

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. Glowonia, 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

DAY CALENDAR
Tuesday, May 15, 2018 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

661.0
TP 18-00195

FRANCISCO SANTOS
V
ANTHONY ANNUCCI

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, Wyoming County [Michael M. Mohun, A.J.], entered January 31, 2018) to review a determination of respondent. The determination found after a Tier II hearing that petitioner violated an inmate rule.

ADAM W. KOCH for FRANCISCO SANTOS

Submitted

JULIE M. SHERIDAN for ANTHONY ANNUCCI

Submitted

662.0
KA 16-02367

PEOPLE
V
BRIAN ASHWORTH

Appeal from a judgment of the Onondaga County Court (James H. Cecile, A.J.), rendered August 16 , 2016. The judgment convicted defendant, upon his plea of guilty, of criminal sale of a controlled substance in the third degree.

LINDA M. CAMPBELL for BRIAN ASHWORTH

Submitted

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

Submitted

663.0
KA 16-00162

PEOPLE
V
MUHAMMED BAQIR

Appeal from a judgment of the Onondaga County Court (Anthony F. Aloï, J.), rendered October 26, 2015. The judgment convicted defendant, upon his plea of guilty, of aggravated vehicular homicide and aggravated vehicular assault (four counts).

NATHANIEL V. RILEY for MUHAMMED BAQIR

Submitted

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

Submitted

664.0
KA 16-00884

PEOPLE
V
CARDELL SINGLETARY, JR.

Appeal from a judgment of the Ontario County Court (William F. Kocher, J.), rendered May 13, 2016. The judgment convicted defendant, upon his plea of guilty, of attempted robbery in the second degree and attempted burglary in the second degree.

ROBERT TUCKER for CARDELL SINGLETARY, JR.

Submitted

JEFFREY L. TAYLOR for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

665.0
KA 15-01413

PEOPLE
V
FREDDIE GLOVER

Appeal, by permission of a Justice of the Appellate Division of the Supreme Court in the Fourth Judicial Department, from an order of the Monroe County Court (Vincent M. Dinolfo, J.), entered June 7, 2015. The order denied defendant's motion to set aside his sentence pursuant to CPL 440.20.

DAVID M. ABBATOY, JR., for FREDDIE GLOVER 10 minutes

LEAH R. MERVINE for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

666.0
KA 17-00993

PEOPLE
V
RAMEL BELL-SCOTT

Appeal from an order of the Supreme Court, Onondaga County (John J. Brunetti, A.J.), dated September 20, 2016. The order granted defendant's motion to suppress verbal statements made to Syracuse Police Officers.

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

RAMEL BELL-SCOTT for HIMSELF Submitted

667.0
KA 13-01471

PEOPLE
V
ROBERT COTTON

Appeal from a judgment of the Supreme Court, Monroe County (Joanne M. Winslow, J.), rendered July 30, 2013. The judgment convicted defendant, upon a jury verdict, of attempted murder in the second degree and assault in the first degree.

DAVID M. ABBATOY, JR., for ROBERT COTTON 10 minutes

NANCY GILLIGAN for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

668.0
CAF 17-01729

CINDY A. KRIEGAR
V
TIMOTHY MCCARTHY

Appeal from an order of the Family Court, Wayne County (Richard M. Healy, J.), entered August 18, 2017, in a proceeding pursuant to Family Court Act article 6. The order dismissed the petition for a modification of custody.

ROBERT A. DINIERI for CINDY A. KRIEGAR 15 minutes

TIMOTHY MCCARTHY for HIMSELF Submitted

LORENZO NAPOLITANO, ATTORNEY FOR THE CHILD 5 minutes

669.0
CAF 17-01448

RENE MONTES
V
TERINA JOHNSON

Appeal from an amended order of the Family Court, Monroe County (Thomas W. Polito, R.), entered July 10, 2017, in a proceeding pursuant to Family Court article 6. The amended order, inter alia, granted primary physical custody to petitioner.

JANET C. SOMES for TERINA JOHNSON 10 minutes

KATHLEEN P. REARDON for RENE MONTES 10 minutes

TANYA CONLEY, ATTORNEY FOR THE CHILD 5 minutes

670.0
CAF 17-01332

MICHAEL J. BUCKLEY
V
JACQUELYN KLEINAHANS

Appeal from an order of the Family Court, Oswego County (Thomas Benedetto, R.), entered July 14, 2017, in a proceeding pursuant to Family Court Act article 6. The order, among other things, awarded respondent sole legal and physical custody of the subject children.

COURTNEY S. RADICK for MICHAEL J. BUCKLEY 10 minutes

STEPHANIE N. DAVIS for JACQUELYN KLEINAHANS 5 minutes

SAMUEL JOHN SUGAR, ATTORNEY FOR THE CHILD 10 minutes

671.0
CAF 17-00337

In the Matter of
NEVIN H.

Appeal from an order of the Family Court, Onondaga County (Michael L. Hanuszczak, J.), entered January 27, 2017, in a proceeding pursuant to Family Court Act article 10. The order, among other things, adjudged that respondent had neglected the subject children and placed respondent under the supervision of petitioner.

PHILIP ROTHSCHILD for STEPHANIE H. 10 minutes

MAGGIE SEIKALY for ONONDAGA CO. SEPT OF CHID SERVICES Submitted

DEBORAH ANNBELLOMO for ERIC M.F. 10 minutes

ROBERT F. RHINEHART, ATTORNEY FOR THE CHILD 10 minutes

672.0
CAF 17-00580

ERIK M. F.
V
STEPHANIE L. H.

Appeal from an order of the Family Court, Onondaga County (Michael L. Hanuszczak, J.), entered February 16, 2017, in a proceeding pursuant to Family Court Act article 6. The order, among other things, awarded petitioner sole legal and physical custody of the subject child.

PHILIP ROTHSCHILD for STEPHANIE L.H. Submitted

MAGGIE SEIKALY for ONONDAGA CO. SEPT OF CHID SERVICES Submitted

DEBORAH ANN BELLOMO for ERIK M. F. Submitted

ROBERT F. RHINEHART, ATTORNEY FOR THE CHILD Submitted

673.0
CA 17-02187

WILLIAM LANDAHL
V
DANIEL B. STEIN

Appeal from an order of the Supreme Court, Erie County (Timothy J. Walker, J.), entered March 29, 2017. The order denied the motion of defendants for summary judgment.

JENNIFER V. SCHIFFMACHER for DANIEL B. STEIN 10 minutes

JOHN A. COLLINS for WILLIAM LANDAHL 10 minutes

674.0
CAF 17-01216

TIMOTHY MCCARTHY
V
CINDY A. KRIEGAR

Appeal from an order of the Family Court, Wayne County (David G. Barrett, A.J.), entered February 17, 2017, in a proceeding pursuant to Family Court Act article 6. The order, inter alia, continued joint legal custody.

ROBERT A. DINIERI for CINDY A. KRIEGAR 15 minutes

TIMOTHY MCCARTHY for HIMSELF Submitted

LORENZO NAPOLITANO, ATTORNEY FOR THE CHILD 5 minutes

675.0
CA 17-02157

J. MICHAEL SIMONI
V
EASTMAN KODAK COMPANY

Appeals from an order of the Supreme Court, Monroe County (Renee Forgens Minarik, A.J.), entered November 13, 2017. The order denied the motions of defendants for summary judgment dismissing the amended complaint and all cross claims and denied the motion of defendant Eastman Kodak Company for summary judgment against defendant Johnson Controls, Inc., on contractual defense and indemnification.

JANICE MARIE IATI for EASTMAN KODAK COMPANY 15 minutes

AMY L. DI FRANCO for JOHNSON CONTROLS, INC. 15 minutes

ADAM P. DEISINGER for J. MICHAEL SIMONI 15 minutes

676.0
CA 17-02001

TROY L. SHUKNECHT
V
JOAN SHUKNECHT

Appeal from an order of the Supreme Court, Genesee County (Henry J. Nowak, J.), entered August 2, 2017. The order, inter alia, granted the motion of defendant for summary judgment on her second counterclaim.

JAMES M. WUJCIK for TROY L. SHUKNECHT 10 minutes

MICHAEL J. WEGMAN for JOAN SHUKNECHT 10 minutes

677.0
CA 17-01885

SUSAN D. MONGIELO
V
DAVID J. MONGIELO

Appeal from an order of the Supreme Court, Niagara County (Mark A. Montour, J.), entered December 28, 2016. The order, among other things, granted plaintiff's quantum meruit application for counsel fees.

JAMES OSTROWSKI for DAVID J. MONGIELO 10 minutes

DIANE R. TIVERON for SUSAN D. MONGIELO 10 minutes

678.0
CA 17-01886

SUSAN D. MONGIELO
V
DAVID J. MONGIELO

Appeal from an order of the Supreme Court, Niagara County (Daniel J. Furlong, J.), entered July 31, 2017. The order awarded a money judgment to HoganWillig, PLLC, in the amount of \$31,852.64.

JAMES OSTROWSKI for DAVID J. MONGIELO Submitted

DIANE R. TIVERON for SUSAN D. MONGIELO Submitted

679.0
CA 17-01887

SUSAN D. MONGIELO
V
DAVID J. MONGIELO

Appeal from an order of the Supreme Court, Niagara County (Daniel J. Furlong, J.), entered October 20, 2017. The order denied defendant's motion to reargue, stay, and vacate, an order of the court entered December 28, 2016.

