

TENTATIVE

State of New York  
Supreme Court, Appellate Division  
Third Judicial Department  
518-471-4777

SESSION CALENDAR FOR MONDAY, JANUARY 9, 2017

1:00 P.M. SESSION

MC E LY CL MU

BENCH POSITION: CLARK, J., EGAN JR., J., MCCARTHY, J.P., LYNCH, J., MULVEY, J.

**Please notify the Clerk's Office at least 24 Hours PRIOR to argument of any changes to this calendar, including submissions and attorney changes.**

Calendar No.	Case No.	Title	Time Allocated
(6)	522917	<b>MONTGOMERY v HACKENBURG</b> <b>Appellant</b> - Vincent J. DeLeonardis, Esq. Bailey, Johnson, DeLeonardis & Peck, PC (Richard Hackenburg) <b>Respondent</b> - Ronald L. Newell, Esq. Newell & Klingebiel (William Montgomery et al.)	10 10
(1)	522748	<b>KIM v A. JOHNSON PLUMBING &amp; HEATING</b> <b>Appellant</b> - Steven E. Cole, Esq. Leclair Korona Vahey Cole (Superior Plus Energy Servs.) <b>Respondent</b> - Ronald J. Kim, Esq. (Ronald Kim et al.)	10 10
(2)	523457	<b>JONES v MARSHALL</b> <b>Appellant</b> - Samantha M. Holbrook, Esq. Joyce & Holbrook Law Firm (Howard F. Jones et al.) <b>Respondent</b> - Karen J. Krogman Daum, Esq. Smith Sovik Kendrick Sugnet (Merrick M. Marshall et al.)	10 10
(3)	521560	<b>MATTER OF ANGELA F. v GAIL WW.</b> <b>Appellant</b> - Cynthia Feathers, Esq. [Assigned] Susan Patnode, Executive Dir. Rural Law Center (Angela F.) <b>Respondent</b> - David Willer, Esq. - Reginald H. Bedell, Esq. [Attorney for Child]	10 SUB 05
(4)	520257/ 520507/ 521275	<b>ROSEN v MOSBY</b> <b>Respondent/Appellant</b> - Steven Rosen, Esq. [Pro se] <b>Appellant/Respondent</b> - Joshua E. Kimberling, Esq. Cuddy & Feder LLP (Katherine Mosby)	10 10

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Calendar No.	Case No.	Title	Time Allocated
(5)	523635	<b>RADIATION ONCOLOGY SERVS. OF CENTRAL NY v OUR LADY OF LOURDES MEM. HOSP.</b> <i>Appellant</i> - James S. Gleason, Esq. Hinman Howard & Kattell LLP (Our Lady of Lourdes Mem. Hospt. et al.) <i>Respondent</i> - William J. Leberman, Esq. (Radiation Oncology Servs. of Central NY et al.)	10 10
(7)	522538	<b>CHAMPLAIN GAS &amp; OIL v COMMISSIONER OF NYS DEPT. OF ENVTL. CONSERVATION</b> <i>Appellant</i> - Jeffrey D. Kuhn, Esq. DLA Piper LLP (USA) (Lyme Adirondack Timberlands I., LLC) <i>Respondent</i> - Daniel S.L. Rubin, Esq. Girvin & Ferlazzo PC (Champlain Gas & Oil et al.)	10 10
(8)	106013	<b>PEOPLE v LEVON NEWELL</b> <i>Appellant</i> - John T. Casey Jr., Esq. [Assigned] (Levon Newell) <i>Respondent</i> - Vincent J. O'Neil, Esq. Joel E. Abelove, Rensselaer County District Attorney	10 10
(9)	107417	<b>PEOPLE v BRUCE PIGFORD</b> <i>Appellant</i> - David E. Woodin, Esq. [Assigned] (Bruce Pigford) <i>Respondent</i> - Trevor O. Flike, Esq. Paul Czajka, Columbia County District Attorney	10 10
(10)	522906	<b>BARNHART v BARNHART</b> <i>Appellant</i> - Richard A. Harlem, Esq. Harlem & Jervis (Scott Raymond Barnhart) <i>Respondent</i> - Andrew H. Van Buren, Esq.	10 SUB
(11)	522751	<b>MATTER OF PROVOST V PROVOST</b> <i>Appellant</i> - Michelle I. Rosien, Esq. [Assigned] (Jeramy Provost)	10
(12)	106445	<b>PEOPLE v TYSHEN MATTHEWS</b>	SUB

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Calendar No.	Case No.	Title	Time Allocated
(13)	522966	MATTER OF SHIQERUKAJ v GOTHAM BROAD	SUB
(14)	107114	PEOPLE v EDWIN E. ORTIZ	SUB
(15)	523445	MATTER OF CURCIO V SHERWOOD 370 MGT.	SUB