## DAY CALENDAR Monday, January 9, 2017 - 10:00 AM HON. SAMUEL L. GREEN COURTROOM

13.0 LISA MARIE GUY

CA 16-00246

V ERIC GUY

Appeal from an order of the Supreme Court, Erie County (Frederick J. Marshall, J.), entered August 13, 2015. The order, inter alia, denied the motion of defendant to compel plaintiff and their children to engage in collaborative counseling.

JUSTIN S. WHITE for ERIC GUY	10 minutes
JOHN P. PIERI for LISA MARIE GUY	15 minutes
CHERYL A. ALOI, ATTORNEY FOR CHILD	10 minutes
LISA MARIE GUY V ERIC GUY	
Appeal from an order of the Supreme Court. Erie County (Frederick J.	

Appeal from an order of the Supreme Court, Erie County (Frederick J. Marshall, J.), entered October 6, 2015. The order directed defendant to pay attorney's fees of \$13,958.26 to counsel for plaintiff.

JUSTIN S. WHITE for ERIC GUY	Submitted
JOHN P. PIERI for LISA MARIE GUY	Submitted
CHERYL A. ALOI , ATTORNEY FOR CHILD	Submitted

1.0 TP 16-00249

2.0

KA 12-01359

14.0

CA 16-00247

## NATHAN BROWN

## ALBERT PRACK

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, Oneida County [Norman I. Siegel, J.], entered July 2, 2016) to review a determination of respondent. The determination found after a tier III hearing that petitioner had violated various inmate rules.

NATHAN BROWN for HIMSELF	Submitted
MARCUS J. MASTRACCO for ALBERT PRACK	Submitted
PEOPLE V RUSLAN KONOVALCHUK	
Appeal from a judgment of the Supreme Court, Monroe County (Alex R. Renzi, J.), rendered May 23, 2012. The judgment convicted defendant, upon a jury verdict, of robbery in the second degree (three counts) and robbery in the third degree.	
PETER J. GLENNON for RUSLAN KONOVALCHUK	Submitted
STEPHEN X. O'BRIEN for THE PEOPLE OF THE STATE OF NEW YORK	Submitted

3.0	PEOPLE	
KA 12-00320	V SHAWN OBBAGY	
	Appeal from a judgment of the Livingston County Court (Dennis S. Cohen, J.), rendered October 20, 2011. The judgment convicted defendant, upon his plea of guilty, of criminal mischief in the third degree, driving while intoxicated, a misdemeanor, and resisting arrest.	
	JEANNIE MICHALSKI for SHAWN OBBAGY	Submitted
	JOSHUA J. TONRA for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
4.0 KA 15-01692	PEOPLE V	
KA 15-01092	CLIFFORD GRAHAM	
	Appeal from a judgment of the Supreme Court, Onondaga County (John J. Brunetti, A.J.), rendered September 18, 2015. The judgment convicted defendant, upon a jury verdict, of criminal possession of a weapon in the second degree and endangering the welfare of a child.	
	JOHN J. GILSENAN for CLIFFORD GRAHAM	10 minutes
	ROMANA A. LAVALAS for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
5.0	PEOPLE	
KA 15-00421	V CURTIS MOSS	
	Appeal from a judgment of the Supreme Court, Erie County (M. William Boller, A.J.), rendered December 3, 2014. The judgment convicted defendant, upon his plea of guilty, of burglary in the first degree and criminal possession of a weapon in the second degree.	
	ROBERT L. KEMP for CURTIS MOSS	Submitted
	ASHLEY R. LOWRY for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
6.0	PEOPLE	
KA 14-01499	V MARK THOMPSON	
	Appeal from a judgment of the Supreme Court, Erie County (Russell P. Buscaglia, A.J.), rendered August 4, 2014. The judgment convicted defendant, upon a jury verdict, of robbery in the first degree.	
	BARBARA J. DAVIES for MARK THOMPSON	10 minutes
	DANIEL J. PUNCH for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
7.0 KA 15-01193	PEOPLE V MONROE BIBBS	
	Appeal from a judgment of the Supreme Court, Erie County (M. William Boller, A.J.), rendered February 11, 2015. The judgment convicted defendant, upon his plea of guilty, of attempted robbery in the first degree.	
	DAVID J. PAJAK for MONROE BIBBS	Submitted

