



REQUEST FOR JUDICIAL INTERVENTION

SUPREME COURT, COUNTY OF ERIE

Index No: 814633/2023 Date Index Issued: 11/14/2023

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.

IAS Entry Date

TROY SHANE SMITH and ALLYSON JANE SMITH,

Plaintiff(s)/Petitioner(s)

Judge Assigned

-against-

84 LUMBER COMPANY, et al.

RJI Filed Date

Please see attached service rider for a complete list of defendants.

Defendant(s)/Respondent(s)

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).

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).

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).

- Partition
NOTE: Complete and attach the PARTITION RJI ADDENDUM (UCS-840P).

- Tax Certiorari (specify): Section: Block: Lot:
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/Sex Designation Change
Pistol Permit Revocation Hearing
Sale or Finance of Religious/Not-for-Profit Property
Other (specify):

TORTS

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

SPECIAL PROCEEDINGS

- Child-Parent Security Act (specify): Assisted Reproduction Surrogacy Agreement
CPLR Article 75 - Arbitration [see NOTE in COMMERCIAL section]
CPLR Article 78 - Proceeding against a Body or Officer
Election Law
Extreme Risk Protection Order
MHL Article 9.60 - Kendra's Law
MHL Article 10 - Sex Offender Confinement (specify): Initial 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.

Table with 2 columns: YES, NO. Rows: Has a summons and complaint or summons with notice been filed? (Yes checked), Has a summons and complaint or summons with notice been served? (Yes checked), Is this action/proceeding being filed post-judgment? (No checked).

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 Date Issue Joined:
Notice of Motion Relief Requested: Return Date:
Notice of Petition Relief Requested: Return Date:
Order to Show Cause Relief Requested: Return Date:
Other Ex Parte Application Relief Requested:
Partition Settlement Conference
Poor Person Application
Request for Preliminary Conference
Residential Mortgage Foreclosure Settlement Conference

NYSCEF DOC NO. 14  
 RELATED CASES NO. 14  
 RECEIVED NYSCEF: 12/29/2023  
 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 **RJI 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 **RJI ADDENDUM (UCS-840A)**.

Un-Rep	Parties List parties in same order as listed in the caption and indicate roles (e.g., plaintiff, defendant, 3 <sup>rd</sup> 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: Troy Shane Smith Role(s): Plaintiff <input type="checkbox"/>	Joseph W. Belluck Belluck & Fox LLP 546 Fifth Avenue, 5th Floor, New York, NY 10036 (212) 681-1575 jbelluck@belluckfox.com	<input type="radio"/> YES <input type="radio"/> NO	
<input type="checkbox"/>	Name: Allyson Jane Smith Role(s): Plaintiff <input type="checkbox"/>	Joseph W. Belluck Belluck & Fox LLP 546 Fifth Avenue, 5th Floor, New York, NY 10036 (212) 681-1575 jbelluck@belluckfox.com	<input type="radio"/> YES <input type="radio"/> NO	
<input type="checkbox"/>	Name: Please see service list. Role(s): Defendant <input type="checkbox"/>		<input type="radio"/> YES <input type="radio"/> NO	
<input type="checkbox"/>	Name: Role(s):		<input type="radio"/> YES <input type="radio"/> NO	
<input type="checkbox"/>	Name: Role(s):		<input 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: 12/29/2023

*Joseph W. Belluck*  
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 Signature



SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF ERIE

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TROY SHANE SMITH and ALLYSON JANE  
SMITH,

Index No. :

