

Supreme Court of the State of New York
Appellate Division: Second Judicial Department

D57735
T/htr

_____AD3d_____

Argued - September 4, 2018

CHERYL E. CHAMBERS, J.P.
LEONARD B. AUSTIN
SHERI S. ROMAN
ANGELA G. IANNACCI, JJ.

2015-10890

DECISION & ORDER

Shreyas Ravishankar, appellant, v Pasha Apontes,
respondent.

(Index No. 202155/10)

Law Offices of Russell I. Marnell, P.C., East Meadow, NY, for appellant.

Pasha Apontes, Williston Park, NY, respondent pro se.

In an action for a divorce and ancillary relief, the plaintiff appeals from stated portions of a judgment of the Supreme Court, Nassau County (Geoffrey J. O’Connell, J.H.O.), dated August 10, 2015. The judgment, insofar as appealed from, upon a decision and an amended decision of the same court dated January 16, 2014, and April 2, 2015, respectively, made after a nonjury trial, inter alia, awarded the defendant a 15% share of the plaintiff’s enhanced earning capacity and awarded the defendant counsel fees in the sum of \$20,000.

ORDERED that the judgment is affirmed insofar as appealed from, with costs.

The Supreme Court providently exercised its discretion in awarding the defendant a 15% share of the plaintiff’s enhanced earning capacity, based upon the defendant’s contributions to the marital household, including caring for the parties’ children while the plaintiff was in medical school (*see Scaramucci v Scaramucci*, 140 AD3d 848; *Kuznetsov v Kuznetsova*, 79 AD3d 974; *Schwartz v Schwartz*, 67 AD3d 989; *Guha v Guha*, 61 AD3d 634).

The Supreme Court also providently exercised its discretion in awarding the defendant counsel fees in the sum of \$20,000 (*see Domestic Relations Law* § 237[a]). The court properly considered the relevant financial circumstances of the parties, and the particular

circumstances of the case (*see Bagielto v Kolsch*, 148 AD3d 766).

The plaintiff's remaining contention is without merit.

CHAMBERS, J.P., AUSTIN, ROMAN and IANNACCI, JJ., concur.

ENTER:

A handwritten signature in black ink, reading "Aprilanne Agostino". The signature is written in a cursive, flowing style.

Aprilanne Agostino
Clerk of the Court