

**DAY CALENDAR**  
**Thursday, September 17, 2015 - 10:00 AM**  
**HON. SAMUEL L. GREEN COURTROOM**

1056.0  
TP 14-01400

**ROBERT HAIGLER**  
V  
**SUPERINTENDENT SHEAHAN**

Proceeding pursuant to CPLR article 78 (transferred to the Appellate Division of the Supreme Court for the Fourth Judicial Department by order of the Supreme Court, County [Dennis F. Bender, A.J.], entered August 6, 2014) to review a determination of respondent. The determination found after a Tier II hearing that petitioner had violated various inmate rules.

**ROBERT HAIGLER** for HIMSELF

Submitted

**ERIC T. SCHNEIDERMAN** for SUPERINTENDENT SHEAHAN

Submitted

1058.0  
KA 12-02288

**PEOPLE**  
V  
**FARRAH A. DONALD**

Appeal from a judgment of the Supreme Court, Monroe County (Joanne M. Winslow, J.), rendered January 5, 2012. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree.

**DREW R. DUBRIN** for FARRAH A. DONALD

5 minutes

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

5 minutes

1059.0  
KA 12-00911

**PEOPLE**  
V  
**SAQUAN EVANS**

Appeal from a judgment of the Supreme Court, Onondaga County (John J. Brunetti, A.J.), rendered May 15, 2012. The judgment convicted defendant, upon a jury verdict, of murder in the second degree and criminal possession of a weapon in the second degree.

**PHILIP ROTHSCHILD** for SAQUAN EVANS

10 minutes

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

10 minutes

1060.0  
KA 13-00067

**PEOPLE**  
V  
**ANDREW F. RAJCZAK, JR.**

Appeal from a judgment of the Niagara County Court (Sara S. Farkas, J.), rendered November 5, 2012. The judgment convicted defendant, upon a jury verdict, of burglary in the second degree, attempted petit larceny and criminal trespass in the second degree.

**EDWARD P. PERLMAN** for ANDREW F. RAJCZAK, JR.

Submitted

**DOREEN M. HOFFMAN** for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

1061.0  
KA 13-01519

**PEOPLE**  
V  
**RAJSHEEM J. RICHARDSON**

Appeal from a judgment of the Jefferson County Court (Kim H. Martusewicz, J.), rendered May 24, 2013. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a controlled substance in the third degree.

JOSEPH D. WALDORF for RAJSHEEM J. RICHARDSON 10 minutes

KRISTYNA S. MILLS for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

1062.0  
KA 13-01520

PEOPLE  
V  
RAJSHEEM J. RICHARDSON

Appeal from a judgment of the Jefferson County Court (Kim H. Martusewicz, J.), rendered May 24, 2013. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a controlled substance in the third degree.

JOSEPH D. WALDORF for RAJSHEEM J. RICHARDSON Submitted

KRISTYNA S. MILLS for THE PEOPLE OF THE STATE OF NEW YORK Submitted

1063.0  
KA 12-01261

PEOPLE  
V  
ANTHONY J. DIXON

Appeal from a judgment of the Supreme Court, Monroe County (Thomas E. Moran, J.), rendered April 2, 2012. The judgment convicted defendant, upon a jury verdict, of criminal possession of a weapon in the second degree (two counts) and reckless endangerment in the first degree.

WILLIAM G. PIXLEY for ANTHONY J. DIXON Submitted

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

1064.0  
KA 12-01003

PEOPLE  
V  
ANTHONY COKER

Appeal from a judgment of the Onondaga County Court (Joseph E. Fahey, J.), rendered January 5, 2012. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a controlled substance in the third degree.

KRISTEN MCDERMOTT for ANTHONY COKER 10 minutes

VICTORIA M. WHITE for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

1065.0  
CA 15-00255

ANTONIO MARTIN  
V  
LANCER INSURANCE COMPANY

Appeal from an order of the Supreme Court, Erie County (Diane Y. Devlin, J.), entered November 17, 2014. The order denied the motion of defendant for summary judgment.

