

DAY CALENDAR
Tuesday, February 18, 2020 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

182.0
KA 17-02128

PEOPLE
V
DAJOR C.

Appeal from a judgment of the Erie County Court (Thomas P. Franczyk, J.), rendered October 10, 2017. The judgment adjudicated defendant, upon his plea of guilty, as a youthful offender.

ROBERT L. KEMP for DAJOR C,

Submitted

DANIELLE PHILLIPS for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

183.0
KA 18-01176

PEOPLE
V
RASHAD J. MUHAMMAD

Appeal from a judgment of the Monroe County Court (Sam L. Valleriani, J.), rendered April 13, 2018. The judgment convicted defendant, upon a jury verdict, of predatory sexual assault against a child (two counts) and rape in the second degree.

KATHRYN B. FRIEDMAN for RASHAD J. MUHAMMAD

10 minutes

LISA GRAY for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

184.0
KA 15-01848

PEOPLE
V
STANLEY LOSTUMBO

Appeal from a judgment of the Supreme Court, Onondaga County (John J. Brunetti, A.J.), rendered October 27, 2015. The judgment convicted defendant, upon a nonjury verdict, of sexual abuse in the first degree, unlawful imprisonment in the second degree, intimidating a victim in the third degree and criminal contempt in the second degree (two counts).

JOHN A. CIRANDO for STANLEY LOSTUMBO

15 minutes

BRADLEY W. OASTLER for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

185.0
KA 16-01426

PEOPLE
V
BRYANT BYRD

Appeal from a resentencing of the Monroe County Court (Victoria M. Argento, J.), rendered February 25, 2016. Defendant was resentenced upon a conviction for burglary in the second degree.

JAMES A. HOBBS for BRYANT BYRD

Submitted

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

Submitted

186.0
KA 18-00169

PEOPLE
V
GEORGE KNIGHTON

Appeal from a judgment of the Onondaga County Court (Stephen J. Dougherty, J.), rendered September 8, 2017. The judgment convicted defendant, upon a jury verdict, of predatory sexual assault, menacing in the second degree (two counts) and criminal possession of a weapon in the second degree.

	LINDA M. CAMPBELL for GEORGE KNIGHTON	10 minutes
	BRADLEY W. OASTLER for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
187.0 KA 19-00889	PEOPLE V DAVID G. COX	
	Appeal from a decision and order of the Monroe County Court (John L. DeMarco, J.), entered March 8, 2019. The decision and order determined defendant to be a level two risk pursuant to the Sex Offender Registration Act.	
	DAVID R. JUERGENS for DAVID G. COX	Submitted
	NANCY GILLIGAN for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
188.0 KA 14-00747	PEOPLE V ANTHONY R. TAGLIANETTI, II	
	Appeal from a judgment of the Chautauqua County Court (John T. Ward, J.), rendered February 24, 2014. The judgment convicted defendant, upon a jury verdict, of murder in the second degree.	
	DONALD M. THOMPSON for ANTHONY R. TAGLIANETTI, II	15 minutes
	JOHN ZUROSKI for THE PEOPLE OF THE STATE OF NEW YORK	15 minutes
189.0 CA 18-02000	STEPHANIE L. V HOUSE OF THE GOOD SHEPHERD	
	Appeals from an order of the Supreme Court, Oneida County (Erin P. Gall, J.), entered October 11, 2018. The order denied the motions of defendants to dismiss the complaint, granted the cross motion of plaintiffs to amend the complaint and consolidated two actions.	
	RICHARD J. MONTES for HOUSE OF THE GOOD SHEPHERD	15 minutes
	DAVID HENRY WALSH, IV for COUNTY OF ONEIDA	15 minutes
	GENNARO D. CALABRESE for STEPHANIE L.	15 minutes
190.0 CA 19-01357	PAUL ZIMMER V JAMES K. ZIMMER	
	Appeal from a decision and order of the Surrogate's Court, Monroe County (John M. Owens, S.), entered October 9, 2018. The decision and order, inter alia, granted the motion of defendant for summary judgment and rescinded a preliminary injunction.	
	DAVID H. EALY for PAUL ZIMMER	15 minutes
	F. MICHAEL OSTRANDER for JAMES K. ZIMMER	15 minutes
191.0 CA 19-00936	MAUREEN LATINI V DAVID P. BARWELL	
	Appeal from an order of the Supreme Court, Erie County (Joseph R. Glowonia, J.), entered February 5, 2019. The order denied the motion of defendant for summary judgment dismissing the complaint.	

	MATTHEW A. LOUISOS for DAVID P. BARWELL	10 minutes
	MATTHEW J. KAISER for MAUREEN LATINI	10 minutes
192.0 CAF 18-02040	In the Matter of JANETTE G.	
	Appeal from an order of the Family Court, Erie County (Sharon M. LoVallo, J.), entered October 16, 2018, in a proceeding pursuant to Social Services Law § 384-b. The order terminated respondent's parental rights with respect to the subject child.	
	CHARLES J. GREENBERG for JULIE G.	5 minutes
	REBECCA CRONAN HOFFMAN for ERIE COUNTY DSS	10 minutes
	JESSICA L. VESPER, ATTORNEY FOR CHILD	Submitted
193.0 CA 19-01599	AMY KESSEL V APRIL ADAMS	
	Appeal from an order of the Supreme Court, Erie County (Catherine Nugent Panepinto, J.), entered February 14, 2019. The order, insofar as appealed from, denied the motion of defendant April Adams for summary judgment.	
	AARON M. ADOFF for APRIL ADAMS	15 minutes
	ELIZABETH G. ADYMY for AMY KESSEL	10 minutes
194.0 CA 19-00925	GLENN H. WALLACE V TOWN OF GRAND ISLAND	
	Appeal from an order and judgment (one paper) of the Supreme Court, Erie County (Catherine Nugent Panepinto, J.), entered April 5, 2019. The order and judgment, among other things, granted respondents' motion for summary judgment to dismiss the verified petition and for summary judgment on its counterclaim for injunctive relief.	
	SCOTT MICHAEL DUQUIN for GLENN H. WALLACE	15 minutes
	HENRY A. ZOMERFELD for TOWN OF GRAND ISLAND	15 minutes
195.0 CA 19-01804	ALEXANDER BILICKI V SYRACUSE UNIVERSITY	
	Appeal from an order of the Supreme Court, Onondaga County, (Gregory R. Gilbert, J.), entered March 21, 2019. The order dismissed the petition with prejudice.	
	JONATHAN DAVID WALLACE for ALEXANDER BILICKI	15 minutes
	JOHN G. POWERS for SYRACUSE UNIVERSITY	10 minutes
196.0 CA 18-00726	VICTOR KEVEN THOMAS V TINA STANFORD	
	Appeal from an order of the Supreme Court, Erie County (M. William Boller, A.J.), entered February 9, 2018 in a proceeding pursuant to CPLR article 78. The order dismissed the petition.	
	RICHARD L. SULLIVAN for VICTOR KEVEN THOMAS	10 minutes

	HEATHER MCKAY for TINA STANFORD	5 minutes
197.0 CA 19-00854	CHRISTA CONSTRUCTION, LLC V VANGUARD LIGHT GAUGE STEEL BUILDING	
	Appeal from an order of the Supreme Court, Erie County (Frederick G. Reed, A.J.), entered November 6, 2018. The order, among other things, struck defendant's answer and counterclaims; granted plaintiff judgment on the issue of liability on its first cause of action for breach of contract; and set a date for an inquest on damages.	
	JEFFREY A. LHUILLIER for VANGUARD LIGHT GAUGE STEEL BUILDING	15 minutes
	TIMOTHY D. BOLDT for CHRISTA CONSTRUCTION, LLC	15 minutes
198.0 CA 19-01793	CHRISTA CONSTRUCTION, LLC V VANGUARD LIGHT GAUGE STEEL BUILDING	
	Appeal from an order of the Supreme Court, Erie County (Frederick G. Reed, A.J.), entered March 7, 2019. The order adjudged, after an inquest for damages, that the plaintiff's damages totaled \$82,270.24 plus interest from November 26, 2014.	
	JEFFREY A. LHUILLIER for VANGUARD LIGHT GAUGE STEEL BUILDING	Submitted
	TIMOTHY D. BOLDT for CHRISTA CONSTRUCTION, LLC	Submitted
199.0 CA 19-01912	CHRISTA CONSTRUCTION, LLC V VANGUARD LIGHT GAUGE STEEL BUILDING	
	Appeal from a judgment of the Supreme Court, Erie County (Frederick G. Reed, A.J.), entered March 19, 2019. The judgment awarded plaintiff the sum of \$114,468.11.	
	JEFFREY A. LHUILLIER for VANGUARD LIGHT GAUGE STEEL BUILDING	Submitted
	TIMOTHY D. BOLDT for CHRISTA CONSTRUCTION, LLC	Submitted
200.0 CA 19-01077	DEANNA HARRIS V ANNIE FEAZELL	
	Appeal and cross appeal from a decision and order of the Supreme Court, Monroe County (Evelyn Frazee, J.), entered April 29, 2019. The decision and order, insofar as appealed from, denied in part the motion of defendant for summary judgment and denied in part the cross motion of plaintiff for summary judgment.	
	TIMOTHY C. BELLAVIA for DEANNA HARRIS	15 minutes
	RICHARD J. PORTER for ANNIE FEAZELL	15 minutes
201.0 CA 18-00213	IBUKUN OGUNBEKUN V STRONG MEMORIAL HOSPITAL	
	Appeal from an order of the Supreme Court, Monroe County, (Matthew A. Rosenbaum, J.), entered November 8, 2017. The order denied plaintiff's motion to vacate an order of dismissal.	
	SCOTT MICHAEL DUQUIN for IBUKUN OGUNBEKUN	10 minutes

AIMEE LAFEVER KOCH for STRONG MEMORIAL HOSPITAL

15 minutes

**202.0
CA 19-01395**

**In the Matter of
VILLAGE OF MANLIUS
(TOWN OF MANLIUS PROFESSIONAL FIREFIGHTERS)**

**Appeal from an order and judgment of the Supreme Court, Onondaga
County (Deborah H. Karalunas, J.), entered February 5, 2019. The order and
judgment dismissed the petition for a stay of arbitration.**

COLIN M. LEONARD for VILLAGE OF MANLIUS

15 minutes

RONALD DUNN for TOWN OF MANLIUS PROFESSIONAL FIREFIGHTERS

Submitted

DAY CALENDAR
Wednesday, February 19, 2020 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

219.0
CA 19-00335

ROGER DOYLE
V
GEORGE A. NOLE AND SON, INC.

Appeal from a decision and order of the Supreme Court, Oneida County (Bernadette T. Clark, J.), entered February 8, 2019. The decision and order granted the motion of defendant for summary judgment.

MICHAEL JON LONGSTREET for **ROGER DOYLE** **15 minutes**

JANET D. CALLAHAN for **GEORGE A. NOLE AND SON, INC.** **10 minutes**

203.0
TP 19-01493

EDWIN RUIZ
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 August 5, 2019) 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 **EDWIN RUIZ** **Submitted**

MARCUS J. MASTRACCO for **ANTHONY ANNUCCI** **Submitted**

204.0
KA 19-00216

PEOPLE
V
JEFFREY COON

Appeal from a decision and order of the Niagara County Court (Sara Sheldon, J.), entered February 7, 2019. The decision and order determined defendant to be a level three risk pursuant to the Sex Offender Registration Act.