JAMES OSTROWSKI for DAVID J. MONGIELO

Submitted

DIANE R. TIVERON for SUSAN D. MONGIELO

Submitted

680.0
CA 17-01547

VERONICA RODRIGUEZ
V
FIRST STUDENT, INC.

Appeal and cross appeal from an order of the Supreme Court, Erie County (Diane Y. Devlin, J.), entered January 3, 2017. The order, among other things, denied in part defendants' motion for summary judgment.

PHYLISS A. HAFNER for FIRST STUDENT, INC.

15 minutes

JOSEPH A. TODORO for VERONICA RODRIGUEZ

15 minutes

681.0
CA 18-00142

HOPE DAY CARE, LLC
V
NYS OFFICE OF CHILDREN & FAMILY SERVS.

Appeal from an order and judgment of the Supreme Court, Onondaga County (Anthony J. Paris, J.), entered November 28, 2017 in a proceeding pursuant to CPLR article 78. The order and judgment, among other things, dismissed the petition.

LAURA L. SPRING for HOPE DAY CARE, LLC

15 minutes

PATRICK A. WOODS for NYS OFFICE OF CHILDREN & FAMILY SERVS.

10 minutes

682.0
CA 18-00081

MARY G. DENG
V
BEAU J. YOUNG

Appeal from an order of the Supreme Court, Onondaga County (Gregory R. Gilbert, J.), entered November 20, 2017. The order granted the motion of defendants Syracuse City School District and Webster Elementary School for summary judgment and dismissed the complaint against those defendants.

MATTHEW J. KAISER for MARY G. DENG

10 minutes

JAMES A. MEGGESTO for SYRACUSE CITY SCHOOL DISTRICT

10 minutes

683.0
CA 18-00108

NICHOLAS SPARKS
V
FOCUS 1 LLC

Appeal from an order of the Supreme Court, Niagara County (Daniel J. Furlong, J.), entered April 11, 2017. The order denied the motion of defendant Focus 1 LLC for summary judgment.

KELLY J. PHILIPS for FOCUS 1 LLC

10 minutes

R. COLIN CAMPBELL for NICHOLAS SPARKS

10 minutes

THOMAS A. DIGATI for MARTIN CHIAPPONE

10 minutes

DAY CALENDAR
Wednesday, May 16, 2018 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

685.0
TP 18-00049

MACKPASSION HUITT
V
ANTHONY ANNUCCI

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, Wyoming County [Michael M. Mohun, A.J.], entered January 8, 2018) to review a determination of respondent. The determination found after a Tier III hearing that petitioner had violated various inmate rules.

LEAH R. NOWOTARSKI for MACKPASSION HUITT

Submitted

JULIE M. SHERIDAN for ANTHONY ANNUCCI

Submitted

686.0
KA 16-01320

PEOPLE
V
RYAN PERKINS

Appeal from a judgment of the Supreme Court, Erie County (John L. Michalski, J.), entered June 24, 2016. The judgment convicted defendant, upon his plea of guilty, of driving while intoxicated, a class D felony, and aggravated unlicensed operation of a motor vehicle in the second degree.

DEBORAH K. JESSEY for RYAN PERKINS

Submitted

DAVID A. HERATY for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

687.0
KA 15-01432

PEOPLE
V
TOMMY JACKSON

Appeal from a judgment of the Onondaga County Court (Anthony F. Aloï, J.), rendered June 24, 2015. The judgment convicted defendant, upon a jury verdict, of criminal possession of a weapon in the second degree.

SARA A. GOLDFARB for TOMMY JACKSON

10 minutes

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

10 minutes

688.0
KA 17-00749

PEOPLE
V
JAMES P. BROWN

Appeal from a judgment of the Wayne County Court (John B. Nesbitt, J.), rendered March 2, 2017. The judgment convicted defendant, upon his plea of guilty, of assault in the second degree, criminal possession of a weapon in the third degree, reckless endangerment in the second degree and criminal possession of a weapon in the fourth degree.

KIMBERLY J. CZAPRANSKI for JAMES P. BROWN

5 minutes

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

Submitted

689.0
KA 17-01201

PEOPLE
V
OTIS B. TILFORD

Appeal from a judgment of the Supreme Court, Niagara County (Richard C. Kloch, Sr., J.), rendered June 12, 2017. The judgment convicted defendant, upon his plea of guilty, of attempted arson in the second degree.

Theresa L. Prezioso for Otis B. Tilford

Submitted

Thomas H. Brandt for The People of the State of New York

Submitted

690.0
KA 16-01988

PEOPLE
V
DALILA COLBERT

Appeal from a judgment of the Jefferson County Court (Kim H. Martusewicz, J.), rendered September 23, 2016. The judgment convicted defendant, upon a jury verdict, of arson in the fourth degree, criminal mischief in the third degree, endangering the welfare of a child (three counts) and criminal mischief in the fourth degree.

Cara A. Waldman for Dalila Colbert

10 minutes

Kristyna S. Mills for The People of the State of New York

Submitted

691.0
CA 17-01682

PATRICIA ANN GOODYEAR
V
NEW YORK STATE DEPARTMENT OF HEALTH

Appeal from an order of the Supreme Court, Onondaga County (James P. Murphy, J.), entered June 1, 2017 in a proceeding pursuant to CPLR article 78. The order, among other things, granted the petition

Michael Steinberg for Jeanene June Demarc

10 minutes

Andrea M. Ferro for Patricia Ann Goodyear

10 minutes

Allyson B. Levine for New York State Department of Health

Submitted

692.0
CAF 17-01129

IRINA G. JERRETT
V
JEFFREY L. JERRETT

Appeal from an order of the Family Court, Onondaga County (Michael L. Hanuszczak, J.), entered May 3, 2017 in a proceeding pursuant to Family Court Act article 4. The order denied petitioner's objection to an order of the Support Magistrate.

Irina G. Jerrett for Herself

Submitted

Tina C. Bennet for Jeffrey L. Jerrett

Submitted

693.0
CAF 17-01419

ANGELA TUBILEWICZ
V
DAVID STYLES

Appeal from an order of the Family Court, Oneida County (Joan E. Shkane, J.), entered July 24, 2017, in a proceeding pursuant to Family Court Act article 8. The order, inter alia, imposed on respondent two consecutive six-month jail terms for violations of a court order.

William L. Koslosky for David Styles

Submitted

Angela Tubilewicz for Herself

Submitted

694.0
CAF 17-01612

In the Matter of
Shawn S.

Appeal from an order of the Family Court, Oswego County (Kimberly M. Seager, J.), entered July 11, 2017 in a proceeding pursuant to Family Court Act article 10. The order, among other things, directed petitioner to take all steps needed to achieve the goal of adoption.

COURTNEY S. RADICK, ATTORNEY FOR THE CHILD 10 minutes

ALLISON J. NELSON for OSWEGO CO. DSS Submitted

695.0
CAF 17-00626

JOSEPH N. CAPOBIANCO
V
MICHELLE A. CAPOBIANCO

Appeal from an order of the Family Court, Onondaga County (Karen Stanislaus, R.), entered February 28, 2017, in a proceeding pursuant to Family Court Act article 6. The order, among other things, awarded respondent sole custody of the subject child.

DANIELLE BLACKABY for JOSEPH N. CAPOBIANCO 10 minutes

NORMAN PAUL DEEP for MICHELLE A. CAPOBIANCO 10 minutes

ANDREW SCOTT GREENBERG, ATTORNEY FOR THE CHILD 10 minutes

696.0
CAF 17-01771

JEANENE JUNE DEMARC
V
PATRICIA ANN GOODYEAR

Appeal from an order of the Family Court, Onondaga County (William W. Rose, R.), entered June 15, 2017, in a proceeding pursuant to Family Court Act article 6. The order dismissed the petition for custody and visitation.

MICHAEL STEINBERG for JEANENE JUNE DEMARC Submitted

ANDREA M. FERRO for PATRICIA ANN GOODYEAR Submitted

697.0
CA 17-01986

JOSE RIVERA
V
STATE OF NEW YORK

Appeal from a decision and order of the Court of Claims (Judith A. Hard, J.), entered February 19, 2016. The decision and order, insofar as appealed from, granted the motion of defendant to amend its answer.

STACEY VAN MALDEN for JOSE RIVERA 15 minutes

PATRICK A. WOODS for STATE OF NEW YORK 10 minutes

698.0
CA 17-01987

JOSE RIVERA
V
STATE OF NEW YORK

Appeal from a decision and order of the Court of Claims (Judith A. Hard, J.), entered September 14, 2017. The decision and order denied the motion of claimant for summary judgment, granted the cross motion of defendant for summary judgment and dismissed the claim.

STACEY VAN MALDEN for JOSE RIVERA Submitted

PATRICK A. WOODS for STATE OF NEW YORK Submitted

699.0
CA 17-01917

ONDREA CLARK
V
WILLIAM LOFTUS, M.D.

Appeal from an order of the Supreme Court, Onondaga County (James B. Murphy, J.), entered August 22, 2017. The order granted the motion of plaintiffs to set aside a jury verdict and ordered a new trial on the issue of negligence.

