

MOTION NO. (749/22) CA 21-01817. -- BRADFORD GREEN,
PLAINTIFF-RESPONDENT-APPELLANT, V EVERGREEN FAMILY LIMITED PARTNERSHIP,
EVERGREEN II FAMILY LIMITED PARTNERSHIP, EVERGREEN FAMILY LIMITED
PARTNERSHIP, DOING BUSINESS AS PRECISION WASH, AND JAMES DONEGAN FAMILY
TRUST, DEFENDANTS-APPELLANTS-RESPONDENTS. -- Motion for reargument or leave
to appeal to the Court of Appeals denied. PRESENT: WHALEN, P.J.,
PERADOTTO, LINDLEY, BANNISTER, AND OGDEN, JJ. (Filed Mar. 17, 2023.)

MOTION NO. (764/22) OP 22-00744. -- IN THE MATTER OF BOWERS DEVELOPMENT,
LLC, AND PLUMBING & HEATING SUPPLY CO., PETITIONERS, V ONEIDA COUNTY
INDUSTRIAL DEVELOPMENT AGENCY AND CENTRAL UTICA BUILDING, LLC, RESPONDENTS.
-- Motion for reargument denied. Motion for leave to appeal to the Court
of Appeals granted. PRESENT: WHALEN, P.J., CURRAN, BANNISTER, AND
MONTOUR, JJ. (Filed Mar. 17, 2023.)

MOTION NO. (775/22) TP 21-00254. -- IN THE MATTER OF ONONDAGA CENTER FOR
REHABILITATION AND HEALTHCARE, PETITIONER, v NEW YORK STATE DEPARTMENT OF
HEALTH, RESPONDENT, ET AL., RESPONDENTS. -- Motion for leave to appeal to
the Court of Appeals denied. PRESENT: LINDLEY, J.P., BANNISTER, MONTOUR,
AND GREENWOOD, JJ. (Filed Mar. 17, 2023.)

MOTION NO. (825/22) CA 22-00540. -- THERESA M. JOHNSON,
PLAINTIFF-RESPONDENT, V ARNIM P. AMADORZABALA, ALSO KNOWN AS ARNIM P.
AMADOR, DEFENDANT-APPELLANT, PV HOLDING CORP., ET AL., DEFENDANTS. --
Motion for leave to appeal to the Court of Appeals denied. PRESENT:
WHALEN, P.J., SMITH, LINDLEY, BANNISTER, AND MONTOUR, JJ. (Filed Mar. 17,
2023.)

MOTION NO. (862/22) CA 21-01171. -- IN THE MATTER OF MARGARET A. BURDICK,
PETITIONER-APPELLANT, V BATH CENTRAL SCHOOL DISTRICT, BATH CENTRAL SCHOOL
DISTRICT BOARD OF EDUCATION AND JOSEPH L. RUMSEY, IN HIS OFFICIAL AND
INDIVIDUAL CAPACITY, RESPONDENTS-RESPONDENTS. -- Motion for reargument or
leave to appeal to the Court of Appeals denied. PRESENT: SMITH, J.P.,
PERADOTTO, CURRAN, AND MONTOUR, JJ. (Filed Mar. 17, 2023.)

MOTION NO. (867/22) CA 21-00932. -- UTICA MUTUAL INSURANCE COMPANY,
PLAINTIFF-APPELLANT, V AMERICAN RE-INSURANCE COMPANY, NOW KNOWN AS MUNICH
REINSURANCE AMERICA, INC., DEFENDANT-RESPONDENT. -- Motion for reargument
be and the same hereby is granted in part and, upon reargument, the
memorandum and order entered December 23, 2022 (211 AD3d 1587 [4th Dept
2022]) is amended by adding the following sentence as the last sentence of
the memorandum: "We have considered the remaining contentions raised by
plaintiff and conclude that they are without merit." PRESENT: SMITH,
J.P., PERADOTTO, CURRAN, AND MONTOUR, JJ. (Filed Mar. 17, 2023.)

MOTION NO. (881/22) CAF 21-00903. -- IN THE MATTER OF MICHAEL C. WELLS, PETITIONER-APPELLANT, V DAWN M. FREELAND AND JACQUELINE M. FREELAND, RESPONDENTS-RESPONDENTS. -- Motion for reargument denied. PRESENT: WHALEN, P.J., PERADOTTO, LINDLEY, AND BANNISTER, JJ. (Filed Mar. 17, 2023.)

KA 22-00580. -- THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V GEORGE W ENGELHARDT II, DEFENDANT-APPELLANT. -- Judgment unanimously affirmed. Counsel's motion to be relieved of assignment granted (*see People v Crawford*, 71 AD2d 38 [4th Dept 1979]). (Appeal from Judgment of Wyoming County Court, Michael M. Mohun, J. - Criminal Contempt, 2nd Degree). PRESENT: SMITH, J.P., LINDLEY, CURRAN, OGDEN, AND GREENWOOD, JJ. (Filed Mar. 17, 2023.)

KA 22-00615. -- THE PEOPLE OF THE STATE OF NEW YORK, RESPONDENT, V JOHN OGLE, DEFENDANT-APPELLANT. -- Judgment unanimously affirmed. Counsel's motion to be relieved of assignment granted (*see People v Crawford*, 71 AD2d 38 [4th Dept 1979]). (Appeal from Judgment of Wyoming County Court, Michael M. Mohun, J. - Assault, 2nd Degree). PRESENT: SMITH, J.P., LINDLEY, CURRAN, OGDEN, AND GREENWOOD, JJ. (Filed Mar. 17, 2023.)