JOSEPH G. FRAZIER for **JEFFREY COON** **Submitted**

LAURA T. JORDAN for **THE PEOPLE OF THE STATE OF NEW YORK** **Submitted**

205.0
KA 16-01187

PEOPLE
V
SAMANTHA DIXON

Appeal from a judgment of the Livingston County Court (Robert B. Wiggins, J.), rendered April 12, 20106. The judgment convicted defendant, upon a non jury verdict, of criminal sale of a controlled substance in the third degree and criminal possession of a controlled substance in the third degree.

BRADLEY E. KEEM for **SAMANTHA DIXON** **10 minutes**

JOSHUA J. TONRA for **THE PEOPLE OF THE STATE OF NY** **5 minutes**

206.0
KA 18-02428

PEOPLE
V
LANCE A. RILEY

	<p>Appeal from a judgment of the Livingston County Court (Robert B. Wiggins, J.), rendered August 14, 2018. The judgment convicted defendant, upon a plea of guilty, of rape in the second degree and criminal sexual act in the third degree.</p>	
	STEVEN D. SESSLER for LANCE A. RILEY	10 minutes
	JOSHUA TONRA for THE PEOPLE OF THE STATE OF NY	5 minutes
207.0 KA 18-02418	<p>PEOPLE V TAREZ LOVE</p> <p>Appeal from a judgment of the Supreme Court, Erie County (Russell P. Buscaglia, J.), rendered June 6, 2018. The judgment convicted defendant, upon his plea of guilty, of robbery in the first degree.</p>	
	KATHRYN B. FRIEDMAN for TAREZ LOVE	Submitted
	DONNA A. MILLING for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
208.0 KA 17-00933	<p>PEOPLE V CINDY SHIELDS</p> <p>Appeal from a judgment of the Oneida County Court (Barry M. Donalty, J.), rendered December 9, 2016. The judgment convicted defendant, upon her plea of guilty, of assault in the first degree.</p>	
	PETER J. DIGIORGIO, JR. for CINDY SHIELDS	10 minutes
	STEVEN G. COX for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
209.0 KA 17-01848	<p>PEOPLE V KEITH ESCOBAR</p> <p>Appeal from a judgment of the Onondaga County Court (Stephen J. Dougherty, J.), rendered August 4, 2017. The judgment convicted defendant, upon a jury verdict, of attempted murder in the second degree, assault in the first degree, criminal possession of a weapon in the second degree (two counts) and tampering with physical evidence.</p>	
	SARA A. GOLDFARB for KEITH ESCOBAR	10 minutes
	KENNETH H. TYLER, JR. for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
210.0 CAF 18-00739	<p>ILENE M. FIRENZE V JUSTIN A. FIRENZE</p> <p>Appeal from a decision and order of the Family Court, Onondaga County (Julie A. Cecile, J.), entered June 30, 2017, in a proceeding pursuant to Family Court Act article 4. The decision and order, inter alia, directed respondent to pay semi-monthly support of \$1,206.56.</p>	
	JOHN A. CIRANDO for JUSTIN A. FIRENZE	10 minutes
	ELIZABETH C. FRANI for ILENE M. FIRENZE	10 minutes
211.0 CAF 19-00303	<p>MARK CRILL V SHAYLEE CRILL</p>	

Appeal from a decision/order of the Family Court, Oneida County (James R. Griffith, J.), entered January 9, 2019, in a proceeding pursuant to Family Court Act article 6. The decision/order, inter alia, granted sole legal custody to Mark Crill.

WILLIAM L. KOSLOSKY for SHAYLEE CRILL

10 minutes

MARK CRILL for HIMSELF

Submitted

KIMBERLY MARIE SEAGER, ATTORNEY FOR CHILD

5 minutes

212.0
CAF 18-00354

In the Matter of
DANTE S.

Appeals from an order of the Family Court, Chautauqua County (Michael F. Griffith, J.), entered August 9, 2017 in a proceeding pursuant to Family Court Act article 10. The order, among other things, adjudged that respondents had derivatively neglected the subject child.

JOHN A. CIRANDO for KATHRYNE T.

10 minutes

DAVID J. PAJAK for TIMOTHY S.

Submitted

REBECCA L. DAVISON-MARCH for CHAUTAUQUA COUNTY DSS

Submitted

MARY SPEEDY HAJDU, ATTORNEY FOR CHILD

Submitted

213.0
CAF 18-00749

In the Matter of
DANTE S.

Appeals from an order of the Family Court, Chautauqua County (Michael F. Griffith, J.), entered January 26, 2018 in a proceeding pursuant to Family Court Act article 10. The order, among other things, continued the subject child's placement with petitioner.

JOHN A. CIRANDO for KATHRYNE T.

Submitted

DAVID J. PAJAK for TIMOTHY S.

Submitted

REBECCA L. DAVISON-MARCH for CHAUTAUQUA COUNTY DSS

Submitted

MARY SPEEDY HAJDU, ATTORNEY FOR CHILD

Submitted

214.0
CAF 19-00273

In the Matter of
JAMARION N.

Appeal from a decision and order of the Family Court, Oneida County (Julia M. Brouillette, J.), entered January 9, 2019, in a proceeding pursuant to Social Services Law §384-b. The decision and order terminated the parental rights of respondent.

SCOTT GODKIN for ERNEST N.

Submitted

DENISE J. MORGAN for ONEIDA COUNTY DSS

Submitted

PAUL A. NORTON, ATTORNEY FOR CHILD

Submitted

215.0
CA 19-01465

THOMAS TORNATORE
V
JEAN COHEN, D.C.

Appeal from a letter decision and order of the Supreme Court, Onondaga County (Anthony J. Paris, J.), entered February 5, 2019. The letter decision and order granted the motion of plaintiffs for prejudgment and postjudgment interest.

	MELANIE S. WOLK for ALLIED PROFESSIONALS INSURANCE COMP	15 minutes
	JEAN MARIE WESTLAKE for THOMAS TORNATORE	15 minutes
216.0	THERESA CANGEMI	SETTLED
CA 19-01225	V	
	TIMOTHY E. KISSANE	
	Appeal from an order of the Supreme Court, Onondaga County (Deborah H. Karalunas, J.), entered January 10, 2019. The order denied the motion of plaintiff for a preliminary injunction and temporary restraining order.	
	JAMES J. GASCON for THERESA CANGEMI	
	TIMOTHY A MOORE for TIMOTHY E. KISSANE	
217.0	In the Matter of	
CA 19-00460	JAMES M.	
	Appeal from an order of the Supreme Court, Monroe County (Vincent M. DiNolfo, A.J.), entered January 14, 2019 in a proceeding pursuant to Mental Hygiene Law §§33.03. The order authorized the Rochester Psychiatric Center to administer medication to respondent over his objection.	
	JANINE E. RELLA for JAMES M.	Submitted
	ALLYSON B. LEVINE for LAURENCE GUTTMACHER, M.D.	Submitted
218.0	ROBERT RISSONE	
CA 19-00737	V	
	DAVID FLANIGEN	
	Appeal from an order of the Supreme Court, Monroe County (Daniel J. Doyle, J.), entered February 13, 2019. The order, among other things, granted in part a motion by defendants Harbor Hill Subdivision Association and Board of Directors of Harbor Hill Subdivision Association, Inc., for summary judgment and denied plaintiffs' cross-motion to amend their complaint.	
	JOHN T. REFERMAT for ROBERT RISSONE	10 minutes
	LAUREN M. MILLER for DAVID FLANIGEN	10 minutes
	DAVID M. TANG for HARBOR HILL SUBDIVISION ASSOCIATION	10 minutes
	JOHN P. GIEHL for HIMSELF	Submitted
	JENNIFER E. FLANIGEN for HERSELF	Submitted
220.0	NEB MORROW, III	
CA 18-00966	V	
	STATE OF NEW YORK	
	Appeal from a decision and order of the Court of Claims (Renee Forgensi Minarek, J), entered March 5, 2018. The decision and order denied the motion of claimant for summary judgment, granted summary judgment to defendant and dismissed the claim.	
	NEB MORROW, III for HIMSELF	Submitted
	KATHLEEN M. TREASURE for STATE OF NEW YORK	Submitted

221.0 CA 19-01224	<p>THERESA CANGEMI V GRETCHEN YEAGER</p> <p>Appeal from an order of the Supreme Court, Onondaga County (Deborah H. Karalunas, J.), entered January 10, 2019. The order denied the motion of plaintiff for a preliminary injunction and temporary restraining order.</p>	
	<p>JAMES J. GASCON for THERESA CANGEMI</p>	10 minutes
	<p>MICHAEL W. HARRIS for GRETCHEN YEAGER</p>	10 minutes
222.0 CA 19-01478	<p>SHERRY L. GARR ANDERSON V LINDA J. GARR</p> <p>Appeal from an order of the Supreme Court, Cayuga County (Ann Marie Taddeo, J.), entered November 14, 2017. The order, among other things, granted respondent's motion to dismiss the petition.</p>	
	<p>ROBERT E. BARRY for SHERRY L. GARR ANDERSON</p>	Submitted
	<p>CECELIA R. CANNON for LINDA J. GARR</p>	15 minutes
223.0 CA 19-01093	<p>SIDNEY L MANES V STATE OF NEW YORK</p> <p>Appeal from an order of the Court of Claims (Richard E. Sise, J.), entered November 16, 2018. The order granted defendant's motion to dismiss the claimant's claim.</p>	
	<p>AMEER BENNO for SIDNEY L MANES</p>	15 minutes
	<p>FRANK BRADY for STATE OF NEW YORK</p>	10 minutes
223.1 CA 20-00181	<p>SIDNEY L MANES V STATE OF NEW YORK</p> <p>Appeal from an order of the Court of Claims (Richard E. Sise, J.), entered November 16, 2018. The order granted defendant's motion to dismiss the claimant's claim.</p>	
	<p>AMEER BENNO for SIDNEY L MANES</p>	Submitted
	<p>FRANK BRADY for STATE OF NEW YORK</p>	Submitted

DAY CALENDAR
Wednesday, February 19, 2020 - 10:00 AM
COURTROOM 2

224.0
TP 19-01809

EDWARD ALEXANDER
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 October 1, 2019) to review a determination of respondent. The determination found after a Tier II hearing that petitioner violated an inmate rule.

LEAH R. NOWOTARSKI for **EDWARD ALEXANDER**

Submitted

LETITIA JAMES for **ANTHONY ANNUCCI**

Submitted

225.0
TP 19-01940

AMANDA BIDWELL
V
TINA M. STAFFORD

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, Oneida County [David A. Murad, J.], entered October 11, 2019) to review a determination of respondent. The determination found that petitioner violated the terms of her parole.

FRANK L. MADIA for **AMANDA BIDWELL**

Submitted

LAURA ETLINGER JAMES for **TINA M. STAFFORD**

Submitted

226.0
KA 18-00668

PEOPLE
V
DOUGLAS MARTIN

Appeal from a judgment of the Erie County Court (James F. Bargnesi, J.), rendered October 4, 2017. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a controlled substance in the fourth degree.

NICHOLAS P. DIFONZO for **DOUGLAS MARTIN**

10 minutes

DANIELLE E. PHILLIPS for **THE PEOPLE OF THE STATE OF NEW YORK**

10 minutes

227.0
KA 18-00857

PEOPLE
V
VALERIE L. RHODES

Appeal from a judgment of the Steuben County Court (Marianne Furfure, J.), rendered October 3, 2017. The judgment convicted defendant, upon her plea of guilty, of grand larceny in the fourth degree.