CHARLES EARL PATTON for WILLIAM LOFTUS, M.D.

10 minutes

ROBERT E. LAHM for ONDREA CLARK

15 minutes

700.0
CA 18-00055

MARLON BENNETT
V
STATE OF NEW YORK

Appeal from an order of the Court of Claims (Renee Forgens Minarik, J.), entered March 7, 2017. The order granted the motion of defendant for summary judgment and dismissed the claim.

BRIAN M. DRATCH for MARLON BENNETT

Submitted

OWEN DEMUTH for STATE OF NEW YORK

Submitted

701.0
TP 17-02155

WATERFRONT CENTER FOR REHABILITATION
V
NEW YORK STATE DEPARTMENT OF HEALTH

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, Erie County [Donna M. Siwek, J.], dated December 12, 2017) to review a determination of respondent. The determination denied the application of James Pope for Medicaid benefits.

JENNIFER SWEENEY for WATERFRONT CENTER FOR REHABILITATION

Submitted

KATHLEEN M. TREASURE for NYS DEPARTMENT OF HEALTH

Submitted

702.0
CA 17-02031

RUSSELL FINLEY
V
ERIE AND NIAGARA INSURANCE ASSN.

Appeal from an order of the Supreme Court, Erie County (Mark J. Grisanti, J.), entered February 6, 2017. The order granted the motion of defendant for summary judgment, dismissed the complaint and denied the cross motion of plaintiff to strike affirmative defenses.

DOUGLAS WALTER DRAZEN for RUSSELL FINLEY

15 minutes

BRIAN D. CASEY for ERIE AND NIAGARA INSURANCE ASSN.

15 minutes

703.0
CA 18-00124

CYNTHIA L. LONG
V
DANIEL HESS

Appeal from a decision and order of the Supreme Court, Onondaga County (Donald A. Greenwood, J.), entered July 11, 2017. The order denied the motion of defendant for summary judgment.

BARNEY FRANK BILELLO for DANIEL HESS

10 minutes

KELSEY W. SHANNON for CYNTHIA L. LONG

10 minutes

704.0
CA 17-02204

ROBERT WALLACE
V
SUNY UPSTATE

Appeal from an order of the Supreme Court, Onondaga County (James P. Murphy, J.), entered March 6, 2017. The order granted defendants' motion for summary judgment dismissing plaintiff's action in its entirety.

DANIEL J. KAISER for ROBERT WALLACE

15 minutes

JOSEPH M. SPADOLA for SUNY UPSTATE

10 minutes

DAY CALENDAR
Wednesday, May 16, 2018 - 10:00 AM
COURTROOM 2

706.0
TP 18-00048

JUSTIN CORDOVA
V
ANTHONY ANNUCCI

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, Wyoming County [Michael J. Mohun, A.J.], entered January 8, 2018) to review a determination of respondent. The determination found after Tier III hearing that petitioner had violated various inmate rules.

LEAH R. NOWOTARSKI for JUSTIN CORDOVA

Submitted

MARCUS J. MASTRACCO for ANTHONY ANNUCCI

Submitted

707.0
KA 16-01057

PEOPLE
V
ROBERT W. PLANTIKO, JR.

Appeal from a judgment of the Genesee County Court (Robert C. Noonan, J.), rendered March 4, 2015. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the third degree.

TIMOTHY P. MURPHY for ROBERT W. PLANTIKO, JR.

Submitted

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

Submitted

708.0
KA 16-01193

PEOPLE
V
ANTWAN LINDSAY

Appeal from a judgment of the Erie County Court (Thomas P. Franczyk, J.), rendered July 1, 2016. The judgment convicted defendant, upon his plea of guilty, of robbery in the third degree.

BARBARA J. DAVIES for ANTWAN LINDSAY

Submitted

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

Submitted

709.0
KA 16-01081

PEOPLE
V
RASHAWN C. AUSTIN

Appeal from a judgment of the Erie County Court (Kenneth F. Case, J.), rendered January 6, 2016. The judgment convicted defendant, upon his plea of guilty, of manslaughter in the first degree.

ALAN WILLIAMS for RASHAWN C. AUSTIN

10 minutes

MICHAEL J. HILLERY for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

710.0
KA 17-00018

PEOPLE **SETTLED**
V
LASHAWN L. HARRIS

Appeal from a judgment of the Steuben County Court (Marianne Furfure, J.), rendered November 3, 2016. The judgment convicted defendant, upon his plea of guilty, of aggravated unlicensed operation of a motor vehicle in the first degree.

ROSEMARIE RICHARDS for LASHAWN L. HARRIS

JOHN C. TUNNEY for THE PEOPLE OF THE STATE OF NEW YORK

711.0
KA 16-02262

PEOPLE
V
LESTER SCARBROUGH

Appeal from a judgment of the Niagara County Court (Sara Sheldon, J.), rendered February 17, 2016. The judgment convicted defendant, upon his plea of guilty, of attempted rape in the first degree.

ROBERT M. GRAFF for LESTER SCARBROUGH 10 minutes

THOMAS H. BRANDT for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

712.0
CAF 17-00853

In the Matter of
DAVID C.

Appeal from an order of the Family Court, Erie County (Lisa Bloch Rodwin, J.), entered March 28, 2017, in a proceeding pursuant to Family Court Act article 10. The order, inter alia, determined that respondent Lawrence C. had neglected the subject children.

TIMOTHY R. LOVALLO for LAWRENCE C. 5 minutes

JAMES ELMER BROWN for ERIE CO. DSS 5 minutes

CHARLES D. HALVORSEN, ATTORNEY FOR THE CHILD Submitted

713.0
CAF 17-00815

STACY MARTINEZ
V
JASON M. MCMASTERS

Appeal from an order of the Family Court, Erie County (Lisa Bloch Rodwin, J.), entered April 3, 2017, in a proceeding pursuant to Family Court Act article 6. The order granted the petition and awarded petitioner sole custody of the subject child.

DENIS A. KITCHEN, JR., for JASON M. MCMASTERS Submitted

DAVID J. PAJAK for STACY MARTINEZ Submitted

RONALD M. CINELLI, ATTORNEY FOR THE CHILD Submitted

714.0
CAF 16-01131

In the Matter of
LYNDON S.

Appeal from an order of the Family Court, Erie County (Margaret O. Szczur, J.), entered June 14, 2016, in a proceeding pursuant to Family Court Act article 10. The order, among other things, adjudged that respondent had neglected the subject children.

WILLIAM D. BRODERICK, JR., for HILLARY S. Submitted

JAMES E. BROWN for ERIE CO. DSS Submitted

CHARLES D. HALVORSEN, ATTORNEY FOR THE CHILD Submitted

715.0
CAF 16-01277

In the Matter of
SEAN B.

Appeal from an order of the Family Court, Erie County (Sharon M. LoVallo, J.), entered July 8, 2016, in a proceeding pursuant to Family Court Act article 10. The order determined that respondent has neglected the subject child.

	CHARLES J. GREENBERG for SUSAN B.	5 minutes
	JAMES E. BROWN for ERIE CO. DSS	Submitted
	REBECCA J. TALMUD, ATTORNEY FOR THE CHILD	10 minutes
716.0 CAF 17-01803	JOCELYN J. JONES V JUSTIN S. JAMIESON	
	Appeal from a decision and order of the Family Court, Erie County (Margaret A. Logan, R.), entered December 19, 2016, in a proceeding pursuant to Family Court Act article 6. The decision and order, inter alia, provided for a parental access schedule.	
	JOAN CASILIO ADAMS for JOCELYN J. JONES	10 minutes
	JUSTIN S. JAMIESON for HIMSELF	Submitted
	KEITH IRWIN KADISH, ATTORNEY FOR THE CHILD	10 minutes
717.0 CAF 17-01110	In the Matter of JUDITH C.	
	Appeal from an order of the Family Court, Erie County (Lisa Bloch Rodwin, J.), entered May 2, 2017, in a proceeding pursuant to Family Court Act article 10. The order, inter alia, determined that respondent Lawrence C. had derivatively neglected the subject children.	
	TIMOTHY R. LOVALLO for LAWRENCE C.	5 minutes
	JAMES E. BROWN for ERIE CO. DSS	Submitted
	CHARLES D. HALVORSEN, ATTORNEY FOR THE CHILD	Submitted
718.0 CA 17-01701	PAUL WROBEL V BUFFALO BILLS, INC.	
	Appeal from an order of the Supreme Court, Erie County (Donna M. Siwek, J.), entered June 30, 2017. The order granted the motions of defendants Buffalo Bills, Inc., APEX Security Group, Inc., Contemporary Services Corporation and County of Erie seeking summary judgment.	
	MATTHEW J. KAISER for PAUL WROBEL	10 minutes
	ARLOW M. LINTON for BUFFALO BILLS, INC.	10 minutes
	KEITH N. BOND for CONTEMPORARY SERVICES CORPORATION	10 minutes
	ARIANNA KWIATOWSKI for APEX SECURITY GROUP, INC.	10 minutes
719.0 CA 17-00830	DYLAN DEUSER V PRECISION CONSTRUCTION	
	Appeal from a judgment of the Supreme Court, Erie County (John L. Michalski, J.), entered January 17, 2017 upon a jury verdict. The judgment, among other things, awarded plaintiff the sum of \$3,486,898.96 as against defendant Precision Construction & Development Inc.	
	MELISSA A. FOTI for PRECISION CONSTRUCTION	15 minutes
	BRIAN L. CINELLI for DYLAN DEUSER	15 minutes
	KEVIN D. WALSH for RYAN BRAUN	10 minutes

720.0
CA 17-00831

DYLAN DEUSER
V
PRECISION CONSTRUCTION

Appeals from a judgment of the Supreme Court, Erie County (John L. Michalski, J.), entered March 8, 2017 upon a jury verdict. The judgment dismissed the complaint of plaintiff as against defendant Ryan Braun.

