

TENTATIVE

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

SESSION CALENDAR FOR THURSDAY, FEBRUARY 14, 2019

1:00 P.M. SESSION

CL MU A RU PR

BENCH POSITION: RUMSEY, J., MULVEY, J., CLARK, 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)	526951	McPHERSON BUILDERS v PERFORMANCE PREMISES Appellant - Dirk A. Galbraith, Esq. Coughlin & Gerhart LLP (McPherson Builders) Respondent - Edward Y. Crossmore, Esq. The Crossmore Law Office (Performance Premises et al.)	10 10
(2)	526649	PETROLLE v OUR LADY OF LOURDES MEMORIAL HOSPITAL Appellant - Jeffrey A. Jaketic, Esq. Hinman, Howard & Kattell LLP (Our Lady of Lourdes Memorial Hospital) Appellant - Jacqueline Mandell, Esq. Kaufman, Borgeest & Ryan, LLP (Jean-Paul DYM, M.D. et al.) Respondent - Rachel A. Abbott, Esq. Coughlin & Gerhart LLP (Dawn Petrolle et al.)	10 10 10
(3)	526435	UNITED STATES LIFE INS. CO. v SHIELDS Appellant - James J. Barriere, Esq. Hinckley Allen & Snyder LLP (Joan M. Malizia) Respondent - John T. Casey, Esq. (Patricia Shields) Respondent - Steven M. Lucks, Esq. Fishkin Lucks LLP (United State Life Ins. et al.)	10 10 05
(4)	108317/ 110371	PEOPLE v JULIE K. WERKHEISER Appellant - Pamela B. Bleiwas, Esq. [Assigned] (Julie K. Werkheiser) Respondent - Cheryl A. Mancini, Esq. Kirk O. Martin, Tioga County District Attorney	10 10

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Calendar No.	Case No.	Title	Time Allocated
(5)	527398	MATTER OF MOSHE v ZONING BD. OF APPEALS OF TOWN OF WAWARSING <i>Appellant</i> - Steven Barshov, Esq. Sive Paget & Riesel PC (Yeshiva Talmud Torah Ohr Moshe)	10
		<i>Respondent</i> - Mary Lou P. Christiana, Esq. (Zoning Bd. of Appeals et al.)	10
(6)	527092	THE BANK OF NEW YORK MELLON v CORT <i>Appellant</i> - Brett L. Messinger, Esq. Duane Morris LLP (The Bank of New York et al.)	10
		<i>Respondent</i> - Michelle F. Lee, Esq. The Legal Project (Rosalie Cort et al.)	10
(7)	527324	BANK OF AMERICA v KENNEDY <i>Appellant</i> - Peter V. Coffey, Esq. Englert Coffey McHugh et al. (Christopher S. Kennedy et al.)	10
		<i>Respondent</i> - Michael C. Manniello, Esq.	SUB
(8)	525526	HERRMANN v BANK OF AMERICA <i>Appellant</i> - Matthew J. Mann, Esq. Mann Law Firm PC (Jacob Hermann)	10
		<i>Respondent</i> - Jason R. Lipkin, Esq.	SUB
(9)	527360	METZGER v LAZALA <i>Appellant</i> - Derek J. Spada, Esq. Basch & Keegan, LLP (Thomas Metzger, et al.)	10
		<i>Respondent</i> - Eric M. Kurtz, Esq. Cook Netter Cloonan Kurtz (Abraham Lazala)	10
(10)	525038	MATTER OF RUSSELL J. v DELAWARE COUNTY DEPT. OF SOCIAL SERVICES	SUB
(11)	527002	UNITY BANK v ST. JOHN'S DRYDEN REALTY CORP.	SUB

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Calendar No.	Case No.	Title	Time Allocated
(12)	527238	GALWAY CO-OP.COM v NIAGARA MOHAWK POWER CORP <i>Appellant</i> - John W. Sutton, Esq. (Galway Co-Op.com) <i>Respondent</i> - David M. Cost, Esq. Barclay Damon (Niagara Mohawk Power Corp. et al.)	5 10
(13)	525981	MATTER OF AEROBELLA T.	SUB
(14)	108187	PEOPLE v TERRENCE RAWLINSON	SUB
(15)	108779	PEOPLE v FREDERICK ZIRPOLA	SUB