

State of New York  
Supreme Court, Appellate Division  
Third Judicial Department

Decided and Entered: July 7, 2005

97245

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KATHY KASHANI,

Appellant,

v

MEMORANDUM AND ORDER

LASZLO LASKAI,

Respondent.

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Calendar Date: April 29, 2005

Before: Cardona, P.J., Mercure, Carpinello, Lahtinen and  
Kane, JJ.

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Pasquariello & Weiskopf L.L.P., Albany (Richard H. Weiskopf  
of counsel), for appellant.

Cutler, Trainor & Cutler L.L.P., Malta (Daryl S. Cutler of  
counsel), for respondent.

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Carpinello, J.

Appeal from a judgment of the Supreme Court (Seibert Jr.,  
J.), entered April 9, 2004 in Saratoga County, which, inter alia,  
granted defendant's motion to hold plaintiff in contempt of court  
for failure to comply with a prior stipulation between the  
parties.

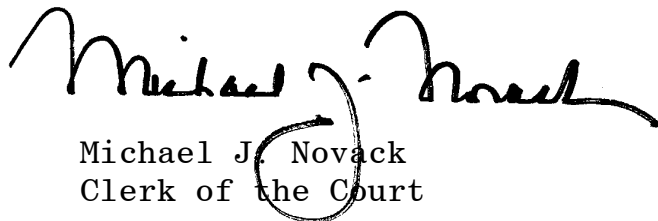
Amid numerous allegations of contempt between these  
divorced parties, a hearing was held resulting in plaintiff being  
held in contempt by Supreme Court. Upon our review of the  
record, we find no abuse of discretion in Supreme Court's  
decision to so hold her in contempt. The record confirms that  
plaintiff willfully failed to comply with certain provisions of  
an open court stipulation, as well as the divorce judgment

itself, in that she, among other conduct, interfered with defendant's visitation, unilaterally changed day care providers for their youngest child, failed to cooperate in the sale of the marital residence and failed to timely pay defendant his full share of a stock transaction. It was further demonstrated that plaintiff's conduct impaired and prejudiced certain rights of defendant. Thus, the findings of contempt will not be disturbed (see e.g. Matter of Daniels v Guntert, 256 AD2d 940 [1998]; Matter of Munz v Munz, 242 AD2d 789 [1997]). Nor do we find an abuse of discretion in the court's refusal to hold defendant in contempt (see e.g. Davis-Taylor v Davis-Taylor, 4 AD3d 726 [2004]; Di Filippo v Di Filippo, 300 AD2d 1003 [2002]).

Cardona, P.J., Mercure, Lahtinen and Kane, JJ., concur.

ORDERED that the judgment is affirmed, with costs.

ENTER:



Michael J. Novack  
Clerk of the Court