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

SESSION CALENDAR FOR WEDNESDAY, OCTOBER 13, 2021

1:00 P.M. SESSION

E LY CL PR CO

BENCH POSITION: PRITZKER, J., LYNCH, J., EGAN JR., J.P., CLARK, J., COLANGELO, 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) | 532201 | DICENZO v MONE Appellant - Scott C. Paton, Esq. Hodgson Russ LLP | 10 |
| | | (William R. DiCenzo, et al.) Respondent - Robert N. Gregor, Esq. Law Office of Robert Gregor (Micheal Mone, et al.) | 5 |
| | | Respondent - David B. Cabaniss, Esq. Cabaniss Casey, LLP (Debbie Cutler, et al) | 5 |
| (2) | 112398 | PEOPLE v RAMIZ T. HAJRATALLI Appellant - Kevin A. Luibrand, Esq. Luibrand Lawfirm, PLLC (Ramiz T. Hajratalli) | 10 |
| | | Respondent - G. Scott Walling, Esq. | 10 |
| (3) | 532440 | MATTER OF BOYLE v DEPARTMENT OF MOTOR VEHICLES Appellant - Zev Goldstein, Esq. Law Office of Zev Goldstein, P.L.L.C. (John Boyle) | 5 |
| | | Respondent - Jonathan Hitsous, Esq. AG Letitia James (New York State Department of Motor Vehicles) | 5 |
| (4) | 111493 | PEOPLE v JASON BRISMAN Appellant - Clea Weiss, Esq. [Assigned] (Jason Brisman) | 10 |
| | | Respondent - Joseph T. Murphy, Esq. Weeden A. Wetmore, Chemung County District Attorney | 10 |

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|-----------------|-------------|--|-------------------|
| (5) | 532856 | DAVIS v ZEH Appellant - James M. Hartmann, Esq. Law Office of James M. Hartmann (Jonathan H.F. Davis) | 10 |
| | | Respondent - Carlo A.C. de Oliveria, Esq. Cooper Eriving & Savage, LLP (Matthew R. Zeh) | 10 |
| (6) | 532762 | MATTER OF ARON LAW PLLC v TOWN OF FALLSBURG | SUB |
| ≻ (7) | 532002 | MATTER OF FUNERAL DIRECTORS ASSN. v NEW YORK STATE DEPT. OF | |
| | | HEALTH Appellant - Cynthia Neidl, Esq. Greenberg Traurig, LLP (Funeral Directors Association) | 10 |
| | | Respondent - Jeffrey W. Lang, Esq. AG Letitia James (Department of Health) | 10 |
| ≻ (8) | 532952 | MATTER OF PSC v CITY OF ALBANY INDUSTRIAL DEVELOPMENT AGENCY Petitioner - Brian M. Quinn, Esq. | 10 |
| | | Tabner Ryan & Keniry, LLP (PSC, LLC) Respondent - Charles W. Malcomb, Esq. | 5 |
| | | Hodgson Russ LLP (City of Albany) Respondent - Joseph F. Castiglione, Esq. Young Sommer LLC (Capitalize Albany) | 5 |
| (9) | 530415 | HUGHES v HUGHES | SUB |

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| Calendar No. | Case No. | Title | Time Allocated |
|-----------------|-------------|--|-------------------|
| (10) | 112499 | PEOPLE v JAHNELL PARKINSON | SUB |
| (11) | 112159 | PEOPLE v JASON HUEBSCH | SUB |
| (12) | 111719 | PEOPLE v MICHAEL BURKE | SUB |
| (13) | 531725 | MATTER OF QUINN v PEPSI BOTTLING GROUP, INC. | SUB |
| (14) | 530072 | MATTER OF BLOMSTROM | SUB |
| (15) | 531399 | MATTER OF GORBEA v VERIZON NEW YORK INC. | SUB |

> 532002 - MATTER OF FUNERAL DIRECTORS ASSOC. v NEW YORK STATE DEPT. OF HEALTH

Panel: E LY CL PR

> 532952 - MATTER OF PSC v CITY OF ALBANY INDUSTRIAL DEVELOPMENT AGENCY

Panel: E LY PR CO