
KA 13-01849

**PEOPLE**  
**V**  
**ALAN TIDD, SR.**

Appeal from a decision and order of the Genesee Court (Robert C. Noonan, J.), entered September 13, 2013. The decision and order determined defendant to be a level three risk pursuant to the Sex Offender Registration Act.

ALAN WILLIAMS for ALAN TIDD, SR. Submitted

WILLIAM G. ZICKL for THE PEOPLE OF THE STATE OF NEW YORK Submitted

611.0  
KA 13-01486

**PEOPLE**  
**V**  
**WILLIE WALLACE**

Appeal from a judgment of the Erie County Court (Kenneth F. Case, J.), rendered July 10, 2013. The judgment convicted defendant, upon his plea of guilty, of attempted criminal sexual act in the first degree and attempted rape in the first degree.

	KRISTIN M. PREVE for WILLIE WALLACE	Submitted
	DAVID A. HERATY for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
612.0 KA 14-01090	PEOPLE V ANTHONY L. CORSARO	
	Appeal from a judgment of the Niagara County Court (Angelo J. Morinello, A.J.), rendered August 29, 2013. The judgment convicted defendant, upon his plea of guilty, of attempted burglary in the second degree and robbery in the third degree (two counts).	
	ANN M. NICHOLS for ANTHONY L. CORSARO	10 minutes
	LAURA T. BITTNER for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
613.0 KA 14-01742	PEOPLE V TOBIAS BOYLAND	
	Appeal from a judgment of the Erie County Court (Thomas P. Franczyk, J.), rendered April 13, 2012. The judgment convicted defendant, upon his plea of guilty, of bail jumping in the second degree	
	ANTHONY JOSEPH LANA for TOBIAS BOYLAND	10 minutes
	DONNA A. MILLING for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
614.0 KA 12-01040	PEOPLE V JEREMY M. JOHNSON	
	Appeal from a judgment of the Monroe County Court (Joseph G. Nesser, A.J.), rendered March 13, 2012. The judgment convicted defendant, upon his plea of guilty, of rape in the second degree.	
	JANET C. SOMES for JEREMY M. JOHNSON	5 minutes
	DANIEL A. GROSS for THE PEOPLE OF THE STATE OF NEW YORK	5 minutes
615.0 KA 12-00766	PEOPLE V JEFFREY LINDSEY, JR.	
	Appeal from a judgment of the Supreme Court, Monroe County (Francis A. Affronti, J.), rendered February 7, 2012. The judgment convicted defendant, upon a jury verdict, of aggravated driving while intoxicated with a child passenger; aggravated unlicensed operation of a motor vehicle in the first degree; driving while intoxicated and endangering the welfare of a child.	
	JANET C. SOMES for JEFFREY LINDSEY, JR.	10 minutes
	LEAH R. MERVINE for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
616.0 KA 12-00728	PEOPLE V CURTIS KITCHEN	
	Appeal from a judgment of the Supreme Court, Onondaga County (John J. Brunetti, A.J.), rendered March 2, 2012. The judgment convicted defendant, upon his plea of guilty, of grand larceny in the fourth degree.	
	CHRISTINE M. COOK for CURTIS KITCHEN	5 minutes

