

DAY CALENDAR
Monday, September 9, 2019 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

862.0
KA 17-00927

PEOPLE
V
RAE-KWON CHAMBERS

Appeal from a judgment of the Onondaga County Court (Stephen J. Dougherty, J.), rendered May 3, 2017. The judgment convicted defendant, upon his plea of guilty, of attempted arson in the second degree.

NATHANIEL V. RILEY for RAE-KWON CHAMBERS **Submitted**

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

863.0
KA 19-00442

PEOPLE
V
RAE-KWON CHAMBERS

Appeal from a resentence of the Onondaga County Court (Stephen J. Dougherty, J.), rendered July 28, 2017. Defendant was resented upon his conviction of attempted arson in the second degree.

NATHANIEL V. RILEY for RAE-KWON CHAMBERS **Submitted**

WILLIAM J. FITZPATRICK for THE PEOPLE OF THE STATE OF NEW YORK **Submitted**

864.0
KA 18-00147

PEOPLE
V
MELQUAN TUCKER

Appeal from a judgment of the Supreme Court, Erie County (Russell P. Buscaglia, J.), rendered January 8, 2019. The judgment convicted defendant, upon a jury verdict, of criminal possession of a firearm.

ERIN A. KULESUS for MELQUAN TUCKER **10 minutes**

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

DENNIS RAMBAUD for NYS OFFICE OF ATTORNEY GENERAL **10 minutes**

865.0
KA 17-00560

PEOPLE
V
GREGORY C. DINANT, JR.

Appeal from a judgment of the Oswego County Court (Donald E. Todd, J.), rendered April 13, 2016. The judgment convicted defendant, upon a jury verdict, of assault in the second degree, assault in the third degree, criminal mischief in the third degree, criminal possession of a weapon in the fourth degree and reckless endangerment.

THEODORE W. STENUF for GREGORY C. DINANT, JR. **10 minutes**

AMY HALLENBECK for THE PEOPLE OF THE STATE OF NEW YORK **10 minutes**

866.0
KA 18-00284

PEOPLE
V
PAUL A. LOVE

Appeal from a decision and order of the Erie County Court (Thomas P. Franczyk, J.), entered December 21, 2017. The decision and order determined defendant to be a level two risk pursuant to the Sex Offender Registration Act.

	NICHOLAS P. DIFONZO for PAUL A. LOVE	Submitted
	MATTHEW B. POWERS for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
867.0 KA 17-01320	PEOPLE V CHRISTOPHER GARIS	
	Appeal from a judgment of the Livingston County Court (Dennis S. Cohen, J.); entered January 26, 2017. The judgment revoked defendant's probation and imposed a term of imprisonment.	
	JAMES M. SPECYAL for CHRISTOPHER GARIS	10 minutes
	JOSHUA J. TONRA for THE PEOPLE OF THE STATE OF NEW YORK	10 minutes
868.0 KA 17-00654	PEOPLE V LUTHER ADAIR	
	Appeal from a judgment of the Onondaga County Court (Stephen J. Dougherty, J.), rendered February 24, 2017. The judgment convicted defendant, upon a jury verdict, of criminal contempt in the first degree, obstructing governmental administration in the second degree and resisting arrest.	
	MARY P. DAVISON for LUTHER ADAIR	Submitted
	DARIENN P. BALIN for THE PEOPLE OF THE STATE OF NEW YORK	Submitted
869.0 KA 16-02260	PEOPLE V JEREMY E. KNIFFIN	
	Appeal from a judgment of the Ontario County Court (William F. Kocher, J.), rendered October 28, 2016. The judgment convicted defendant, upon a jury verdict, of criminal mischief in the fourth degree.	
	GARY MULDOON for JEREMY E. KNIFFIN	10 minutes
	V. CHRISTOPHER EAGGLESTON for THE PEOPLE OF THE STATE OF NEW YORK	5 minutes
870.0 CA 19-00463	HEALTHNOW NEW YORK, INC. V EMPLOYER SERVICES CORPORATION	
	Appeal from an order of the Supreme Court, Erie County (Henry J. Nowak, J.), entered September 11, 2018. The order, among other things, granted in part defendant Employer Services Corporation's motion to dismiss.	
	D. CHARLES ROBERTS for HEALTHNOW NEW YORK, INC.	10 minutes
	HUGH C. CARLIN for EMPLOYER SERVICES CORPORATION	10 minutes
871.0 CA 19-00028	ZELAZNY FAMILY ENTERPRISES, LLC V TOWN OF SHELBY	
	Appeal from an order of the Supreme Court, Niagara County (Daniel J. Furlong, J.), entered August 20, 2018. The order granted the motion of respondents for a change of venue and transferred the proceeding to Supreme Court, Orleans County.	
	LAUREL J. EVELEIGH for ZELAZNY FAMILY ENTERPRISES, LLC	Submitted
	CHARLES W. MALCOMB for TOWN OF SHELBY	10 minutes

872.0
CA 19-00407

JOSEPH P. PANELLA
V
STATE OF NEW YORK

Appeal from an order and judgment of the Supreme Court, Oneida County (Norman W. Seiter, Jr., J.), entered September 5, 2018. The order and judgment granted the motion of defendants to dismiss the complaint and dismissed the case.

STEPHANIE A. PALMER for JOSEPH P. PANELLA 10 minutes

ROBERT M. GOLDFARB for STATE OF NEW YORK 10 minutes

873.0
CA 19-00006

PATRICK A. NICOL
V
TARA M. NICOL

Appeal from an order of the Supreme Court, Monroe County (Richard A. Dollinger, A.J.) entered April 26, 2018. The order denied plaintiff's motion to modify and enforce certain terms of the parties's judgment of divorce and separation and settlement agreement.