BRIAN L. CINELLI for DYLAN DEUSER Submitted

MELISSA A. FOTI for PRECISION CONSTRUCTION Submitted

KEVIN D. WALSH for RYAN BRAUN Submitted

721.0
CA 17-00832

DYLAN DEUSER
V
PRECISION CONSTRUCTION

Appeal from an order of the Supreme Court, Erie County (John L. Michalski, J.), entered April 7, 2017. The order denied defendant Precision Construction & Development Inc.'s motion to set aside a jury verdict.

MELISSA A. FOTI for PRECISION CONSTRUCTION Submitted

BRIAN L. CINELLI for DYLAN DEUSER Submitted

KEVIN D. WALSH for RYAN BRAUN Submitted

722.0
CA 17-01437

SARAH H. WOODMAN
V
LEIF WOODMAN

Appeal from an order of the Supreme Court, Niagara County (Ralph A. Boniello, III, J.), entered June 29, 2017 in a divorce action. The order, among other things, awarded plaintiff spousal maintenance and equitably distributed the marital assets.

LEIF WOODMAN for HIMSELF 10 minutes

LAURA J. EMERSON for SARAH H. WOODMAN 10 minutes

723.0
CA 18-00135

MALLORY C. EHLERS
V
WILLIAM A. BYRNES

Appeal from an order of the Supreme Court, Erie County (Matthew J. Murphy, III, A.J.), entered April 6, 2017. The order denied plaintiff's motion for renewal of argument of defendants William A. Byrnes and All Erection and Crane Rental Corp. motion for summary judgment dismissing the complaint against them.

DANIEL J. CHIACCHIA for MALLORY C. EHLERS 10 minutes

BRIAN P. MINEHAN for WILLIAM A. BYRNES 10 minutes

724.0
CA 18-00134

THOMAS L. MILLS
V
NIAGARA FRONTIER TRANSPORTATION

Appeal from an order of the Supreme Court, Erie County (Tracey A. Bannister, J.), entered May 2, 2017. The order denied the motion of defendants for summary judgment on the issue of liability.

VICKY-MARIE BRUNETTE for NIAGARA FRONTIER TRANSPORTATION 10 minutes

ALAN D. VOOS for THOMAS L. MILLS 10 minutes

725.0
CA 17-02021

NATIONAL FUEL GAS SUPPLY CORPORATION
V
JOSEPH A. SCHUECKLER

Appeal from an order of the Supreme Court, Allegany County (Thomas P. Brown, J.), entered June 28, 2017. The order, inter alia, granted the petition for the acquisition of easements.

GARY A. ABRAHAM for JOSEPH A. SCHUECKLER 10 minutes

CRAIG A. LESLIE for NATIONAL FUEL GAS SUPPLY CORPORATION 10 minutes

726.0
CA 17-01261

CAROLYN D. MCCLENDON **SETTLED**
V
LILLIE V. WELCH

Appeal from an order of the Supreme Court, Niagara County (Frank Caruso, J.), entered March 24, 2017. The order, insofar as appealed from, granted the motion of defendant to vacate plaintiff's note of issue and certificate of readiness and directed plaintiff to provide certain disclosure to defendant.

JOHN A. COLLINS for CAROLYN D. MCCLENDON

MATTHEW T. MURRAY for LILLIE V. WELCH

727.0
CA 16-00722

MATTHEW M. COBADO
V
JOHN R. SEARLES

Appeal from an order and judgment (one paper) of the Supreme Court, Cattaraugus County (Jeremiah J. Moriarty, III, J.), entered February 25, 2016 in a proceeding pursuant to CPLR article 78. The order and judgment denied and dismissed the petition.

MATTHEW M. COBADO for HIMSELF Submitted

ERIC M. FIRKEL for JOHN R. SEARLES Submitted

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

DAY CALENDAR
Monday, May 21, 2018 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

751.0
KA 16-02148

PEOPLE
V
DWIGHT ROGER GRAVES, JR.

Appeal from a decision and order of the Supreme Court, Monroe County Court (Francis A. Affronti, J.), entered September 30, 2016. The decision and order determined defendant to be a level three risk pursuant to the Sex Offender Registration Act.

KIMBERLY F. DUGUAY for **DWIGHT ROGER GRAVES, JR.**

Submitted

NANCY GILLIGAN for **THE PEOPLE OF THE STATE OF NEW YORK**

Submitted

752.0
KA 17-00557

PEOPLE
V
PIERRE MCCULLEN

Appeal from a judgment of the Erie County Court (Sheila A. DiTullio, J.), rendered January 17, 2017. The judgment convicted defendant, upon his plea of guilty, of grand larceny in the fourth degree (two counts).

KATHRYN B. FRIEDMAN for **PIERRE MCCULLEN**

Submitted

ASHLEY R. LOWRY for **THE PEOPLE OF THE STATE OF NEW YORK**

Submitted

753.0
KA 13-01133

PEOPLE
V
MICHAEL WILSON

Appeal, by permission of a Justice of the Appellate Division of the Supreme Court in the Fourth Judicial Department, from an order of the Onondaga County Court (Donald E. Todd, A.J.), dated February 17, 2012. The order denied defendant's motion pursuant to CPL 440.10 to vacate the judgment convicting defendant of rape in the first degree, predatory sexual assault against a child and endangering the welfare of a child.

JOHN A. CIRANDO for **MICHAEL WILSON**

10 minutes

VICTORIA M. WHITE for **THE PEOPLE OF THE STATE OF NEW YORK**

10 minutes

754.0
KA 15-00248

PEOPLE
V
MICHAEL WILSON

Appeal, by permission of a Justice of the Appellate Division of the Supreme Court in the Fourth Judicial Department, from an order of the Onondaga County Court (Thomas J. Miller, J.), dated November 25, 2014. The order denied defendant's motion pursuant to CPL 440.10 to vacate the judgment convicting defendant of rape in the first degree, predatory sexual assault against a child and endangering the welfare of a child.

JOHN A. CIRANDO for **MICHAEL WILSON**

Submitted

VICTORIA M. WHITE for **THE PEOPLE OF THE STATE OF NEW YORK**

Submitted

755.0
KA 16-01832

PEOPLE
V
JOSHUA O. PETERKIN

Appeal from a judgment of the Steuben County Court (Joseph W. Latham, J.), rendered April 3, 2014. The judgment convicted defendant, upon his plea of guilty, of attempted criminal possession of a controlled substance in the third degree.

CARA A. WALDMAN for JOSHUA O. PETERKIN

Submitted

JOHN C. TUNNEY for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

756.0
KA 18-00036

PEOPLE
V
JOSHUA O. PETERKIN

Appeal from a resentence of the Steuben County Court (Joseph W. Latham, J.), rendered July 31, 2014. Defendant was resented upon his conviction of attempted criminal possession of a controlled substance in the third degree.

CARA A. WALDMAN for JOSHUA O. PETERKIN

Submitted

JOHN C. TUNNEY for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

757.0
KA 15-02160

PEOPLE
V
JEFFREY MOORE

Appeal from a judgment of the Onondaga County Court (Joseph E. Fahey, J.), rendered July 22, 2015. The judgment convicted defendant, upon his plea of guilty, of course of sexual conduct against a child in the first degree.

KRISTEN MCDERMOTT for JEFFREY MOORE

Submitted

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

Submitted

758.0
KA 15-02038

PEOPLE
V
CHRISTOPHER CHADICK

Appeal from a judgment of the Onondaga County Court (Thomas J. Miller, J.), rendered June 20, 2015. The judgment convicted defendant upon a non jury verdict, of grand larceny in the fourth degree (two counts).

NATHANIEL V. RILEY for CHRISTOPHER CHADICK

10 minutes

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

10 minutes

759.0
KA 16-00455

PEOPLE
V
EDWARD ATKINS

Appeal from a judgment of the Onondaga County Court (William D. Walsh, J.), rendered May 21, 2007. The judgment convicted defendant, upon a jury verdict, of grand larceny in the third degree, reckless endangerment of property and removal of trees.

ELIZABETH S. RIKER for EDWARD ATKINS

10 minutes

ALPHONSE WILLIAMS, III, for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

760.0
CA 18-00001

PAUL S. PLAKIEWICZ
V
ZACHARY J. COLE

Appeal from an order of the Supreme Court, Chautauqua County (Frank A. Sedita, III, J.), entered October 24, 2017. The order denied the motion of defendant for summary judgment dismissing the complaint.

