

DAY CALENDAR
Thursday, May 17, 2018 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

743.0
TP 17-02186

STELLAR DENTAL MANAGEMENT LLC
V
NEW YORK STATE DIVISION OF HUMAN RIGHTS

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 [Joseph R. Glownia, J.], entered December 15, 2017) to review a determination of respondent New York State Division of Human Rights. The determination, among other things, adjudged that petitioner had subjected individual respondents to a sexually hostile work environment.

MELANIE J. BEARDSLEY for STELLAR DENTAL MANAGEMENT LLC	15 minutes
TONI ANN HOLLIFIELD for NYS DIVISION OF HUMAN RIGHTS	15 minutes
ERIC T. SCHNEIDERMAN for STATE OF NY EXECUTIVE DEPARTMENT	Submitted
BETH A. HENDERSON for HERSELF	Submitted
TAMI MARTEL for HERSELF	Submitted
STEPHANIE RUFFINS for HERSELF	Submitted

728.0
KA 14-00501

PEOPLE
V
MICHAEL T. CHESS

Appeal from a judgment of the Supreme Court, Monroe County (Alex R. Renzi, J.), rendered December 11, 2013. The judgment convicted defendant, upon a jury verdict, of rape in the first degree (three counts) and robbery in the first degree.

DAVID R. JUERGENS for MICHAEL T. CHESS	15 minutes
DANIEL GROSS for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes

730.0
KA 16-01192

PEOPLE
V
ROBERT STANLEY

Appeal from a judgment of the Erie County Court (Kenneth F. Case, J.), rendered June 15, 2016. The judgment convicted defendant, upon his plea of guilty, of attempted robbery in the third degree (two counts).

ALAN WILLIAMS for ROBERT STANLEY	Submitted
DAVID A. HERATY for THE PEOPLE OF THE STATE OF NEW YORK	Submitted

731.0
KA 15-01655

PEOPLE
V
ANTHONY D. MCCLARY

Appeal from a judgment of the Jefferson County Court (Kim H. Martusewicz, J.), rendered July 24, 2015. The judgment convicted defendant, upon a jury verdict, of criminal sale of a controlled substance in the third degree (four counts), criminal possession of a controlled substance in the third degree (five counts), criminally using drug paraphernalia in the second degree (three counts) and perjury.

	MICHAEL G. CIANFARANO for ANTHONY D. MCCLARY	10 minutes
	GEORGE R. SHAFFER, III, for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
732.0 KA 15-01997	PEOPLE V TIMOTHY LANKFORD	
	Appeal from a judgment of the Onondaga County Court (Joseph E. Fahey, J.), rendered April 6, 2015. The judgment convicted defendant, upon a jury verdict, of burglary in the second degree and attempted petit larceny.	
	PHILIP ROTHSCCHILD for TIMOTHY LANKFORD	10 minutes
	JAMES P. MAXWELL for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
733.0 KA 14-00500	PEOPLE V MICHAEL T. CHESS	
	Appeal from a judgment of the Supreme Court, Monroe County (Alex R. Renzi, J.), rendered December 11, 2013. The judgment convicted defendant, upon a jury verdict, of rape in the first degree (two counts), menacing in the second degree and petit larceny (two counts).	
	DAVID R. JUERGENS for MICHAEL T. CHESS	10 minutes
	DANIEL GROSS for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
734.0 KA 16-00345	PEOPLE V ERIC OLIVER	
	Appeal from a judgment of the Supreme Court, Onondaga County (John J. Brunetti, A.J.), rendered July 29, 2014. The judgment convicted defendant, upon his plea of guilty, to sex trafficking.	
	PIOTR BANASIAK for ERIC OLIVER	10 minutes
	NIKKI KOWALSKI for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
735.0 KA 17-01157	PEOPLE V ERIC OLIVER	
	Appeal from an order of the Supreme Court, Onondaga County (John J. Brunetti, A.J.), rendered May 22, 2017. The order denied the motion of defendant to vacate a judgment of conviction pursuant to CPL 440.10	
	PIOTR BANASIAK for ERIC OLIVER	Submitted
	NIKKI KOWALSKI for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
736.0 CA 17-02070	ROBERTA AMES V COUNTY OF MONROE	
	Appeal from an order of the Supreme Court, Monroe County (Debra A. Martin, A.J.), entered January 13, 2017. The order, among other things, granted defendants' motions for summary judgment dismissing all claims brought by plaintiffs in both actions.	
	JENNIFER ZEGARELLI for ROBERTA AMES	10 minutes
	KARLEE S. BOLANOS for COUNTY OF MONROE	10 minutes

737.0
CAF 16-00308

**In the Matter of
MICHAEL S.**

Appeal from an order of the Family Court, Chautauqua County (Judith S. Claire, J.), entered February 4, 2016 in a proceeding pursuant to Social Services Law § 384-b. The order, inter alia, determined that respondents had permanently neglected the subject children.

JOHN A. CIRANDO for KATHRYNE T. 10 minutes

REBECCA L. DAVISON-MARCH for CHAUTAUQUA CO. DSS Submitted

MARY SPEEDY HAJDU, ATTORNEY FOR THE CHILD 5 minutes

738.0
CAF 16-00309

**In the Matter of
MICHAEL S.**

Appeal from an order of the Family Court, Chautauqua County (Judith S. Claire, J.), entered February 7, 2016 in a proceeding pursuant to Social Services Law § 384-b. The order, inter alia, revoked a suspended judgment and

JOHN A. CIRANDO for KATHRYNE T. Submitted

REBECCA L. DAVISON-MARCH for CHAUTAUQUA CO. DSS Submitted

MARY SPEEDY HAJDU, ATTORNEY FOR THE CHILD Submitted

739.0
CA 17-01997

**CHRISTOPHER FISCHER
V
MICHAEL'S BANQUET FACILITY, INC.**

Appeal from an order of the Supreme Court, Erie County (Henry J. Nowak, J.), entered January 9, 2017. The order denied the motion of plaintiffs for leave to amend the complaint.

