

**DAY CALENDAR**  
**Thursday, February 27, 2020 - 10:00 AM**  
**HON. SAMUEL L. GREEN COURTROOM**

**356.0**  
**KA 19-01728**

**PEOPLE**  
**V**  
**RICHARD L. SCOTT**

Appeal from an order of the Cayuga County Court (Thomas G. Leone, J.), entered April 19, 2019. The order determined defendant to be a level two risk pursuant to the Sex Offender Registration Act.

**DAVID P. ELKOVITCH for RICHARD L. SCOTT**

**Submitted**

**CHRISTOPHER T. VALDINA for THE PEOPLE OF THE STATE OF NY**

**Submitted**

**357.0**  
**KA 18-01953**

**PEOPLE**  
**V**  
**ANTHONY MAUND**

Appeal from an order of the Supreme Court, Erie County (John L. Michalski, J.), entered June 26, 2018. The order determined that defendant is a level three risk pursuant to the Sex Offender Registration Act.

**ALAN WILLIAMS for ANTHONY MAUND**

**Submitted**

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

**Submitted**

**358.0**  
**KA 15-00980**

**PEOPLE**  
**V**  
**JAMES E. QUICK, JR.**

Appeal from a judgment of the Supreme Court, Monroe County (Thomas E., Moran, J.), rendered February 20, 2015. The judgment convicted defendant, upon a jury verdict, of murder in the second degree and criminal possession of a weapon in the second degree.

**KATHLEEN P. REARDON for JAMES E. QUICK, JR.**

**10 minutes**

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

**10 minutes**

**359.0**  
**KA 19-01730**

**PEOPLE**  
**V**  
**AUSTIN PRATT**

Appeal from an order of the Onondaga County Court (Stephen J. Dougherty, J.), dated May 29, 2019. The order granted defendant's motion to dismiss the indictment.

**KENNETH H. TYLER, JR. for THE PEOPLE OF THE STATE OF NEW YORK**

**10 minutes**

**JEFFREY R. PARRY for AUSTIN PRATT**

**10 minutes**

**360.0**  
**KA 18-00165**

**PEOPLE**  
**V**  
**WAYNE A. BABB, JR.**

Appeal from a judgment of the Cattaraugus County Court ( Ronald D. Ploetz, J.), rendered September 11, 2017. The judgment convicted defendant, upon a jury verdict, of endangering the welfare of a child.

**KAI XI XU for WAYNE A. BABB, JR.**

**15 minutes**

**LORI PETTIT RIEMAN for THE PEOPLE OF THE STATE OF NEW YORK**

**15 minutes**

361.0 KA 18-00574	<p>PEOPLE V IRYN B MEYERS</p> <p>Appeal from a judgment of the Steuben County Court (Joseph W. Latham, J.), rendered October 18, 2017. The judgment convicted defendant, upon a jury verdict, of murder in the second degree, arson in the first degree, falsifying business records in the first degree, insurance fraud in the second degree, insurance fraud in the fifth degree and conspiracy in the fourth degree.</p> <p>MARY P. DAVISON for IRYN B MEYERS</p> <p>JOHN C. TUNNEY for THE PEOPLE OF THE STATE OF NEW YORK</p>	<p>15 minutes</p> <p>10 minutes</p>
362.0 KA 18-00614	<p>PEOPLE V JAMEL RAGHNAL</p> <p>Appeal from a judgment of the Onondaga County Court (Thomas J. Miller, J.), rendered August 29, 2017. The judgment convicted defendant, upon a plea of guilty, of arson in the second degree, burglary in the second degree, criminal mischief in the fourth degree.</p> <p>NATHANIEL V. RILEY for JAMEL RAGHNAL</p> <p>BRADLEY W. OASTLER for THE PEOPLE OF THE STATE OF NEW YORK</p>	<p>10 minutes</p> <p>10 minutes</p>
363.0 KA 19-01723	<p>PEOPLE V CHASAREA L. ANDERSON</p> <p>Appeal from an oral decision of the Monroe County Court (Sam L. Vallerini, J.), dated February 20, 2019. The oral decision dismissed the indictment.</p> <p>SCOTT MYLES for THE PEOPLE OF THE STATE OF NEW YORK</p> <p>DREW R. DUBRIN for CHASAREA L. ANDERSON</p>	<p>5 minutes</p> <p>5 minutes</p>
364.0 CA 19-00729	<p>CALVIN WILLIAMS V STATE OF NEW YORK</p> <p>Appeal from a judgment of the Court of Claims (Walter Rivera, J.), entered October 17, 2018. The judgment dismissed the claim.</p> <p>JENNA W. KLUCSIK for CALVIN WILLIAMS</p> <p>SARAH L. ROSENBLUTH for STATE OF NEW YORK</p>	<p>15 minutes</p> <p>15 minutes</p>
365.0 CA 18-01698	<p>GLASCO WRIGHT V STATE OF NEW YORK</p> <p>Appeal from a decision and order of the Court of Claims (Michael E. Hudson, J.), entered July 5, 2018. The decision and order granted the motion of defendant to dismiss the claim and dismissed the claim.</p> <p>GLASCO WRIGHT for HIMSELF</p> <p>PATRICK A. WOODS for STATE OF NEW YORK</p>	<p>Submitted</p> <p>Submitted</p>

