

DAY CALENDAR
Monday, February 22, 2016 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

138.0
TP 14-02248

JOSE MEDINA
V
BRIAN FISCHER

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, Cayuga County [Mark H. Fandrich, A.J.], entered April 7, 2014) to review a determination of respondent. The determination found after a Tier III hearing that petitioner had violated various inmate rules.

JOSE MEDINA for HIMSELF Submitted

MARCUS J. MASTRACCO for BRIAN FISCHER Submitted

139.0
TP 15-01048

COREY MOBLEY
V
SUPERINTENDENT SHEAHAN

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, Seneca County [Dennis F. Bender, A.J.], entered June 15, 2015) to review a determination of respondent. The determination found after Tier II hearing that petitioner had violated various inmate rules.

COREY MOBLEY for HIMSELF Submitted

MARCUS J. MASTRACCO for SUPERINTENDENT SHEAHAN Submitted

140.0
KA 14-01680

PEOPLE
V
PATRICIA BEEBE

Appeal from a judgment of the Wayne County Court (John B. Nesbitt, J.), rendered September 18, 2014. The judgment convicted defendant, upon a jury verdict, of reckless endangerment in the second degree.

RICHARD W. YOUNGMAN for PATRICIA BEEBE Submitted

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

141.0
KA 14-00411

PEOPLE
V
ROGELIO MUESES

Appeal from a judgment of the Erie County Court (Thomas P. Franczyk, J.), rendered January 23, 2014. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree and unlawful possession of marihuana.

DEBORAH K. JESSEY for ROGELIO MUESES 10 minutes

DANIEL J. PUNCH for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

142.0
KA 11-02190

PEOPLE
V
ROGER COONEY

Appeal from a judgment of the Monroe County Court (Melchor E. Castro, A.J.), rendered July 1, 2011. The judgment convicted defendant, upon a jury verdict, of robbery in the first degree.

JON P. GETZ for ROGER COONEY

10 minutes

DANIEL A. GROSS for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

143.0
KA 11-02191

PEOPLE
V
ROGER COONEY

Appeal from a judgment of the Monroe County Court (Melchor E. Castro, A.J.), rendered July 1, 2011. The judgment convicted defendant, upon a jury verdict, of robbery in the second degree.

JON P. GETZ for ROGER COONEY

Submitted

DANIEL A. GROSS for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

144.0
KA 11-00096

PEOPLE
V
JOHN ROCKWELL

Appeal from a judgment of the Livingston County Court (Dennis S. Cohen, J.), rendered December 16, 2010. The judgment convicted defendant, upon his plea of guilty, of aggravated driving while intoxicated.

JOSEPH D. WALDORF for JOHN ROCKWELL

10 minutes

JOSHUA TONRA for THE PEOPLE OF THE STATE OF NEW YORK

5 minutes

145.0
KA 12-01039

PEOPLE
V
NANCY JAMES

Appeal from a judgment of the Supreme Court, Monroe County (Francis A. Affronti, J.), rendered March 13, 2012. The judgment convicted defendant, upon a jury verdict, of manslaughter in the first degree and assault in the second degree.

JAMES A. HOBBS for NANCY JAMES

15 minutes

SCOTT MYLES for THE PEOPLE OF THE STATE OF NEW YORK

15 minutes

146.0
KA 12-02153

PEOPLE
V
ANTHONY T. HENDERSON, JR.

Appeal from a judgment of the Monroe County Court (Frank P. Geraci, Jr., J.), rendered September 26, 2012. The judgment convicted defendant upon his plea of guilty, of burglary in the second degree.

JANET C. SOMES for ANTHONY T. HENDERSON, JR.

10 minutes

SCOTT MYLES for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

147.0
CAF 14-02133

DANIEL T. HILL
V
VICKI L. TROJNOR

Appeal from an order of the Family Court, Cayuga County (Mark H. Fandrich, J.), entered September 15, 2014, in a proceeding pursuant to Family Court Act article 8. The order granted an order of protection against respondent.

MAUREEN POLEN for VICKI L. TROJNOR 10 minutes

DANIEL T. HILL for HIMSELF Submitted

JAMES ANTHONY LEONE, ATTORNEY FOR CHILD Submitted

LISA A. BLAIR, ATTORNEY FOR CHILD Submitted

148.0
CAF 14-02134

DANIEL T. HILL
V
VICKI L. TROJNOR

Appeal from an order of the Family court, Cayuga County (Mark H. Fandrich, J.), entered November 18, 2014, in a proceeding pursuant to Family Court Act article 6. The order, inter alia, granted sole legal and physical custody of the parties' children to petitioner.