**FULL CAPTION RIDER**

Plaintiffs,

- against -

84 LUMBER COMPANY;  
A.O. SMITH WATER PRODUCTS;  
ABB, INC., formerly known as Brown Boveri;  
AIR & LIQUID SYSTEMS CORPORATION, as  
Successor by Merger to Buffalo Pumps, Inc.;  
ALLEN-BRADLEY COMPANY, INC.,  
Individually and as Successor to Rostone;  
AMTROL, INC., Individually and as Successor to  
Thrush Products, Inc.;  
ARMSTRONG INTERNATIONAL, INC.;  
ARMSTRONG PUMPS, INC.;  
ATWOOD & MORRILL CO., INC. d/b/a Weir Valves  
& Controls USA Inc.;  
BLACKMER PUMP;  
BW/IP INTERNATIONAL CO., formerly known as  
Borg Warner Industrial Products Inc., a former  
subsidiary of and successor to Borg Warner  
Corp. and Byron Jackson Pumps;  
CARRIER CORPORATION;  
CLARK RELIANCE CORPORATION, Individually  
and as Successor to Jerguson;  
CLEAVER BROOKS COMPANY f/k/a Aqua Chem,  
Inc.;  
CLEAVER BROOKS COMPANY f/k/a Aqua  
Chem, Inc. and Davis Engineering;  
COOPER BUSSMANN, a Division of Cooper  
Industries;  
COOPER INDUSTRIES, INC.;  
CROWN BOILER CO.;  
DAP, INC. k/n/a La Mirada Products Co., Inc.;  
DEAN PUMP DIVISION;  
DOMCO PRODUCTS TEXAS, INC., d/b/a Tarkett,  
Inc., Individually and as successor to Azrock  
Industries, Inc.;  
EATON CORPORATION, Individually and now  
Known as Eaton Electrical, Inc and as  
Successor to The Vickers Pump Company and

Cutler-Hammer, Inc and Waterbury Pump;  
ELECTROLUX HOME PRODUCTS, INC.,  
Individually and as Successor to Tappan and  
Copes Vulcan, Blaw-Knox Company, and  
White Consolidated Industries;  
FLOWERVE US, INC., solely as Successor to  
Rockwell Manufacturing Company, Edward  
Valves, Inc., Nordstrom Valves, Inc. and  
Edward Vogt Valve Company;  
FMC CORPORATION, Individually and as Successor  
to Northern Pump Company, Coffin and  
Peerless Pump Company and Labour Pump  
Company;  
FOSTER WHEELER, LLC;  
GARDNER-DENVER INC., Individually and as  
Successor to Nash Engineering Company;  
GARDNER-DENVER NASH LLC, Individually and  
as Successor to Nash Engineering Company;  
GENERAL ELECTRIC COMPANY;  
GOULDS PUMPS, INC.;  
GREENE, TWEED & CO., LLP, Individually and as  
Successor to Palmetto Packings;  
GRINNELL CORPORATION;  
HANSEN PERMANENTE CEMENT INC.;  
HONEYWELL INTERNATIONAL, INC.,  
Individually and f/k/a AlliedSignal, Inc., and as  
Successor-in-Interest to The Bendix Corp.;  
HOWDEN BUFFALO, INC., Individually and as  
Successor In Interest to FB Sturtevant, The  
Howden Buffalo Group and Buffalo Fan;  
I.T.T. INDUSTRIES, INC., Individually and as  
successor to Bell & Gossett;  
INTERNATIONAL PAPER COMPANY f/k/a  
Hammermill Paper Co. and Individually and  
as Successor to US Plywood;  
KAISER GYPSUM COMPANY, INC.;  
LENNOX INDUSTRIES, INC., Individually and as  
Successor to Lennox Furnace Company and  
Ducane;  
MANNINGTON MILLS INC.;  
METROPOLITAN LIFE INSURANCE COMPANY;  
NEW YORKER BOILER COMPANY, INC.;  
NORTHERN PUMP COMPANY;  
PARAMOUNT GLOBAL, f/k/a ViacomCBS Inc., f/k/a  
CBS Corporation, a Delaware corporation,  
f/k/a/ Viacom Inc., successor by merger to CBS

Corporation, a Pennsylvania corporation, f/k/a  
Westinghouse Electric Corporation;  
R.T. VANDERBILT COMPANY, INC.,  
Individually and as Successor to  
International Talc Co., International Pulp Co.  
and Gouverneur Talc Co., Inc.;

REDCO CORP., f/k/a Crane Co.;

SCHNEIDER ELECTRIC USA, INC. formerly  
known as Square D Company;

SPIRAX SARCO, INC.;

THRUSH CO., INC.;

UNION CARBIDE CORPORATION;

VELAN VALVE CORP.;

WARREN PUMPS, LLC, Individually and as  
Successor to The Quimby Pump Company;

WEIL McLAIN, a division of Marley Wylain  
Company;

WEYERHAEUSER COMPANY;

YORK INTERNATIONAL CORPORATION,  
Individually and as Successor to Frick  
Company.

Defendants.

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