JESSICA L. LUKASIEWICZ for CHRISTOPHER FISCHER 15 minutes

KEVIN R. LELONEK for JOSEPH GARGANO 15 minutes

740.0
CA 17-02032

**THOMAS GILEWICZ
V
BRYLIN HOSPITAL**

Appeal from an order of the Supreme Court, Erie County (Paula L. Feroletto, J.), entered August 7, 2017. The order denied plaintiff's motion for leave to renew and leave to reargue.

APRIL J. ORLOWSKI for THOMAS GILEWICZ 10 minutes

ADAM P. DEISINGER for BUFFALO GENERAL PSYCHIATRIC UNIT 10 minutes

MATTHEW J. KIBLER for BRYLIN HOSPITAL 10 minutes

TOMAS J. CALLOCCHIA for DR. KANG BALVINDER 10 minutes

741.0
CA 17-02175

**In the Matter of
BABY BOY O.**

Appeal from a decision and order of the Surrogate's Court, Wayne County (Richard M. Healy, S.), entered March 16, 2017. The decision an order granted the petition for approval of the adoption of Baby Boy O.

CAITLIN A. DONOVAN for MELODY O. 15 minutes

BRENDAN C. O'SHEA for ADOPTION S.T.A.R. 10 minutes

	GREGORY A. FRANKLIN for BRITTNEY L.P.	10 minutes
	SEAN D. L. for HIMSELF	Submitted
742.0 CA 17-01808	JOSEPH SZYMKOWIAK V NEW YORK POWER AUTHORITY	
	Appeal from an order of the Supreme Court, Niagara County (Frank Caruso, J.), entered December 20, 2016. The order granted the application of plaintiff for leave to file a late notice of claim.	
	KEVIN KRUPPA for NEW YORK POWER AUTHORITY	10 minutes
	A. PETER SNODGRASS for JOSEPH SZYMKOWIAK	10 minutes
744.0 CA 18-00029	MARIA FEDERCZYK V GARDEN GATE HEALTH CARE FACILITY	
	Appeal and cross appeal from an order of the Supreme Court, Erie County (Donna M. Siwek, J.), entered March 9, 2017. The order, among other things, denied in part defendants' motion for summary judgment.	
	THERESA M. WALSH for MARIA FEDERCZYK	10 minutes
	JASON T. BRITT for GARDEN GATE HEALTH CARE FACILITY	10 minutes
745.0 CA 18-00069	JULIE L. MURRAY V HOWARD S. LIPMAN, ESQ.	
	Appeal from an order of the Supreme Court, Erie County (Mark J. Grisanti, J.), entered June 12, 2017. The order granted the motion of defendants for summary judgment, denied the cross motion of plaintiff for summary judgment and dismissed the action.	
	JOSEPH DEMARIE for JULIE L. MURRAY	15 minutes
	JAMES W. SHUTTLEWORTH, III, for HOWARD S. LIPMAN, ESQ.	10 minutes
746.0 CA 18-00131	KIMBERLY RICKARD V NEW YORK CENTRAL MUTUAL FIRE INS.	
	Appeal from an order of the Supreme Court, Erie County (Emilio Colaiacovo, J.), entered January 4, 2018. The order, inter alia, granted, with limitations, the cross motion of plaintiff to compel the production of defendant's claim file.	
	VICTOR M. WRIGHT for NEW YORK CENTRAL MUTUAL FIRE INS.	10 minutes
	MICHAEL D. HOLLENBECK for KIMBERLY RICKARD	10 minutes
747.0 CA 18-00146	DELPHI HOSPITALIST SERVICES LLC V EDWARD L. PATRICK	
	Appeal from an order of the Supreme Court, Monroe County (Matthew A. Rosenbaum, J.), entered November 28, 2017. The order denied plaintiff's motion for preliminary injunction.	
	JAMES P. BLENK for DELPHI HOSPITALIST SERVICES LLC	10 minutes
	BRADLEY A. HOPPE for EDWARD L. PATRICK	10 minutes

748.0
CA 17-01191

JEAN MCCARTHY
V
SIDDHARTHA S. SHAH, M.D.

Appeal from an order of the Supreme Court, Erie County (Eugene F. Pigott, Jr., J.), entered April 25, 2017. The order granted defendants' motion to dismiss plaintiff's cause of action alleging battery.

R. COLIN CAMPBELL for JEAN MCCARTHY 15 minutes

KARA M. EYRE for SIDDHARTHA S. SHAH, M.D. 15 minutes

749.0
CA 17-01192

JEAN MCCARTHY
V
SIDDHARTHA S. SHAH, M.D.

Appeal from an order of the Supreme Court, Erie County (Eugene F. Pigott, Jr., J.), entered April 25, 2017. The order granted defendants' motion to dismiss plaintiff's claims for punitive damages.

R. COLIN CAMPBELL for JEAN MCCARTHY Submitted

KARA M. EYRE for SIDDHARTHA S. SHAH, M.D. Submitted

750.0
CA 17-01873

PATRICK C. CHASE
V
JASON ALAN MARSH

Appeal from an order of the Supreme Court, Cattaraugus County (Jeremiah J. Moriarty, J.), entered July 20, 2017. The order granted the motion of defendants for summary judgment and dismissed the complaint.

JOHN A. COLLINS for PATRICK C. CHASE 15 minutes

NORMAN E.S. GREENE for JASON ALAN MARSH 15 minutes