## State of New York Supreme Court, Appellate Division Third Judicial Department

PM-177-23
DECISION AND ORDER ON MOTION

Monica A. Duffy, Attorney Grievance Committee for the Third Judicial Department, Albany (Alison M. Coan of counsel), for petitioner.

Barclay Damon LLP, Syracuse (Robert A. Barrer of counsel), for respondent.

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Motion by respondent, returnable June 5, 2023, for leave to renew and/or reargue (see CPLR 2221), and seeking to vacate this Court's prior order suspending respondent from the practice of law (see Matter of Lange, 214 AD3d 1203 [3d Dept 2023]); for an order mandating petitioner to accept a late answer to the petition; for an order granting respondent leave to file and have the Court consider a motion for diversion and related relief; and, in the alternative, for an order imposing a lesser penalty; and such other and further relief as this Court deems fair and proper.

Upon reading the motion papers filed by respondent on April 17, 2023, the opposition papers filed by petitioner on June 1, 2023, the reply papers filed by respondent on June 23, 2023, and the sur-reply papers filed by petitioner on July 14, 2023, it is

ORDERED that respondent's motion is denied in its entirety.

Garry, P.J., Aarons, Reynolds Fitzgerald, Fisher and McShan, JJ., concur.

ENTER:

Robert D. Mayberger Clerk of the Court