



REQUEST FOR JUDICIAL INTERVENTION

UCS-840
(rev. 07/29/2019)

SUPREME COURT, COUNTY OF CHENANGO

Index No: 2019-5393

Date Index Issued: 08/13/2019

For Court Use Only:

CAPTION Enter the complete case caption. Do not use et al or et ano. If more space is needed, attach a caption rider sheet.

EDWARD DAIRE and ALLISON DAIRE,

Plaintiff(s)/Petitioner(s)

-against-

HBE GROUP, INC. and STERLING INSURANCE COMPANY,

Defendant(s)/Respondent(s)

IAS Entry Date

13 July, 2020

Judge Assigned

Hon. Joseph A. McBride

RI Filed Date

2020-0159-M

NATURE OF ACTION OR PROCEEDING Check only one box and specify where indicated.

COMMERCIAL

- ☐ Business Entity (includes corporations, partnerships, LLCs, LLPs, etc.)
- ☐ Contract
- ☒ Insurance (where insurance company is a party, except arbitration)
- ☐ UCC (includes sales and negotiable instruments)
- ☐ Other Commercial (specify):

NOTE: For Commercial Division assignment requests pursuant to 22 NYCRR 202.70(d), complete and attach the COMMERCIAL DIVISION RJI ADDENDUM (UCS-840C).

REAL PROPERTY

Specify how many properties the application includes:

- ☐ Condemnation
- ☐ Mortgage Foreclosure (specify): ☐ Residential ☐ Commercial
- Property Address:
- NOTE: For Mortgage Foreclosure actions involving a one to four-family, owner-occupied residential property or owner-occupied condominium, complete and attach the FORECLOSURE RJI ADDENDUM (UCS-840F).
- ☐ Tax Certiorari
- ☐ Tax Foreclosure
- ☐ Other Real Property (specify):

OTHER MATTERS

- ☐ Certificate of Incorporation/Dissolution [see NOTE in COMMERCIAL section]
- ☐ Emergency Medical Treatment
- ☐ Habeas Corpus
- ☐ Local Court Appeal
- ☐ Mechanic's Lien
- ☐ Name Change
- ☐ Pistol Permit Revocation Hearing
- ☐ Sale or Finance of Religious/Not-for-Profit Property
- ☐ Other (specify):

MATRIMONIAL

- ☐ Contested

NOTE: If there are children under the age of 18, complete and attach the MATRIMONIAL RJI ADDENDUM (UCS-840M).

For Uncontested Matrimonial actions, use the Uncontested Divorce RJI (UD-13).

TORTS

- ☐ Asbestos
- ☐ Child Victims Act
- ☐ Environmental (specify):
- ☐ Medical, Dental or Podiatric Malpractice
- ☐ Motor Vehicle
- ☐ Products Liability (specify):
- ☐ Other Negligence (specify):
- ☐ Other Professional Malpractice (specify):
- ☐ Other Tort (specify):

SPECIAL PROCEEDINGS

- ☐ CPLR Article 75 (Arbitration) [see NOTE in COMMERCIAL section]
- ☐ CPLR Article 78 (Body or Officer)
- ☐ Election Law
- ☐ Extreme Risk Protection Order
- ☐ MHL Article 9.60 (Kendra's Law)
- ☐ MHL Article 10 (Sex Offender Confinement-Initial)
- ☐ MHL Article 10 (Sex Offender Confinement-Review)
- ☐ MHL Article 81 (Guardianship)
- ☐ Other Mental Hygiene (specify):
- ☐ Other Special Proceeding (specify):

STATUS OF ACTION OR PROCEEDING Answer YES or NO for every question and enter additional information where indicated.

- | | YES | NO | |
|---|----------------------------------|----------------------------------|---------------------------------|
| Has a summons and complaint or summons with notice been filed? | <input checked="" type="radio"/> | <input type="radio"/> | If yes, date filed: 08/12/2019 |
| Has a summons and complaint or summons with notice been served? | <input checked="" type="radio"/> | <input type="radio"/> | If yes, date served: 08/21/2019 |
| Is this action/proceeding being filed post-judgment? | <input type="radio"/> | <input checked="" type="radio"/> | If yes, judgment date: |

NATURE OF JUDICIAL INTERVENTION Check one box only and enter additional information where indicated.

