

DAY CALENDAR
Monday, January 9, 2017 - 10:00 AM
HON. SAMUEL L. GREEN COURTROOM

13.0
CA 16-00246

LISA MARIE GUY
V
ERIC GUY

Appeal from an order of the Supreme Court, Erie County (Frederick J. Marshall, J.), entered August 13, 2015. The order, inter alia, denied the motion of defendant to compel plaintiff and their children to engage in collaborative counseling.

JUSTIN S. WHITE for ERIC GUY 10 minutes

JOHN P. PIERI for LISA MARIE GUY 15 minutes

CHERYL A. ALOI, ATTORNEY FOR CHILD 10 minutes

14.0
CA 16-00247

LISA MARIE GUY
V
ERIC GUY

Appeal from an order of the Supreme Court, Erie County (Frederick J. Marshall, J.), entered October 6, 2015. The order directed defendant to pay attorney's fees of \$13,958.26 to counsel for plaintiff.

JUSTIN S. WHITE for ERIC GUY Submitted

JOHN P. PIERI for LISA MARIE GUY Submitted

CHERYL A. ALOI , ATTORNEY FOR CHILD Submitted

1.0
TP 16-00249

NATHAN BROWN
V
ALBERT PRACK

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, Oneida County [Norman I. Siegel, J.], entered July 2, 2016) to review a determination of respondent. The determination found after a tier III hearing that petitioner had violated various inmate rules.

NATHAN BROWN for HIMSELF Submitted

MARCUS J. MASTRACCO for ALBERT PRACK Submitted

2.0
KA 12-01359

PEOPLE
V
RUSLAN KONOVALCHUK

Appeal from a judgment of the Supreme Court, Monroe County (Alex R. Renzi, J.), rendered May 23, 2012. The judgment convicted defendant, upon a jury verdict, of robbery in the second degree (three counts) and robbery in the third degree.

PETER J. GLENNON for RUSLAN KONOVALCHUK Submitted

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

3.0
KA 12-00320

**PEOPLE
V
SHAWN OBBAGY**

Appeal from a judgment of the Livingston County Court (Dennis S. Cohen, J.), rendered October 20, 2011. The judgment convicted defendant, upon his plea of guilty, of criminal mischief in the third degree, driving while intoxicated, a misdemeanor, and resisting arrest.

JEANNIE MICHALSKI for SHAWN OBBAGY Submitted

JOSHUA J. TONRA for THE PEOPLE OF THE STATE OF NEW YORK Submitted

4.0
KA 15-01692

**PEOPLE
V
CLIFFORD GRAHAM**

Appeal from a judgment of the Supreme Court, Onondaga County (John J. Brunetti, A.J.), rendered September 18, 2015. The judgment convicted defendant, upon a jury verdict, of criminal possession of a weapon in the second degree and endangering the welfare of a child.

JOHN J. GILSENAN for CLIFFORD GRAHAM 10 minutes

ROMANA A. LAVALAS for THE PEOPLE OF THE STATE OF NEW YORK 10 minutes

5.0
KA 15-00421

**PEOPLE
V
CURTIS MOSS**

Appeal from a judgment of the Supreme Court, Erie County (M. William Boller, A.J.), rendered December 3, 2014. The judgment convicted defendant, upon his plea of guilty, of burglary in the first degree and criminal possession of a weapon in the second degree.

ROBERT L. KEMP for CURTIS MOSS Submitted

ASHLEY R. LOWRY for THE PEOPLE OF THE STATE OF NEW YORK Submitted

6.0
KA 14-01499

**PEOPLE
V
MARK THOMPSON**

Appeal from a judgment of the Supreme Court, Erie County (Russell P. Buscaglia, A.J.), rendered August 4, 2014. The judgment convicted defendant, upon a jury verdict, of robbery in the first degree.

BARBARA J. DAVIES for MARK THOMPSON 10 minutes

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

7.0
KA 15-01193

**PEOPLE
V
MONROE BIBBS**

Appeal from a judgment of the Supreme Court, Erie County (M. William Boller, A.J.), rendered February 11, 2015. The judgment convicted defendant, upon his plea of guilty, of attempted robbery in the first degree.

DAVID J. PAJAK for MONROE BIBBS Submitted

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

8.0
KA 12-00321

**PEOPLE
V
SHAWN OBBAGY**

Appeal from a judgment of the Livingston County Court (Dennis S. Cohen, J.), rendered October 20, 2011. The judgment convicted defendant, upon his plea of guilty, of criminal mischief in the third degree.