MARTHA E. DONOVAN for ZACHARY J. COLE 10 minutes

MARY BARR SCHILLER for PAUL S. PLAKIEWICZ 10 minutes

761.0
CA 18-00191

DAVID RUBMAN
V
WILLIAM OSUCHOWSKI

Appeal from a decision and order of the Supreme Court, Onondaga County (Anthony J. Paris, J.), entered January 4, 2018. The decision and order granted the motion of defendants to dismiss the amended class action complaint and dismissed said complaint

E. DAVID HOSKINS for DAVID RUBMAN 10 minutes

DAVID G. BURCH, JR., for WILLIAM OSUCHOWSKI 15 minutes

762.0
CA 17-01046

JENNIFER L. RECH
V
MICHAEL B. RECH

Appeal from an order of the Supreme Court, Monroe County (John M. Owens, A.J.), entered November 3, 2016. The order, among other things, found defendant in civil contempt of court.

GERALD T. WALSH for MICHAEL B. RECH 15 minutes

MATTHEW M. PISTON for JENNIFER L. RECH 15 minutes

GARY MULDOON, ATTORNEY FOR THE CHILD 10 minutes

763.0
CA 17-01602

JENNIFER L. RECH
V
MICHAEL B. RECH

Appeal from an order of the Supreme Court, Monroe County (John M. Owens, A.J.), entered April 26, 2017. The order, among other things, granted in part plaintiff's motion seeking to direct that Janus Services, LLC to pay the plaintiff the entirety of the sum of money currently held by Janus Services, LLC, in the name of defendant to be applied against money currently due and owing the plaintiff.

GERALD T. WALSH for MICHAEL B. RECH Submitted

MATTHEW M. PISTON for JENNIFER L. RECH Submitted

GARY MULDOON, ATTORNEY FOR THE CHILD Submitted

764.0
CA 17-01603

JENNIFER SZCZUBLEWSKI
V
MICHAEL B. RECH

Appeal from an order of the Supreme Court, Monroe County (John M. Owens, A.J.), entered May 17, 2017. The order, among other things, denied defendant's motion for leave to renew.

GERALD T. WALSH for MICHAEL B. RECH Submitted

MATTHEW M. PISTON for JENNIFER SZCZUBLEWSKI Submitted

GARY MULDOON, ATTORNEY FOR THE CHILD Submitted

765.0
CAF 16-02310

**In the Matter of
MIRABELLA H.**

Appeal from an order of the Family Court, Cayuga County (Thomas G. Leone, J.), entered October 14, 2016 in a proceeding pursuant in a proceeding pursuant to Social Services Law § 384-b. The order, among other things, transferred the guardianship and custody of the subject child to petitioner.

JOHN A. CIRANDO for ANGELA I.

10 minutes

ADAM H. VAN BUSKIRK for CAYUGA CO. DHHS

10 minutes

JILL LOUISE TERRY, ATTORNEY FOR THE CHILD

Submitted

766.0
CA 18-00198

**ISRAEL JENKINS
V
TIEN NGUYEN**

Appeal from a decision and order of the Supreme Court, Monroe County (John J. Ark, J.), entered June 29, 2017. The decision and order denied the motion of defendant Tien Nguyen for summary judgment dismissing the complaint.

DENNIS P. HAMILTON for TIEN NGUYEN

15 minutes

MO J. ATHARI for ISRAEL JENKINS

10 minutes

767.0
CA 17-02090

**BONNIE J. YONKER
V
ANNALIS E. KAMINSKI**

SETTLED

Appeal from a judgment of the Supreme Court, Monroe County (Debra A. Martin, A.J.), entered November 15, 2017. The judgment, upon a jury verdict, found in favor of defendants and against plaintiff.

MATTHEW J. KAISER for BONNIE J. YONKER

NICHOLAS J. PONTZER for ANNALIS E. KAMINSKI

768.0
CA 18-00153

**HOLLY M. REDMOND
V
DENIS M. REDMOND**

Appeal from an order of the Supreme Court, Niagara County (Frank Caruso, J.), entered October 12, 2017. The order, insofar as appealed from, granted the motion of defendants to strike plaintiff's expert witness disclosure and precluded the testimony of plaintiff's expert, Maria Bella, at trial.

ALAN D. VOOS for HOLLY M. REDMOND

10 minutes

LAURENCE D. BEHR for DENIS M. REDMOND

15 minutes

769.0
CA 17-02233

**ASIA BALL
V
KELLI SMITH**

Appeal from an order of the Supreme Court, Monroe County (Evelyn Frazee, J.), entered August 3, 2017. The order, among other things, granted plaintiff's cross motion for summary judgment on the issue of defendants Kelli Smith and Kelli's Little One-Z Childcare, Inc.'s negligence.

JOAN M. RICHTER for KELLI SMITH

10 minutes

	RON F. WRIGHT for ASIA BALL	10 minutes
770.0 CA 18-00130	STEVEN A. SCHULZ V TOWN OF HOPEWELL ZBA	
	Appeal from an order of the Supreme Court, Ontario County (Fredrick G. Reed, A.J.), entered February 15, 2017 in a proceeding pursuant to CPLR article 78. The order, among other things, annulled the Town of Hopewell Zoning Board of Appeal's variance approvals and remitted the matter for reconsideration based on the Town of Hopewell Planning Board's recommendation that it disapprove the variance requests by Emily Jeffery.	
	MARY JO S. KORONA for TOWN OF HOPEWELL ZBA	10 minutes
	DAVID D. BENZ for STEVEN A. SCHULZ	10 minutes
	PAUL T. RUBERY for EMILY JEFFREY	Submitted
771.0 CA 17-00387	RICHARD BIANCHI V MIDTOWN REPORTING SERVICE, INC.	
	Appeal from an order of the Supreme Court, Monroe County (John J. Ark, J.), entered January 25, 2017. The order awarded plaintiffs money damages totaling \$162,391.19.	
	TIMOTHY D. BOLDT for MIDTOWN REPORTING SERVICE, INC.	15 minutes
	CHARLES A. SCHIANO for RICHARD BIANCHI	15 minutes
	MARTHA A. CONNOLLY for GARY POOLER	15 minutes
772.0 CA 18-00216	RICHARD BIANCHI V MIDTOWN REPORTING SERVICE, INC.	
	Appeal from a decision an order of the Supreme Court, Monroe County (John J. Ark, J.), entered June 21, 2017. The decision and order vacated a statement for judgment.	
	TIMOTHY D. BOLDT for MIDTOWN REPORTING SERVICE, INC.	Submitted
	CHARLES A. SCHIANO for RICHARD BIANCHI	Submitted
	MARTHA A. CONNOLLY for GARY POOLER	Submitted
773.0 CA 17-01930	JOHN B. FELDMIEIER V FELDMIEIER EQUIPMENT, INC.	
	Appeal from an order of the Supreme Court, Onondaga County (Donald A. Greenwood, J.), entered January 19, 2017. The order granted the motion of defendants for summary judgment dismissing the complaint and to compel the production of documents and denied the cross motion of plaintiff to compel common-law dissolution and to compel further discovery.	
	JULIAN B. MODESTI for JOHN B. FELDMIEIER	15 minutes
	JON P. DEVENDORF for FELDMIEIER EQUIPMENT, INC.	15 minutes
774.0 CA 18-00097	RONALD BUND V DAVID P. HIGGINS	

Appeal from an order of the Supreme Court, Erie County (Paul Wojtaszek, J.), entered September 22, 2017. The order denied the motions of defendants David P. Higgins and Linda M. Higgins for summary judgment against plaintiff and for common law indemnification against defendant Raymond M. Devore.

KATE L. HARTMAN for DAVID P. HIGGINS

10 minutes

JOHN G. MAKOWSKI for RAYMOND M. DEVORE

5 minutes

JOHN A. COLLINS for RONALD BUND

10 minutes

DAY CALENDAR
Tuesday, May 22, 2018 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

775.0
KA 16-01492

PEOPLE
V
CORBIN J. KINSEY

Appeal from a judgment of the Supreme Court, Erie County (John L. Michalski, J.), rendered August 11, 2016. The judgment convicted defendant, upon his plea of guilty, of criminal possession of stolen property in the third degree, unauthorized use of a vehicle in the third degree (two counts) and grand larceny in the third degree.

ROBERT L. KEMP for CORBIN J. KINSEY

Submitted

DONNA A. MILLING for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

776.0
KA 17-00070

PEOPLE
V
GLENN M. HUGGINS

Appeal from a judgment of the Jefferson County Court (Kim H. Martusewicz, J.), rendered October 14, 2016. The judgment convicted defendant, upon a non jury verdict, of petit larceny, criminal possession of stolen property in the fifth degree, welfare fraud in the fifth degree and offering a false instrument for filing in the second degree (seven counts).

EFTIHIA BOURTIS for GLENN M. HUGGINS

Submitted

NICOLE L. KYLE for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

777.0
KA 14-00176

PEOPLE
V
KIMBERLY J. JONES

Appeal from a judgment of the Monroe County Court (John L. DeMarco, J.), rendered July 1, 2013. The judgment convicted defendant, upon her plea of guilty, of arson in the second degree.

