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STATE OF NEW YORK : COUNTY OF NIAGARA
FAMILY COURT

PETER MARK DIARBAKERLY,
Petitioner,

-VS-

IND # P-3392-17 V-03388-17

KATIE LYNN RIFORD,
Respondent.

175 Hawley Street
Lockport, New York
January 11, 2018

B E F O R E :

HONORABLE ERIN P. DELABIO
Family Court Judge

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

RANDY MARGULIS, ESQ.,
Appearing for the Petitioner.

DANA L. HERRINGTON, ESQ.,
Appearing for the Respondent.

KATIE LYNN RIFORD,
Respondent.

LISA A. MULLANE
Official Supreme Court Reporter

1 THE COURT: Well, this is initial appearance on
2 both petitions. And so -- and they're your client's
3 petitions.

4 MR. MARGULIS: Yes.

5 THE COURT: Okay. So, what we're going to do is
6 we'll just do an out-of-state order. We're not going to do
7 the -- we're not going to do those anymore, the applications
8 and all that. It's just too cumbersome.

9 So, anyways, what we'll do is, Ms. Herrington,
10 we'll just enter a denial on behalf of your client on both
11 petitions.

12 MS. HERRINGTON: Thank you, your Honor. And we
13 also did just today file a cross petition.

14 THE COURT: That's what my clerk told me. So, we
15 will probably link up that the next time we are here and do
16 -- because they haven't even case created that yet. Did you
17 share that with --

18 MS. HERRINGTON: I did provide Mr. Margulis with a
19 couple of copies of the cross petition.

20 MR. MARGULIS: Acknowledge receipt and haven't
21 reviewed it yet with my client, but I'm obviously prepared
22 to enter a general denial.

23 THE COURT: Enter denial on behalf of your client?

24 MR. MARGULIS: Yeah.

25 THE COURT: It technically is -- is not case

1 created because she just brought it in.

2 MR. MARGULIS: Oh, it's just today.

3 MS. HERRINGTON: Just today.

4 THE COURT: It's just filed today. It's not even
5 with the Court document yet, either.

6 We'll enter denials on behalf of all your clients
7 on all petitions. And then -- so, my thoughts would be
8 today that we don't really want to do anything. We want to
9 maybe assign an attorney for the child. So, let's assign
10 Jason Cafarella. And do you want to just come back for a
11 further proceedings date?

12 MR. MARGULIS: Sure.

13 THE COURT: Okay. We'll go off the record for
14 scheduling.

15 (Discussion held off the record.)

16 THE COURT: Okay. So, back on the record. We're
17 going to be back here on February 9th at 9:15. And you guys
18 are all set.

19 MR. MARGULIS: Thank you.

20 MS. HERRINGTON: Thank you, your Honor.

21 THE CLERK: Is there two children?

22 MS. HERRINGTON: There are two children. Paternity
23 has only been established for the older daughter, Olivia.
24 And the father has brought a paternity petition.

25 THE COURT: So, the paternity petition is for the

1 one child.

2 MS. HERRINGTON: Yes. Then the -- there's a son,
3 Mason, a baby.

4 THE COURT: Okay.

5 THE CLERK: Mr. Margulis, you filed for both kids,
6 right?

7 MR. MARGULIS: Yes.

8 THE CLERK: Okay.

9 MR. MARGULIS: Paternity for one, custody on the
10 other.

11 THE CLERK: Okay. That was a clerical error.

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16 Certified to be a true and accurate transcript of the
17 above-entitled matter.

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LISA A. MULLANE
Official Supreme Court Reporter

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