

DAY CALENDAR
Monday, May 14, 2018 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

636.0
TP 18-00196

LEONARDO VALDEZ-CRUZ
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 January 31, 2018) to review a determination of respondent. The determination found after Tier II hearing that petitioner had violated various inmate rules.

ADAM W. KOCH for LEONARDO VALDEZ-CRUZ

Submitted

MARCUS J. MASTRACCO for ANTHONY ANNUCCI

Submitted

637.0
KAH 16-01802

PEOPLE EX REL.
ALEX NANCE
V
DALE ARTUS

Appeal from a judgment (denominated order) of the Supreme Court, Erie County (John L. Michalski, J.), dated July 13, 2016, in a habeas corpus proceeding. The judgment, insofar as appealed from, denied the petition.

KATHRYN B. FRIEDMAN for ALEX NANCE

Submitted

ERIC T. SCHNEIDERMAN for DALE ARTUS

Submitted

638.0
KA 15-01174

PEOPLE
V
ALEXANDER KATES

Appeal from a judgment of the Monroe County Court (Douglas A. Randall, J.), rendered April 4, 2015. The judgment convicted defendant, upon his plea of guilty, of kidnapping in the second degree.

CATHERINE H. JOSH for ALEXANDER KATES

10 minutes

NANCY GILLIGAN for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

639.0
KA 16-02022

PEOPLE
V
ALEXANDER KATES

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, Monroe County (Douglas A. Randall, J.), entered August 22, 2016. The order denied defendant's motion pursuant to CPL 440.10 to vacate the judgment convicting defendant of kidnapping in the second degree.

CATHERINE H. JOSH for ALEXANDER KATES

Submitted

NANCY GILLIGAN for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

640.0
KA 15-01258

PEOPLE
V
ANDREA L. WILLIAMS

Appeal from a judgment of the Oneida County Court (Michael L. Dwyer, J.), rendered February 4, 2015. The judgment convicted defendant, upon a jury verdict, of criminal possession of a controlled substance in the third degree (two counts) and criminal possession of a controlled substance in the seventh degree.

DONALD R. GERACE for ANDREA L. WILLIAMS

10 minutes

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

10 minutes

642.0
KA 15-02168

PEOPLE
V
BRUCE SEARIGHT

Appeal from a judgment of the Supreme Court, Onondaga County (John J. Brunetti, A.J.), rendered September 21, 2015. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a controlled substance in the third degree (two counts).

ELIZABETH S. RIKER for BRUCE SEARIGHT

10 minutes

KAITLYN M. GUPTILL for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

643.0
KA 15-01665

PEOPLE
V
VINCENT PEPE

Appeal from a decision and order of the Oneida County Court (John S. Balzano, A.J.) Dated July 21, 2015. The decision and order denied the motion of defendant to vacate a judgment of conviction.

DONALD R. GERACE for VINCENT PEPE

10 minutes

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

10 minutes

644.0
CA 18-00076

JERRY WEIKEL, SR.
V
TOWN OF WEST TURIN

Appeal from a memorandum and decision and an order of the Supreme Court, Lewis County (James P. McClusky, J.), entered June 27, 2017. The memorandum decision and order insofar as appealed from, declared that the Town of West Turin Local Law No. 1 of 1997 is invalid.

MARK G. GEBO for TOWN OF WEST TURIN

15 minutes

KEVIN M. MCARDLE for JERRY WEIKEL, SR.

10 minutes

645.0
CA 17-02156

TIMOTHY MEYERS
V
THE ESTATE OF CRAIG A. FREER

Appeal from an order of the Supreme Court, Niagara County (Sara Sheldon, A.J.), entered July 5, 2017. The order, insofar as appealed from, denied the motion of defendant Francine Bussman for summary judgment.

VICTOR M. WRIGHT for FRANCINE BUSSMAN

10 minutes

ARI GOLDBERG for TIMOTHY MEYERS

15 minutes

646.0
CA 17-02176

NICHOLAS L. BUSCAGLIA
V
TOWN OF HAMBURG

Appeal from an of the Supreme Court, Erie County (Sharon S. Townsend, J.), entered February 24, 2017 in proceedings pursuant to RPTL article 7. The order dismissed the petitions.