ERIC M. DOLAN for KIMBERLY J. JONES

Submitted

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

Submitted

778.0
KA 16-02101

PEOPLE
V
JAMES J. GOULD

Appeal from a judgment of the Niagara County Court (Sara Sheldon, J.), rendered July 27, 2016. The judgment convicted defendant, upon his plea of guilty, of attempted burglary in the third degree

JOSEPH G. FRAZIER for JAMES J. GOULD

Submitted

THOMAS H. BRANDT for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

779.0
KA 16-01950

PEOPLE
V
WILLIAM REED

Appeal from a judgment of the Onondaga County Court (Joseph E. Fahey, J.), rendered June 29, 2015. The judgment convicted defendant, upon a jury verdict, of burglary in the second degree, grand larceny in the third degree and criminal mischief in the fourth degree.

KRISTEN MCDERMOTT for WILLIAM REED 10 minutes

NICOLE K. INTSCHERT for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

780.0
KA 16-01982

PEOPLE
V
JOSEPH A. MCCALLUM

Appeal from a judgment of the Steuben County Court (Joseph W. Latham, J.), rendered May 4, 2016. The judgment convicted defendant, upon a jury verdict, of burglary in the third degree, robbery in the second degree and possession of burglar's tools.

MARY P. DAVISON for JOSEPH A. MCCALLUM 10 minutes

JOHN C. TUNNEY for THE PEOPLE OF THE STATE OF NEW YORK 5 minutes

781.0
KA 16-01236

PEOPLE
V
LAMAR DAVIS

Appeal from a judgment of the Erie County Court (David W. Foley, J.), rendered July 11, 2016. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree and criminal possession of a controlled substance in the fifth degree.

ROBERT L. KEMP for LAMAR DAVIS 10 minutes

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

782.0
CAF 17-00983

ROBERT M. BIERNBAUM
V
MARY E. BURDICK

Appeals from an order of the Family Court, Ontario County (Stephen D. Aronson, A.J.), entered April 13, 2017, in a proceeding pursuant to Family Court Act article 6. The order, inter alia, continued joint custody.

DONALD A. WHITE for MARY E. BURDICK 15 minutes

BRIAN J. BARNEY for ROBERT M. BIERNBAUM 15 minutes

TERESA M. PARE, ATTORNEY FOR THE CHILD 15 minutes

783.0
CAF 17-00730

AHMED Z. ABDO
V
MALLOCHE A. AHMED

Appeal from an order of the Family Court, Erie County (Mary G. Carney, J.), entered March 14, 2017, in a proceeding pursuant to Family Court Act article 6. The order granted sole custody to petitioner.

DEBORAH J. SCINTA for MALLOCHE A. AHMED 5 minutes

CHARLES J. GREENBERG for AHMED Z. ABDO 5 minutes

MICHELE A. BROWN, ATTORNEY FOR THE CHILD Submitted

784.0
CAF 18-00033

MARGARET BAXTER
V
FRANKLIN R. BAXTER

Appeal from a temporary order of the Supreme Court, Monroe County (Daniel P. Majchrzak, R.), entered August 28, 2017. The temporary order, inter alia, directed defendant to pay monthly support of \$2280.85.

MICHAEL STEINBERG for MARGARET BAXTER 10 minutes

GARY MULDOON for FRANKLIN R. BAXTER 10 minutes

785.0
CA 18-00113

TINA M. JAQUES
V
BREZ PROPERTIES, LLC

Appeal from an order of the Supreme Court, Cattaraugus County (Jeremiah J. Moriarty, III, J.), entered September 14, 2017. The order denied the motion of defendant for summary judgment dismissing the complaint.

BRENT C. SEYMOUR for BREZ PROPERTIES, LLC 10 minutes

EDWARD J. MARKARIAN for TINA M. JAQUES 10 minutes

786.0
CA 18-00161

In the Matter of Arbitration Between
LIFT LINE, INC.
(AMALGAMATED TRANSIT UNION LOCAL 282)

Appeal from an order and judgment of the Supreme Court, Monroe County (J. Scott Odorisi, J.), entered May 3, 2017. The order and judgment granted the petition to vacate a portion of an arbitration award, vacated such award, denied the request of respondent to confirm the award and reimposed the penalty of employment termination.

JULES L. SMITH for AMALGAMATED TRANSIT UNION LOCAL 282 15 minutes

ROY R. GALEWSKI for LIFT LINE, INC. 15 minutes

787.0
CA 17-01275

CHRISTOPHER EZEH
V
DANIEL J. CONDON

Appeal from a decision and order of the Supreme Court, Monroe County (J. Scott Odorisi, J.), entered April 27, 2017. The decision and order granted the motion of defendant to dismiss the complaint, dismissed the complaint and denied the cross motion of plaintiff for discovery and other relief.

CHRISTOPHER EZEH for HIMSELF Submitted

AARON T. FRAZIER for DANIEL J. CONDON 15 minutes

788.0
CA 18-00071

DEBORAH O'REILLY-MORSHEAD
V
CHRISTINE O'REILLY-MORESHEAD

Appeal from an order of the Supreme Court, Monroe County (Richard A. Dollinger, A.J.), entered April 3, 2017. The order, among other things, granted defendant's motion for summary judgment in part, only to the extent of dissolving the June 9, 2003 civil union of the parties.

AMY E. SCHWARTZ-WALLACE for CHRISTINE O'REILLY-MORESHEAD 15 minutes

LARA ROBIN BADAIN for DEBORAH O'REILLY-MORSHEAD 5 minutes

789.0
CA 17-02088

JULIE E. PASEK
V
CATHOLIC HEALTH SYSTEM, INC.

Appeal from an order of the Supreme Court, Erie County (Donna M. Siwek, J.), entered February 24, 2017. The order denied the motion of defendants Gregory V. Tobias M.D., and George R. Bancroft, M.D., to dismiss the complaint.

J. MARK GRUBER for GREGORY V. TOBIAS, M.D. 10 minutes

ANGELO S. GAMBINO for JULIE E. PASEK 10 minutes

790.0
CA 17-01919

U.S. BANK NATIONAL ASSOCIATION
V
MICHAEL BALDERSTON

Appeal from a decision and order of the Supreme Court, Monroe County (Ann Marie Taddeo, J.), entered January 27, 2017. The decision and order granted the motion of defendant for summary judgment and denied the cross motion of defendant Phillip Ciufo for summary judgment.

JAMES V. PHILIPPONE for PHILLIP CIUFO 15 minutes

JOSEPH F. BATTISTA for U.S. BANK NATIONAL ASSOCIATION 15 minutes

791.0
CA 17-01920

U.S. BANK NATIONAL ASSOCIATION
V
MICHAEL BALDERSTON

Appeal from an order of the Supreme Court, Monroe County (Ann Marie Taddeo, J.), entered January 27, 2017. The order, inter alia, struck the answer of defendant Philip Ciufo.

JAMES V. PHILIPPONE for PHILLIP CIUFO Submitted

JOSEPH F. BATTISTA for U.S. BANK NATIONAL ASSOCIATION Submitted

792.0
CA 17-02013

LOUIS YOURDON
V
JUDY CURTIS

Appeals from an order of the Supreme Court, Erie County (Tracey A. Bannister, J.), entered July 6, 2017. The order denied the motions of defendants Judy Curtis, Mid-Erie Counseling Treatment Center and Dr. Arvind Samant, M.D., to dismiss the complaint of plaintiffs Louis Yourdon and James R. Belter.

ARIANNA KWIATKOWSKI for JUDY CURTIS 15 minutes

PAULETTE E. ROSS for DR. ARVID SAMANT, M.D. 15 minutes

LOUIS ROSADO for LOUIS YOURDON 10 minutes

794.0
CA 17-02174

HUEBSCHER CONSULTING CORP.
V
WESTGATE NURSING HOME, INC.

Appeal from an order of the Supreme Court, Monroe County (William K. Taylor, J.), entered March 23, 2017. The order, among other things, granted defendant's cross motion to dismiss the complaint for failure to state a cause of action.

RAYMOND CRAIG STILWELL for HUEBSCHER CONSULTING CORP. 15 minutes

DAVID H. EALY for WESTGATE NURSING HOME, INC. Submitted

DAY CALENDAR
Wednesday, May 23, 2018 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

795.0
KA 16-01086

PEOPLE
V
NEWNON FLAX

Appeal from an order of the Supreme Court, Erie County (Penny M. Wolfgang, J.), entered May 18, 2016. The order, insofar as appealed from, denied the motion of defendant pursuant to CPL 440.30 (1-a) for DNA testing.

TIMOTHY P. MURPHY for NEWNON FLAX

Submitted

DAVID A. HERATY for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

796.0
KA 17-00489

PEOPLE
V
LEWIS SMITH

Appeal from a judgment of the Cayuga County Court (Mark H. Fandrich, J.), rendered January 17, 2017. The judgment convicted defendant, upon his plea of guilty, of criminal sale of a controlled substance in the third degree.

DAVID P. ELKOVITCH for LEWIS SMITH

Submitted

CHRISTOPHER VALDINA for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

797.0
KA 14-01048

PEOPLE
V
JONATHAN W. SPINKS

Appeal from a judgment of the Supreme Court, Monroe County (Francis A. Affronti, J.), rendered April 29, 2014. The judgment convicted defendant, upon a jury verdict, of robbery in the first degree and robbery in the second degree (two counts).

