

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

SESSION CALENDAR FOR WEDNESDAY, FEBRUARY 15, 2023

1:00 P.M. SESSION

GA LY CL RE MS

BENCH POSITION: REYNOLDS FITZGERALD, J., LYNCH, J., GARRY, P.J., CLARK, 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)	111710	PEOPLE v CARLOS A. GRAHAM <i>Appellant</i> - Paul J. Connolly, Esq. [Assigned] (Carlos A. Graham) <i>Respondent</i> - Denise J. Kerrigan, Esq. Green County District Attorney's Office (The People of the State of New York)	10 5
➤(2)	533207	CAVOSIE v HUSSAIN <i>Appellant</i> - Benjamin Allee, Esq. Yankwitt LLP (Mavis Discount Tire, Inc., et al.) <i>Respondent</i> - Thomas J. Mortati, Esq. Harding & Mazzotti LLP (Michael Cavosie, et al.)	10 10
(3)	111631 113137	PEOPLE v LYDELL D. WATTS <i>Appellant</i> - Paul J. Connolly, Esq. [Assigned] (Lydell D. Watts) <i>Respondent</i> - Zachary S. Persichini, Esq. Chemung County District Attorney's Office (The People of the State of New York)	10 10
(4)	535420	QUINN v WALLKILL SCHOOL DIST. <i>Appellant</i> - JenniElena Rubino, Esq. Rubino Law Firm (Adam J. Quinn) <i>Respondent</i> - Nicholas A. Pascale, Esq. Drake Loeb, PLLC (Wallkill School District)	10 10

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Calendar No.	Case No.	Title	Time Allocated
(5)	535119	ERDELY v ESTATE OF GEORGE AIRDAY <i>Appellant</i> - Nathaniel B. Smith, Esq. Law Office of Nathaniel B. Smith (George Airday, et al.)	10
		<i>Respondent</i> - Mark J. Alonso, Esq. Alonso, Andalkar & Facher, P.C. (Robert Erdely)	10
(6)	534995	MATTER OF WALSH v DINAPOLI <i>Appellant</i> - Anthony C. Saline, Esq. Baker, Leshko, Saline & Drapeau, LLP (Brian Walsh)	10
		<i>Respondent</i> - Sean P. Mix, Esq. Office of the New York State Attorney General (Thomas P. DiNapoli)	10
(7)	535288	GOFF v WIN VIN LLC <i>Appellant</i> - Paul M. Freeman, Esq. Freeman Howard, P.C. (Win Vin, LLC, et al.)	10
		<i>Respondent</i> - Scott R. Matthews, Esq. Windels Marx Lane & Mittendorf, LLP (Robert O. Goff, et al.)	10
(8)	534553	MATTER OF SHINING STAR HOME CARE v ZUCKER <i>Appellant</i> - Francis J. Smith, Esq. O'Connell & Aronowitz (Shining Star Home Care, LLC)	10
		<i>Respondent</i> - Beezly J. Kiernan, Esq. Office of the New York State Attorney General (Howard Zucker)	10

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Calendar No.	Case No.	Title	Time Allocated
(9)	534725	MURPHY v TOWN OF WATERFORD <i>Appellant</i> - William C. Firth, Esq. <i>Respondent</i> - Linda A. Mandel Clemente, Esq. Mandel Clemente, PC (Terence Murphy)	SUB 5
(10)	534979	THE CINCINNATI INS. CO. v EMERSON CLIMATE TECHNOLOGIES, INC. <i>Appellant</i> - Daniel Hogan, Esq. Law Offices of Robert A. Stutman, P.C. (The Cincinnati Insurance Company) <i>Respondent</i> - Erin E. Connare, Esq. Phillips Lytel, LLP (Emerson Climate Technologies, Inc.) <i>Respondent</i> - Scott D. Kagan, Esq. Hurwitz & Fine, P.C. (Legacy Chiller Systems, Inc.) <i>Respondent</i> - Shawn T. Nash, Esq. Law Office of M. Randolph Belkin (J & M Fluidics, Inc.)	10 5 5 5
(11)	534954	MATTER OF ALDA X. v AUREL X.	SUB
(12)		REMOVED	
(13)	112500	PEOPLE v LUKAS SUTER WINTER	SUB
(14)	535426	MATTER OF GREEN v POUGHKEEPSIE FORD, INC.	SUB
(15)	534883	MATTER OF WARD v NEW YORK CITY TRANSIT AUTH.	SUB

► 533207 - CAVOSIE v HUSSAIN
Panel: GA CL RE MS