ROSEMARIE RICHARDS for **VALERIE L. RHODES**

10 minutes

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

Submitted

228.0
KA 17-01912

PEOPLE
V
JUSTIN L. LETZELTER

	<p>Appeal from a judgment of the Supreme Court, Ontario County (Craig J. Doran, J.), rendered June 5, 2017. The judgment convicted defendant, upon a plea of guilty, of burglary in the third degree and criminal mischief in the third degree.</p>	
	CARA A. WALDMAN for JUSTIN L. LETZELTER	Submitted
	V. CHRISTOPHER EAGGLESTON for THE PEOPLE OF THE STATE OF NY	Submitted
229.0 KA 18-00543	<p>PEOPLE V JOSHUA D. HUNTRESS</p> <p>Appeal from a judgment of the Wyoming County Court (Michael M. Mohun, J.), rendered January 18, 2018. The judgment convicted defendant, upon a plea of guilty, of aggravated vehicular homicide; and assault in the second degree (three counts).</p>	
	ADAM W. KOCH for JOSHUA D. HUNTRESS	Submitted
	GREGORY KILBURN for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
230.0 KA 18-01413	<p>PEOPLE V ROBERT J. HEALY</p> <p>Appeal from a judgment of the Supreme Court, Erie County (Deborah Haendiges, J.), rendered December 14, 2017. The judgment convicted defendant, upon a jury verdict, of rape in the second degree (three counts), criminal sexual act in the second degree (two counts) and endangering the welfare of a child.</p>	
	SHERRY A. CHASE for ROBERT J. HEALY	15 minutes
	MICHAEL J. HILLERY for THE PEOPLE OF THE STATE OF NEW YORK	15 minutes
231.0 CAF 18-01007	<p>In the Matter of BRAYLYNN S.</p> <p>Appeal from an order of the Family Court, Erie County (Sharon M. LoVallo, J.), entered December 26, 2017, in a proceeding pursuant to Social Services Law § 384-b. The order terminated respondent's parental rights with respect to the subject child.</p>	
	WILLIAM D. BRODERICK, JR. for ERIC S., SR.	10 minutes
	REBECCA CRONAN HOFFMAN for ERIE COUNTY DSS	10 minutes
	DEBORAH K. JESSEY, ATTORNEY FOR CHILD	5 minutes
232.0 CAF 18-01092	<p>In the Matter of ERIC S., JR.</p> <p>Appeal from an order of the Family Court, Erie County (Sharon M. LoVallo, J.), entered December 26, 2017, in a proceeding pursuant to Social Services Law § 384-b. The order terminated respondent's parental rights with respect to the subject child.</p>	
	WILLIAM D. BRODERICK, JR. for ERIC S., SR.	Submitted
	REBECCA CRONAN HOFFMAN for ERIE COUNTY DSS	Submitted
	RICHARD L. SULLIVAN, ATTORNEY FOR CHILD	Submitted

233.0 CAF 18-01897	<p>In the Matter of JASON M.</p> <p>Appeal from an order of the Family Court, Erie County (Margaret O. Szczur, J.), entered April 11, 2018, in a proceeding pursuant to Social Services Law § 384-b. The order terminated respondent's parental rights with respect to the subject children.</p> <p>WILLIAM D. BRODERICK, JR. for JOSHUA M. 10 minutes</p> <p>REBECCA HOFMAN for ERIE COUNTY DSS 10 minutes</p> <p>JANE I. YOON, ATTORNEY FOR CHILD 10 minutes</p>
234.0 CAF 18-01898	<p>In the Matter of JASON M.</p> <p>Appeal from an order of the Family Court, Erie County (Margaret O. Szczur, J.), entered September 24, 2018, in a proceeding pursuant to Social Services Law § 384-b. The order, among other things, transferred the custody and guardianship of the subject child to petitioner.</p> <p>WILLIAM D. BRODERICK, JR. for JOSHUA M. Submitted</p> <p>REBECCA HOFFMAN for ERIE COUNTY DSS Submitted</p> <p>RICHARD L. SULLIVAN, ATTORNEY FOR CHILD Submitted</p>
235.0 CAF 18-01899	<p>In the Matter of ARIANNA M.</p> <p>Appeal from an order of the Family Court, Erie County (Margaret O. Szczur, J.), entered September 24, 2018, in a proceeding pursuant to Social Services Law § 384-b. The order, among other things, transferred the custody and guardianship of the subject child to petitioner.</p> <p>WILLIAM D. BRODERICK, JR. for JOSHUA M. Submitted</p> <p>REBECCA HOFFMAN for ERIE COUNTY DSS Submitted</p> <p>RICHARD L. SULLIVAN, ATTORNEY FOR CHILD Submitted</p>
236.0 CAF 18-01900	<p>In the Matter of CLARICE M.</p> <p>Appeal from an order of the Family Court, Erie County (Margaret O. Szczur, J.), entered September 24, 2018, in a proceeding pursuant to Social Services Law § 384-b. The order, among other things, transferred the custody and guardianship of the subject child to petitioner.</p> <p>WILLIAM D. BRODERICK, JR. for JOSHUA M. Submitted</p> <p>REBECCA HOFFMAN for ERIE COUNTY DSS Submitted</p> <p>RICHARD L. SULLIVAN, ATTORNEY FOR CHILD Submitted</p>
237.0 CAF 19-00396	<p>ASHLEY M. LADD V EDWARD G. FRANK, II</p> <p>Appeal from an order of the Family Court, Genesee County (Eric R. Adams, J.), entered January 14, 2019 in a proceeding pursuant to Family Court Act article 4. The order, among other things, adjudged that respondent had violated the terms of a prior Order of Suspended Judgment and that the period of incarceration previously ordered should be executed.</p>

	LYLE T. HAJDU for EDWARD G. FRANK, II	Submitted
	TINA M. KASPEREK for ASHLEY M. LADD	Submitted
238.0 CA 19-01362	MICHAEL MCGRAW V TOWN BOARD OF TOWN OF VILLENNOVA	
	Appeals from an order and judgment of the Supreme Court, Chautauqua County (James H. Dillon, J.), entered July 22, 2019. The order and judgment, insofar as appealed from, granted the first cause of action regarding a SEQRA violation, voided the approval of the subject wind project and enjoined physical work on the project pending completion of the SEQRA review.	
	CHARLES W. MALCOMB for TOWN BOARD OF TOWN OF VILLENNOVA	15 minutes
	LAURIE STYKA BLOOM for BALL HILL WIND ENERGY, LLC	15 minutes
	RICHARD J. LIPPES for MICHAEL MCGRAW	15 minutes
239.0 CA 19-01689	MICHAEL MAAK V MEDINA PROFESSIONAL FIREFIGHTERS ASSOCIATION	
	Appeal from an order of the Supreme Court, Orleans County (Tracey A. Bannister, J.), entered February 22, 2019. The order, among other things, denied defendants' motion for summary judgment.	
	ANDREA LEE SAMMARCO for STEVEN COOLEY	Submitted
	GLENN E. PEZZULO for MICHAEL MAAK	Submitted
240.0 CA 19-00819	NHJB, INC. V UTICA FIRST INSURANCE COMPANY	
	Appeal from an order of the Supreme Court, Erie County, (Mark A. Montour, J.), entered March 22, 2019. The order, among other things, denied defendant's cross motion for summary judgment.	
	ANDREW J. MIHALICK for UTICA FIRST INSURANCE COMPANY	15 minutes
	BRENDAN H. LITTLE for NHJB, INC.	15 minutes
241.0 CA 19-01132	NHJB, INC. V UTICA FIRST INSURANCE COMPANY	
	Appeal from an order of the Supreme Court, Erie County, (Mark A. Montour, J.), entered June 13, 2019. The order, among other things, directed defendant to reimburse plaintiffs for their attorneys' fees and disbursements in the underlying personal injury action.	
	ANDREW J. MIHALICK for UTICA FIRST INSURANCE COMPANY	Submitted
	BRENDAN H. LITTLE for NHJB, INC.	Submitted
242.0 CA 19-01237	NHJB, INC. V UTICA FIRST INSURANCE COMPANY	

	<p>Appeal from a judgment of the Supreme Court, Erie County, (Mark A. Montour, J.), entered June 19, 2019. The judgment awarded plaintiffs the sum of \$86,093.50 as against defendant.</p>	
	<p>ANDREW J. MIHALICK for UTICA FIRST INSURANCE COMPANY</p>	Submitted
	<p>BRENDAN H. LITTLE for NHJB, INC.</p>	Submitted
242.1 CA 19-01879	<p>NHJB, INC. V UTICA FIRST INSURANCE COMPANY</p> <p>Appeal from an amended statement of judgment of the Supreme Court, Erie County, (Mark A. Montour, J.), entered October 3, 2019. The judgment awarded plaintiffs the sum of \$85,618.50</p>	
	<p>ANDREW J. MIHALICK for UTICA FIRST INSURANCE COMPANY</p>	Submitted
	<p>BRENDAN H. LITTLE for NHJB, INC.</p>	Submitted
243.0 CA 19-00713	<p>In the Matter of SEIGFREID BINGHAM, P.C. (AFTERCARE NURSING SERVICES, INC.)</p> <p>Appeal from an order of the Supreme Court, Erie County (Deborah A. Chimes, J.), entered March 6, 2019 in a proceeding pursuant to CPLR article 75. The order denied the petition of Seigfreid Bingham, P.C. to stay arbitration.</p>	
	<p>DONNA L. BURDEN for SEIGFREID BINGHAM, P.C.</p>	10 minutes
	<p>ERIN C. BOREK for AFTERCARE NURSING SERVICES, INC.</p>	15 minutes
244.0 CA 19-00826	<p>AMANDA TAYLOR V KWIK FILL</p> <p>Appeal from an order of the Supreme Court, Niagara County (Frank Caruso, J.), entered May 1, 2019. The order denied the motion of defendant for summary judgment.</p>	
	<p>MICHAEL J. WILLETT for KWIK FILL</p>	10 minutes
	<p>JON L. WILSON for AMANDA TAYLOR</p>	15 minutes
245.0 CA 19-00464	<p>In the Matter of BUFFALO TEACHERS FEDERATION, INC. (BOARD OF EDUCATION OF CITY SCHOOL DISTRICT)</p> <p>Appeal from an order of the Supreme Court, Erie County (Mark J. Grisanti, J.), entered February 26, 2019 in a proceeding pursuant to CPLR article 75. The order denied petitioner's petition seeking to vacate an arbitration opinion and award and granted respondents' request to confirm the arbitration opinion and award.</p>	
	<p>CATHERINE CREIGHTON for BUFFALO TEACHERS FEDERATION, INC.</p>	15 minutes
	<p>NATHANIEL KUZMA for BD OF EDUCATION OF CITY SCHOOL DISTRICT</p>	15 minutes
246.0 CA 19-01456	<p>BARBARA ATTEA-LUDWICK V PATRICIA A. THOMAS</p>	

Appeal from an order of the Supreme Court, Erie County (Joseph R. Glownia, J.), entered April 3, 2019. The order, insofar as appealed from, denied the motion of defendant Patricia A. Thomas for summary judgment and sanctions.

SEAN M. SPENCER for PATRICIA A. THOMAS 10 minutes

RYAN C. JOHNSEN for BARBARA ATTEA-LUDWICK 10 minutes

247.0
CA 19-00731

ENERGYMARK LLC
V
NEW WAVE ENERGY CORP.

Appeal from an order of the Supreme Court, Erie County, (Henry J. Nowak, J.), entered March 19, 2019. The order, among other things, granted in part defendants' pre-answer motion to dismiss.

