

TENTATIVE

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

SESSION CALENDAR FOR WEDNESDAY, FEBRUARY 15, 2017

1:00 P.M. SESSION

MC GA R MU A

BENCH POSITION: MULVEY, J., GARRY, J., MCCARTHY, J.P., ROSE, J., AARONS, 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
(1)	523323	<b>LIGHTNING CAPITAL HOLDINGS v ERIE PAINTING &amp; MAINTENANCE</b> <i>Appellant</i> - Edward J. Markarian, Esq. Magavern Magavern Grimm LLP (Erie Painting & Maintenance et al.) <i>Respondent</i> - Victoria A. Graffeo, Esq. Harris Beach PLLC (Lightning Capital Holdings)	10    10
(2)	108416	<b>PEOPLE v REJEAN BROUSSEAU</b> <i>Appellant</i> - Rebecca L. Fox, Esq. (Rejean Brousseau) <i>Respondent</i> - Jaime A. Douthat, Esq.	10  SUB
(3)	523221	<b>MATTER OF MARIO WW. v KRISTIN XX.</b> <i>Appellant</i> - Lenore M. Lefevre, Esq. (Mario WW.) <i>Respondent</i> - Susan Kirby, Esq. (Kristin XX. et al.) - Andrea J. Mooney, Esq. [Attorney for Child]	10  10  05
(4)	522185/ 522410	<b>MATTER OF JADE F.</b>	SUB
(5)	523335	<b>KKS PROPERTIES v STATE OF NEW YORK</b> <i>Appellant</i> - Patrick L. Seely Jr., Esq. E. Stewart Jones Hacker (KKS Properties) <i>Respondent</i> - Owen Demuth, Esq. AG Eric T. Schneiderman (State of New York)	10   10
(6)	523713	<b>MATTER OF ALPER RESTAURANT v TOWN OF COPAKE PLANNING BD.</b> <i>Appellant</i> - Andrew W. Gilchrist, Esq. Tuczinski Cavalier et al. (Alper Restaurant et al.) <i>Respondent</i> - Andrew B. Howard, Esq. Freeman Howard PC (Catamount Dev. Corp.) <i>Respondent</i> - Kenneth J. Dow, Esq. (Town of Copake Planning Bd.)	10   05  05

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Calendar No.	Case No.	Title	Time Allocated
(7)	523714	<b>MATTER OF ALPER RESTAURANT v TOWN OF COPAKE ZONING BD. OF APPEALS</b> <i>Appellant</i> - Andrew W. Gilchrist, Esq. Tuczinski Cavalier et al. (Alper Restaurant et al.) <i>Respondent</i> - Andrew B. Howard, Esq. Freeman Howard PC (Catamount Dev. Corp.) <i>Respondent</i> - Kenneth J. Dow, Esq. (Town of Copake Zoning Bd. of Appeals)	10  05  05
(8)	107518	<b>PEOPLE v LAURA MUSELLA</b>	SUB
(9)	522348	<b>MATTER OF SMITH v McMILLER</b>	SUB
(10)	107068	<b>PEOPLE v DAVID COOLEY</b>	SUB
(11)	523749	<b>MATTER OF PENDOCK V MATRIX COMMUNICATIONS GROUP</b>	SUB
(12)	522540	<b>VOGLER v PERRAULT</b>	SUB
(13)	107424	<b>PEOPLE v CRAIG L. STEVENSON</b>	SUB
(14)	522975	<b>MATTER OF BARRIER WINDOW SYS.</b>	SUB
(15)	107538	<b>PEOPLE v ROGER W. CALDWELL</b>	SUB