BRIAN SHIFFRIN for JONATHAN W. SPINKS

10 minutes

JOSEPH PLUKAS for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

798.0
KA 16-00065

PEOPLE
V
DAVID M. HOLZ

Appeal from a judgment of the Supreme Court, Monroe County (Francis A. Affronti, J.), rendered November 24, 2015. The judgment convicted defendant, upon his plea of guilty, of burglary in the second degree.

LANA M. ULRICH for DAVID M. HOLZ

10 minutes

JOSEPH PLUKAS for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

799.0
KA 15-00920

PEOPLE
V
TIMOTHY WOOD

Appeal from a judgment of the Supreme Court, Monroe County (Thomas E. Moran, J.), rendered November 24, 2014. The judgment convicted defendant upon a jury verdict, of criminal possession of a weapon in the second degree (two counts) and menacing in the second degree.

	DANIELLE WILD for TIMOTHY WOOD	10 minutes
	NANCY GILLIGAN for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
800.0 KA 16-00188	PEOPLE V KENNETH J. MARVIN	
	Appeal from a judgment of the Ontario County Court (Stephen D. Aronson, A.J.), rendered December 3, 2015. The judgment convicted defendant, upon a jury verdict, of felony driving while intoxicated, aggravated driving while intoxicated, reckless driving, criminal mischief in the fourth degree and leaving scene of a property damage incident without reporting.	
	MARK C. DAVISON for KENNETH J. MARVIN	10 minutes
	ZACHARY S. MAURER for THE PEOPLE OF THE STATE OF NEW YORK	5 minutes
801.0 KA 12-01622	PEOPLE V JOSEPH GELLING	
	Appeal from a judgment of the Supreme Court, Onondaga County (John J. Brunetti, A.J.), rendered June 19, 2012. The judgment convicted defendant, upon a jury verdict, of burglary in the second degree, criminal possession of a weapon in the second degree, criminal mischief in the fourth degree, petit larceny and criminal possession of stolen property in the fifth degree.	
	PIOTR BANASIAK for JOSEPH GELLING	15 minutes
	VICTORIA M. WHITE for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
802.0 CA 16-01167	ALLAN M. V STATE OF NEW YORK	
	Appeal from an order of the Supreme Court, Oneida County (Louis P. Gigliotti, A.J.), entered June 14, 2016. The order, among other things, continued petitioner's commitment to a secure treatment facility.	
	MARK CHRISTOPHER DAVISON for ALLAN M.	10 minutes
	FRANK BRADY for STATE OF NEW YORK	10 minutes
803.0 CA 17-02205	BRG CORPORATION V CHEVRON U.S.A.	
	Appeal from an order of the Supreme Court, Monroe County (William K. Taylor, J.), entered September 22, 2017. The order denied defendant Valero Energy Corporation's motion to dismiss with prejudice the claims asserted against it in plaintiffs' second amended complaint.	
	JEFFREY C. STRAVINO for VALERO ENERGY CORPORATION	10 minutes
	GRETA KATRIN KOLCON for CHEVRON U.S.A.	10 minutes
	AMY K. KENDALL for BRG CORPORATION	20 minutes
804.0 CA 17-01170	CHARLES HARRISON V ALLSTATE INDEMNITY COMPANY	

Appeal from an order of the Supreme Court, Steuben County (Marianne Furfure, A.J.), entered March 31, 2017. The order, among other things, denied plaintiffs' cross motion for summary judgment against defendant Allstate Indemnity Company.

ANNA CZARPLES for CHARLES HARRISON 10 minutes

KATY M. HEDGES for ALLSTATE INDEMNITY COMPANY 10 minutes

805.0
CA 17-02123

JOHN O. PROVENS
V
BEN-FALL DEVELOPMENT, LLC

Appeal and cross appeals from an order of the Supreme Court, Monroe County (Ann Marie Taddeo, J.), entered September 27, 2017. The order, among other things, denied plaintiff's motion for partial summary judgment and denied in part defendant David Alen Sattora's motion for summary judgment.

MICHAEL G. BERSANI for JOHN O. PROVENS 10 minutes

MICHAEL M. CHELUS for BEN-FALL DEVELOPMENT, LLC 15 minutes

MATTHEW A. LENHARD for DAVID ALEN SATTORA 10 minutes

806.0
CA 17-01956

CAYUGA NATION
V
SAMUEL CAMPBELL

Appeal from an order of the Supreme Court, Seneca County (Dennis F. Bender, A.J.), entered September 20, 2017. The order, inter alia, directed defendants to vacate certain real property.

MARGARET A. MURPHY for SAMUEL CAMPBELL 10 minutes

DAVID W. DEBRUIN for CAYUGA NATION 10 minutes

JOSEPH M. CALLAHAN for WARREN JOHN Submitted

FRANK R. FISHER for COUNTY OF SENECA Submitted

807.0
CA 17-01957

CAYUGA NATION
V
SAMUEL CAMPBELL

Appeal from an amended decision and order of the Supreme Court, Seneca County (Dennis F. Bender, A.J.), entered October 18, 2017. The amended decision and order, insofar as appealed from, determined the amount of the undertaking required of defendants.

MARGARET A. MURPHY for SAMUEL CAMPBELL Submitted

DAVID W. DEBRUIN for CAYUGA NATION Submitted

JOSEPH M. CALLAHAN for WARREN JOHN Submitted

FRANK R. FISHER for COUNTY OF SENECA Submitted

808.0
CA 18-00073

NANETTE DAVIS **SETTLED**
V
FARVIEW GOLF COURSE AND COUNTRY INN

Appeal from an order of the Supreme Court, Monroe County (Evelyn Frazee, J.), entered June 8, 2017. The order denied the motion of defendants for summary judgment dismissing the complaint.

MICHAEL B. DIXON for FARVIEW GOLF COURSE AND COUNTRY INN

ROBERT L. VOLTZ for NANETTE DAVIS

809.0
CA 18-00235

MOHAMMED SALAHUDDIN, DDS, PHD
V
CHRISTINE K. CRAVER

Appeal and cross appeal from an order of the Supreme Court, Monroe County (Renee F. Minarik, A.J.), entered May 16, 2017. The order, inter alia, directed plaintiffs to make certain payments to defendants.

MICHAEL STEINBERG for MOHAMMED SALAHUDDIN, DDS, PHD

15 minutes

JILLIAN K. FARRAR for CHRISTINE K. CRAVER

15 minutes

810.0
CA 18-00016

FRANCES J. TAITT
V
THE SHIPWRECK TAVERN, INC.

Appeal from a memorandum decision and order of the Supreme Court, Jefferson County (James P. McClusky, J.), entered April 19, 2017. The memorandum decision and order denied the motion of defendant for summary judgment dismissing the complaint.

MEGAN E. GRIMSLEY for THE SHIPWRECK TAVERN, INC.

10 minutes

RYAN S. SUSER for FRANCES J. TAITT

10 minutes

811.0
TP 18-00205

TYRONE HILL
V
STATE UNIVERSITY OF NEW YORK AT BUFFALO

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, Erie County [Jeanette Ogden, J.], entered January 30, 2018) to review a determination of respondent. The determination sanctioned petitioner for violations of the State University of New York at Buffalo Student Code of Conduct University Standards and Administrative Regulations.

JOSHUA R. LIPPES for TYRONE HILL

15 minutes

JONATHAN D. HITSOUS for SUNY BUFFALO

10 minutes

812.0
CA 18-00070

ANGEL DONER
V
GARY CAMP

Appeal from an order of the Supreme Court, Chautauqua County (Frank A. Sedita, III, J.), entered October 5, 2017. The order denied the motion of defendant for summary judgment dismissing the complaint.

ARLOW M. LINTON for GARY CAMP

10 minutes

JESSLYN A. HOLBROOK for ANGEL DONER

10 minutes

812.1
CA 18-00467

ROBINSON HOME PRODUCTS, INC.
V
ONEIDA, LTD.

Appeal from an order of the Supreme Court, Monroe County (Matthew A. Rosenbaum, J.), entered March 16, 2018. The order denied the application of plaintiff for a preliminary injunction and vacated a temporary restraining order.

WILLIAM F. SAVINO for ROBINSON HOME PRODUCTS, INC.

15 minutes

ATARA MILLER for ONEIDA, LTD.

10 minutes

DAY CALENDAR
Thursday, May 24, 2018 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

813.0
KA 16-02265

PEOPLE
V
TYLER L.E.

Appeal from an adjudication of the Allegany County Court (Terrence M. Parker, J.), rendered June 14, 2016. Defendant was adjudicated a youthful offender upon his plea of guilty to attempted forgery in the second degree.

WENDY S. SISSON for TYLER L.E.

Submitted

J. THOMAS FUOCO for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

814.0
KA 17-01494

PEOPLE
V
STEVEN D. CLARK

Appeal from a judgment of the Cayuga County Court (Mark H. Fandrich, J.), rendered June 13, 2017. The judgment convicted defendant, upon his plea of guilty, of burglary in the second degree (three counts).