KEVIN T. O'BRIEN for ENERGYMARK LLC 15 minutes

ALICE J. CUNNINGHAM for NEW WAVE ENERGY CORP. 15 minutes

248.0
CA 19-01181

US BANK NATIONAL ASSOCIATION
V
LYNDA A. GOODHUE

Appeal from a decision and order of the Supreme Court, Erie County (Donna M. Siwek, J.), entered May 1, 2019. The decision and order, upon reargument, denied the motion of plaintiff to restore the action to the trial calendar and for a judgment of foreclosure and sale.

JOSEPH F. BATTISTA for US BANK NATIONAL ASSOCIATION 15 minutes

JOSEPH EDWARD DEMARCO for LYNDA A. GOODHUE 10 minutes

249.0
CA 19-01472

US BANK NATIONAL ASSOCIATION
V
LYNDA A. GOODHUE

Appeal from an order of the Supreme Court, Erie County (Donna M. Siwek, J.), entered December 19, 2018. The order insofar as appealed from, denied the motion of plaintiff to restore the action to the trial calendar and for a judgment of foreclosure.

JOSEPH F. BATTISTA for US BANK NATIONAL ASSOCIATION Submitted

JOSEPH EDWARD DEMARCO for LYNDA A. GOODHUE Submitted

250.0
CA 19-00184

GARY D. WYSOCKI
V
STEVEN J. GODINHO

Appeal from an order of the Supreme Court, Erie County (Mark A. Montour, J.), entered January 16, 2019. The order, insofar as appealed from, conditionally struck the answer of defendant Steven J. Godinho.

KEVIN J. GRAFF for STEVEN J. GODINHO 10 minutes

ALISON K. HASELEY for GARY D. WYSOCKI 10 minutes

251.0
CA 19-00673

GARY D. WYSOCKI
V
STEVEN J. GODINHO

Appeal from an order of the Supreme Court, Erie County (Mark A. Montour, J.), entered April 8, 2019. The order, insofar as appealed from, granted the motion of plaintiff for a default judgment against defendant Steven J. Godinho and for summary judgment on liability against defendant Tia Lapp.

KEVIN J. GRAFF for STEVEN J. GODINHO

Submitted

ALISON K. HASELEY for GARY D. WYSOCKI

Submitted

DAY CALENDAR
Thursday, February 20, 2020 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

252.0
TP 19-00582

ADAM HAMILTON
V
STEWART T. ECKERT

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 [Emilio L. Colaiacovo, J.], entered March 29, 2019) to review a determination of respondent. The determination found after a tier II hearing that petitioner had violated various inmate rules.

ADAM HAMILTON for HIMSELF

Submitted

MARCUS J. MASTRACCO for STEWART T. ECKERT

Submitted

253.0
KA 15-01898

PEOPLE
V
JAMES A. RILEY

Appeal from a judgment of the Supreme Court, Monroe County (Francis A. Affronti, J.), rendered May 26, 2015. The judgment convicted defendant, upon a non jury verdict, of predatory sexual assault against a child (three counts).

DANIELLE C. WILD for JAMES A. RILEY

10 minutes

NANCY GILLIGAN for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

254.0
KA 19-01820

PEOPLE
V
DEMONZ GUICE

Appeal from a decision and order of the Supreme Court, Erie County (M. William Boller, A.J.), dated March 11, 2019. The decision and order granted the motion of defendant to suppress a handgun.

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

10 minutes

EMILY P. TROTT for DEMONZ GUICE

Submitted

256.0
KA 18-01349

PEOPLE
V
WENDELL L. FUQUA

Appeal from a judgment of the Wyoming County Court (Michael M. Mohun, J.), rendered May 31, 2018. The judgment convicted defendant, upon a jury verdict, of criminal sale of a controlled substance in the third degree and criminal possession of a controlled substance in the third degree.

NORMAN P. EFFMAN for WENDELL L. FUQUA

10 minutes

VINCENT A. HEMMING for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

257.0
KA 16-01584

PEOPLE
V
BERNARD L. SNOW

Appeal from a judgment of the Supreme Court, Monroe County (Thomas E. Moran, J.), rendered June 20, 2016. The judgment convicted defendant, upon a jury verdict, of robbery in the third degree (two counts) and petit larceny.

THOMAS G. SMITH for BERNARD L. SNOW

10 minutes

SCOTT MYLES for THE PEOPLE OF THE STATE OF NEW YORK

10 minutes

258.0
KA 17-02139

PEOPLE

V

JOSE HERNANDEZ

Appeal from a judgment of the Supreme Court, Onondaga County (John J. Brunetti, A.J.), rendered September 15, 2017. The judgment convicted defendant, upon a non jury verdict, of criminal sale of a controlled substance in the third degree and criminal possession of a controlled substance in the third degree.

J. SCOTT PORTER for JOSE HERNANDEZ

10 minutes

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

10 minutes

259.0
KA 11-01662

PEOPLE

V

LARRY BROWN

Appeal from a judgment of the Monroe County Court (John L. DeMarco, J.), rendered November 29, 2010. The judgment convicted defendant, upon a jury verdict, of murder in the first degree (two counts) and assault in the first degree.

DAVID M. ABBATOY, JR. for LARRY BROWN

10 minutes

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

10 minutes

260.0
CAF 18-00680

MARY BYLER

V

MELINDA BYLER

Appeal from an order of the Family Court, Chautauqua County (Michael J. Sullivan, J.), entered March 14, 2018 in proceedings pursuant to Family Court Act article 6. The order, among other things, adjudged that the subject children will remain with Mary Byler.

LINDA M. CAMPBELL for KENNETH BYLER

10 minutes

PAUL B. WATKINS for MARY BYLER

10 minutes

JAMES SCOTT DIMMER for MELINDA BYER

Submitted

AVERY S. OLSON, ATTORNEY FOR CHILD

10 minutes

261.0
CAF 18-01124

MAURICE A. GILBERT

V

NATASHKA M. NUNEZ-MERCED

Appeal from an order of the Family Court, Onondaga County (Karen Stanislaus, R.), entered May 18, 2018 in proceedings pursuant to Family Court Act article 6. The order, among other things, awarded Maurice A. Gilbert sole legal and residential custody of the subject child.

PHILIP ROTHSCHILD for NATASHKA M. NUNEZ-MERCED

10 minutes

	MAURICE A. GILBERT for HIMSELF	5 minutes
	SUSAN B. MARRIS, ATTORNEY FOR CHILD	5 minutes
262.0	COLOR DYNAMICS, INC.	
CA 19-01234	V	
	KEMPER SYSTEM AMERICA, INC.	
	Appeal from an order of the Supreme Court, Erie County (Frank A. Sedita, III, J.), entered June 7, 2019. The order denied the application of petitioner to compel the production of certain documents.	
	EARL K. CANTWELL for COLOR DYNAMICS, INC.	10 minutes
	BARRY J. GAINEY for KEMPER SYSTEM AMERICA, INC.	10 minutes
263.0	BURKE, ALBRIGHT, HARTER, & RZEPKA	
CA 19-01548	V	
	AUDREY ELAINE SILLS	
	Appeal from an order of the Supreme Court, Steuben County, (Robert B. Wiggins, J.), entered January 31, 2019. The order, among other things, granted plaintiffs' motion to dismiss all counterclaims against them.	
	PAUL A. ARGENTIERI for AUDREY ELAINE SILLS	10 minutes
	CHRISTOPHER MILITELLO for BURKE, ALBRIGHT, HARTER, & RZEPKA	10 minutes
265.0	TOWN OF WEST SENECA	
CA 19-00135	V	
	KIDENEY ARCHITECTS, P.C.	
	Appeal from an order of the Supreme Court, Erie County (Frederick Marshall, J.), entered January 17, 2019. The order granted defendant's motion to dismiss the plaintiff's complaint.	
	MATTHEW D. HOLMES for TOWN OF WEST SENECA	10 minutes
	ANDREA SCHILLACI for KIDENEY ARCHITECTS, P.C.	10 minutes
266.0	TOWN OF WEST SENECA	
CA 19-01139	V	
	KIDENEY ARCHITECTS, P.C.	
	Appeal from an order of the Supreme Court, Erie County (Joseph R. Glowonia, J.), entered June 11, 2019. The order, among other things, denied plaintiff's motion to settle the record on appeal.	
	MATTHEW D. HOLMES for TOWN OF WEST SENECA	Submitted
	ANDREA SCHILLACI for KIDENEY ARCHITECTS, P.C.	Submitted
267.0	CASSANDRA MONNIN	
CA 19-01034	V	
	CLOVER GROUP, INC.	
	Appeal from an order of the Supreme Court, Erie County (John F. O'Donnell, J.), entered April 24, 2019. The order granted the motion of defendants for summary judgment and dismissed the amended complaint.	
	BOYD L. EARL for CASSANDRA MONNIN	10 minutes
	MATTHEW LENAHAH for CLOVER GROUP, INC.	10 minutes

268.0 CA 19-01673	<p>ROSEMARY A. LIGOTTI V WEGMANS FOOD MARKETS, INC.</p> <p>Appeal from an order of the Supreme Court, Erie County (John F. O'Connell, J.), entered September 9, 2019. The order denied the motion of defendants to dismiss the complaint.</p> <p>MARK P. DELLA POSTA for WEGMANS FOOD MARKETS, INC. 10 minutes</p> <p>ARTHUR G. BAUMEISTER, JR. for ROSEMARY A. LIGOTTI 10 minutes</p>
269.0 CAF 19-00652	<p>DELBERT W. HARGIS, JR. V VICTORIA PRITTY-PITCHER</p> <p>Appeals from an order of the Family Court, Jefferson County (Peter A. Schwerzmann, A.J.), entered February 22, 2019 in a proceeding pursuant to Family Court Act article 6. The order, among other things, awarded petitioner custody of the subject child.</p> <p>DONALD A. WHITE for VICTORIA PRITTY-PITCHER 10 minutes</p> <p>DELBERT W. HARGIS, JR. for HIMSELF 15 minutes</p> <p>TODD MONAHAN for NICOLE E. HARGIS Submitted</p> <p>SUSAN B. MARRIS, ATTORNEY FOR CHILD 15 minutes</p>
270.0 CA 19-00298	<p>MARK CERRONE, INC. V HOWARD ZEMSKY</p> <p>Appeal from an order and judgment (one paper) of the Supreme Court, Niagara County (Frank Caruso, J.), entered November 14, 2018 in a proceeding pursuant to CPLR article 78. The order and judgment granted the petition.</p> <p>ALLYSON B. LEVINE for HOWARD ZEMSKY 10 minutes</p> <p>EDWARD P. PERLMAN for MARK CERRONE, INC. 10 minutes</p>
271.0 CA 18-02366	<p>TOWN OF WEST SENECA V LOUIS DESIGN SOLUTIONS ARCHITECTURE</p> <p>Appeal from an order and judgment (one paper) of the Supreme Court, Erie County (Joseph R. Glownia, J.), entered December 3, 2018. The order and judgment granted defendant's motion to dismiss plaintiff's complaint.</p> <p>MATTHEW D. HOLMES for TOWN OF WEST SENECA 10 minutes</p> <p>HILARY C. BANKER for LOUIS DESIGN SOLUTIONS ARCHITECTURE 10 minutes</p>
272.0 CA 19-00833	<p>TOWN OF WEST SENECA V LOUIS DESIGN SOLUTIONS ARCHITECTURE</p> <p>Appeal from an order and judgment (one paper) of the Supreme Court, Erie County (Joseph R. Glownia, J.), entered April 22, 2019. The order and judgment, revised a prior order and judgment dismissing plaintiff's complaint.</p> <p>MATTHEW D. HOLMES for TOWN OF WEST SENECA Submitted</p>

273.0 CA 19-00850	<p>HILARY C. BANKER for LOUIS DESIGN SOLUTIONS ARCHITECTURE</p> <p>TOWN OF WEST SENECA</p> <p style="text-align: center;">V</p> <p>LOUIS DESIGN SOLUTIONS ARCHITECTURE</p> <p>Appeal from an order of the Supreme Court, Erie County (Joseph R. Glowia, J.), entered April 22, 2019. The order denied plaintiff's motion to settle the record.</p>	Submitted
	<p>MATTHEW D. HOLMES for TOWN OF WEST SENECA</p>	Submitted
	<p>HILARY C. BANKER for LOUIS DESIGN SOLUTIONS ARCHITECTURE</p>	Submitted
274.0 CA 19-00260	<p>NEW YORK SCHOOLS INSURANCE RECIPROCAL</p> <p style="text-align: center;">V</p> <p>DEBORAH KALBFLIESH</p> <p>Appeal from an order of the Supreme Court, Erie County, (Emilio Colaiacovo, J.), entered February 4, 2019. The order, among other things, denied petitioner's motion to permanently stay arbitration</p>	
	<p>JOHN R. EWELL for NEW YORK SCHOOLS INSURANCE RECIPROCAL</p>	15 minutes
	<p>JOHN T. RYAN for DEBORAH KALBFLIESH</p>	15 minutes

DAY CALENDAR
Thursday, February 20, 2020 - 10:00 AM
COURTROOM 2

275.0
KA 14-00854

PEOPLE
V
DARRIEN E. WILSON

Appeal from a judgment of the Monroe County Court (Melchor E. Castro, A.J.), rendered January 7, 2013. The judgment convicted defendant, upon his plea of guilty, of criminal sexual act in the first degree.

