



State of New York  
Supreme Court, Appellate Division  
Third Judicial Department  
P.O. Box 7288, Capitol Station  
Albany, NY 12224-0288

Robert D. Mayberger  
Clerk of the Court

(518) 471-4777  
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<http://www.nycourts.gov/ad3>

## **JANUARY 2019 Term Calendar**

This is a **TENTATIVE** calendar of argued cases only. The listing below is intended to indicate only the date and time argument has been scheduled to occur and not the sequence in which the cases will be called. An updated Session Calendar, indicating the Justices sitting for a particular session, the attorneys arguing and the time allowed for each argument, will be posted on the Appellate Division, Third Department website ([www.nycourts.gov/ad3](http://www.nycourts.gov/ad3)) one week prior to the beginning of the term. The Court's policy requires notice of any calendar changes at least 24 hours prior to argument and your failure to abide by this policy could result in the imposition of costs. Please be advised the Court's arguments are streamed live via the Court's website.

### **MONDAY, JANUARY 7, 2019 1:00 P.M. SESSION**

526023 MATTER OF COBLESKILL STONE PRODUCTS v TOWN OF SCHOHARIE  
525704 MATTER OF GUTIERREZ v NEW YORK STATE BD. FOR PROFESSIONAL MED.  
CONDUCT  
526312 GITMAN v MARTINEZ  
526748 AHMAD v ICON LEGACY CUSTOM MODULAR HOMES  
527046 BANK OF AMERICA v GULNICK  
108091 PEOPLE v MICHAEL R. PUTMAN  
526869 KODSI v SCOTTO  
109029 PEOPLE v SHAWN O. HENRY  
526620 GRAZIANO v ANDZEL-GRAZIANO  
526598 TRIMBLE v CITY OF ALBANY  
525807 MATTER OF PEREZ v NYS JUSTICE CTR. FOR PROTECTION OF PEOPLE WITH  
SPEICAL NEEDS

### **TUESDAY, JANUARY 8, 2019 1:00 P.M. SESSION**

108492 PEOPLE v LASEAN J. BROWN  
526777 MATTER OF 101CO v NEW YORK STATE DEPT. OF ENVTL. CONSERVATION  
526412 MATTER OF CARMEL ACADEMY v NEW YORK STATE EDU. DEPT.  
527102 SARA W. v ROCKING HORSE RANCH  
527100 RELF v CITY OF TROY  
526609 SCHLEEDE v STATE OF NEW YORK  
527005 MATTER OF STACK v CITY OF GLENS FALLS  
526225 FAMILY & EDUCATION CONSULTANTS v NEW YORK STATE INS. FUND



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**WEDNESDAY, JANUARY 9, 2019  
1:00 P.M. SESSION**

526654 GUTHORN v VILLAGE OF SARANAC  
107946 PEOPLE v DERRICK THOMAS  
527107 MATTER OF BAINBRIDGE NURSING HOME v ZUCKER  
526551 MATTER OF GONZALEZ v NEW YORK STATE GAMING COMMN.  
527044 DOS SANTOS v STATE OF NEW YORK  
526924 MACK V MACK  
526610 McNEARY v CHARLEBOIS  
527093 RABIDIEAU v WEITZ  
526747 MATTER OF GUARDIANSHIP OF TINSMON

**THURSDAY, JANUARY 10, 2019  
1:00 P.M. SESSION**

108895 PEOPLE v GABRIEL VEGA  
526883 MATTER OF WALA v COUNTY OF ULSTER  
525539 WELLS FARGO BANK v PAULEY  
526896 MATTER OF WALISZEWSKI v COUNTY OF ULSTER  
526491 MATTER OF BENJAMIN OO. v LATASHA OO.  
526669 BRONSTEIN v CLEMENTS  
526889 RENSSELAER POLYTECHNIC INSTITUTE v SCHUBERT  
526911 CATLYN & DERZEE v AMEDORE LAND DEV.  
110411 PEOPLE v TASHEEM MAEWEATHER



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**FRIDAY, JANUARY 11, 2019  
9:30 A.M. SESSION**

526970 BAFF V BOARD OF EDU. OF THE FONDA-FULTONVILLE CENT. SCHOOL DIST.  
526709 MATTER OF ESTATE OF SHAMBO  
526968 MATTER OF BRICKMAN v DiNAPOLI  
526006 TOWN OF COPAKE v 13 LACKAWANNA PROPERTIES  
526256 ANTONELLA GG. V ANDREW GG.  
526172 MATTER OF SOLOMON v NEW YORK STATE OFF. OF CHILDREN & FAMILY  
SERVS.  
527104 MATTER OF CASEY v TOWN OF ARIETTA  
526795 HOWELL v STATE OF NEW YORK  
526409 HASSAN v BARAKAT

**MONDAY, JANUARY 14, 2019  
1:00 P.M. SESSION**

526276 BILLOK v GEORGIA-PACIFIC  
526979 MATTER OF CHROSTOWSKI v PINNACLE ENVTL. CORP.  
527103 HARNDEN v LENTZOS  
525904 MATTER OF DUNLOP v BOWEN  
527068 SAXE v BRENNAN  
526698 MATTER OF LIU v STATE OF NEW YORK  
526549 BIRCHES AT SCHOHARIE v SCHOHARIE SENIOR GENERAL PARTNER  
525533 HOPE v HADLEY-LUZERNE PUB. LIBRARY  
526082 MATTER OF LOGAN C.  
527237 GALASSO V COBLESKILL STONE PRODUCTS



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**TUESDAY, JANUARY 15, 2019**  
**1:00 P.M. SESSION**

108096 PEOPLE v JOSEPH S. YOUNGS  
526628 FABIANO v STATE OF NEW YORK  
526867 KESICK v BURNS-LEADER  
108639 PEOPLE v JOSHUA P. VANDEGRIFT  
526899 MATTER OF ALBANY POLICE OFFICERS UNION v NEW YORK PUB. EMPL.  
RELATIONS BD.  
525934 MATTER OF MELISSA KK. v MICHAEL LL.  
108642/ PEOPLE v WHIRLEE RUDOLPH  
109328  
527011 SCOTT v COUNTY OF ALBANY

**WEDNESDAY, JANUARY 16, 2019**  
**1:00 P.M. SESSION**

524884 MATTER OF CAJIGAS v STANFORD  
524890 PEOPLE ex rel. Negron v SUPERINTENDENT, WOODBOURNE CORRECTIONAL  
FACILITY  
526678 MATTER OF GILBERT v OFFICE OF THE GOVERNOR  
527047 US BANK TRUST v HOWELLS  
108102 PEOPLE v THOMAS L. NEWMAN  
108756 PEOPLE v PHILIP M. TAFT  
526991 POWERS v GREENVILLE CENT. SCHOOL DIST.  
527095 MATTER OF NATIONAL FUEL GAS DISTRIB. CORP. v PUBLIC SERV. COMMN.  
OF SNY  
526187 MATTER OF THE ESTATE OF THEODORE STRAUSS