CHARLES A. MARANGOLA for STEVEN D. CLARK

Submitted

CHRISTOPHER VALDINA for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

815.0
KA 17-00290

PEOPLE
V
JERMAINE A. JAMES

Appeal from a judgment of the Monroe County Court (Thomas R. Morris, J.), rendered June 30, 2015. The judgment convicted defendant, upon a jury verdict, of robbery in the second degree.

CHARLES D. STEINMAN for JERMAINE A. JAMES

10 minutes

JOSEPH PLUKAS for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

816.0
KA 17-00269

PEOPLE
V
ROBERT D. HOLLEY

Appeal from a judgment of the Erie County Court (Michael M. Mohun, J.), rendered November 21, 2016. The judgment convicted defendant, upon his plea of guilty, of attempted assault in the second degree

DANIEL MARK GRIEBEL for ROBERT D. HOLLEY

10 minutes

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

5 minutes

817.0
KA 15-00163

PEOPLE
V
ANDRE CHEESEBORO

Appeal from a judgment of the Supreme Court, Monroe County (Thomas E. Moran, J.), rendered October 14, 2014. The judgment convicted defendant, upon a jury verdict, of robbery in the second degree

KIMBERLY F. DUGUAY for ANDRE CHEESEBORO

10 minutes

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

10 minutes

818.0
KA 16-02263

PEOPLE
V
TYLER L.E.

Appeal from a judgment of the Allegany County Court (Terrence M. Parker, J.), rendered June 14, 2016. The judgment convicted defendant, upon a jury verdict, of robbery in the third degree and criminal possession of a weapon in the fourth degree.

WENDY S. SISSON for TYLER L.E.

Submitted

J. THOMAS FUOCO for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

819.0
KA 15-01505

PEOPLE
V
SHERRITA L. CRUMPLER

Appeal from a judgment of the Monroe County Court (James J. Piampiano, J.), rendered August 27, 2015. The judgment convicted defendant, upon a jury verdict, of manslaughter in the first degree.

BRIAN SHIFFRIN for SHERRITA L. CRUMPLER

10 minutes

SCOTT MYLES for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

820.0
CAF 17-01424

DARLENE REID
V
DEBRA REID-YANCEY

Appeal from an order of the Family Court, Wayne County (Richard M. Healy, J.), entered June 21, 2017, in proceedings pursuant to Family Court Act article 6. The order, among other things, awarded joint custody of the subject children to Darlene Reid and Jennifer L. Johnson.

MARY M. WHITESIDE for DEBRA REID-YANCEY

10 minutes

DARLENE REID for HERSELF

Submitted

CHRISTINE F. REDFIELD, ATTORNEY FOR THE CHILD

15 minutes

821.0
CAF 17-01172

In the Matter of
ZANDER L.

Appeal from an order of the Family Court, Erie County (Sharon M. LoVallo, J.), entered June 19, 2017 in a proceeding pursuant to Social Services Law § 384-b. The order, among other things, transferred respondent's custody and guardianship rights with respect to the subject child to petitioner.

DAVID J. PAJAK for ATHENA L.

Submitted

KATHERINE E. MEIER-DAVIS for ERIE CO. DSS

5 minutes

CHARLES D. HALVORSEN, ATTORNEY FOR THE CHILD

Submitted

822.0
CAF 17-00800

In the Matter of
RICKY A.

Appeal from an order of the Family Court, Wayne County (John B. Nesbitt, J.), entered April 10, 2017, in a proceeding pursuant to Family Court Act article 10. The order, inter alia, determined that respondent-father had neglected te subject children.

ROBERT A. DINIERI for BARRY A.

Submitted

HEATHER MAURE for WAYNE CO. DSS

10 minutes

	SARA E. ROOK, ATTORNEY FOR THE CHILD	5 minutes
	EDWIN P. FRICK, ATTORNEY FOR THE CHILD	Submitted
	PETER G. CHAMBERS, ATTORNEY FOR THE CHILD	Submitted
823.0 CA 18-00136	In the Matter of Arbitration Between COUNTY OF MONROE (CIVIL SERVICES EMPLOYEES ASSOCIATION, INC.)	
	Appeal from an order and judgment (one paper) of the Supreme Court, Monroe County (Thomas A. Stander, J.), entered March 20, 2017 in a proceeding pursuant to CPLR article 75. The order and judgment, among other things, granted respondent's cross motion to compel petitioner to proceed with the arbitration proceedings initiated by respondent.	
	KARLEE S. BOLANOS for COUNTY OF MONROE	15 minutes
	JENNIFER ZEGARELLI for CSEA, INC.	10 minutes
824.0 CA 17-01570	MARY E. EDWARDS V ZONING BOARD OF APPEALS	
	Appeal from a memorandum decision and order of the Supreme Court, Erie County (Catherine Nugent Panepinto, J.), entered June 1, 2017. The memorandum decision and order dismissed the CPLR article 78 petition.	
	RICHARD J. LIPPES for MARY E. EDWARDS	10 minutes
	LAURIE STYKA BLOOM for UPSTATE CELLULAR NETWORK	10 minutes
	STANLEY J. SLIWA for ZONING BOARD OF APPEALS	Submitted
	JESSICA J. BURGASSER for PUBLIC STORAGE, INC.	Submitted
825.0 CA 16-01183	SHANNON S. V STATE OF NEW YORK	
	Appeal from an order of the Supreme Court, Oneida County (Louis P. Gigliotti, A.J.), entered May 23, 2016 in a proceeding pursuant to Mental Hygiene Law article 10. The order, among other things, adjudged that petitioner is subject to Strict and Intensive Supervision and Treatment.	
	CHARLES J. GREENBERG for SHANNON S.	5 minutes
	KATHLEEN M. TREASURE for STATE OF NEW YORK	5 minutes
826.0 CA 17-01756	MICHELLE M. DZIEDZIC V RICHARD WIRTH	
	Appeal from a decision and order of the Supreme Court, Oswego County (Norman W. Seiter, Jr., J.), entered June 28, 2017. The order granted the motion of defendants Mark Donabella and Meghan Donabella for summary judgment dismissing the complaint and denied the cross motion of plaintiffs for summary judgment.	
	BRADY J. O'MALLEY for MICHELLE M. DZIEDZIC	10 minutes
	ALAN R. PETERMAN for RICHARD WIRTH	10 minutes
827.0 CA 17-00065	RICHARD VOGT V WILLIAM B. EBERHARDT, JR.	

Appeal from an order of the Supreme Court, Monroe County (Renee Forgens Minarik, A.J.), entered October 6, 2016. The order, inter alia, granted the motion of defendants to vacate a default judgment and vacated the default judgment.

MICHAEL A. ROSENHOUSE for RICHARD VOGT

10 minutes

RAUL E. MARTINEZ for WILLIAM B. EBERHARDT, JR.

10 minutes

828.0
CA 18-00234

SOUTHGATE ASSOCIATES, LLC
V
TOWN OF WEST SENECA

Appeals from an order of the Supreme Court, Erie County (Henry J. Nowak, J.), entered November 17, 2017 in a proceeding pursuant to RPTL article 7. The order, among other things, granted petitioner's motion for summary judgment.

MARK RYAN MCNAMARA for TOWN OF WEST SENECA

10 minutes

JAMES P. BLENK for COUNTY OF ERIE

10 minutes

NICHOLAS C. ROBERTS for WEST SENECA CENTRAL SCHOOL DISTRICT

10 minutes

PETER ALLEN WEINMANN for SOUTHGATE ASSOCIATES, LLC

10 minutes

829.0
CA 17-01009

ALFRED E. EASTON, JR.
V
M.A. MORTENSON COMPANY

SETTLED

Appeal and cross appeal from an order of the Supreme Court, Erie County (Mark J. Grisanti, J.), entered September 19, 2016. The order denied the motion of plaintiffs and the cross motion of third-party defendant for summary judgment and denied the motion of plaintiffs to sever the third-party action.

ALAN D. VOOS for ALFRED E. EASTON, JR.

DAVID RAY ADAMS for M.A. MORTENSON COMPANY

CORY J. WEBER for PRECAST SERVICES INC.

830.0
CA 17-01010

ALFRED E. EASTON, JR.
V
M.A. MORTENSON COMPANY

SETTLED

Appeal from an order of the Supreme Court, Erie County (Mark J. Grisanti, J.), entered April 3, 2017. The order, insofar as appealed from, dismissed the Labor Law § 200 and negligence claims of plaintiffs, dismissed the Labor Law §§ 240 (1) and 241 (6) claims of plaintiffs against defendant Modern Mosaic Limited and denied the motion of plaintiffs for summary judgment on liability pursuant to Labor Law § 240 (1).

ALAN D. VOOS for ALFRED E. EASTON, JR.

DAVID RAY ADAMS for M.A. MORTENSON COMPANY

CORY J. WEBER for PRECAST SERVICES INC.

832.0
TP 17-01928

J.C. SMITH, INC.
V
NYS DEPARTMENT OF ECONOMIC DEVELOPMENT

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, Onondaga County [James P. Murphy, J.], entered October 18, 2017) to review a determination of respondents. The determination denied petitioner's application for re-certification as a Women-Owned Business Enterprise.

KEVIN G. ROE for J.C. SMITH, INC.

15 minutes

ALLYSON LEVINE for NYS DEPARTMENT OF ECONOMIC DEVELOPMENT

10 minutes