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

8.0	PEOPLE	
KA 12-00321	V SHAWN OBBAGY	
	Appeal from a judgment of the Livingston County Court (Dennis S. Cohen, J.), rendered October 20, 2011. The judgment convicted defendant, upon his plea of guilty, of criminal mischief in the third degree.	
	JEANNIE MICHALSKI for SHAWN OBBAGY	Submitted
	JOSHUA J. TONRA for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
9.0 KA 16-00242	PEOPLE V JEREMY B. NEWTON	
	Appeal from a judgment of the Monroe County Court (Thomas R. Morse, A.J.), rendered January 20, 2016. The judgment convicted defendant, upon a jury verdict, of rape in the first degree, criminal sexual act in the first degree, aggravated sexual abuse in the first degree, aggravated sexual abuse in the second degree and sexual abuse in the first degree.	
	DAVID M. ABBATOY, JR., for JEREMY B. NEWTON	15 minutes
	KELLY CHRISTINE WOLFORD for PEOPLE OF THE STATE OF NEW YORK	10 minutes
10.0 CA 16-01146	CANANDAIGUA NATIONAL BANK	
	MATTHEW PALMER	
	Appeal from an order of the Supreme Court, Ontario County (Frederick G. Reed, A.J.), entered August 24, 2015. The order granted plaintiff's motion for summary judgment.	
	DAVID D. BENZ for MATTHEW PALMER	15 minutes
	JESSICA M. MYERS for CANANDAIGUA NATIONAL BANK	15 minutes
11.0 CA 15-01607	INTEGRATED VOICE & DATA SYSTEMS	
	MICHAEL GROH	
	Appeals from an order of the Supreme Court, Erie County (Timothy J. Walker, A.J.), entered August 3, 2015. The order, among other things, granted plaintiffs' motion to strike defendants' answers and granted a permanent injunction against defendants.	
	ANDREW P. FLEMING for MICHAEL GROH	Submitted
	B. KEVIN BURKE, JR., for FRANK LEWANDOWSKI	15 minutes
	LINDA HEARY JOSEPH for AT TECHNOLOGY, INC.	15 minutes
	KELLY E. GUERIN for INTEGRATED VOICE & DATA SYSTEMS	15 minutes
12.0	INTEGRATED VOICE & DATA SYSTEMS	
CA 15-01608	V MICHAEL GROH	

Appeal from an order of the Supreme Court, Erie County (Timothy J. Walker, A.J.), entered September 16, 2015. The order, among other things, denied the motion of defendant AT Technology Inc. for leave motion to reargue.