PETER ALLEN WEINMANN for NICHOLAS L. BUSCAGLIA 10 minutes

WILLIAM JOSEPH TRASK for TOWN OF HAMBURG 10 minutes

647.0
CA 18-00183

COLLEEN M. ZBOCK
V
DANIEL B. GIETZ

Appeal from an order of the Supreme Court, Erie County (Mark Montour, J.), entered December 1, 2017. The order denied the motion of defendants Phillip C. Fournier, Fournier Enterprises, Inc., and Cope Bestway Express, Inc., d/b/a Bestway Distribution Service, for bifurcation.

PHYLISS A. HAFNER for PHILLIP C. FOURNIER 15 minutes

JOHN A. COLLINS for COLLEEN M. ZBOCK 10 minutes

648.0
CA 15-00493

ELLEN WOLOSZUK
V
WENDE LOGAN-YOUNG, M.D.

Appeal from an order of the Supreme Court, Monroe County (William P. Polito, J.), entered May 27, 2014. The order denied the motion of defendants to amend their answer.

MARGARET E. SOMERSET for WENDE LOGAN-YOUNG, M.D. 15 minutes

ANNE B. RIMMLER for ELLEN WOLOSZUK 15 minutes

649.0
CA 15-00494

ELLEN WOLOSZUK
V
WENDE LOGAN-YOUNG, M.D.

Appeal from an order of the Supreme Court, Monroe County (William P. Polito, J.), entered July 7, 2014. The order, insofar as appealed from, denied the motion of defendants Wende Logan-Young, M.D., and Philip Murphy, M.D., to strike as abandoned the motion of plaintiff for sanctions or to renew their opposition to sanctions.

MARGARET E. SOMERSET for PHILIP MURPHY, M.D. Submitted

ANNE B. RIMMLER for ELLEN WOLOSZUK Submitted

650.0
CA 15-00495

ELLEN WOLOSZUK
V
WENDE LOGAN-YOUNG, M.D.

Appeal from an order of the Supreme Court, Monroe County (Matthew A. Rosenbaum, J.), entered December 23, 2014. The order, inter alia, granted the motion of plaintiff to strike the answer of Wende Logan-Young, M.D., doing business as Elizabeth Wende Breast Clinic, LLC.

MARGARET E. SOMERSET for WENDE LOGAN-YOUNG, M.D. Submitted

ANNE B. RIMMLER for ELLEN WOLOSZUK Submitted

651.0
CA 15-00496

ELLEN WOLOSZUK
V
WENDE LOGAN-YOUNG, M.D.

Appeal from an order of the Supreme Court, Monroe County (William P. Polito, J.), entered December 23, 2014. The order, insofar as appealed from, granted the motion of plaintiff to amend the caption and directed that the previously imposed sanction of striking the answer shall apply to Wende Logan-Young, M.D., doing business as Elizabeth Wende Breast Clinic, LLC.

MARGARET E. SOMERSET for WENDE LOGAN-YOUNG, M.D.

Submitted

ANNE B. RIMMLER for ELLEN WOLOSZUK

Submitted

652.0
CA 15-01165

ELLEN WOLOSZUK
V
WENDE LOGAN-YOUNG, M.D.

Appeal from an amended order of the Supreme Court, Monroe County (William P. Polito, J.), entered March 20, 2015. The amended order, insofar as appealed from, granted the motion of plaintiffs to amend the caption and directed that the previously imposed sanction of striking the answer shall apply to Wende Logan-Young, M.D., doing business as Elizabeth Wende Breast Clinic, LLC.

MARGARET E. SOMERSET for WENDE LOGAN-YOUNG, M.D.

Submitted

ANNE B. RIMMLER for ELLEN WOLOSZUK

Submitted

653.0
CA 17-02199

In the Matter of Arbitration Between
ONONDAGA COMMUNITY COLLEGE
(THE PROFESSIONALS ADMINISTRATORS)

Appeal from an order of the Supreme Court, Onondaga County (Deborah K. Karalunas, J.), entered March 17, 2017 in a proceeding pursuant to CPLR article 75. The order, among other things, granted the petition to stay arbitration.