DAVID M. ABBATOY, JR. for DARRIEN E. WILSON

Submitted

SCOTT MYLES for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

DAY CALENDAR
Monday, February 24, 2020 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

275.1
CA 19-01071

DARRYL L. MACKAY
V
155 EAST MAIN ST., LLC

Appeal from an order of the Supreme Court, Monroe County (Evelyn Frazee, J.), entered April 1, 2019. The order, among other things, granted the motion of third-party plaintiff motion to preclude third-party defendant Comfort Systems USA (Syracuse), Inc., doing business as Billone Mechanical Contractors, from introducing any evidence at trial of contractual indemnification.

SANJEEV DEVABHAKTHUNI for COMFORT SYSTEMS USA INC. 10 minutes

BRADY J. O'MALLEY for 155 EAST MAIN ST., LLC 10 minutes

276.0
KA 19-00334

PEOPLE
V
DEQUAWN R. MCKENZIE

Appeal from a judgment of the Jefferson County Court (Kim H. Martusewicz, J.), rendered December 13, 2018. The judgment convicted defendant, upon a plea of guilty, of attempted criminal sale of a controlled substance in the third degree.

CAITLIN M. CONNELLY for DEQUAWN R. MCKENZIE Submitted

HARMONY A. HEALY for THE PEOPLE OF THE STATE OF NEW YORK Submitted

277.0
KA 19-00926

PEOPLE
V
DEQUAWN R. MCKENZIE

Appeal from a judgment of the Jefferson County Court (Kim H. Martusewicz, J.), rendered April 23, 2019. The judgment convicted defendant, upon a plea of guilty, of criminal sale of a controlled substance in the fifth degree.

CAITLIN M. CONNELLY for DEQUAWN R. MCKENZIE Submitted

HARMONY A. HEALY for THE PEOPLE OF THE STATE OF NEW YORK Submitted

278.0
KA 16-01585

PEOPLE
V
STEPHEN A. ROSA

Appeal from a judgment of the Monroe County Court (John L. DeMarco, J.), rendered March 9, 2016.. The judgment convicted defendant, upon his plea of guilty, of criminal trespass in the second degree.

BENJAMIN L. NELSON for STEPHEN A. ROSA 5 minutes

NANCY GILLIGAN for THE PEOPLE OF THE STATE OF NEW YORK 5 minutes

279.0
KA 17-02211

PEOPLE
V
REGINALD ALLS

	<p>Appeal from a judgment of the Erie County Court (James F. Bargnesi, J.), rendered December 7, 2017. The judgment convicted defendant, upon his plea of guilty, of leaving the scene of an incident without reporting resulting physical injury.</p>	
	<p>ROBERT L. KEMP for REGINALD ALLS</p>	Submitted
	<p>MATTHEW B. POWERS for THE PEOPLE OF THE STATE OF NEW YORK</p>	Submitted
280.0 KA 19-00890	<p>PEOPLE V CALVIN D. CROGAN</p> <p>Appeal from a judgment of the Niagara County Court (Sarah Sheldon, J.), rendered March 29, 2019. The judgment convicted defendant, upon a plea of guilty, of attempted assault in the first degree.</p>	
	<p>DAVID J. FARRUGIA for CALVIN D. CROGAN</p>	Submitted
	<p>THOMAS H. BRANDT for THE PEOPLE OF THE STATE OF NEW YORK</p>	Submitted
281.0 KA 18-00807	<p>PEOPLE V TERRANCE WILLIAMS</p> <p>Appeal from a judgment of the Supreme Court, Onondaga County (John J. Brunetti, A.J.), rendered July 11, 2017. The judgment convicted defendant, upon a plea of guilty, of criminal possession of a weapon in the second degree.</p>	
	<p>BRITTNEY CLARK for TERRANCE WILLIAMS</p>	10 minutes
	<p>BRADLEY W. OASTLER for THE PEOPLE OF THE STATE OF NEW YORK</p>	10 minutes
282.0 KA 16-00426	<p>PEOPLE V RICKY P. WALLACE</p> <p>Appeal from a judgment of the Monroe County Court (Thomas R. Morse, A.J.), rendered December 15, 2015. The judgment convicted defendant, upon a jury verdict, of criminal possession of a weapon in the second degree.</p>	
	<p>KATHLEEN P. REARDON for RICKY P. WALLACE</p>	10 minutes
	<p>LISA GRAY for THE PEOPLE OF THE STATE OF NEW YORK</p>	10 minutes
283.0 KA 18-00411	<p>PEOPLE V PERRY TOLBERT</p> <p>Appeal from a judgment of the Onondaga County Court (Thomas J. Miller, J.), rendered July 7, 2017. The judgment convicted defendant, upon a jury verdict, of criminal possession of a controlled substance in the third degree, criminal possession of a controlled substance in the seventh degree and criminally using drug paraphernalia in the second degree (two counts).</p>	
	<p>BRITTNEY CLARK for PERRY TOLBERT</p>	10 minutes
	<p>NICOLE K. INTSCHERT for THE PEOPLE OF THE STATE OF NEW YORK</p>	10 minutes

284.0 CA 18-02042	<p>STATE OF NEW YORK V JUAN U.</p> <p>Appeal from an order of the Supreme Court, Monroe County (Christopher S. Ciaccio, A.J.), entered August 30, 2018 in a proceeding pursuant to Mental Hygiene Law article 10. The order, among other things, committed respondent to a secure treatment facility.</p> <p>MARK C. DAVISON for JUAN U.</p> <p>ALLYSON B. LEVINE for STATE OF NEW YORK</p>	<p>10 minutes</p> <p>10 minutes</p>
285.0 KA 16-02221	<p>PEOPLE V MARTIN DELGADO</p> <p>Appeal from a judgment of the Supreme Court, Monroe County (Alex R. Renzi, J.), rendered April 20, 2016. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a weapon in the second degree.</p> <p>DREW R. DUBRIN for MARTIN DELGADO</p> <p>LEAH R. MERVINE for THE PEOPLE OF THE STATE OF NEW YORK</p>	<p>10 minutes</p> <p>5 minutes</p>
286.0 CAF 18-01791	<p>JESSICA CHASE V SILVIA CHASE</p> <p>Appeal from an order of the Family Court, Ontario County (Brian D. Dennis, J.), entered August 20, 2018 in a proceeding pursuant to Family Court Act article 6. The order granted the petition.</p> <p>MARY P. DAVISON for ROSE CHASE</p> <p>JESSICA CHASE for HERSELF</p> <p>SILVIA CHASE for HERSERLF</p> <p>JOSEPH S. DRESSNER, ATTORNEY FOR CHILD</p>	<p>10 minutes</p> <p>Submitted</p> <p>Submitted</p> <p>10 minutes</p>
287.0 CAF 18-01792	<p>JOSEPH S. DRESSNER V PATRICIA A. MOONEY-TIRAO</p> <p>Appeal from an order of the Family Court, Ontario County (Brian D. Dennis, J.), entered August 20, 2018 in a proceeding pursuant to Family Court Act article 6. The order, among other things, awarded Silvia Chase primary physical placement of the subject child.</p> <p>MARY P. DAVISON for ROSE M. CHASE</p> <p>SILVIA CHASE for HERSERLF</p> <p>JOSEPH S. DRESSNER, ATTORNEY FOR CHILD</p>	<p>Submitted</p> <p>Submitted</p> <p>Submitted</p>
288.0 CAF 18-01794	<p>ROSE M. CHASE V SILVIA CHASE</p> <p>Appeal from an order of the Family Court, Ontario County (Brian D. Dennis, J.), entered August 20, 2018 in a proceeding pursuant to Family Court Act article 6. The order dismissed the petition</p>	

	MARY P. DAVISON for ROSE M. CHASE	Submitted
	SILVIA CHASE for HERSELF	Submitted
	JOSEPH S. DRESSNER, ATTORNEY FOR CHILD	Submitted
289.0 CA 19-01797	GEORGE P. GROSS V TRAVELERS INSURANCE	
	Appeal from an order of the Supreme Court, Erie County, (Donna M. Siwek, J.), entered September 25, 2019. The order granted defendant's motion to dismiss plaintiff's complaint.	
	MATTHEW J. KAISER for GEORGE P. GROSS	10 minutes
	BETSY F. VISCO for TRAVELERS INSURANCE	10 minutes
290.0 CA 19-01966	IRMA STRAUS REALTY CORP. V OLD REPUBLIC NATIONAL TITLE INSURANCE	
	Appeal from an order of the Supreme Court, Cayuga County (Mark H. Fandrich, A.J.), entered April 2, 2019. The order denied the motion of defendant to dismiss the complaint and ordered defendant to file and serve an answer.	
	PHILLIP A. OSWALD for OLD REPUBLIC NATIONAL TITLE INSURANCE	10 minutes
	ALAN R. PETERMAN for IRMA STRAUS REALTY CORP.	10 minutes
292.0 CA 19-00831	VERN R. WATSON V JOHN PESCHEL	
	Appeal and cross appeal from an order of the Supreme Court, Oneida County (Bernadette T. Clark, J.), entered April 25, 2019. The order granted in part and denied in part the motion of plaintiff Vern R. Watson for Summary Judgment.	
	STEPHANIE VISCELLI for VERN R. WATSON	10 minutes
	KRISTIN L. NORFLEET for JOHN PESCHEL	10 minutes
293.0 CA 19-00310	HAROLD BLACKMON V CITY OF SYRACUSE	
	Appeal from an order of the Supreme Court, Onondaga County (Deborah H. Karalunas, J.), entered December 11, 2018. The order granted the motion of City of Syracuse to dismiss the complaint.	
	A.J. BOSMAN for HAROLD BLACKMON	10 minutes
	ADAM P. MASTROLEO for CITY OF SYRACUSE	15 minutes
294.0 CA 19-00238	In the Matter of TERRY M.	
	Appeal from an order of the Supreme Court, Erie County, (Christopher J. Burns, J.), entered January 14, 2019. The order, imposed a judgment in favor of Adult Incapacitated Person Mary M. as against Terry L. M. in the amount of \$232,555.70.	
	MATTHEW ALBERT for TERRY M.	Submitted