	<b>VICTORIA WHITE for THE PEOPLE OF THE STATE OF NEW YORK</b>	<b>5 minutes</b>
<b>617.0 KA 11-02461</b>	<b>PEOPLE V THEODORE PRICE</b>	
	<b>Appeal from a judgment of the Supreme Court, Onondaga County (John J. Brunetti, A.J.), rendered September 1, 2011. The judgment convicted defendant, upon a jury verdict, of burglary in the second degree.</b>	
	<b>CHRISTINE M. COOK for THEODORE PRICE</b>	<b>10 minutes</b>
	<b>VICTORIA M. WHITE for THE PEOPLE OF THE STATE OF NEW YORK</b>	<b>10 minutes</b>
<b>618.0 CAF 13-02017</b>	<b>BARBARA MAJUK V ANTHONY CARBONE</b>	
	<b>Appeal from an order of the Family Court, Erie County (Paul G. Buchanan, J.), entered October 22, 2013 in a proceeding pursuant to Family Court Act article 6. The order granted the petition.</b>	
	<b>JENNIFER M. LORENZ for ANTHONY CARBONE</b>	<b>5 minutes</b>
	<b>ELIZABETH J. CIAMBRONE for BARBARA MAJUK</b>	<b>Submitted</b>
	<b>JOSEPH CHARLES BANIA, ATTORNEY FOR CHILD</b>	<b>Submitted</b>
<b>619.0 CAF 14-00455</b>	<b>In the Matter of QUA'MEL W.</b>	
	<b>Appeal from an order of the Family Court, Onondaga County (Michele Pirro Bailey, J.), entered February 14, 2014, in a proceeding pursuant to Social Services Law § 384-b. The order terminated the parental rights of respondent.</b>	
	<b>KELLY M. CORBETT for NIAYA W.</b>	<b>10 minutes</b>
	<b>MAGGIE SEIKALY for ONONDAGA CO. DEPT. OF SOCIAL SERVICES</b>	<b>10 minutes</b>
	<b>THEODORE W. STENUF, ATTORNEY FOR CHILD</b>	<b>10 minutes</b>
<b>620.0 CAF 13-02169</b>	<b>In the Matter of MAKIA R.J.</b>	
	<b>Appeal from an order of the Family Court, Erie County (Lisa Bloch Rodwin, J.), entered November 12, 2013. The order determined that respondent was a "notice father" with respect to the termination of his parental rights.</b>	
	<b>JENNIFER M. LORENZ for MICHAEL A.J.</b>	<b>5 minutes</b>
	<b>JOSEPH T. JARZEMBEK for ERIE CO. DEPT. OF SOCIAL SERVS.</b>	<b>5 minutes</b>
	<b>CHARLES D. HALVORSEN, ATTORNEY FOR CHILD</b>	<b>10 minutes</b>
<b>621.0 CA 14-00777</b>	<b>DOMENIC MAGGIO V RONALD JOHN DOUGHTERY</b>	
	<b>Appeal from an order of the Supreme Court, Onondaga County (John C. Cherundolo, A.J.), entered April 10, 2013. The order, among other things, granted defendants' motions to preclude plaintiff from offering any expert evidence at trial and dismissing plaintiff's complaint.</b>	
	<b>JOHN A. CIRANDO for DOMENIC MAGGIO</b>	<b>15 minutes</b>

	C. TAYLOR PAYNE for COMMUNITY GENERAL HOSPITAL	10 minutes
	EDWARD J. SMITH, III, for RONALD JOHN DOUGHTERY	10 minutes
	BRENDAN T. FITZPATRICK for THE TULLY HILL CORPORATION	15 minutes
622.0 CA 14-02039	<b>MARY WITHERSPOON</b> V <b>TOPS MARKETS, LLC</b>	
	Appeal from an order of the Supreme Court, Niagara County (Richard C. Kloch, Sr., J.), entered June 10, 2014. The order granted the motion of defendant for summary judgment dismissing the complaint.	
	DAVID P. FELDMAN for MARY WITHERSPOON	15 minutes
	HARRY T. DIXON for TOPS MARKETS, LLC	10 minutes
623.0 CA 14-01997	<b>KEITH A. BORDERS</b> V <b>BRIAN T. BORDERS</b>	
	Appeal from a judgment of the Supreme Court, Erie County (Diane Y. Devlin, J.), entered January 14, 2014. The judgment settled title to certain property in plaintiff.	
	DANIEL P. TIEDE for BRIAN T. BORDERS	10 minutes
	MICHAEL FRANCIS BARRETT for KEITH A. BORDERS	10 minutes
624.0 CA 14-02040	<b>LISA M. FRANKENBURGER</b> V <b>LYNNE M. OTWELL</b>	
	Appeal from a memorandum decision and order of the Supreme Court, Erie County (Henry Nowak, J.), entered August 4, 2014. The memorandum decision and order, insofar as appealed from, denied in part the motion of defendant for summary judgment.	
	ELISE L. CASSAR for LYNNE M. OTWELL	10 minutes
	DAVID P. FELDMAN for LISA M. FRANKENBURGER	10 minutes
625.0 CA 14-01788	<b>JESSICA MANFORD</b> V <b>FRED M. WILBER</b>	
	Appeal from an order of the Supreme Court, Oswego County (James W. McCarthy, J.), entered December 19, 2013. The order, among other things, denied defendant's cross motion for summary judgment.	
	MATTHEW E. WRITENOUR for FRED M. WILBER	10 minutes
	MO J. ATHARI for JESSICA MANFORD	10 minutes
626.0 CA 14-02028	<b>CAROL M. STONE</b> V <b>JESSE D. NEUSTRADTER</b>	
	Appeal from an order of the Supreme Court, Erie County (Diane Y. Devlin, J.), entered January 14, 2014. The order granted the motion of defendants for summary judgment and dismissed the complaint.	
	PHILIP J. O'SHEA, JR., for CAROL M. STONE	10 minutes