		ANDREW P. FLEMING for MICHAEL GROH	Submitted
		B. KEVIN BURKE, JR., for FRANK LEWANDOWSKI	Submitted
		LINDA HEARY JOSEPH for AT TECHNOLOGY, INC.	Submitted
		DEBORAH J. CHADSEY for INTEGRATED VOICE & DATA SYSTEMS	Submitted
	15.0 CA 15-01281	In the Matter of ANASTASIA	
		Appeal from an order of the Surrogate's Court, Wayne County (Daniel G. Barrett, S.), entered June 4, 2015. The order, among other things, adjudged that the adoption of the subject child may proceed without respondent's consent.	
		KATHRYN B. FRIEDMAN for AARON I.	10 minutes
		V. BRUCE CHAMBERS for MARK A. B.	10 minutes
	16.0 CA 16-00858	MALLORY C. EHLERS	
		WILLIAM A. BYRNES	
		Appeal from an order of the Supreme Court, Erie County (Matthew J. Murphy, III, A.J.), entered July 14, 2015. The order granted the motion of defendants William A. Byrnes and All Erection and Crane Rental Corp. for summary judgment dismissing the complaint.	
		DANIEL J. CHIACCHIA for MALLORY C. EHLERS	10 minutes
		BRIAN P. MINEHAN for WILLIAM A. BYRNES	10 minutes
	17.0	JAMES SAVAGE SETTLED	
	CA 16-01028	V EDWARD D. HANCOCK	
		Appeal from an order of the Supreme Court, Monroe County (William K. Taylor, J.), entered February 24, 2016. The order denied the motion of plaintiff for partial summary judgment on liability pursuant to Labor Law § 240 (1) against defendant Edward D. Hancock.	
		DEBORAH M. FIELD for JAMES SAVAGE	
		MARK J. HALPIN for EDWARD D. HANCOCK	
	18.0	CHETI CASELLA	
	CA 16-00682	V AJAY GLASS & MIRROR CO., INC.	
		Appeal from an order of the Supreme Court, Ontario County (Frederick G. Reed, A.J.), entered January 4, 2016. The order, among other things, granted the motion of defendant Peerless Products, Inc., and the cross motion of defendant Ajay Glass & Mirror Co., Inc. for summary judgment dismissing plaintiff's complaint.	
		DEBORAH M. FIELD for CHETI CASELLA	15 minutes
		MICHAEL F. PERLEY for AJAY GLASS & MIRROR CO., INC.	15 minutes
		THOMAS JOSEPH SPEYER for PEERLESS PRODUCTS, INC.	15 minutes
		RICHARD T. TUCKER for THE PIKE COMPANY, INC.	Submitted

19.0 CA 16-00868	DOUGLAS J. DANNER	
CA 10-00000	V RAYMOND J. CAMPBELL	
	Appeal from an order of the Supreme Court, Erie County (Patrick H. NeMoyer, J.), entered November 9, 2015. The order granted the motion of plaintiffs to set aside a verdict and directed a new trial on liability.	
	AARON M. ADOFF for RAYMOND J. CAMPBELL	10 minutes
	GREGG S. MAXWELL for DOUGLAS J. DANNER	10 minutes
20.0	SWORMVILLE FIRE CO. INC.	
CA 16-00334	V K2M ARCHITECTS P.C.	
	Appeal and cross appeal from an order of the Supreme Court, Erie County (Joseph R. Glownia, J.), entered April 21, 2015. The order, among other things, granted in part plaintiff's motion for summary judgment.	
	MICHAEL A. DAMIA for K2M ARCHITECTS P.C.	15 minutes
	AMANDA L. MACHACEK for SWORMVILLE FIRE CO. INC.	15 minutes
21.0	NCA COMP, INC.	
CA 16-00064	V 1289 CLIFFORD AVENUE	
	Appeal from an order of the Supreme Court, Erie County (Timothy J. Walker, A.J.), entered August 6, 2015. The order, among other things, granted the motion of defendants Babcock Utilities, Inc., Mark Cerrone, Inc., and Jo to Mo, Corp. to dismiss plaintiff's claims as against them.	
	ALAN J. DEPETERS for NCA COMP, INC.	10 minutes
	CRAIG R. BUCKI for BABCOCK UTILITIES, INC.	10 minutes
22.0	NCA COMP, INC.	
CA 16-00066	V 1289 CLIFFORD AVENUE	
	Appeal from an order of the Supreme Court, Erie County (Timothy J. Walker, A.J.), entered October 2, 2015. The order, among other things, granted the motion of defendant Memminger's Painting, Inc. and the cross motion of Historicon, Inc. to dismiss plaintiff's claims as against them.	
	ALAN J. DEPETERS for NCA COMP, INC.	Submitted
	CRAIG R. BUCKI for 1289 CLIFFORD AVENUE	Submitted
23.0 CA 16-01251	CHARLES R. FOTHERINGHAM	
CA 16-01251	V RIVERSOURCE LIFE INSURANCE CO. OF NY	
	Appeal from an order of the Supreme Court, Erie County (John M. Curran, J.), entered January 25, 2016. The order, among other things, granted defendants' cross motion to dismiss the complaint.	
	JAMES I. MYERS for CHARLES R. FOTHERINGHAM	20 minutes
	JOANNA J. CHEN for RIVERSOURCE LIFE INSURANCE CO. OF NY	20 minutes