MATTHEW E. BERGERON for THE PROFESSIONAL ADMINISTRATORS

15 minutes

PETER ANDREW JONES for ONONDAGA COMMUNITY COLLEGE

15 minutes

654.0
TP 17-02198

BRETT D. BERSANI
V
NEW YORK STATE DMV

Proceeding pursuant to CPLR article 78 (transferred to the Appellate Division of the Supreme Court in the Fourth Judicial Department by an order of the Supreme Court, Erie County [Joseph R. Glowina, J.], entered December 20, 2017) to review a determination of respondent. The determination revoked petitioner's driving privileges in the State of New York.

REBECCA M. KUJAWA for BRETT D. BERSANI

Submitted

JONATHAN D. HITSOUS for NEW YORK STATE DMV

Submitted

655.0
CA 18-00006

BURRSTONE ENERGY CENTER, LLC
V
FAXTON-ST. LUKE'S HEALTHCARE

Appeal and cross appeal from an order of the Supreme Court, Oneida County (Patrick F. MacRae, J.), entered August 15, 2017. The order denied plaintiff's motion for partial summary on its fifth cause of action and denied defendant's cross motion for partial summary judgment dismissing plaintiff's fifth cause of action.

	JAMES J. BARRIERE for BURRSTONE ENERGY CENTER, LLC	15 minutes
	STUART F. KLEIN for FAXTON-ST. LUKE'S HEALTHCARE	15 minutes
656.0 CA 18-00123	In the Matter of SIENNA R.K.	
	Appeal from a decision and order of the Supreme Court, Wyoming County (Michael M. Mohun, A.J.), entered March 28, 2017. The decision and order denied the petition for leave to change the name of the subject child.	
	KATE NOWADLY for RANDOLPH L. S., II	10 minutes
	MEAGHAN L. MCGINNIS for EMILY R. K.	10 minutes
	JASON CARTER HENSKEE for SIENNA R. K.	Submitted
657.0 CA 17-00858	STEVEN MCGREGOR V PERMCLIP PRODUCTS CORP.	
	Appeal from a judgment of the Supreme Court, Erie County (Timothy J. Walker, J.), entered March 3, 2017. The judgment, inter alia, denied the motion of defendant to dismiss the first cause of action of the second amended verified complaint.	
	COREY J. HOGAN for PERMCLIP PRODUCTS CORP.	15 minutes
	ANDREW P. FLEMING for STEVEN MCGREGOR	15 minutes
658.0 CA 17-01793	MARGARET A. LUTTRELL V JULIO R. VEGA	
	Appeal from an order of the Supreme Court, Monroe County (J. Scott Odorisi, J.), entered May 9, 2017. The order granted the motion of defendant for summary judgment dismissing the complaint and denied the cross motion of plaintiff for summary judgment.	
	KRISTIN A. MERRICK for MARGARET A. LUTTRELL	10 minutes
	SHAYNA D. GORSKI for JULIO R. VEGA	10 minutes
659.0 CA 18-00187	CLEARVIEW FARMS LLC V JAYNE WOWKOWYCH	
	Appeal from a decision and order of the Supreme Court, Monroe County (Debra A. Martin, A.J.), entered August 22, 2017. The decision and order denied the motion of plaintiff for summary judgment, denied plaintiff's motion in limine, granted summary judgment to defendants and dismissed the complaint.	
	ANDREW J. DICK for CLEARVIEW FARMS LLC	10 minutes
	JAYNE WOWKOWYCH for HERSELF	10 minutes
	LINDSAY WOWKOWYCH for HERSELF	Submitted
	BRADLEY BARGERSTOCK for HIMSELF	Submitted
660.0 CA 17-01544	FULGENCIO RODRIGUEZ V TINA M. STANFORD	

Appeal from an memorandum decision and judgment of the Supreme Court, Jefferson County (James P. McClusky, J.), entered July 12, 2017. The memorandum decision and judgment denied and dismissed the CPLR article 78 petition.

FULGENCIO RODRIGUEZ for HIMSELF

Submitted

KATE H. NEPVEU for TINA M. STANFORD

Submitted