JEANNIE MICHALSKI for SHAWN OBBAGY Submitted

JOSHUA J. TONRA for THE PEOPLE OF THE STATE OF NEW YORK Submitted

9.0
KA 16-00242

**PEOPLE
V
JEREMY B. NEWTON**

Appeal from a judgment of the Monroe County Court (Thomas R. Morse, A.J.), rendered January 20, 2016. The judgment convicted defendant, upon a jury verdict, of rape in the first degree, criminal sexual act in the first degree, aggravated sexual abuse in the first degree, aggravated sexual abuse in the second degree and sexual abuse in the first degree.

DAVID M. ABBATOY, JR., for JEREMY B. NEWTON 15 minutes

KELLY CHRISTINE WOLFORD for PEOPLE OF THE STATE OF NEW YORK 10 minutes

10.0
CA 16-01146

**CANANDAIGUA NATIONAL BANK
V
MATTHEW PALMER**

Appeal from an order of the Supreme Court, Ontario County (Frederick G. Reed, A.J.), entered August 24, 2015. The order granted plaintiff's motion for summary judgment.

DAVID D. BENZ for MATTHEW PALMER 15 minutes

JESSICA M. MYERS for CANANDAIGUA NATIONAL BANK 15 minutes

11.0
CA 15-01607

**INTEGRATED VOICE & DATA SYSTEMS
V
MICHAEL GROH**

Appeals from an order of the Supreme Court, Erie County (Timothy J. Walker, A.J.), entered August 3, 2015. The order, among other things, granted plaintiffs' motion to strike defendants' answers and granted a permanent injunction against defendants.

ANDREW P. FLEMING for MICHAEL GROH Submitted

B. KEVIN BURKE, JR., for FRANK LEWANDOWSKI 15 minutes

LINDA HEARY JOSEPH for AT TECHNOLOGY, INC. 15 minutes

KELLY E. GUERIN for INTEGRATED VOICE & DATA SYSTEMS 15 minutes

12.0
CA 15-01608

**INTEGRATED VOICE & DATA SYSTEMS
V
MICHAEL GROH**

Appeal from an order of the Supreme Court, Erie County (Timothy J. Walker, A.J.), entered September 16, 2015. The order, among other things, denied the motion of defendant AT Technology Inc. for leave motion to reargue.

19.0
CA 16-00868

DOUGLAS J. DANNER
V
RAYMOND J. CAMPBELL

Appeal from an order of the Supreme Court, Erie County (Patrick H. NeMoyer, J.), entered November 9, 2015. The order granted the motion of plaintiffs to set aside a verdict and directed a new trial on liability.

AARON M. ADOFF for RAYMOND J. CAMPBELL 10 minutes

GREGG S. MAXWELL for DOUGLAS J. DANNER 10 minutes

20.0
CA 16-00334

SWORMVILLE FIRE CO. INC.
V
K2M ARCHITECTS P.C.

Appeal and cross appeal from an order of the Supreme Court, Erie County (Joseph R. Glownia, J.), entered April 21, 2015. The order, among other things, granted in part plaintiff's motion for summary judgment.

MICHAEL A. DAMIA for K2M ARCHITECTS P.C. 15 minutes

AMANDA L. MACHACEK for SWORMVILLE FIRE CO. INC. 15 minutes

21.0
CA 16-00064

NCA COMP, INC.
V
1289 CLIFFORD AVENUE

Appeal from an order of the Supreme Court, Erie County (Timothy J. Walker, A.J.), entered August 6, 2015. The order, among other things, granted the motion of defendants Babcock Utilities, Inc., Mark Cerrone, Inc., and Jo to Mo, Corp. to dismiss plaintiff's claims as against them.

ALAN J. DEPETERS for NCA COMP, INC. 10 minutes

CRAIG R. BUCKI for BABCOCK UTILITIES, INC. 10 minutes

22.0
CA 16-00066

NCA COMP, INC.
V
1289 CLIFFORD AVENUE

Appeal from an order of the Supreme Court, Erie County (Timothy J. Walker, A.J.), entered October 2, 2015. The order, among other things, granted the motion of defendant Memminger's Painting, Inc. and the cross motion of Historicon, Inc. to dismiss plaintiff's claims as against them.

ALAN J. DEPETERS for NCA COMP, INC. Submitted

CRAIG R. BUCKI for 1289 CLIFFORD AVENUE Submitted

23.0
CA 16-01251

CHARLES R. FOTHERINGHAM
V
RIVERSOURCE LIFE INSURANCE CO. OF NY

Appeal from an order of the Supreme Court, Erie County (John M. Curran, J.), entered January 25, 2016. The order, among other things, granted defendants' cross motion to dismiss the complaint.

JAMES I. MYERS for CHARLES R. FOTHERINGHAM 20 minutes

JOANNA J. CHEN for RIVERSOURCE LIFE INSURANCE CO. OF NY 20 minutes