WENDY S. SISSON for PATRICK A. NICOL Submitted

MICHAEL D. SCHMITT for TARA M. NICOL Submitted

874.0
CA 19-00366

SOUTHWESTERN INVESTORS GROUP, LLC **SETTLED**
V
JH PORTFOLIO DEBT EQUITIES, LLC

Appeal from an order of the Supreme Court, Erie County (Deborah A. Chimes, J.) entered July 5, 2018. The order, among other things, granted defendant JH Portfolio Debt Equities, LLC's motion for summary judgment.

KEVIN T. O'BRIEN for SOUTHWESTERN INVESTORS GROUP, LLC

CAROLINA A. FORNOS for JH PORTFOLIO DEBT EQUITIES, LLC

875.0
OP 19-00620

ASHLEY NEWBURY **SETTLED**
V
HON. SANFORD A. CHURCH

Proceeding pursuant to CPLR article 78 (initiated in the Appellate Division of the Supreme Court for the Fourth Judicial Department pursuant to CPLR 506 [b]) to reverse the denial of her pistol permit application.

HARVEY PHILIP SANDERS for ASHLEY NEWBURY

LETITIA JAMES for HON. SANFORD A. CHURCH

876.0
CA 19-00345

TIMOTHY J. FARNHAM
V
MIC WHOLESAL LTD

Appeal from an order of the Supreme Court, Erie County (Russell P. Buscaglia, J.) entered April 9, 2018. The order denied defendant Manheim Auto Auction's motion for summary judgment dismissing all claims against it.

GARY DVOSKIN for MANHEIM AUTO AUCTION 15 minutes

EDWARD L. SMITH, III for TIMOTHY J. FARNHAM 10 minutes

877.0
CA 19-00272

NATIONWIDE AFFINITY INSURANCE COMPANY
V
BEACON ACUPUNCTURE, P.C.

Appeal from an order of the Supreme Court, Erie County (Donald A. Greenwood, J.), entered August 7, 2018. The order, among other things, denied in part plaintiff's motion for summary judgment.

ALLAN HOLLANDER for NATIONWIDE AFFINITY INSURANCE COMPA 15 minutes

OLEG RYBAK for BEACON ACUPUNCTURE, P.C. Submitted

878.0
CA 18-02291

COURTNEY L. SMITH
V
STATE FARM MUTUAL AUTOMOBILE INS.

Appeals from an order of the Supreme Court, Erie County (E. Jeanette Ogden, J.), entered November 16, 2018. The order, insofar as applied from, denied the motions of defendants for summary judgment.

BRENDAN S. BYRNE for STATE FARM MUTUAL AUTOMOBILE INS. 10 minutes

VICTOR M. WRIGHT for CHRISTINA A. PUGH 10 minutes

BRIAN RUSSELL WOOD for COURTNEY L. SMITH 10 minutes

879.0
CA 18-02334

JUDD SUNSHINE
V
LONDRA BELL

Appeal from an order of the Supreme Court, Erie County (Paul B. Wojtaszek, J.), entered October 10, 2018. The order, insofar as appealed from, granted the motion of defendants to dismiss all of plaintiffs' causes of action except the second cause of action.

JOHN J. LAVIN for JUDD SUNSHINE Submitted

KEITH R. WESOLOWSKI for LONDRA BELL Submitted

880.0
CA 18-01743

In the Matter of
THE ESTATE OF ANTHONY J. THOMAS

Appeal from an order of the Surrogate's Court, Monroe County (John M. Owens, S.), entered August 21, 2018. The order denied the petition and supplemental petition and denied petitioner's claim that Anthony Thomas held any ownership interest in New York State Fence, Inc. at the time of his death.

JONATHAN B. FELLOWS for GLORIA M. BORRELLI 15 minutes

ANTHONY J. ADAMS, JR., for TOM J. THOMAS 15 minutes

881.0
CA 18-01785

RAYMOND BUBAR
V
DOROTHY URSCHEL

Appeal from an order of the Supreme Court, Erie County (Frederick J. Marshall, J.), entered July 17, 2018. The order denied defendant Dorothy Urschel, ANCP-C's motion for summary judgment.

MICHAEL J. WILLETT for DOROTHY URSCHEL 15 minutes

RICHARD P. VALENTINE for RAYMOND BUBAR 10 minutes

ANN M. CAMPBELL for RICHARD BRODMAN, M.D. 15 minutes

MICHAEL J. ROACH for MICHAEL CELLINO, M.D.

10 minutes

882.0
CA 18-01786

RAYMOND BUBAR
V
MICHAEL CELLINO

Appeal from an order of the Supreme Court, Erie County (Frederick J. Marshall, J.), entered July 17, 2018. The order, among other things, denied the motion of defendants Michael Cellino, M.D. and Buffalo Medical Group for summary judgment dismissing the complaint and any cross claims against them.

RICHARD P. VALENTINE for RAYMOND BUBAR

Submitted

MICHAEL J. ROACH for MICHAEL CELLINO, M.D.

Submitted

ANN M. CAMPBELL for RICHARD BRODMAN, M.D.

Submitted

883.0
CA 18-01787

RAYMOND BUBAR
V
RICHARD F. BRODMAN, M.D.

Appeal from an order of the Supreme Court, Erie County (Frederick J. Marshall, J.), entered July 17, 2018. The order denied the motion of defendants Richard Brodman, M.D. and Buffalo Cardiothoracic Surgical, PLLC for summary judgment dismissing all claims and cross claims against them.

ANN M. CAMPBELL for RICHARD F. BRODMAN, M.D.

Submitted

RICHARD P. VALENTINE for RAYMOND BUBAR

Submitted