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

SESSION CALENDAR FOR MONDAY, NOVEMBER 15, 2021

1:00 P.M. SESSION

E   LY   CL   A   PR

BENCH POSITION: AARONS, J., LYNCH, J., EGAN JR., J.P., CLARK, J., PRITZKER, 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
(2)	531578/ 532560	**MENTIPLY v FOSTER** ***Appellant* - John B. DuCharme, Esq.** DuCharme Clark, LLP (Sandra A. Mentiply) ***Respondent* - Mark E. Cerasano, Esq.** Bartlett, Pontiff, Stewart & Rhodes, P.C. (Nancy & Richard Foster)	10 10
(3)	532118	**DOE v STATE UNIVERSITY OF NEW YORK**	SUB
(4)	532255	**GULF COAST BANK & TRUST CO. v VIRGIL RESORT FUNDING GROUP** ***Appellant* -Edward Y. Crossmore, Esq.** The Crossmore Law Office (Kevin Walsh) ***Respondent* - Edward D. Altabet, Esq.** Cohen Seglias Pallas Greenhall & Furman PC (Gulf Coast Bank, et al.)	5 5
(5)	532350	**PEOPLE v ISSAC MCKAY (SORA)**	SUB
(6)	532344	**MATTER OF FRAGOLA v DiNAPOLI** ***Petitioner* - Philip Seelig, Esq.** Seelig Law Offices, LLC (Raphael Fragola) ***Respondent* - Sarah L. Rosenbluth, Esq.** AG Letitia James (Thomas P. DiNapoli)	10 10

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Calendar No.	Case No.	Title	Time Allocated
➤ (1)	532946	**WEDDELL v TRICHKA** *Appellant* - **Alena Van Tull, Esq.** Garufi Law P.C. (Laura J. Weddell)	10
		Respondent - **Katherine A. Fitzgerald, Esq.** Hinman Howard & Kattell, LLP (Stephen J. Trichka)	10
(7)	533415	**RUSSO v VAN DALE PROPERTIES** *Appellant* - **Brendan T. Fitzpatrick, Esq.** Gerber Ciano Kelly Brady LLP (Van Dale Properties, LLC)	10
		Respondent - **John T. Dall Vechia, Esq.** Dall Vechie & Kraft, P.C. (Craig Russo)	10
(8)	529993	**MATTER OF WUSTRAU v ACCORD FIRE DIST.**	SUB
(9)	533133	**WILSON v TULLY RINCKEY** *Appellant* - **Allen A. Shoikhetbrod, Esq.** Tully Rinckey PLLC (Tully Rinckey PLLC)	10
		Respondent - **Mark J. McCarthy, Esq.** McCarthy Law (Theresa Wilson)	10
(10)	532074	**MATTER OF JAXXON WW.**	SUB
(11)	110470	**PEOPLE v COREY T. DAVIDSON**	SUB
(12)	109787/112145	**PEOPLE v ROBERT K. BALLARD**	SUB
(13)	532067	**MATTER OF LOUIZA PATSIS**	SUB

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Calendar No.	Case No.	Title	Time Allocated
➤ (14)	532779	**MATTER OF REITH v CITY OF ALBANY**	SUB
(15)	531878	**MATTER OF DEBORA FAUSTO**	SUB

➤ **532946 - WEDDELL v TRICHKA**
  Panel = LY CL A PR

➤ **MATTER OF REITH v CITY OF ALBANY**
  Panel = LY CL A PR