

DAY CALENDAR
Wednesday, April 12, 2017 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

602.0
KA 16-00218

PEOPLE
V
RYAN PARKISON

Appeal from a judgment of the Wayne County Court (John B. Nesbitt, J.), rendered October 8, 2015. The judgment convicted defendant, upon his plea of guilty, of burglary in the third degree and grand larceny in the third degree.

ROBERT TUCKER for RYAN PARKISON Submitted

BRUCE A. ROSEKRANS for THE PEOPLE OF THE STATE OF NEW YORK Submitted

603.0
KA 14-01249

PEOPLE
V
PATIQUE DONERLSON

Appeal from a judgment of the Monroe County Court (James J. Piampiano, J.), rendered May 22, 2014. The judgment convicted defendant, upon her plea of guilty, of criminal possession of a forged instrument in the second degree (two counts).

KIMBERLY F. DUGUAY for PATIQUE DONERLSON Submitted

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

604.0
KA 16-02041

PEOPLE
V
PAUL BLARR

Appeal from a judgment of the Supreme Court, Erie County (Michael Pietruszka, J.), rendered January 14, 2015. The judgment convicted defendant, upon his plea of guilty, of scheme to defraud in the first degree and grand larceny in the third degree (10 counts)

THOMAS J. EOANNOU for PAUL BLARR 10 minutes

JULIE BENDER FISKE for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

605.0
KA 14-01829

PEOPLE
V
JAMES LOPEZ

Appeal from a judgment of the Onondaga County Court (Thomas J. Miller, J.), rendered May 7, 2014. The judgment convicted defendant, upon his plea of guilty, of intimidating a victim in the third degree and endangering the welfare of a child.

PIOTR BANASIAK for JAMES LOPEZ Submitted

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

607.0
KA 15-00124

PEOPLE
V
ALEX S. DUMBLETON

Appeal from a judgment of the Genesee County Court (Robert C. Noonan, J.), rendered November 13, 2014. The judgment convicted defendant, upon his plea of guilty, of criminal contempt in the first degree

GARY M. PHILLIPS for ALEX S. DUMBLETON

Submitted

SHIRLEY A. GORMAN for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

608.0
KA 16-01358

PEOPLE

V

KEVIN ROCKTASCHEL

Appeal from an order of the Erie County Court (David W. Foley, J.), entered June 20, 2016. The order denied defendant's motion requesting that he be terminated from the requirements of the Sex Offender Registration Act.

JAMES H. MAYNARD for KEVIN ROCKTASCHEL

10 minutes

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

5 minutes

609.0
KA 16-02042

PEOPLE

V

PAUL BLARR

Appeal from a judgment of the Supreme Court, Erie County (Michael Pietruszka, J.), rendered January 13, 2015. The judgment convicted defendant, upon his plea of guilty, of scheme to defraud in the first degree and grand larceny in the third degree (3 counts).

THOMAS J. EOANNOU for PAUL BLARR

10 minutes

JULIE BENDER FISKE for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

610.0
KA 15-00923

PEOPLE

V

MICHAEL A. KING, JR.

Appeal from a judgment of the Genesee County Court (Robert C. Noonan, J.), rendered March 27, 2015. The judgment convicted defendant, upon his plea of guilty, of sexual abuse in the first degree.

NICHOLAS P. DIFONZO for MICHAEL A. KING, JR.

10 minutes

SHIRLEY A. GORMAN for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

611.0
CAF 16-00124

DAVID BUSSE

V

RUTH VANESSA TOLENTINO HUERTA

Appeal from a decision and order of the Family Court, Erie County (Mary G. Carney, J.), entered October 26, 2015, in a proceeding pursuant to Family Court Act article 6. The decision and order granted the petition of petitioner for sole custody.

TIMOTHY R. LOVALLO for RUTH VANESSA TOLENTINO HUERTA

5 minutes

RANDY STUART MARGULIS for DAVID BUSSE

10 minutes

ROSS S. GELBER, ATTORNEY FOR CHILD

5 minutes

612.0
CAF 15-01838

DARIO R. PEREZ

V

KARIN C. JOHNSON

Appeal from an order of the Family Court, Steuben County (Marianne Furfure, J.), entered October 23, 2015, in a proceeding pursuant to Family Court Act article 6. The order, among other things, adjudged that Karin C. Johnson shall continue to have sole legal custody and primary physical placement of the subject children.

