



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>

SEPTEMBER 2018 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) 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.

TUESDAY, SEPTEMBER 4, 2018 1:00 P.M. SESSION

522910 MATTER OF HE v XU
525795 CITY OF ALBANY v NORMANSKILL CREEK
109939 PEOPLE v BRYAN C. MCDONALD
526321 MATTER OF HARVEY v ZONING BD. OF APPEALS OF CITY OF KINGSTON
525360 MATTER OF NATIONAL ENERGY MARKETERS ASSN. v NEW YORK STATE PUB.
SERV. COMMN.
108696 PEOPLE v LYNN E. HATCH
525804 WILEY v MARJAM SUPPLY CO.
525026 MATTER OF MAERZ v TORRES
524965 MATTER OF PIKE v BIGELOW

WEDNESDAY, SEPTEMBER 5, 2018 1:00 P.M. SESSION

526234 HEALTHCARE PROFESSIONALS INS. CO. v PARENTIS
526211 MATTER OF COMMUNITY HOUS. IMPROVEMENT PROGRAM v COMMISSIONER
OF LABOR
109940 PEOPLE v KAREN L. JAWAN
525860 DEUTSCHE BANK NATIONAL TRUST CO. v KALLMAN
526085 MATTER OF SULLIVAN FARMS II v TOWN OF MAMAKATING PLANNING BD.
108749 PEOPLE v EDWARD A. LONG
526237 JACKIE'S ENTER. v BELLEVILLE
524103 STEIN v PAES
526212 MATTER OF FRANCELLO v MENDOZA



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**THURSDAY, SEPTEMBER 6, 2018
1:00 P.M. SESSION**

524018 MATTER OF SPIEZIO v COMMISSIONER OF TAX. & FIN.
525126 CARVER FED. SAV. BANK v SHAKER GARDENS
108813 PEOPLE v MYLIEK LEBRON
526319 CLIFTON LAND CO. v MAGIC CAR WASH
526167 MATTER OF WHITEHEAD v WARREN COUNTY BD. OF SUPERVISORS
108339 PEOPLE v PATRICK CLOONAN
526238 CATLYN & DERZEE v AMEDORE LAND DEV.
525815 MATTER OF THE JOAN P. MORAN TRUST
524098 MATTER OF KEADDEN W.
108533 PEOPLE v ROGER ARHIN

**FRIDAY, SEPTEMBER 7, 2018
9:30 A.M. SESSION
ALBANY COUNTY COURTHOUSE**

524209 MATTER OF TYRELL FF.
526162 BURHMASTER v CRM RENTAL MGT.
526316 ROSENZWEIG v HOWLAN
526328 COOPER v DELLIVENERI
524435 MATTER OF MARIAH K.
525719 MATTER OF LAUREN STACK
526138 MATTER OF BROPHY v TOWN OF OLIVE ZONING BD. OF APPEALS
524821 MATTER OF HILES v HILES
524903 MATTER OF FERGUSON v SROKOWSKI



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MONDAY, SEPTEMBER 10, 2018
1:00 P.M. SESSION

525737 GULFSTREAM ANESTHESIA CONSULTANTS v CORTLAND REGIONAL MED.
CTR.
525922 REUTZEL v HUNTER YES
524874 MATTER OF MURPHY v NEW YORK STATE TAX APPEALS TRIBUNAL
525114 MATTER OF CARR v STEBBINS
524568 MATTER OF LIANA HH.
526033 LAFARGE BLDG. MATERIALS v HARLEYSVILLE INS. CO. OF NY
108666 PEOPLE v VINCENT ROULHAC
526389 KHEEL v MOLINARI
524391 PEOPLE v DANIEL W. DEPERNO (SORA)

TUESDAY, SEPTEMBER 11, 2018
9:30 A.M. SESSION

108410 PEOPLE v ROBERT LAKE
525746 MATTER OF POLICE BENEVOLENT ASSN. OF NY v STATE OF NEW YORK
108394 PEOPLE v EDWARD MALLOY
526111 CLOKE v FINDLAN
526174 MAKSUTA v HEITZMAN
525842/ MATTER OF CHAMPLAIN CTR. N. v TOWN OF PLATTSBURGH
525843/
525844
526003 BANK OF AMERICA N.A. v SCHOHARIE SENIOR HOUSING DEV. FUND CORP.
108421 PEOPLE v FRANK MALDONADO



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WEDNESDAY, SEPTEMBER 12, 2018
1:00 P.M. SESSION

- 524838 MATTER OF ST. HILL v NEW YORK STATE BD. FOR PROFESSIONAL MED. CONDUCT
- 526095 WELLS FARGO BANK v GROVER
- 526161 GOLDMAN SACHS MTG. CO. v MARES
- 526313/ AARON v STEELE
- 526314
- 526190 CADY v PROGRESSIVE SPECIALTY INS. CO.
- 526170 MATTER OF ROVINSKY v ZUCKER
- 526197 MATTER OF ENDICOTT POLICE BENEVOLENT ASSN. v BERTONI
- 524825 THOMAS v McMASTER
- 525310 MATTER OF STATE OF NEW YORK v JEFFERSON CC.

THURSDAY, SEPTEMBER 13, 2018
1:00 P.M. SESSION

- 526135 BEAUCHEMIN v AUTOBUS FLEUR DE LYS
- 526136 BEAUCHEMIN v AUTOBUS FLEUR DE LYS
- 526088 DEUTSCHE BANK NATIONAL TRUST CO. v HARRIS
- 526007 NEW YORK STATE SENATE REPUBLICAN CAMPAIGN COMM. v SUGARMAN
- 526169 HEWITT v PALMER VETERINARY CLINIC
- 525329 MATTER OF JPK IMPORTS/ONEONTA v NEW YORK STATE DIV. OF HUMAN RIGHTS
- 526428 ARETAKIS v COLE'S COLLISION
- 525915 MATTER OF ADAMS STATION v ASSESSOR OF THE TOWN BETHLEHEM



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**FRIDAY, SEPTEMBER 14, 2018
9:30 A.M. SESSION**

526001 VILLAGE OF SHARON SPRINGS v BARR
525739 BUTTON v BUTTON
110080 PEOPLE v ALEXANDER M. WEST
525967 CHAMBERLAIN v NEW YORK STATE DEPT. OF TAX. & FIN.
524519 MATTER OF PHILOMENA V.
525916 CLARK v STATE OF NEW YORK
525621 MATTER OF HOPPE v SULLIVAN
525794 O'CONNOR v SCHULTZ
526160 CALHOUN v MIDROX INS. CO.
526318 ARTIBEE v STATE OF NEW YORK