LAURENCE D. BEHR for LANCER INSURANCE COMPANY 10 minutes

ANDREW CONNELLY for ANTONIO MARTIN 10 minutes

1066.0  
CA 14-01620

LISA M. PANARO  
V  
PASCAL S. PANARO, JR.

Appeal from an order of the Supreme Court, Erie County (John F. O'Donnell, J.), entered June 10, 2014. The order set forth a visitation schedule for defendant.

LEONARD G. TILNEY, JR., for PASCAL S. PANARO, JR. 15 minutes

JUSTIN S. WHITE for LISA M. PANARO 10 minutes

PAMELA THIBODEAU, ATTORNEY FOR CHILD 5 minutes

1067.0  
CA 14-02111

JOANN ABBO-BRADLEY  
V  
CITY OF NIAGARA FALLS

Appeal and cross appeals from an order of the Supreme Court, Niagara County (Richard C. Kloch, Sr., A.J.), entered August 20, 2014. The order granted in part and denied in part the motions of defendants-appellants-respondents to dismiss the second amended complaint.

STEPHEN J. PHILLIPS for ZACHARY HERR 15 minutes

DOUGLAS A. JANESE, JR., for CITY OF NIAGARA FALLS 5 minutes

KEVIN M. HOGAN for GLENN SPRINGS HOLDINGS, INC. 15 minutes

PATRICIA S. CICCARELLI for GROSS PHC LLC Submitted

JEFFREY D. SCHULMAN for OP-TECH ENVIRONMENTAL SERVICES 5 minutes

JENNA W. KLUCSIK for SCOTT LAWN YARD, INC. 5 minutes

DAVID RAY ADAMS for SEVENSON ENVIRONMENTAL SERVICES, INC. 15 minutes

JEFFREY C. STRAVINO for CONESTOGA-ROVERS & ASSOCIATES 10 minutes

RUSSELL EGGERT for CECOS INTERNATIONAL, INC. 10 minutes

DOUGLAS E. FLEMING, III, for MILLER SPRINGS REMEDIATION MGT. Submitted

KEVIN MICHAEL HOGAN for OCCIDENTAL CHEMICAL CORPORATION Submitted

ROBERT EDWARD KNOER for ROY'S PLUMBING, INC. Submitted

1068.0  
CA 14-02112

JOANN ABBO-BRADLEY  
V  
CITY OF BUFFALO

Appeal from an order of the Supreme Court, Niagara County (Richard C. Kloch, Sr., A.J.), entered August 15, 2014. The order granted the motion of defendant Severson Environmental Services, Inc., to dismiss the second amended complaint and dismissed the action against said defendant.

STEPHEN J. PHILLIPS for ZACHARY HERR Submitted

DOUGLAS A. JANESE, JR., for CITY OF NIAGARA FALLS Submitted

KEVIN M. HOGAN for GLENN SPRINGS HOLDINGS, INC. Submitted

PATRICIA S. CICCARELLI for GROSS PHC LLC Submitted

JEFFREY D. SCHULMAN for OP-TECH ENVIRONMENTAL SERVICES Submitted

JENNA W. KLUCSIK for SCOTT LAWN YARD, INC. Submitted

DAVID RAY ADAMS for SEVENSON ENVIRONMENTAL SERVICES, INC. Submitted

JEFFREY C. STRAVINO for CONESTOGA-ROVERS & ASSOCIATES	Submitted
RUSSELL EGGERT for CECOS INTERNATIONAL, INC.	Submitted
DOUGLAS E. FLEMING, III, for MILLER SPRINGS REMEDIATION MGT.	Submitted
KEVIN MICHAEL HOGAN for OCCIDENTAL CHEMICAL CORPORATION	Submitted
ROBERT EDWARD KNOER for ROY'S PLUMBING, INC.	Submitted

1069.0  
CA 14-02113

**JOANN ABBO-BRADLEY**  
**V**  
**CITY OF NIAGARA FALLS**

Appeal from an order of the Supreme Court, Niagara County (Richard C. Kloch, Sr., A.J.), entered August 15, 2014. The order granted the motion of defendant Conestoga Rovers & Associates, Inc., to dismiss the second amended complaint and dismissed the second amended complaint against said defendant.

