

At a Special Term of the Supreme Court held in and for the County of Erie, at the Courthouse in the City of Buffalo, New York, on the 23rd day of November, 2016.

PRESENT: HON. TIMOTHY J. DRURY, J.S.C.

STATE OF NEW YORK
SUPREME COURT : COUNTY OF ERIE

PAIGE MECCA and DANIEL MECCA,

Plaintiffs,

vs.

813719/2014
Index No. ~~831719/2014~~

BUFFALO NIAGARA CONVENTION
CENTER MANAGEMENT CORPORATION,

Defendant.

ORDER

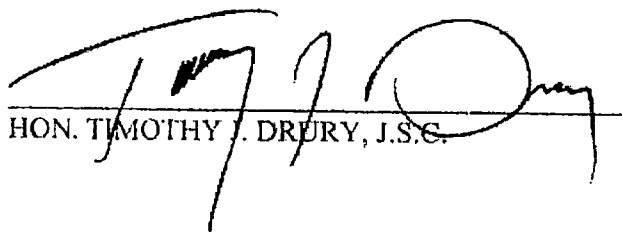
The Plaintiffs having moved post-trial to set aside the damage awards to the Plaintiff PAIGE MECCA for her past pain and suffering, future pain and suffering, future lost wages and business profits, and future medical expenses as against the weight of the evidence and to increase those awards; and the Defendant having cross-moved to decrease the damage awards to the Plaintiff DANIEL MECCA for his loss of services and society; and the Court having reviewed Plaintiffs' Notice of Post-Trial Motion; the Attorney's Affirmation in Support of Plaintiffs' Post-Trial Motion of Alan D. Voos, Esq. dated November 1, 2016 with exhibits; the Defendant's Notice of Post-Trial Cross Motion; the Supporting Affirmation of Richard J. Zielinski, Esq. dated November 15, 2016 with exhibit; the Memorandum of Law of Richard J. Zielinski, Esq. dated November 15, 2016; the Attorney's Affirmation in Further Support of Plaintiffs' Post-Trial Motion and in Opposition to the Defendant's Cross-Motion of Alan D. Voos, Esq. dated November 18, 2016; the Reply Affirmation of Richard J. Zielinski, Esq. dated November 21, 2016; and the transcript of trial and oral argument having been heard on November 23, 2016 with Alan D. Voos,



Esq. of Maxwell Murphy, LLC appearing for the Plaintiffs and Michael M. Chelus, Esq. of Chelus Herdzik Speyer & Monte, P.C. appearing for the Defendant; and due consideration having been had herein, it is hereby

ORDERED, that, unless the Defendant BUFFALO NIAGARA CONVENTION CENTER MANAGEMENT CORPORATION stipulates to increase the verdict to Plaintiff PAIGE MECCA for her past pain and suffering to \$800,000, for her future pain and suffering to \$3,000,000, for her future medical expenses to \$2,200,345 and for her future lost wages and business profits to \$5,000,000 within thirty (30) days of service of a copy of this Order with Notice of Entry upon the Defendant, a new trial is granted to the Plaintiffs as to those items of damages; and it is further

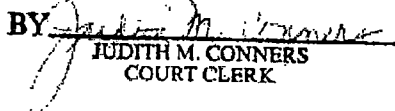
ORDERED, the Defendant's cross-motion is denied.


HON. TIMOTHY J. DRURY, J.S.C.

ENTERED:

GRANTED

DEC 02, 2016

BY 
JUDITH M. CONNERS
COURT CLERK

MM
MAXWELL MURPHY
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