

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

SESSION CALENDAR FOR THURSDAY, SEPTEMBER 4, 2025

1:00 P.M. SESSION

GA CL A RE CE

BENCH POSITION: Reynolds Fitzgerald, J., Clark, J., Garry, P.J., Aarons, 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)	111163	<b>PEOPLE v DORAIN G. BOHN</b> <b>Appellant - Kevin A. Jones, Esq.</b> (Dorain G. Bohn) <b>Respondent - Patrick F. Perfetti, Esq.</b> Courtland County District Attorney's Office (The People of the State of New York)	10 10
(2)	CV-23-0109	<b>REISER v REISER</b> <b>Appellant - Emmalynn Salazar Blake, Esq.</b> Salazar and Erikson, LLP (Libby Corcoran-Reiser) <b>Respondent - Jacqueline I. Meyer, Esq.</b> Hodgson Russ LLP (Henry Reiser Jr.)	10 10
(3)	CV-24-1170	<b>R. KELLY FREEDMAN HOLDING GROUP, LLC v P&amp;M Brick, LLC</b> <b>Appellant - Christopher M. McDonald, Esq.</b> Whiteman Osterman & Hanna LLP (R. Kelly Freeman Holding Group, LLC) <b>Respondent Scott C. Paton, Esq.</b> Hodgson Russ LLP (P&M Brick, LLC, et al.)	10 10
(4)	CV-24-1363	<b>STONE CAST, INC. v COUCH DALE MARSHALL P.C.</b> <b>Appellant-Respondent - Andrew Lavcott Bluestone Esq.</b> (Stone Cast Inc.) <b>Respondent-Appellant - Daniel R. Rose, Esq.</b> Costello, Cooney & Fearon, PLLC (Couch Dale Marshall P.C., et al.)	10 10
(5)	113265 CR-23-0448	<b>PEOPLE v DONALD DEMAS</b>	SUB

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Calendar No.	Case No.	Title	Time Allocated
(6)	CV-23-2146	<b>CHASE v LEIDNER</b> Appellant - Peter Chase, self-represented Respondent - Robert R. Lawyer, Esq. Fischer, Bessette, Muldowney & McArdle, LLP (Scott Leidner, et al.)	10 10
(10)	CV-23-1890	<b>MATTER OF CARLO A. v PAMELA B.</b> Appellant - Sandra M. Colatosti, Esq. [Assigned] Attorney for the Child - Anthony Casale, Esq. Casale Law Firm, PLLC	SUB 10
➤(8)	CV-23-1406	<b>ZWICKEL v UNDERHILL LAND, LLC</b> Appellant - Daniel M. O'Hara, Esq. McLoughlin O'Hara, LLP (Underhill Land, LLC, et al.) Respondent - William F. Demarest III, Esq. Rupp Pfalzgraf LLC (Claire E. Zwickel, et al.)	<u>Remote</u> 10 <u>In Person</u> 10
(9)	CV-24-1356	<b>MATTER OF AUDIA v DINAPOLI</b> Petitioner - Warren J. Roth, Esq. Schwab & Gasparini, PLLC (John Audia) Respondent - Sean P. Mix, Esq. Office of the New York State Attorney General (Thomas P. DiNapoli)	<u>Remote</u> 10 <u>In Person</u> 10

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Calendar No.	Case No.	Title	Time Allocated
(7)	CV-24-0929	<b>MATTER OF MERCADO v TOWN OF NELSON ZONING BOARD OF APPEALS</b> <b>Appellant - Dirk J. Oudemool, Esq.</b> (Anthony A. Mercado) <b>Respondent - John R. Langey, Esq.</b> Costello, Cooney & Fearon, PLLC (Town of Nelson Zoning Board of Appeals)	<u>Remote</u> 10 10
(11)	CV-24-1284	<b>MATTER OF LUIS UU. v EDITH VV.</b>	SUB
(12)	112760	<b>PEOPLE v NICHOLAS SMITH</b>	SUB
(13)	CV-24-0155	<b>MATTER OF CHARLENE M. CARUSO</b>	SUB
(14)	535705	<b>PEOPLE v MALIK DAWSON (SORA)</b>	SUB
(15)	CV-23-1582	<b>MATTER OF ROMERO v AKORN INC.</b>	SUB

► **CV-23-1406 - ZWICKEL v UNDERHILL LAND, LLC**  
Panel: GA A RE CE