

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

SESSION CALENDAR FOR THURSDAY, SEPTEMBER 8, 2022

1:00 P.M. SESSION

L Y A R E F M S

BENCH POSITION: FISHER, J., AARONS, J., LYNCH, J.P., REYNOLDS FITZGERALD, J., MCSHAN, 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.

When a cause is argued or submitted to the court with four justices present, it shall, whenever necessary, be deemed submitted also to any other duly qualified justice of the court, unless objection is noted at the time of argument or submission (Practice Rules of the Appellate Division, Rule 1250.1 [b]).

Calendar No.	Case No.	Title	Time Allocated
(1)	534146	FICEL TRANSP. v STATE OF NEW YORK Appellant - Craig R. Bucki, Esq. Phillips Lytle LLP (Ficel Transport, et al.) Respondent - Owen Demuth, Esq. AG Letitia James (State of New York)	10 10
(2)	534236	MATTER OF MARATHON POWER LLC v PUBLIC SERV. COMMN. OF NEW YORK STATE Appellant - Kenneth A. Manning, Esq. Phillips Lytle LLP (Marathon Power LLC, et al.) Respondent - Ryan J. Coyne, Esq. Public Service Commission (Public Service Commission, et al.)	10 10
(3)	533495	MATTER OF THE ESTATE OF JUNE F. BLAINE Appellant - Michael H. Blaine [Pro se] Respondent - Hope Blaine [Pro se]	10 10
(4)	534081	CONTRACTORS COMPENSATION TRUST v \$49.99 SEWER MAN, INC. Appellant - John F. Palladino, Esq. Hankin Sandman Palladino Weintrob & Bell (Thos H. Gannon & Sons, Inc.) Respondent - Thomas J. Higgs, Esq. E. Stewart Jones Hacker Murphy (Contractors Compensation Trust)	10 10

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Calendar No.	Case No.	Title	Time Allocated
(5)	533416/ 533475	BORELLI v JB IV LLC Appellant/Respondent - Cory J. Weber, Esq. Rupp, Baase, Pfalzgraf & Cunningham LLC (JB IV, LLC, et al.) Respondent/Appellant - Jean Marie Westlake, Esq. Defancisco & Falgiatano, LLP (Patrick K. Borelli, et al.)	10 10
(6)		REMOVED	
(7)	534186	MATTER OF EMPIRE REALTY INVESTORS I v BOARD OF ASSESSMENT REVIEW Appellant - Stephen M. Almy, Esq. The Vincelette Law Firm (The Board of Assessment Review) Respondent - Paul J. Goldman, Esq. Goldman Attorneys PLLC (Empire Realty Investors I, LLC)	10 10
(8)	110907	PEOPLE v DEVIN HOYT Appellant - Matthew C. Hug, Esq. (Devin Hoyt) Respondent - Peter H. Willis, Esq. Robert M. Carney, Schenectady County District Attorney	10 10
(9)	533744	MATTER OF FELIX A. v JENNIFER B.	SUB
(10)	110496/ 113013	PEOPLE v BRUCE JONES	SUB
(11)	534239	MATTER OF LYMAN v NEW YORK STATE CANAL CORP.	SUB
(12)	111776/ 112466	PEOPLE v LAMONT T. FISH	SUB

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Calendar No.	Case No.	Title	Time Allocated
(13)	112194	PEOPLE v JAMES B. GATCHELL	SUB
(14)	532928	MATTER OF FRATERNAL ORDER EAGLES	SUB
(15)	532689	MATTER OF PONCEFARFAN v NEW YORK APPLE CAR SERV.	SUB