

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

SESSION CALENDAR FOR TUESDAY, OCTOBER 7, 2025

2:00 P.M. SESSION
SCHOHARIE COUNTY COURTHOUSE

GA LY CE F MK

BENCH POSITION: Fisher, J., Lynch, J., Garry, P.J., Ceresia, J., Mackey, 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)	CV-24-2057	L.C. WHITFORD CO., INC. v BABCOCK & WILCOX SOLAR ENERGY, INC. Appellant - Gregory J. McDonald, Esq. Bond, Schoeneck & King, PLLC (Babcock & Wilcox Solar Energy, Inc., et al.) Respondent - Steven W. Klutkowski, Esq. Duke Holzman Photiadis & Gresens LLP (GSPP 409 Ferris Road, LLC, et al.)	10 10
➤(2)	CV-24-0890	BLY HOLLOW LLC v COUNCIL Appellant - Taylor M. Way, Esq. Rupp Pfalzgraff LLC (Bly Hollow LLC) Respondent - James T. Potter, Esq. Hinman Straub P.C. (Jodi Council, et al.)	10 10
(3)	111086	PEOPLE v DEMETRIUS L. MACK Appellant - Donald M. Thompson, Esq. Easton Thompson Kasperek Shiffrin, LLP (Demetrius Mack) Respondent - Nathan M. Bloom, Esq. Chemung County District Attorney's Office (The People of the State of New York)	10 10

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Calendar No.	Case No.	Title	Time Allocated
➤(4)	CV-24-1197	COTA v SMITH Appellant - Samantha V. Vedder, Esq. O'Connor, O'Connor, Bresee & First, P.C. (Adirondack Medical Center) Appellant - Mikayla Barrett, Esq. Sugarman Law Firm (Matthew Smith) Respondent - Samantha C. Riggi, Esq. Bottar Law, PLLC (Amie Cota)	10 10 10
(5)	CV-24-0881	MATTER OF JOSIAH Y. [SHANNA V.]	SUB
(6)	CR-23-2102	PEOPLE v TYLER R. BENTON	SUB
(7)	CV-23-1562	MATTER OF Y. SS.	SUB
(8)	113563	PEOPLE v AMANDA M. TAYLOR	SUB
(9)	113162	PEOPLE v KEVIN FESSETTE	SUB
(10)	CV-23-2348	MATTER OF BRIAN Q. v ALLYSA R.	SUB
(11)	CV-24-1448	MATTER OF JENNIFER HH. v ALAVANH II.	SUB
(12)	CV-24-1759	MATTER OF DAVID ZZ. v AMANDA YY.	SUB
(13)	CV-23-2455	MATTER OF QURESHI v RITE AID CORP.	SUB
(14)	CV-24-0366	MATTER OF FULLER-ASTARITA v ABA TRANSPORTATION HOLDING CO.	SUB
(15)	CR-24-0383	PEOPLE v NIVALDO P. OLIVEIRA	SUB

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- ▶ **CV-24-0890 - BLY HOLLOW LLC v COUNCIL**
Panel: GA LY CE F
- ▶ **CV-24-1197 - COTA v SMITH**
Panel: GA CE F MK