STEPHEN J. PHILLIPS for ZACHARY HERR	Submitted
DOUGLAS A. JANESE, JR., for CITY OF NIAGARA FALLS	Submitted
KEVIN M. HOGAN for GLENN SPRINGS HOLDINGS, INC.	Submitted
PATRICIA S. CICCARELLI for GROSS PHC LLC	Submitted
JEFFREY D. SCHULMAN for OP-TECH ENVIRONMENTAL SERVICES	Submitted
JENNA W. KLUCSIK for SCOTT LAWN YARD, INC.	Submitted
DAVID RAY ADAMS for SEVENSON ENVIRONMENTAL SERVICES, INC.	Submitted
JEFFREY C. STRAVINO for CONESTOGA-ROVERS & ASSOCIATES	Submitted
RUSSELL EGGERT for CECOS INTERNATIONAL, INC.	Submitted
DOUGLAS E. FLEMING, III, for MILLER SPRINGS REMEDIATION MGT.	Submitted
KEVIN MICHAEL HOGAN for OCCIDENTAL CHEMICAL CORPORATION	Submitted
ROBERT EDWARD KNOER for ROY'S PLUMBING, INC.	Submitted

1070.0  
CA 14-02114

**JOANN ABBO-BRADLEY**  
**V**  
**CITY OF BUFFALO**

Appeal from an order of the Supreme Court, Niagara County (Richard C. Kloch, Sr., A.J.), entered August 22, 2014. The order granted the motion of defendant CECOS International, Inc., to dismiss the amended complaint and dismissed the action against said defendant.

STEPHEN J. PHILLIPS for ZACHARY HERR	Submitted
DOUGLAS A. JANESE, JR., for CITY OF NIAGARA FALLS	Submitted
KEVIN M. HOGAN for GLENN SPRINGS HOLDINGS, INC.	Submitted
PATRICIA S. CICCARELLI for GROSS PHC LLC	Submitted
JEFFREY D. SCHULMAN for OP-TECH ENVIRONMENTAL SERVICES	Submitted
JENNA W. KLUCSIK for SCOTT LAWN YARD, INC.	Submitted
DAVID RAY ADAMS for SEVENSON ENVIRONMENTAL SERVICES, INC.	Submitted

JEFFREY C. STRAVINO for CONESTOGA-ROVERS & ASSOCIATES	Submitted
RUSSELL EGERT for CECOS INTERNATIONAL, INC.	Submitted
DOUGLAS E. FLEMING, III, for MILLER SPRINGS REMEDIATION MGT.	Submitted
KEVIN MICHAEL HOGAN for OCCIDENTAL CHEMICAL CORPORATION	Submitted
ROBERT EDWARD KNOER for ROY'S PLUMBING, INC.	Submitted

1071.0  
CA 15-00270

**STEVEN MULLIN**  
V  
**OSWEGO COUNTY CORRECTIONAL FACILITY**

Appeal from a judgment and order of the Supreme Court, Oswego County (James W. McCarthy, J.), entered May 2, 2014. The judgment and order granted with costs the motion of defendants to dismiss the complaint, denied the cross motion for plaintiff to file a late notice of claim and dismissed the complaint.

GRAEME SPICER for STEVEN MULLIN	15 minutes
RYAN L. ABEL for OSWEGO COUNTY CORRECTIONAL FACILITY	10 minutes

1072.0  
CA 15-00198

**MICHAEL MEYER, M.D.**  
V  
**UNIVERSITY NEUROLOGY**

Appeal from an order of the Supreme Court, Erie County (Timothy J. Walker, A.J.), entered October 21, 2014. The order, among other things, granted defendant's motion for summary judgment.