MICHELLE A. COOKE for DARIO R. PEREZ

Submitted

COLLEEN G. ZINK for KARIN C. JOHNSON

Submitted

SALLY ANN MADIGAN, ATTORNEY FOR CHILD

Submitted

613.0
CAF 15-02046

**IN THE MATTER OF
LASONDRA D.**

Appeal from an order of the Family Court, Wyoming County (Michael F. Griffith, J.), entered November 9, 2015 in a proceeding pursuant to Family Court Act article 10. The order, among other things, adjudged that respondent Victor S. had neglected the subject child.

PALOMA A. CAPANNA for VICTOR S.

15 minutes

WENDY S. SISSON for WYOMING CO. DEPT. OF SOCIAL SERVICES

Submitted

WILLIAM D. BRODERICK, JR., ATTORNEY FOR CHILD

Submitted

614.0
CAF 15-02047

**IN THE MATTER OF
LASONDRA D.**

Appeal from an order of the Family Court, Wyoming County (Michael F. Griffith, J.), entered November 18, 2015 in a proceeding pursuant to Family Court Act article 10. The order, among other things, continued the placement of the subject child in the custody of the paternal grandmother.

PALOMA A. CAPANNA for VICTOR S.

Submitted

WENDY S. SISSON for WYOMING CO. DEPT. OF SOCIAL SERVICES

Submitted

WILLIAM D. BRODERICK, JR., ATTORNEY FOR CHILD

Submitted

615.0
CA 16-01666

**KEITH MAY
V
BUFFALO MRI PARTNERS, L.P.**

Appeal from an order of the Supreme Court, Erie County (John M. Curran, J.), entered January 22, 2016. The order, insofar as appealed from, converted the motion of defendant Hari Gopal, M.D., to dismiss the amended complaint to a motion for summary judgment.

JENNA S. STRAZZULLA for HARI GOPAL, M.D.

15 minutes

ROLAND M. CERCONE for KEITH MAY

15 minutes

616.0
CA 16-01667

**KEITH MAY
V
BUFFALO MRI PARTNERS, L.P.**

Appeal from an order of the Supreme Court, Erie County (Frederick Marshall, J.), entered March 8, 2016. The order, insofar as appealed from, denied the motion of defendant Hari Gopal, M.D., for summary judgment dismissing the amended complaint.

JENNA S. STRAZZULLA for HARI GOPAL, M.D.

Submitted

ROLAND M. CERCONE for KEITH MAY

Submitted

617.0
CA 16-02043

MARGARET WOOSTER
V
QUEEN CITY LANDING, LLC

Appeal from an order and judgment of the Supreme Court, Erie County (Donna M. Siwek, J.), entered October 11, 2016. The order and judgment denied the motions of respondents to dismiss the petitions for lack of standing, granted the motion of respondents to dismiss the petition in proceeding no. 1, except insofar as allege that respondents violated General City Law §§ 27-A-(7) and 33 (8) (a), and denied and dismissed the petition in proceeding no. 2.

ARTHUR J. GIACALONE for MARGARET WOOSTER 30 minutes
MARC A. ROMANOWSKI for QUEEN CITY LANDING, LLC 20 minutes
JESSICA M. LAZARIN for CITY OF BUFFALO PLANNING BOARD 20 minutes

618.0
CA 16-02077

MARGARET WOOSTER
V
QUEEN CITY LANDING, LLC

Appeal from an order and judgment of the Supreme Court, Erie County (Donna M. Siwek, J.), entered November 9, 2016. The order and judgment, insofar appealed from, dismissed and denied the claim of petitioners alleging violation of the performance bond requirements of General City Law § 27-A (7).

ARTHUR J. GIACALONE for MARGARET WOOSTER Submitted
MARK A. ROMANOWSKI for QUEEN CITY LANDING, LLC Submitted
JESSICA M. LAZARIN for CITY OF BUFFALO PLANNING BOARD Submitted

619.0
CA 16-01958

LLOYD PICHE
V
SYNERGY TOOLING SYSTEMS, INC.

Appeal from an order of the Supreme Court, Erie County (Patrick H. NeMoyer, J.), entered December 23, 2015. The order, among other things, granted the motion of defendant/third-party plaintiff Synergy Tooling Systems, Inc., for summary judgment dismissing the Labor Law § 240 (1) claim of plaintiff and denied plaintiff's cross motion for partial summary judgment on liability under Labor Law § 240 (1).