366.0 CA 19-01873	<b>PATRICIA SPEARS</b> <b>V</b> <b>STATE OF NEW YORK</b>	
	Appeal from a decision and order of the Court of Claims (Michael E. Hudson, J.), entered March 18, 2019. The decision and order granted the motion of defendant for summary judgment and dismissed the claim.	
	<b>ANDREW CONNELLY for PATRICIA SPEARS</b>	15 minutes
	<b>SARAH L. ROSENBLUTH for STATE OF NEW YORK</b>	15 minutes
367.0 CA 19-01391	<b>LINDA LOUISE GREEN</b> <b>V</b> <b>KATHERINE ANNE REPINE</b>	
	Appeal and cross appeal from an order of the Supreme Court, Erie County (John F. O'Donnell, J.), entered January 18, 2019. The order granted in part and denied in part the respective summary judgment motions of the parties.	
	<b>CHRISTOPHER M. PANNOZZO for LINDA LOUISE GREEN</b>	10 minutes
	<b>LAURA B. GARDINER for KATHERINE ANNE REPINE</b>	15 minutes
368.0 CA 19-01315	<b>TIMOTHY J. KING</b> <b>V</b> <b>JAKE OWEN KLOCEK</b>	
	Appeal from an order of the Supreme Court, Erie County (Diane Y. Devlin, J.), entered June 6, 2019. The order denied the motion of defendant Cabela's Inc. to dismiss the complaint.	
	<b>SCOTT C. ALLAN for CABELA'S INC.</b>	15 minutes
	<b>JONATHAN E. LOWY for TIMOTHY J. KING</b>	15 minutes
	<b>JAMES H. COSGRIFF, III for JAKE OWEN KLOCEK</b>	Submitted
369.0 CA 19-01883	<b>MICHAEL MAZZEO</b> <b>V</b> <b>MICHAEL CIMMINELLI</b>	
	Appeal from an order of the Supreme Court, Monroe County (Ann Marie Taddeo, J.), entered April 9, 2019 in a proceeding pursuant to CPLR article 78. The order granted the petition.	
	<b>YVETTE CHANCELLOR GREEN for MICHAEL CIMMINELLI</b>	Submitted
	<b>DANIEL DEBOLT for MICHAEL MAZZEO</b>	15 minutes
372.0 CA 19-01298	<b>KRISTEN DEFISHER</b> <b>V</b> <b>PPZ SUPERMARKETS, INC.</b>	
	Appeal from a judgment of the Supreme Court, Wayne County, (Daniel G. Barrett, J.), entered November 26, 2018. The judgment was entered upon a jury verdict on the issue of liability dismissed plaintiffs' claims against defendants and awarded defendants costs and disbursements.	
	<b>ANDREW CONNELLY for KRISTEN DEFISHER</b>	15 minutes
	<b>CHARLES CHRISTIAN SPAGNOLI for PPZ SUPERMARKETS, INC.</b>	15 minutes

373.0  
CA 19-01578

BRIAN BERMEL  
V  
VITAL TECH DENTAL LABS, INC.

Appeal from an order of the Supreme Court, Erie County (E. Jeannette Ogden, J.), entered August 13, 2019. The order denied defendant's motion for summary judgment.

GABRIEL J. FERBER for VITAL TECH DENTAL LABS, INC. 10 minutes

STEPHEN FRANCIS SZYMONIAK for BRIAN BERMEL 10 minutes

374.0  
CA 19-01746

NATIONWIDE AGRIBUSINESS INSURANCE  
V  
KYLE A. HEATH

Appeal from an amended decision and order of the Supreme Court, Yates County (Jason L. Cook, A.J.), entered March 12, 2019. The amended decision and order denied the motion of defendant Jack D. Henderson for summary judgment.

TIFFANY L. D'ANGELO for JACK D. HENDERSON 15 minutes

MATTHEW A. LENHARD for NATIONWIDE AGRIBUSINESS INSURANCE 15 minutes

ELISE L. CASSAR for KYLE A. HEATH Submitted

VALERIE L. BARBIC for EMMA J. GARRETT Submitted

375.0  
CA 19-01099

ERICA L. NYSTROM **SETTLED**  
V  
ROME MEMORIAL HOSPITAL, INC.

Appeals from a decision and order of the Supreme Court, Onondaga County (Anthony J. Paris, J.), entered February 22, 2019. The decision and order denied the motions of the various defendants for summary judgment.

STEVEN VINCENT DEBRACCIO for ROME MEMORIAL HOSPITAL, INC.

ERIC G. JOHNSON for PATRICIA LANE, M.D.

JEFFREY S. ALBANESE for PRESTON WIGFALL, M.D.

PATRICIA MARY CURTIN for TIMOTHY MOHM, R.P.A.C.

MATTHEW B. SCHUTTE for ROME MEDICAL GROUP, P.C.

CARRIE L. SMITH for ERICA L. NYSTROM

376.0  
CA 19-01549

SUSAN COTTRELL  
V  
BENDERSON DEVELOPMENT COMPANY, LLC

Appeal from an order of the Supreme Court, Erie County (Frank A. Sedita, III, J.), entered August 6, 2019. The order denied the motion of defendants for summary judgment.

DEREK J. ROLLER for BENDERSON DEVELOPMENT COMPANY, LLC 15 minutes

MARK H. CANTOR for SUSAN COTTRELL 15 minutes

376.1  
CA 19-01943

KENNETH KITTINGER  
V  
JAMES SABUDA

**Appeal from an order of the Supreme Court, Erie County (Joseph R. Glownia, J.), entered October 16, 2019. The order, among other things, granted plaintiff's motion to compel the production of certain discovery.**

**JEFFREY F. BAASE for JAMES SABUDA**

**10 minutes**

**JOSEPH LUCIEN NICASTRO for KENNETH KITTINGER**

**10 minutes**