JUSTIN S. WHITE for MICHAEL MEYER, M.D.	15 minutes
KEVIN D. WALSH for UNIVERSITY NEUROLOGY	15 minutes

1073.0  
CA 15-00201

**BONNIE J. SARAVULLO**  
V  
**HERBERT M. TILLOTSON**

Appeal from a decision and order of the Supreme Court, Genesee County (Robert C. Noonan, A.J.), entered August 20, 2014. The decision and order, insofar as appealed from, granted the motion of defendant to compel plaintiff to provide certain cellular telephone records for in camera review.

JOHN E. ABEEL for BONNIE J. SARAVULLO	15 minutes
RICHARD C. BRISTER for HERBERT M. TILLOTSON	10 minutes

1074.0  
CA 15-00134

**BILL'S FEED SERVICE, LLC**  
V  
**WILLIAM ADAMS**

Appeal from a memorandum decision and order of the Supreme Court, Jefferson County (Hugh A. Gilbert, J.), entered June 3, 2014. The memorandum decision and order denied without prejudice the motion of plaintiff to dismiss the counterclaims of defendant.

ERIN K. SKUCE for BILL'S FEED SERVICE, LLC	15 minutes
MARK G. GEBO for WILLIAM ADAMS	Submitted

1075.0  
CA 15-00355

**THOMAS P. CLARK, JR.**  
V  
**KIMBERLY M. BOORMAN**

Appeal from an order of the Supreme Court, Niagara County (Mark A. Montour, J.), entered May 16, 2014. The order granted the motion of plaintiff for partial summary judgment on the issue of serious injury.

BENJAMIN R. WOLF for KIMBERLY M. BOORMAN 15 minutes

CHRISTOPHER PANNAZZO for THOMAS P. CLARK, JR. 15 minutes

1076.0  
CA 15-00374

WILLIAM J. FAZEKAS  
V  
TIME WARNER CABLE, INC.

Appeal and cross appeal from an order of the Supreme Court, Herkimer County (Norman I. Siegel, J.), entered November 3, 2014. The order denied the motion of plaintiffs for summary judgment, denied the motion of defendant for summary judgment on plaintiffs' first and second causes of action and granted the motion of defendant for summary judgment on plaintiffs' third cause of action.

JOHN B. CASEY for WILLIAM J. FAZEKAS 15 minutes

WILLIAM P. SCHMITT for TIME WARNER CABLE, INC. 10 minutes

1077.0  
CA 15-00316

THE VALLEY CADILLAC CORP.  
V  
DAVID G. HOFFMAN

Appeal from an order and judgment (one paper) of the Supreme Court, Monroe County (Matthew A. Rosenbaum, J.), entered April 15, 2014. The order and judgment, among other things, granted in part plaintiff's motion for summary judgment.

DAVID SCOTT STERN for DAVID G. HOFFMAN 10 minutes

F. PAUL GREENE for THE VALLEY CADILLAC CORP. 10 minutes

1078.0  
CA 15-00408

UTICA MUTUAL INSURANCE COMPANY  
V  
AMERICAN RE-INSURANCE COMPANY

Appeal from an order of the Supreme Court, Oneida County (Samuel D. Hester, J.), entered December 4, 2014. The order granted the motion of defendant American Re-insurance Company, now know as Munich Reinsurance America, Inc., to sever the action by plaintiff against defendant American Re-insurance Company from the action by plaintiff against defendant Transatlantic Reinsurance Company.

SYED S. AHMAD for UTICA MUTUAL INSURANCE COMPANY 10 minutes

MARK CHIECO for AMERICAN RE-INSURANCE COMPANY 10 minutes

DAVID BEKE for TRANSATLANTIC REINSURANCE COMPANY Submitted

1079.0  
CA 15-00254

LEO JOSEPH SWIETLIKOWSKI  
V  
VILLAGE OF HERKIMER

Appeal from an order of the Supreme Court, Herkimer County (Erin P. Gall, J.), entered November 19, 2014. The order denied defendant's motion for summary judgment.

STEPHEN M. GROUDINE for VILLAGE OF HERKIMER 10 minutes

MICHAEL A. CASTLE for LEO JOSEPH SWIETLIKOWSKI 10 minutes