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LEGAL BUREAU

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF BRONX: Part IA-1

-----X
RUSHONE TREHERNE,

Petitioner,

-against-

MARENZANA CONFERENCE SERVICES OF
NJ, INC., and NEW YORK STATE DIVISION OF
HUMAN RIGHTS,

Respondents.
-----X

Index #250376/09

Motion Cal. #

Motion Seq. #

DECISION/ORDER

Present:

Hon. Geoffrey Wright

Justice, Supreme Court

Recitation, as required by CPLR 2219(a), of the papers considered in the review of this Motion to: Judgment Pursuant To Article 78 Of The Civil Practice Law & Rules

PAPERS	NUMBERED
Notice of Petition, Affidavits & Exhibits Annexed	1
Order to Show Cause, Affidavits & Exhibits Annexed	
Answering Affidavits & Exhibits Annexed	2
Replying Affidavits & Exhibits Annexed	
Other (Cross-motion) & Exhibits Annexed	

Upon the foregoing cited papers, the Decision/Order on this Motion is as follows:

The Petitioner filed a discrimination petition with Respondent Division of Human Rights, based race/color or disability (I have gotten the cause from the decision of the Division of Human Rights, the Petition made no factual statement). The Division of Human Rights found no probable cause that there was a violation of law. It is this decision that is under attack in this proceeding.

The explanation given for the Petitioner's termination, or lack of further employment was that his assignments were based on contracts for events that his employer received. When that work slowed or evaporated, there were no assignments given to the Petitioner. Nothing in the Petitioner's petition addresses this claim. Indeed, it appears from the scant

record before me, that the Petitioner at one point received or was recommended for a new position that came with an increase in income. In addition, the claim of discrimination based on disability, in this case the Petitioner's diabetes, was also addressed at the agency level, and not addressed in the petition.

Since the Petitioner cannot go beyond accusations and suspicion, the petition is, and must be dismissed. This constitutes the decision and order of the Court.

Dated: April 20, 2009



GEOFFREY D. WRIGHT
AJSC