	<b>BARNEY BILELLO for JESSE D. NEUSTRADTER</b>	<b>10 minutes</b>
<b>627.0</b> <b>CA 14-01404</b>	<b>GLENDAL. WILKINS</b> <b>V</b> <b>RICHARD C. WILKINS</b>	
	<b>Appeal from a judgment of the Supreme Court, Livingston County (Dennis S. Cohen, A.J.), entered October 18, 2013. The judgment, insofar as appealed from, awarded plaintiff lifetime maintenance.</b>	
	<b>ANDREW J. ROBY for RICHARD C. WILKINS</b>	<b>15 minutes</b>
	<b>GLENDAL. WILKINS for GLENDAL. WILKINS</b>	<b>Submitted</b>
<b>628.0</b> <b>CA 14-01828</b>	<b>JAMES P. RENDER</b> <b>V</b> <b>FRANK J. GIZZO, JR.</b>	
	<b>Appeal and cross appeal from an order of the Supreme Court, Erie County (John J. Michalek, J.), entered June 26, 2014. The order denied the motion of plaintiff for additur, for judgment notwithstanding the verdict and to set aside the verdict as against the weight of the evidence, granted the motion of plaintiff to set aside the verdict as inconsistent and ordered a new trial on proximate cause, serious injury and damages.</b>	
	<b>DANIEL J. GUARASCI for FRANK J. GIZZO, JR.</b>	<b>10 minutes</b>
	<b>KRISTOPHER SCHWARZMUELLER for JAMES P. RENDER</b>	<b>15 minutes</b>
<b>629.0</b> <b>CA 14-01108</b>	<b>DWAYNE SINGLETON</b> <b>V</b> <b>ANTHONY ANNUCCI</b>	
	<b>Appeal from a memorandum and judgment of the Supreme Court, Wyoming County (Michael M. Mohun, J.), entered May 14, 2014. The memorandum and judgment denied the CPLR article 78 petitioner challenging a denial of parole.</b>	
	<b>LEAH R. NOWOTARSKI for DWAYNE SINGLETON</b>	<b>Submitted</b>
	<b>ERIC T. SCHNEIDERMAN for ANTHONY ANNUCCI</b>	<b>Submitted</b>
<b>630.0</b> <b>CA 14-01784</b>	<b>ROBERT M. DEUTSCH</b> <b>V</b> <b>FRANK W. STERLING</b>	
	<b>Appeal from an order of the Supreme Court, Monroe County (Ann Marie Taddeo, J.), entered July 29, 2014. The order, insofar as appealed from, granted the motion of plaintiffs for partial summary judgment on the issue of liability on their battery cause of action.</b>	
	<b>PATRICK J. BROWN for FRANK W. STERLING</b>	<b>10 minutes</b>
	<b>JASON ABBOTT for ROBERT M. DEUTSCH</b>	<b>10 minutes</b>