	SARAH JANE DUVALL for MARY L. M.	Submitted
295.0	DARRYL L. MACKAY	
CA 19-01649	V	
	155 EAST MAIN ST., LLC	
	Appeal from an order of the Supreme Court, Monroe County (James J. Pampiano, J.), entered August 7, 2019. The order denied the third-party plaintiff's motion for summary judgment.	
	BRADY J. O'MALLEY for 155 EAST MAIN ST., LLC	15 minutes
	JAMES J. LOFRESE for DHD VENTURES MANAGEMENT COMPANY	Submitted
	SANJEEV DEVABHAKTHUNI for COMFORT SYSTEMS USA	15 minutes
296.0	JOSIAH SCHUTT	
CA 19-01214	V	
	MARK D. BOOKHAGEN	
	Appeal and cross-appeal from an order of the Supreme Court, Erie County, (Timothy J. Walker, J.), entered April 9, 2019. The order, among other things, granted in part and denied in part plaintiff's motion for summary judgment.	
	ANTHONY J. ZITNIK, JR. for JOSIAH SCHUTT	10 minutes
	NELSON E. SCHULE, JR. for MARK D. BOOKHAGEN	10 minutes
297.0	MARILYN Y. HUBBARD	
CA 19-00249	V	
	DEMETRIUS ROBINSON	
	Appeal from an order of the Supreme Court, Erie County (Donna M. Siwek, J.), entered January 15, 2019. The order, among other things, granted motion of defendants Town of Cheektowaga and the Cheektowaga Police Department for summary judgment.	
	MATTHEW J. KAISER for MARILYN Y. HUBBARD	10 minutes
	TAMARA M. HARBOLD for DEMETRIUS ROBINSON	5 minutes
	MARYLOU K. ROSHIA for TOWN OF CHEEKTOWAGA	10 minutes

DAY CALENDAR
Tuesday, February 25, 2020 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

298.0 KA 19-00862	PEOPLE V DALTON WILKE Appeal from an order of the Monroe County Court (Christopher S. Ciaccio, J.), entered January 29, 2019. The order determined that defendant is a level two risk pursuant to the Sex Offender Registration Act. DAVID R. JUERGENS for DALTON WILKE NANCY GILLIGAN for THE PEOPLE OF THE STATE OF NEW YORK	 Submitted Submitted
299.0 KA 14-00921	PEOPLE V TERRELL L. MURRAY Appeal from a judgment of the Supreme Court, Monroe County (Alex R. Renzi, J.), rendered March 12, 2014. The judgment convicted defendant, upon a jury verdict, of insurance fraud in the third degree and falsifying business records in the first degree. CHARLES D. STEINMAN for TERRELL L. MURRAY LEAH R. MERVINE for THE PEOPLE OF THE STATE OF NEW YORK	 10 minutes 10 minutes
300.0 KA 15-01173	PEOPLE V BENJAMIN ADDISON, II Appeal from a judgment of the Supreme Court, Erie County (Russell P. Buscaglia, J.), rendered September 15, 2014. The judgment convicted defendant, upon a jury verdict, of assault in the first degree. DAVID M. ABBATOY, JR. for BENJAMIN ADDISON, II DANIEL J. PUNCH for THE PEOPLE OF THE STATE OF NEW YORK	 10 minutes 10 minutes
301.0 KA 14-00200	PEOPLE V NATALIE A. JOHNSON Appeal from a judgment of the Supreme Court, Monroe County (Francis A. Affronti, J.), rendered December 18, 2013. The judgment convicted defendant, upon a jury verdict, of murder in the second degree (two counts). BRIDGET L. FIELD for NATALIE A. JOHNSON LEAH R. MERVINE for THE PEOPLE OF THE STATE OF NEW YORK	 10 minutes 10 minutes
302.0 KA 17-01964	PEOPLE V CALIPH QUINN Appeal from a judgment of the Monroe County Court (Melchor E. Castro, A.J.), rendered October 13, 2017. The judgment convicted defendant, upon a jury verdict, of assault in the second degree. LORENZO NAPOLITANO for CALIPH QUINN	 10 minutes

303.0 KA 16-01333	<p>LEAH R. MERVINE for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes</p> <p>PEOPLE V CORY REDMOND</p> <p>Appeal from a judgment of the Supreme Court, Onondaga County (John J. Brunetti, A.J.), rendered May 20, 2016. The judgment convicted defendant, upon a jury verdict, of criminal possession of a weapon in the second degree, menacing a police officer, assault in the second degree, criminal mischief in the second degree and menacing in the second degree.</p>
	<p>PAUL MEABON for CORY REDMOND 10 minutes</p>
	<p>DARIENN P. BALIN for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes</p>
304.0 KA 15-01937	<p>PEOPLE V NIKEY J. HALL</p> <p>Appeal from a judgment of the Supreme Court, Monroe County (Alex R. Renzi, J.), rendered October 7, 2015. The judgment convicted defendant, upon a jury verdict, of assault in the first degree.</p>
	<p>CAITLIN M. CONNELLY for NIKEY J. HALL 10 minutes</p>
	<p>SCOTT MYLES for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes</p>
305.0 KA 15-00983	<p>PEOPLE V WILLIE GRAY</p> <p>Appeal from a judgment of the Monroe County Court (James J. Pampiano, J.), rendered March 6, 2015. The judgment convicted defendant, upon a plea of guilty, of robbery in the first degree.</p>
	<p>DREW R. DUBRIN for WILLIE GRAY 10 minutes</p>
	<p>LISA GRAY for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes</p>
306.0 CA 19-01088	<p>JULIE E. PASEK V CATHOLIC HEALTH SYSTEM, INC.</p> <p>Appeal from an order of the Supreme Court, Erie County (Donna M. Siwek, J.), entered January 28, 2019. The order denied the motion of defendant George R. Bancroft, M.D., for summary judgment dismissing plaintiff's complaint and cross claims as against him.</p>
	<p>J. MARK GRUBER for GEORGE R. BANCROFT, M.D. 10 minutes</p>
	<p>ANGELO S. GAMBINO for JULIE E. PASEK 10 minutes</p>
307.0 CA 19-00300	<p>JAMES A. GARDNER V WHITNEY ZAMMITT</p> <p>Appeal and cross appeal from an order of the Supreme Court, Erie County (Diane Y. Devlin, J.), entered February 14, 2019. The order, inter alia, granted the motion of plaintiff for summary judgment.</p>
	<p>BARBARA A. KILBRIDGE for WHITNEY ZAMMITT 20 minutes</p>
	<p>JAMES P. RENDA for JAMES A. GARDNER 10 minutes</p>

308.0 CA 19-01855	EDMUND J. GIZA V CATHERINE A. BARNEY	
	<p>Appeal from a judgment of the Supreme Court, Onondaga County (Martha Walsh Hood, A.J.), entered April 9, 2019 in a divorce action. The judgment, among other things, dissolved the marriage between the parties, equitably distributed the marital assets and awarded defendant maintenance.</p>	
	LINDA M. CAMPBELL for CATHERINE A. BARNEY	10 minutes
	TERRY J. KIRWAN, JR. for EDMUND J. GIZA	15 minutes
309.0 CA 19-00644	U.S. BANK NATIONAL ASSOCIATION V CHARLES A. BROWN	
	<p>Appeal from an order of the Supreme Court, Chautauqua County (James H. Dillon, J.), entered December 6, 2018. The order granted the motion of defendants, Charles A. Brown and Susan L. Brown, to dismiss the plaintiff's complaint.</p>	
	STEPHEN J. VARGAS for U.S. BANK NATIONAL ASSOCIATION	15 minutes
	ARTHUR N. BAILEY for CHARLES A. BROWN	Submitted
310.0 CAF 19-00051	In the Matter of MARIA P.	
	<p>Appeal from an order of the Family Court, Jefferson County (Eugene J. Langone, Jr., J.), entered December 4, 2018, in a proceeding pursuant to Social Services Law §384-b. The order terminated the parental rights of respondent.</p>	
	JOHN A. CIRANDO for ANTHONY P.	10 minutes
	KRISTOPHER STEVENS for JEFFERSON COUNTY DSS	10 minutes
	SCOTT A. OTIS, ATTORNEY FOR CHILD	Submitted
312.0 CA 19-01092	ROBERT M. WEICHERT V VILLAGE OF EVANS MILLS	
	<p>Appeal from a memorandum decision and order of the Supreme Court, Jefferson County (James P. McClusky, J.), entered February 28, 2019. The memorandum decision and order, insofar as appealed from, directed respondent County of Jefferson to comply with a court order dated September 1, 2005.</p>	
	DAVID JOHN PAULSEN for COUNTY OF JEFFERSON	5 minutes
	ROBERT M. WEICHERT for ROBERT M. WEICHERT	Submitted
313.0 CA 19-00954	PATRICK DEERING V ROBERTA PROSSER	
	<p>Appeal from an order and judgment of the Supreme Court, Niagara County (Frank Caruso, J.), entered April 4, 2019. The order and judgment, insofar as appealed from, denied the motion of plaintiff for summary judgment on the issue of serious injury, granted the motions of defendants for summary judgment on the issue of serious injury and dismissed the complaint.</p>	

	CRAIG Z. SMALL for PATRICK DEERING	15 minutes
	JUSTIN L. HENDRICKS for ROBERTA PROSSER	15 minutes
	HILARY C. BANKER for KYLE MULLEN	Submitted
314.0 CA 19-01672	BATAVIA TOWNHOUSES, LTD. V COUNCIL OF CHURCHES HOUSING DEVELOPMENT	
	Appeal from a decision and order of the Supreme Court, Genesee County (Timothy J. Walker, A.J.), entered August 19, 2019. The decision and order, inter alia, denied the motion of defendant for summary judgment and granted the motion of plaintiffs to cancel and discharge a WrapAround Note and Mortgage.	
	WILLIAM BRUECKNER for COUNCIL OF CHURCHES HOUSING	10 minutes
	STEVEN D. GORDON for BATAVIA TOWNHOUSES, LTD.	10 minutes
315.0 CA 19-01322	THEODORE NALBONE V VANDERBILT PROPERTIES, INC.	
	Appeal from an order and judgment of the Supreme Court, Erie County (Mark A. Montour, J.), entered April 24, 2019. The order and judgment, insofar as appealed from, granted the motion of defendants for summary judgment dismissing plaintiffs' Labor Law §§ 240 (1) and 241 (6) causes of action and dismissed the complaint.	
	MICHAEL J. SKONEY for THEODORE NALBONE	10 minutes
	GERARD E. O'CONNOR for VANDERBILT PROPERTIES, INC.	10 minutes
	ALAN J. DEPETERS for CMC CONCRETE, LLC	15 minutes
316.0 CA 19-01258	RONALD D. TURNER V JOSEPH F. BUCCOLERI	SETTLED
	Appeal from an order of the Supreme Court, Erie County (Paul B. Wojtaszek, J.), entered December 24, 2018. The order granted the motion of plaintiff for summary judgment on the issue of defendants' negligence.	
	AMANDA L. MACHACEK for JOSEPH F. BUCCOLERI	
	A. PETER SNODGRASS for RONALD D. TURNER	
317.0 CA 19-00754	PATRICK J. WHELAN V TIMOTHY G. DYSTER, M.D.	
	Appeal from an order of the Supreme Court, Niagara County (Frank Caruso, J.), entered April 16, 2019. The order denied the motion of plaintiffs to compel the further examination before trial of defendant Timothy G. Dyster, M.D.	
	JENNIFER L. FAY for PATRICK J. WHELAN	15 minutes
	MICHAEL J. WILLETT for TIMOTHY G. DYSTER, M.D.	15 minutes

DAY CALENDAR
Tuesday, February 25, 2020 - 10:00 AM
COURTROOM 2

318.0
CA 16-00523

WILL FOODS, LLC
V
WILL POULTRY CO., INC.

