

TENTATIVE

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

SESSION CALENDAR FOR TUESDAY, APRIL 30, 2024

1:00 P.M. SESSION

CL A PR LY CE

BENCH POSITION: Lynch, J., Aarons, J., Clark, J.P., Pritzker, J., Ceresia, 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)	113292	<b>PEOPLE v DANIEL R. HATCH</b> <b>Appellant - Melissa K. Swartz, Esq.</b> Cambareri & Brenneck (Daniel R. Hatch)	10
		<b>Respondent - J. Scott Porter, Esq.</b> Madison County District Attorney's Office (The People of the State of New York)	10
(2)	CV-23-0722	<b>DECARO v SOMERSET INDUSTRIES</b> <b>Appellant - Derek J. Spada, Esq.</b> Basch and Keegan, LLP (Joseph DeCaro, et al.)	10
		<b>Respondent - Jennifer L. Wang, Esq.</b> Costello, Cooney & Fearon PLLC (Somerset Industries, Inc.)	10
(3)	113301	<b>PEOPLE v RAYVON T. MCNEALY</b> <b>Appellant - Kathy Manley, Esq. [Assigned]</b> (Rayvon T. McNealy)	10
		<b>Respondent - Benjamin E. Holwitt, Esq.</b> Broome County District Attorney's Office (The People of the State of New York)	10
(4)	CV-23-0547	<b>STATE OF NEW YORK v RAJU</b> <b>Appellant - Michael H. Sussman, Esq.</b> Sussman & Goldman (Gurdeep Singh, et al.)	10
		<b>Respondent - Owen Demuth, Esq.</b> Office of the New York State Attorney General (State of New York)	10

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Calendar No.	Case No.	Title	Time Allocated
(5)	535861	<b>BERG v STATE OF NEW YORK</b> <b>Appellant - Owen Demuth, Esq.</b> Office of the New York State Attorney General (State of New York)	10
		<b>Respondent - Nicholas G. MacInnis, Esq.</b> Herman Law (Brian Berg)	10
(6)	CV-23-0012	<b>MATTER OF GIOVANNI C.</b>	SUB
(7)	CV-23-0442	<b>MATTER OF ASIAH S.</b>	SUB
(8)	CV-23-0820	<b>MATTER OF NICOLE L. SMITH (COMMISSIONER OF LABOR)</b>	SUB
(9)	113642	<b>PEOPLE v EMMANUEL PHILIPPE</b>	SUB
(10)	CV-23-1738	<b>MATTER OF SO v ERIN'S PHARMACY INC.</b>	SUB