- ☐ Infant's Compromise
- ☐ Extreme Risk Protection Order Application
- ☐ Note of Issue/Certificate of Readiness
- ☐ Notice of Medical, Dental or Podiatric Malpractice
- ☒ Notice of Motion
- ☐ Notice of Petition
- ☐ Order to Show Cause
- ☐ Other Ex Parte Application
- ☐ Poor Person Application
- ☐ Request for Preliminary Conference
- ☐ Residential Mortgage Foreclosure Settlement Conference
- ☐ Writ of Habeas Corpus
- ☐ Other (specify):

Date Issue Joined: Summary Judgment

Relief Requested:

Relief Requested:

Relief Requested:

Return Date:

Return Date:

Return Date:

RECEIVED

JUL 13 2020

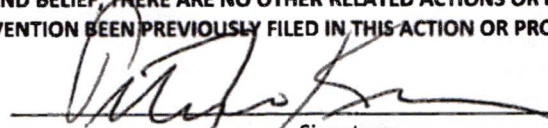
COURT CLERK'S OFFICE
CHENANGO SUPREME & COUNTY

RELATED CASES				
List any related actions. For Matrimonial cases, list any related criminal or Family Court cases. If none, leave blank. If additional space is required, complete and attach the RJ ADDENDUM (UCS-840A).				
Case Title	Index/Case Number	Court	Judge (if assigned)	Relationship to Instant case

PARTIES				
For parties without an attorney, check the "Un-Rep" box and enter the party's address, phone number and email in the space provided. If additional space is required, complete and attach the RJ ADDENDUM (UCS-840A).				
Un-Rep	Parties List parties in same order as listed in the caption and indicate roles (e.g., plaintiff, defendant, 3 rd party plaintiff, etc.)	Attorneys and Unrepresented Litigants For represented parties, provide attorney's name, firm name, address, phone and email. For unrepresented parties, provide party's address, phone and email.	Issue Joined For each defendant, indicate if issue has been joined.	Insurance Carriers For each defendant, indicate insurance carrier, if applicable.
<input type="checkbox"/>	Name: Edward Daire Role(s): Plaintiff	<input checked="" type="checkbox"/> Marya Young, Esq., Law Office of Ronald Benjamin, 126 Riverside Drive, Binghamton, New York 13905	<input checked="" type="radio"/> YES <input type="radio"/> NO	
<input type="checkbox"/>	Name: Allison Daire Role(s): Plaintiff	<input checked="" type="checkbox"/> Marya Young, Esq., Law Office of Ronald Benjamin, 126 Riverside Drive, Binghamton, New York 13905	<input checked="" type="radio"/> YES <input type="radio"/> NO	
<input type="checkbox"/>	Name: Sterling Insurance Company Role(s): Defendant	<input checked="" type="checkbox"/> Peter W. Knych, Esq., Knych & Whritenour, LLC, 300 South State Street, Suite 404, Syracuse, New York 13202	<input checked="" type="radio"/> YES <input type="radio"/> NO	
<input type="checkbox"/>	Name: Role(s):		<input type="radio"/> YES <input type="radio"/> NO	
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<input type="checkbox"/>	Name: Role(s):		<input type="radio"/> YES <input type="radio"/> NO	

I AFFIRM UNDER THE PENALTY OF PERJURY THAT, UPON INFORMATION AND BELIEF, THERE ARE NO OTHER RELATED ACTIONS OR PROCEEDINGS, EXCEPT AS NOTED ABOVE, NOR HAS A REQUEST FOR JUDICIAL INTERVENTION BEEN PREVIOUSLY FILED IN THIS ACTION OR PROCEEDING.

Dated: 07/13/2020


Signature

Peter W. Knych
Print Name

2022556
Attorney Registration Number