

TENTATIVE

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

SESSION CALENDAR FOR MONDAY, JANUARY 7, 2019

1:00 P.M. SESSION

E L Y A R U P R

BENCH POSITION: RUMSEY, J., LYNCH, J., EGAN JR., J.P., AARONS, J., PRITZKER, 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)	526023	<b>MATTER OF COBLESKILL STONE PRODUCTS v TOWN OF SCHOHARIE</b> <b>Appellant - Rosemary Stack, Esq.</b> Stack Law Office (Cobleskill Stone Products) <b>Respondent - Kristin Carter Rowe, Esq.</b> Young Sommer Ward et al. (Town of Schoharie)	10 10
(2)	525704	<b>MATTER OF GUTIERREZ v NEW YORK STATE BD. FOR PROFESSIONAL MED. CONDUCT</b> <b>Petitioner - Anthony Z. Scher, Esq.</b> (Jaime Gabriel Gutierrez) <b>Respondent - James M. Hershler, Esq.</b> AG Letitia James (NYS Bd. for Professional Med. Conduct)	10 10
(3)	526312	<b>GITMAN v MARTINEZ</b> <b>Appellant - John F. Pfeifer, Esq.</b> Law Office of Theresa Puleo (Herbert Benner et al.) <b>Respondent - Ellen Buchholz, Esq.</b> Buttafuoco & Associates PLLC (Cathy Gitman) <b>Respondent - Brian D. Carr, Esq.</b> Carter Conboy Case et al. (Ruben Martinez et al.)	10 05 05
(4)	526748	<b>AHMAD v ICON LEGACY CUSTOM MODULAR HOMES</b> <b>Appellant - William H. Baaki, Esq.</b> Goldberg Segalla LLP (Icon Legacy Custom Modular Homes) <b>Respondent - Thomas F. Garner, Esq.</b>	10 SUB
(5)	527046	<b>BANK OF AMERICA v GULNICK</b> <b>Appellant - Joseph F. Battista, Esq.</b> RAS Boriskin LLC (Bank of America) <b>Respondent - Joshua N. Koplovitz, Esq.</b> Wapner Koplovitz & Futerfas (Burton Gulnick Jr. et al.)	10 10

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Calendar No.	Case No.	Title	Time Allocated
(6)	108091	<b>PEOPLE v MICHAEL R. PUTMAN</b> <i>Appellant</i> - John J. Raspante, Esq. [Assigned] <i>Respondent</i> - Elizabeth S. Healy, Esq. William G. Gabor, Madison County District Attorney	SUB 05
(7)	526869	<b>KODSI v SCOTTO</b> <i>Appellant</i> - Thomas M. Gambino, Esq. <i>Respondent</i> - Brian M. Newman, Esq. Bluestein, Shapiro et al. (Baroukh Kodsi)	SUB 10
(8)	109029	<b>PEOPLE v SHAWN O. HENRY</b> <i>Appellant</i> - Keith F. Schockmel, Esq. Rural Law Center of NY (Shawn O. Henry) <i>Respondent</i> - Amanda M. Nellis, Esq.	10 SUB
(9)	526620	<b>GRAZIANO v ANDZEL-GRAZIANO</b> <i>Appellant</i> - Michael D. Assaf, Esq. Assaf & Siegal PLLC (John Graziano Jr.) <i>Respondent</i> - Stephen L. Molinsek, Esq. (Michelle Andzel-Graziano)	10 10
(11)	525807	<b>MATTER OF PEREZ v NYS JUSTICE CTR. FOR PROTECTION OF PEOPLE WITH SPECIAL NEEDS</b> <i>Petitioner</i> - Stephan R. Weiss, Esq. Mann Law Firm PC (Jose Perez) <i>Respondent</i> - Brian D. Ginsberg, Esq. AG Letitia James (NYS Justice Ctr. et al.)	10 10
➤(10)	526598	<b>TRIMBLE v CITY OF ALBANY</b> <i>Appellant</i> - Thomas J. O'Connor, Esq. Napierski Vandenburg et al. (City of Albany) <i>Respondent</i> - Robert Hardwick Bixby, Esq.	10 SUB
(12)	525910	<b>MATTER OF ZIMNIAK v CONSOLIDATED EDISON</b>	SUB

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Calendar No.	Case No.	Title	Time Allocated
(13)	526283/ 526285	MATTER OF ULSTER COUNTY SUPPORT COLLECTION UNIT v MCMANUS	SUB
(14)	109699	PEOPLE v VERNON A. DeGROAT JR.	SUB
(15)	109488	PEOPLE v NIKOLAUS E. MUDD	SUB

► 526598 - Trimble v City of Albany  
Panel: LY A RU PR