MAUREEN POLEN for VICKI L. TROJNOR Submitted

DANIEL T. HILL for HIMSELF Submitted

JAMES ANTHONY LEONE, ATTORNEY FOR CHILD Submitted

LISA A. BLAIR, ATTORNEY FOR CHILD Submitted

149.0
CAF 15-00153

MINDY S. GIRARD
V
WILLIAM R. NEVILLE

Appeal and cross appeal from an order of the Family Court, Oswego County (Donald E. Todd, J.), dated March 14, 2014. The order, among other things, adjudged that respondent had wilfully failed to obey a court order and placed respondent on probation for a period of three years.

LISA DIPOALA HABER for WILLIAM R. NEVILLE 5 minutes

MINDY S. GIRARD for HERSELF Submitted

150.0
CAF 14-01530

In the Matter of
TRINITY E.

Appeal from an order of the Family Court, Monroe County (Patricia E. Gallaher, J.), entered July 7, 2014, in a proceeding pursuant to article 10 of the Family Court Act. The order, among other things, adjudged that respondent Robert E. had neglected the subject child.

WILLIAM G. PIXLEY for ROBERT E. Submitted

CAROL LYNN EISENMAN for MONROE CO. DEPT. OF HUMAN SERVS. 5 minutes

PAUL B. WATKINS, ATTORNEY FOR CHILD 5 minutes

151.0
CA 15-01244

PUTRELO CONSTRUCTION COMPANY
V
TOWN OF MARCY

Appeal from an order of the Supreme Court, Oneida County (Norman I. Siegel, A.J.), entered September 29, 2014. The order denied the motion of plaintiff to amend the ad damnum clause in its complaint; granted the motion of defendant to limit proof of damages at trial; and granted the motion of third-party defendant to dismiss the first cause of action of plaintiff to the extent that plaintiff seeks to recover \$33,323.31 for proposed change orders 7, 11, 12, 13 and 17.

DIANA PLUE for PUTRELO CONSTRUCTION COMPANY 10 minutes

ANTHONY G. HALLAK for TOWN OF MARCY Submitted

JENNA W. KLUCSIK for BONACCI ARCHITECTS, PLLC 10 minutes

152.0
CA 15-00718

CATHERINE M. HEARY
V
DENISE HIBIT

Appeal from an order of the Supreme Court, Erie County (John L. Michalski, J.), entered February 4, 2015. The order, among other things, granted plaintiff's motion to set aside the jury verdict on the issue of past and future pain and suffering.

NORMAN E.S. GREENE for DENISE HIBIT 15 minutes

HOWARD B. COHEN for CATHERINE M. HEARY 15 minutes

153.0
CA 15-00876

LISA BLANCHFIELD
V
CLINTON COMMONS VENTURES, LLC

Appeal from an order of the Supreme Court, Oneida County (Erin P. Gall, J.), entered November 20, 2014. The order denied the motion of defendant for summary judgment.

MICHELLE M. DAVOLI for CLINTON COMMONS VENTURES, LLC 10 minutes

PETER MICHAEL HOBAICA for LISA BLANCHFIELD 10 minutes

154.0
CA 15-00877

LISA BLANCHFIELD
V
CLINTON COMMONS VENTURES, LLC

Appeal from an order of the Supreme Court, Oneida County (Erin P. Gall, J.), entered April 6, 2015. The order, insofar as appeal from, denied the motion of defendant for summary judgment.

MICHELLE M. DAVOLI for CLINTON COMMONS VENTURES, LLC Submitted

PETER MICHAEL HOBAICA for LISA BLANCHFIELD Submitted

155.0
CA 15-01299

CURTIS COOK
V
ALYSSA S. PETERSON

Appeal from an order of the Supreme Court, Steuben County (Peter C. Bradstreet, A.J.), entered December 9, 2014. The order granted defendants' motions for summary judgment dismissing plaintiff's complaint.

MICHAEL A. DONLON for CURTIS COOK 10 minutes

DANIEL KENNETH CARTWRIGHT for ALYSSA S. PETERSON 15 minutes

TIFFANY L. D'ANGELO for THOMAS M. MIKE 10 minutes

156.0
TP 15-01243

ARTHEA RUSSO
V
NEW YORK STATE DIVISION OF HUMAN RIGHTS

Proceeding pursuant to Executive Law § 298 (transferred to the Appellate Division of the Supreme Court for the Fourth Judicial Department by order of the Supreme Court, Chautauqua County [Paul B. Wojtaszek, J.], entered April 14, 2015) to review a determination of respondent New York State Division of Human Rights. The determination dismissed the complaint of petitioner for gender discrimination and retaliation.