Appeal from an order of the Supreme Court, Erie County (Timothy J. Walker, A.J.), entered December 10, 2015. The order denied plaintiff?s motion for partial summary judgment and granted the cross motion of defendant Margaret Gleason for summary judgment

BRENDAN H. LITTLE for WILL FOODS, LLC **Submitted**

JENNIFER G. FLANNERY for NANCY CHRISTODOULIDES **Submitted**

ARTHUR G. BAUMEISTER, JR. for MARGARET GLEASON **Submitted**

319.0
CA 16-01704

WILL FOODS, LLC
V
WILL POULTRY CO., INC.

Appeal from an order of the Supreme Court, Erie County (Timothy J. Walker, A.J.), entered July 1, 2016. The order granted the motion of plaintiff for leave to reargue, and upon reargument, granted the motion of plaintiff for summary judgment on the eighth and tenth causes of action in the amended complaint.

JAY A. POHLMAN for WILL POULTRY CO., INC. **Submitted**

JENNIFER G. FLANNERY for NANCY CHRISTODOULIDES **Submitted**

CRAIG R. BUCKI for WILL FOODS, LLC **Submitted**

320.0
CA 16-01705

WILL FOODS, LLC
V
WILL POULTRY CO., INC.

Appeal from a judgment of the Supreme Court, Erie County (Timothy J. Walker, A.J.), entered July 6, 2016. The judgment awarded plaintiff money damages against defendants Will Poultry Co., Inc., and Donald E. Will.

JAY A. POHLMAN for WILL POULTRY CO., INC. **Submitted**

BRENDAN H. LITTLE for WILL FOODS, LLC **Submitted**

DAY CALENDAR
Wednesday, February 26, 2020 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

321.0
TP 19-00515

SARAH J. CUSHMAN
V
D. VENETTOZZI

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, Orleans County [Michael M. Mohun, A.J.], entered March 19, 2019) to review a determination of respondent. The determination found after Tier III hearing that petitioner had violated an inmate rule.

SARAH J. CUSHMAN for HERSELF

Submitted

MARCUS J. MASTRACCO for D. VENETTOZZI

Submitted

322.0
KA 19-00584

PEOPLE
V
JUSTIN DUKELOW

Appeal from a judgment of the Supreme Court, Niagara County (Richard C. Kloch, Sr., A.J.), rendered February 4, 2019. The judgment revoked defendant's sentence of probation and imposed a sentence of imprisonment.

THERESA L. PREZIOSO for JUSTIN DUKELOW

Submitted

LAURA T. JORDAN for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

323.0
KA 19-00702

PEOPLE
V
JOHN R. GEIL

Appeal from a decision and order of the Supreme Court, Monroe County (Vincent M. DiNolfo, J.), entered July 10, 2018. The decision and order determined defendant to be a level three risk pursuant to the Sex Offender Registration Act.

JAMES ANTHONY NAPIER for JOHN R. GEIL

Submitted

NANCY GILLIGAN for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

324.0
KA 17-01970

PEOPLE
V
KEARY MOORE

Appeal from a judgment of the Supreme Court, Onondaga County (John J. Brunetti, A.J.), rendered June 9, 2017. The judgment convicted defendant, upon a plea of guilty, of conspiracy in the second degree.

LINDA M. CAMPBELL for KEARY MOORE

10 minutes

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

10 minutes

325.0
KA 15-00262

PEOPLE
V
GREG GARNO

	<p>Appeal from a judgment of the Yates County Court (W. Patrick Falvey, J.), rendered February 3, 2015. The judgment convicted defendant, upon a jury verdict, of arson in the third degree, menacing a police officer (four counts), criminal mischief in the second degree and reckless endangerment.</p>	
	J. SCOTT PORTER for GREG GARNO	10 minutes
	R. MICHAEL TANTILLO for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
326.0 KA 16-02340	<p>PEOPLE V ALI T. RUSS</p> <p>Appeal from a judgment of the Ontario County Court (Frederick G. Reed, J.), rendered September 7, 2016. The judgment convicted defendant, upon a plea of guilty, of aggravated vehicular homicide and aggravated driving while intoxicated (three counts).</p>	
	CARA A. WALDMAN for ALI T. RUSS	Submitted
	V. CHRISTOPHER EAGGLESTON for THE PEOPLE OF THE STATE OF NY	10 minutes
327.0 CAF 18-01863	<p>RICHARD PANEBIANCO V TARYN PANEBIANCO</p> <p>Appeal from an order of the Family Court, Onondaga County (Salvatore Pavone, R.), entered August 15, 2018 in proceedings pursuant to Family Court Act article 6. The order, among other things, awarded petitioner visitation with the subject child.</p>	
	DANIELLE K. BLACKABY for TARYN PANEBIANCO	10 minutes
	RICHARD PANEBIANCO for HIMSELF	Submitted
	ELIZABETH C. FRANI, ATTORNEY FOR CHILD	10 minutes
328.0 CAF 19-00279	<p>In the Matter of ETHAN F.</p> <p>Appeal from an order of the Family Court, Oneida County (Julia M. Brouillette, J.), entered September 6, 2018 in proceedings pursuant to Family Court Act article 10. The order, among other things, adjudged that respondent severely abused Michael F. and derivatively severely abused Ethan F.</p>	
	KATHRYN FESTINE HARTNETT for CORRIE L.	10 minutes
	JOHN A. HERBOWY for ONEIDA COUNTY DSS	5 minutes
	PETER J. DIGIORGIO, JR., ATTORNEY FOR CHILD	5 minutes
	PAUL A. NORTON, ATTORNEY FOR CHILD	5 minutes
329.0 CAF 19-00280	<p>In the Matter of ETHAN F.</p> <p>Appeal from an order of the Family Court, Oneida County (Julia M. Brouillette, J.), entered December 20, 2018 in proceedings pursuant to Family Court Act article 10. The order, among other things, adjudged that no further disposition was necessary because the court had issued a permanent order of protection directing respondent to have no contact with the subject children.</p>	

	KATHRYN FESTINE HARTNETT for CORRIE L.	Submitted
	JOHN A. HERBOWY for ONEIDA COUNTY DSS	Submitted
	PETER J. DIGIORGIO, JR., ATTORNEY FOR CHILD	Submitted
	PAUL A. NORTON, ATTORNEY FOR CHILD	Submitted
330.0 CAF 18-02258	In the Matter of HANNAH W.	
	Appeal from an order of the Family Court, Yates County (Jason L. Cook, J.), entered October 29, 2018, in a proceeding pursuant to Social Services Law § 384-b. The order terminated respondent's parental rights with respect to the subject child.	
	CARA A. WALDMAN for WILLIAM W.	Submitted
	DANIELLE AMBER WARD for YATES COUNTY DSS	10 minutes
	SUSAN GRAY, ATTORNEY FOR CHILD	10 minutes
331.0 CAF 19-00143	TRONDELL WALLACE V MADARIA EURE	
	Appeal from an order of the Family Court, Onondaga County (William Rose, R.), entered December 24, 2018 in a proceeding pursuant to Family Court Act article 6. The order, among other things, awarded petitioner sole physical and legal custody of the subject child.	
	DANIELLE K. BLACKABY for MADARIA EURE	10 minutes
	TRONDELL WALLACE for HIMSELF	Submitted
	CATHERINE MARY SULLIVAN, ATTORNEY FOR CHILD	10 minutes
332.0 CA 19-00581	JOHN T. DILLON V PEAK ENVIRONMENTAL, LLC	
	Appeal from an order of the Supreme Court, Oneida County (Patrick F. MacRae, J.), entered March 8, 2019. The order granted defendants' motions for summary judgment.	
	MERRITT S. LOCKE for JOHN T. DILLON	10 minutes
	DAVID M.G. KATZ for PEAK ENVIRONMENTAL, LLC	15 minutes
333.0 CA 19-01108	JOHN GUIDO V COUNTY OF CAYUGA	SETTLED
	Appeal from an order of the Supreme Court, Cayuga County (Mark H. Fandrich, J.), entered May 20, 2019. The order, insofar as appealed from, denied the motion of third-party defendants Philip Gottlieb, M.D., and Daryl Henderson, M.D., for summary judgment against third-party plaintiffs and denied in part the motion of third-party defendant Auburn Community Hospital for summary judgment.	
	JAMES E. EAGAN for AUBURN COMMUNITY HOSPITAL	
	ZACHARY M. MATTISON for DARYL HENDERSON, MD	
	CHARLES C. SPAGNOLI for COUNTY OF CAYUGA	

334.0 CAF 18-02255	<p>In the Matter of MAYKALA W.</p> <p>Appeal from an order of the Family Court, Oneida County (Randal B. Caldwell, J.), entered November 20, 2018, in a proceeding pursuant to Social Services Law § 384-b. The order terminated respondent's parental rights with respect to the subject child.</p> <p>PETER J. DIGIORGIO, JR. for MARQUIS W.</p> <p>JOHN A. HERBOWY for ONEIDA COUNTY DSS</p> <p>STEPHANIE N. DAVIS, ATTORNEY FOR CHILD</p>	<p>5 minutes</p> <p>5 minutes</p> <p>5 minutes</p>
335.0 CA 19-01236	<p>KRISTYN JOHNSON-NEULAND V NEW YORK MUNICIPAL INSURANCE RECIPROCAL</p> <p>Appeal from an order of the Supreme Court, Oswego County (Norman W. Seiter, Jr., J.), entered June 21, 2019. The order, insofar as appealed from, granted the motion of defendant for summary judgment and dismissed the complaint.</p> <p>STEPHANIE VISCELLI for KRISTYN JOHNSON-NEULAND</p> <p>AVIS DECAIRE for NEW YORK MUNICIPAL INSURANCE RECIPROCAL</p>	<p>15 minutes</p> <p>10 minutes</p>
336.0 CA 19-01506	<p>JAMES MONTANA V DAVID MARKOWITZ METAL CO., INC.</p> <p>Appeal from an order of the Supreme Court, Oneida County (David A. Murad, J.), entered May 23, 2019. The order denied in part third-party defendant's motion for summary judgment dismissing the third-party complaint.</p> <p>KENNETH M. ALWEIS for REVERE COPPER PRODUCTS, INC.</p> <p>CHRISTOPHER SIMONE for DAVID MARKOWITZ METAL CO., INC.</p>	<p>10 minutes</p> <p>15 minutes</p>
336.1 CA 19-01669	<p>KEITH T. HOLMES V KEVIN D. MCCREA</p> <p>Appeal from a decision and order of the Supreme Court, Monroe County (Debra A. Martin, A.J.), entered February 26, 2019. The decision and order, insofar as appealed from, granted the motion of defendant Kevin C. McCrea for summary judgment and dismissed the complaint against said defendant.</p> <p>SAREER A. FAZILI for KEITH T. HOLMES</p> <p>DOMINIC M. CHIMERA for STEVON K. SPENCER</p> <p>SCOTT D. MANCUSO for KEVIN D. MCCREA</p>	<p>10 minutes</p> <p>10 minutes</p> <p>10 minutes</p>

DAY CALENDAR
Wednesday, February 26, 2020 - 10:00 AM
COURTROOM 2

337.0
KA 18-01793

PEOPLE
V
HUGH R. JACKSON

Appeal from a judgment of the Niagara County Court (Matthew J. Murphy, J.), rendered April 25, 2018. The judgment convicted defendant, upon a jury verdict, of attempted burglary in the second degree, criminal mischief in the fourth degree, possession of burglar's tools and unlawful possession of marihuana.

