

At a motion term of the Supreme Court of the State of New York, held in and for the County of Onondaga, at the Onondaga County Courthouse, Syracuse, New York on the 14th day of January 2009.

PRESENT: Hon. Deborah H. Karalunas

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ONONDAGA

In the Matter of the Application of RA MOST I. BEY,

Petitioner,

-v-

ORDER

Index No. 2008-9148

RJ1 Nu 33-08-4622

NEW YORK STATE DIVISION OF HUMAN RIGHTS
AND SUPERIOR SEAL AND PAVING, INC.,

Respondents.

Upon the filing and reading of the Notice of Petition and Verified Petition of Ra Most I. Bey, sworn to the 1st day of December 2008, submitted in support of the Petitioner's application for review of the Respondent New York State Division of Human Rights Determination and Order After Investigation dated October 1, 2008; upon the filing and reading of the Verified Answer submitted on behalf of the Respondent New York State Division of Human Rights, verified by Marilyn Balcacer, Esq., on the 7th day of January 2009 in opposition to the Petition; upon the filing and reading Verified Answer of Respondent Superior Seal and Paving, Inc., verified on the 5th day of January 2009 by Gregory A. Rinaldi, as President of said Respondent corporation, the Affidavit

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of Gregory A. Rinaldi, sworn to the 5th day of January 2009 together with the annexed exhibits thereto, the Affirmation of Joseph P. Gorgoni, Esq., dated January 5, 2009, ~~and the accompanying Memorandum of Law submitted on behalf of Respondent Superior Seal and Paving, Inc.~~ all in opposition to the relief requested in the Petition, and the matter having come on to be heard for oral argument on the 14th day of January 2009 before the Honorable Deborah H. Karalunas, Supreme Court Justice; and the Petitioner having appeared in person, pro se, the Respondent New York State Division of Humans Rights having submitted on the application, and the Respondent, Superior Seal and Paving, Inc., having appeared by and through its attorney, Joseph P. Gorgoni, Esq. and the Court having due deliberation thereon;

NOW, upon the motion of Joseph P. Gorgoni, Esq., attorney for the Respondent, Superior Seal and Paving, Inc., and upon the decision and order the Deborah H. Karalunas rendered from the bench, of which a certified transcript of the stenographic notes thereof is attached heretof and incorporated herein it is hereby

ORDERED, ADJUDGED and DECREED that the Petitioner's Petition seeking a review of the Respondent New York State Division of Human Rights Determination and Order After Investigation dated October 1, 2008, is hereby dismissed in its entirety, with prejudice.

Dated: January 21, 2009
Syracuse, New York

ENTER:


Hon. Deborah H. Karalunas
Justice of the Supreme Court

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SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ONONDAGA

RAMOST I. BEY,

Plaintiff,

Index No.: 08-9148

- against -

NEW YORK STATE DIVISION OF HUMAN RIGHTS,
SUPERIOR SEAL & PAVING,

Defendants.

Onondaga County Courthouse
401 Montgomery Street
Syracuse, New York 13202
January 14, 2009
Decision

B E F O R E:

HONORABLE DEBORAH KARALUNAS, Justice.

A P P E A R A N C E S:

RAMOST I. BEY, pro se

JOSEPH P. GORGONI, ESQ.
Attorney for the Defendant Superior Seal & Paving
314 East Fayette Street
Syracuse, New York 13202

Adam H. Alweis
Official Court Reporter

Court's Decision

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constitutes the decision of the Court.

Mr. Gorgoni, I'm going to require that you obtain a copy of the transcript of today's decision and attach it to the proposed orders to be submitted to Mr. Bey and the Court on notice.

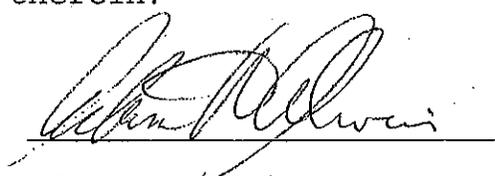
Thank you.

MR. GORGONI: Thank you, Your Honor.

* * *

C E R T I F I C A T E

I, Adam H. Alweis, Official Court Reporter, Fifth Judicial District, State of New York, do hereby certify that the foregoing is a true and accurate transcript of my stenographic notes from the proceedings had therein.



Adam H. Alweis
Official Court Reporter