LINDY KORN for ARTHEA RUSSO 10 minutes

MARK A. MOLDENHAUER for CITY OF JAMESTOWN POLICE DEPT. 10 minutes

MARILYN BALCACER for NEW YORK STATE DIVISION OF HUMAN RIGHTS Submitted

158.0
CA 15-00590

CATHERINE M. HEARY
V
DENISE HIBIT

Appeal from an order of the Supreme Court, Erie County (John L. Michalski, A.J.), entered July 21, 2014. The order denied the motion of defendants to compel plaintiff to submit to an independent medical examination with Dr. Michael R. Ferrick.

NORMAN E.S. GREENE for DENISE HIBIT 15 minutes

SARAH P. RERA for CATHERINE M. HEARY 15 minutes

159.0
CA 15-00767

ROGER D. FELLER
V
EARTH LEASING, LLC

Appeal from an order of the Supreme Court, Erie County (John L. Michalski, J.), entered January 8, 2015. The order granted the motion of defendants Earth Leasing, LLC and Alliance Contracting LLC to dismiss plaintiffs' complaint.

DANIEL G. TRONOLONE for ROGER D. FELLER 10 minutes

MICHAEL J. CHMIEL for EARTH LEASING, LLC 10 minutes

160.0
CA 15-01288

JEFF CONIBER, DOING BUSINESS AS JEFF CONIBER TRUCKING
V
CENTER POINT TRANSFER STATION, INC.

Appeal from an order of the Supreme Court, Wyoming County (Michael M. Mohun, A.J.), dated March 23, 2015. The order, among other things, adjudged that the defendants are liable for breach of contract.

MICHAEL R. WOLFORD for CENTER POINT TRANSFER STATION, INC. 15 minutes

STEVEN E. FEDER for JEFF CONIBER, DBA AS JEFF CONIBER TRUCKING 15 minutes

161.0
CA 15-01314

JEFF CONIBER, DOING BUSINESS AS JEFF CONIBER TRUCKING
V
CENTER POINT TRANSFER STATION, INC.

Appeal from a judgment of the Supreme Court, Wyoming County (Michael M. Mohun, A.J.), entered April 6, 2015. The judgment awarded plaintiff the sum of \$761,517.02 as against defendants, jointly and severally.

MICHAEL R. WOLFORD for CENTER POINT TRANSFER STATION, INC. Submitted

STEVEN E. FEDER for JEFF CONIBER, DBA JEFF CONIBER TRUCKING

Submitted

162.0
CA 15-01330

SHAWN LASKER
V
GREENMAN-PEDERSON, INC.

SETTLED

Appeal from an order of the Supreme Court, Erie County (Timothy J. Drury, J.), entered November 25, 2014. The order, among other things, denied the motion of defendant Greenman-Pedersen, Inc., incorrectly sued as Greenman Pederson, to dismiss the plaintiff's complaint together with any cross complaints.

BRIAN SUTTER for GREENMAN-PEDERSON, INC.

JONATHAN M. GORSKI for SHAWN LASKER

163.0
CA 15-01266

LAURA SALVANIA
V
UNIVERSITY OF ROCHESTER

Appeal from a decision and order of the Supreme Court, Monroe County (J. Scott Odorisi, J.), entered March 30, 2015. The decision and order, insofar as appealed from, denied in part the motion of defendant for summary judgment.

JAMES S. WOLFORD for UNIVERSITY OF ROCHESTER

15 minutes

SAREER A. FAZILI for LAURA SALVANIA

15 minutes

164.0
CA 15-00552

JOSHUA M. BERNER
V
JAMES A. LITTLE

Appeal from a decision, judgment and order of the Supreme Court, Niagara County (Matthew J. Murphy, J.), entered December 31, 2014. The decision, judgment and order denied the motion to set aside a verdict.

ELLEN B. STURM for JOSHUA M. BERNER

15 minutes

JOHN WALLACE for JAMES A. LITTLE

10 minutes

165.0
CA 15-01363

CARMINE DURANTE
V
MICHAEL HOGAN

Appeal from a decision and order of the Supreme Court, Onondaga County (Donald A. Greenwood, J.), entered October 22, 2014. The decision and order, insofar as appealed from, denied the motion of defendants for summary judgment with respect to significant limitation of use, permanent consequential limitation and 90/180.

KEITH M. FRARY for MICHAEL HOGAN

15 minutes

MICHAEL D. ROOT for CARMINE DURANTE

10 minutes

166.0
CA 15-00968

PIRRO & SONS, INC.
V
THOMAS J. PIRRO, JR., FUNERAL HOME

Appeal a judgment of the Supreme Court, Onondaga County (Deborah H. Karalunas, A.J.), entered July 25, 2014. The order granted respondents' motion to dismiss the petition.

JOHN A. CIRANDO for PIRRO & SONS, INC.

15 minutes

MICHAEL A. OROPALLO for THOMAS J. PIRRO, JR., FUNERAL HOME

10 minutes