JOSEPH G. FRAZIER for HUGH R. JACKSON

Submitted

LAURA T. JORDAN for THE PEOPLE OF THE STATE OF NEW YORK

Submitted

338.0
KA 17-02055

PEOPLE
V
FLOYD JOHNSON

Appeal from a judgment of the Supreme Court, Erie County (Russell P. Buscaglia, J.), rendered April 11, 2017. The judgment convicted defendant, upon his plea of guilty, of manslaughter in the first degree.

BARBARA J. DAVIES for FLOYD JOHNSON

Submitted

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

5 minutes

339.0
KA 18-02379

PEOPLE
V
GERARD CRIBB

Appeal from a judgment of the Supreme Court, Monroe County (Thomas E. Moran, J.), rendered March 16, 2015. The judgment convicted defendant, upon a plea of guilty, of criminal possession of a weapon in the second degree.

JANET C. SOMES for GERARD CRIBB

Submitted

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

Submitted

340.0
KA 17-01482

PEOPLE
V
MARLINDA NESMITH

Appeal from a judgment of the Supreme Court, Monroe County (Joanne M. Winslow, J.), rendered October 24, 2016. The judgment convicted defendant, upon her plea of guilty, of identity theft in the first degree, criminal possession of stolen property in the fourth degree (two counts) and grand larceny in the fourth degree

CATHERINE H. JOSH for MARLINDA NESMITH

5 minutes

SCOTT MYLES for THE PEOPLE OF THE STATE OF NEW YORK

5 minutes

341.0
KA 17-00346

PEOPLE
V
ANTHONY COLE

Appeal from a judgment of the Onondaga County Court (Robert L. Bauer, J.), rendered February 3, 2017. The judgment convicted defendant, upon a plea of guilty, of driving while intoxicated, as a class D felony.

	MARK C. DAVISON for ANTHONY COLE	Submitted
	KENNETH H. TYLER, JR. for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
342.0 KA 17-00347	PEOPLE V ANTHONY COLE	
	Appeal from a judgment of the Onondaga County Court (Robert L. Bauer, J.), rendered February 3, 2017. The judgment revoked defendant's sentence of probation and imposed a sentence of imprisonment.	
	MARK C. DAVISON for ANTHONY COLE	Submitted
	KENNETH H. TYLER, JR. for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
343.0 KA 19-01068	PEOPLE V DOMENIC A. MINECCIA	
	Appeal from a judgment of the Onondaga County Court (Stephen J. Dougherty, J.), rendered September 8, 2017. The judgment convicted defendant, after a nonjury trial, of criminal possession of a controlled substance in the third degree, criminal sale of a controlled substance in the third degree, tampering with physical evidence and endangering the welfare of a child.	
	DAVID M. ABBATOY, JR. for DOMENIC A. MINECCIA	10 minutes
	DANIEL GROSS for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
344.0 KA 19-00264	PEOPLE V DOMENIC MINECCIA	
	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 (Douglas A. Randall, J.), dated January 11, 2019. The order denied defendant's motion pursuant to CPL 440.10 to vacate the judgment convicting defendant of criminal possession of a controlled substance in the third degree, criminal sale of a controlled substance in the third degree, tampering with physical evidence and endangering the welfare of a child.	
	DAVID M. ABBATOY, JR. for DOMENIC MINECCIA	Submitted
	DANIEL GROSS for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
345.0 KA 17-02067	PEOPLE V ERIC MITCHELL	
	Appeal from a judgment of the Erie County Court (Sheila A. DiTullio, J.), rendered July 25, 2017. The judgment convicted defendant, upon his plea of guilty, of criminal possession of a controlled substance in the third degree two counts).	
	NICHOLAS P. DIFONZO for ERIC MITCHELL	10 minutes
	MICHAEL J. HILLERY for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
346.0 KA 15-01687	PEOPLE V FUZELL ROGERS, III	

Appeal from a judgment of the Monroe County Court (Christopher S. Ciaccio, J.), rendered July 22, 2015. The judgment convicted defendant, upon a jury verdict, of criminal possession of a controlled substance in the third degree, criminal possession of a controlled substance in the seventh and criminally using drug paraphernalia in the second degree.

HELEN SYME for FUZELL ROGERS, III 10 minutes

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

347.0
CAF 19-01510

JOYCE M. M.
V
ROBERT J. G.

Appeal from an order of the Family Court, Erie County (Brenda M. Freedman, J.), entered February 8, 2019, in a proceeding pursuant to Family Court Act article 5. The order dismissed the petition

MICHAEL F. MCPARTLAN for JOYCE M. M. 10 minutes

ANTHONY J. CERVI for ROBERT J. G. 10 minutes

DEBORAH J. SCINTA, ATTORNEY FOR CHILD 5 minutes

348.0
CAF 19-01511

JOYCE M. M.
V
ROBERT J. G.

Appeal from an order of the Family Court, Erie County (Brenda M. Freedman, J.), entered February 8, 2019, in a proceeding pursuant to Family Court Act article 5. The order granted the motion of respondent to dismiss the petition.

MICHAEL F. MCPARTLAN for JOYCE M. M. Submitted

ANTHONY J. CERVI for ROBERT J. G. Submitted

DEBORAH J. SCINTA, ATTORNEY FOR CHILD Submitted

349.0
CAF 16-01228

JOSEPH M. PARK
V
DEBORAH L. MILLER

Appeal from a decision and order of the Family Court, Erie County (Helen E. Freedman, R.), entered March 10, 2016, in a proceeding pursuant to Family Court Act article 6. The decision and order, inter alia, granted sole custody to respondent.

CHARLES J. GREENBERG for JOSEPH M. PARK 5 minutes

ELIZABETH J. CIAMBRONE for DEBORAH L. MILLER 10 minutes

TINA M. HAWTHORNE, ATTORNEY FOR CHILD 5 minutes

350.0
CAF 18-02333

VALERIE J. HONEYFORD
V
ANDREA LUKE

Appeal from an order of the Family Court, Monroe County (James A. Vazzana, J.), entered October 31, 2018 in a proceeding pursuant to Family Court Act article 6. The order, among other things, granted petitioner Valerie J. Honeyford visitation with the subject children.

JAMES S. HINMAN for ANDREA LUKE 15 minutes

	MICHAEL STEINBERG for VALERIE J. HONEYFORD	15 minutes
	ALISON CHRISTINE BATES, ATTORNEY FOR CHILD	15 minutes
351.0 CAF 19-00956	ANDREA LUKE V VALERIE J. HONEYFORD	
	Appeal from an order of the Family Court, Monroe County (James A. Vazzana, J.), entered January 29, 2019 in a proceeding pursuant to Family Court Act article 6. The order dismissed the petition	
	JAMES S. HINMAN for ANDREA LUKE	Submitted
	MICHAEL STEINBERG for VALERIE J. HONEYFORD	Submitted
	ALISON CHRISTINE BATES, ATTORNEY FOR CHILD	Submitted
352.0 CA 19-01853	TIMOTHY J. KUPKA V SERRIE C. LICO, M.D.	SETTLED
	Appeal from an order of the Supreme Court, Erie County, (Frederick J. Marshall, J.), entered January 23, 2018. The order, among other things, denied the motion of defendants Serrie C. Lico. M.D. and Cardiovascular and Thoracic Surgery, P.C. seeking summary judgment dismissing all claims and cross-claims against them.	
	J. MARK GRUBER for SERRIE C. LICO, M.D.	
	MICHAEL R. DRUMM for TIMOTHY J. KUPKA	
	JASON T. BRITT for CATHARINE M. ARMENTROUT, N.P.	
353.0 CA 19-01032	MOHAMED SAIF MOHAMED V CITY OF BUFFALO	
	Appeal from a decision and order of the Supreme Court, Erie County (Timothy J. Walker, A.J.), entered April 4, 2019. The decision and order granted the motion of defendant for summary judgment and dismissed the complaint.	
	BOYD L. EARL for MOHAMED SAIF MOHAMED	15 minutes
	DAVID M. LEE for CITY OF BUFFALO	10 minutes
354.0 CA 19-01722	DEEPIKA REDDY V WSYR NEWSCHANNEL 9	
	Appeal and cross appeal from an order of the Supreme Court, Onondaga County (Deborah H. Karalunas, J.), entered March 19, 2019. The order denied the motion of plaintiff to vacate the prior order of the court and denied the cross motion of defendants for vexacious litigator injunctive relief and sanctions.	
	DEEPIKA REDDY for HERSELF	30 minutes
	JOSEPH MARTIN FINNERTY for WSYR NEWSCHANNEL 9	15 minutes
355.0 CA 19-01778	JEFFREY D. CONRAD V HOLIDAY VALLEY, INC.	

Appeal from an order of the Supreme Court, Erie County (John F. O'Donnell, J.), entered February 28, 2019. The order denied the motion of defendants for summary judgment.

STEVEN M. ZWEIG for HOLIDAY VALLEY, INC.

15 minutes

JUSTIN S. WHITE for JEFFREY D. CONRAD

10 minutes

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 CHRISTOPHER T. VALDINA for THE PEOPLE OF THE STATE OF NY	 Submitted 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 MATTHEW B. POWERS for THE PEOPLE OF THE STATE OF NEW YORK	 Submitted 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. LEAH R. MERVINE for THE PEOPLE OF THE STATE OF NEW YORK	 10 minutes 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 JEFFREY R. PARRY for AUSTIN PRATT	 10 minutes 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. KAIXI XU for WAYNE A. BABB, JR. LORI PETTIT RIEMAN for THE PEOPLE OF THE STATE OF NEW YORK	 15 minutes 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	PATRICIA SPEARS V STATE OF NEW YORK	
	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.	
	ANDREW CONNELLY for PATRICIA SPEARS	15 minutes
	SARAH L. ROSENBLUTH for STATE OF NEW YORK	15 minutes
367.0 CA 19-01391	LINDA LOUISE GREEN V KATHERINE ANNE REPINE	
	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.	
	CHRISTOPHER M. PANNOZZO for LINDA LOUISE GREEN	10 minutes
	LAURA B. GARDINER for KATHERINE ANNE REPINE	15 minutes
368.0 CA 19-01315	TIMOTHY J. KING V JAKE OWEN KLOCEK	
	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.	
	SCOTT C. ALLAN for CABELA'S INC.	15 minutes
	JONATHAN E. LOWY for TIMOTHY J. KING	15 minutes
	JAMES H. COSGRIFF, III for JAKE OWEN KLOCEK	Submitted
369.0 CA 19-01883	MICHAEL MAZZEO V MICHAEL CIMMINELLI	
	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.	
	YVETTE CHANCELLOR GREEN for MICHAEL CIMMINELLI	Submitted
	DANIEL DEBOLT for MICHAEL MAZZEO	15 minutes
372.0 CA 19-01298	KRISTEN DEFISHER V PPZ SUPERMARKETS, INC.	
	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.	
	ANDREW CONNELLY for KRISTEN DEFISHER	15 minutes
	CHARLES CHRISTIAN SPAGNOLI for PPZ SUPERMARKETS, INC.	15 minutes

373.0
CA 19-01578

BRIAN BERMELE
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 BERMELE 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