ANNE BELTZ RIMMLER for LLOYD PICHE 15 minutes
ROBERT E. SCOTT for SYNERGY TOOLING SYSTEMS, INC. 10 minutes
DANIEL T. HUNTER for C.V.M. ELECTRIC, INC. 10 minutes
AARON M. ADOFF for N. CHOOPS PAINTING AND DECORATING, Submitted

620.0
CA 16-01508

CATHERINE SCHRAUTH FORCUCCI
V
BOARD OF EDUCATION OF HAMBURG CSD

Appeal from an order of the Supreme Court, Erie County (Diane Y. Devlin, J.), entered December 3, 2015. The order denied plaintiff's motion for summary judgment.

MARGARET A. MURPHY for CATHERINE SCHRAUTH FORCUCCI 15 minutes
PARICK J, HINES for BD. OF ED. OF HAMBURG CSD 15 minutes

621.0
CA 16-01731

CATHERINE SCHRAUTH FORCUCCI
V
BOARD OF EDUCATION OF HAMBURG CSD

Appeal from an order and judgment (one paper) of the Supreme Court, Erie County (Diane Y. Devlin, J.), entered March 11, 2016. The order and judgment, insofar as appealed from, denied defendant's cross motion seeking leave to amend its answer to assert a lack of standing.

PATRICK J. HINES for BD. OF ED. OF HAMBURG CSD Submitted

MARGARET A. MURPHY for CATHERINE SCHRAUTH FORCUCCI Submitted

622.0
CA 16-00453

GREGORY G. GUZEK
V
B&L WHOLESALE SUPPLY, INC.

Appeal from a judgment of the Supreme Court, Erie County (Donna M. Siwek, J.), entered December 21, 2005. The judgment, upon a jury verdict finding no cause of action, awarded judgment to defendants for costs and disbursements.

MARTIN J. ZUFFRANIERI for GREGORY G. GUZEK 20 minutes

LEO T. FABRIZI for B&L WHOLESALE SUPPLY, INC. 10 minutes

623.0
CA 16-00459

GREGORY G. GUZEK
V
B&L WHOLESALE SUPPLY, INC.

Appeal from an order of the Supreme Court, Erie County (Donna M. Siwek, J.), entered December 21, 2005. The order denied plaintiff's motion to set aside the jury verdict.

MARTIN J. ZUFFRANIERI for GREGORY G. GUZEK Submitted

LEO T. FABRIZI for B&L WHOLESALE SUPPLY, INC. Submitted

624.0
CA 16-01767

L.E.M. FINANCIAL INC.
V
PENNY WILLIAMS CARDINALE

Appeal from an order of the Supreme Court, Cattaraugus County (Michael L. Nenno, A.J.), entered February 8, 2016. The order granted the motion of defendant JPMorgan Chase Bank, N.A. to dismiss the complaint.

LISA M. BROWNE for L.E.M. FINANCIAL INC. 15 minutes

BRUCE S. ZEFTEL for JP MORGAN CHASE BANK, N.A. 10 minutes

JOHN KIRBY COLLING for PENNY WILLIAMS CARDINALE Submitted

625.0
CA 16-01849

LOTS 4 LESS STORES, INC.
V
INTEGRATED PROPERTIES, INC.

Appeal from an order of the Supreme Court, Niagara County (Ralph A. Boniello, III, J.), entered January 8, 2016. The order granted the motion of defendants Integrated Properties, Inc., and IT Mid-City Plaza, LLC, to dismiss the complaint and dismissed the complaint against said defendants.

LINDA LALLI STARK for LOTS 4 LESS STORES, INC. 5 minutes

JASON J. CAFARELLA for INTEGRATED PROPERTIES, INC.

10 minutes

626.0
CA 16-01369

MAGGIE D. ARRINGTON
V
LARRY COHEN

Appeal from an order of the Supreme Court, Erie Court (Joseph R. Glowia, J.), entered April 7, 2016. The order denied the motion of defendant for summary judgment.

MEGAN F. ORGANEK for LARRY COHEN

15 minutes

MATTHEW J. KAISER for MAGGIE D. ARRINGTON

5 minutes

626.1
CAF 16-00999

MARC D. GSCHWEND
V
LAUREN N. DAVILA

Appeal from an order of the Family Court, Niagara County (John F. Batt, J.), entered August 21, 2015 in a proceeding pursuant to Family Court Act article 6. The order, among other things, awarded respondent sole custody of the subject child.

CAROL ANN CONDON for MARC D. GSCHWEND

15 minutes

MICHELLE M. SCHWACH for LAUREN N. DAVILA

10 minutes

LEIGH E. ANDERSON, ATTORNEY FOR CHILD

10 minutes