
WHITE PLAINS FACULTY BIOGRAPHIES

DOLORES GEBHARDT, ESQ.

DOLORES GEBHARDT, ESQ. is a partner at McCarthy Fingar LLP in White Plains, New York (www.mccarthyfingar.com). Her practice is concentrated in matrimonial and family law and civil appeals.

Ms. Gebhardt received a BS degree from Cornell University in 1981 and a JD degree from Hofstra Law School in 1984.

She is a member of the NYSBA Committee on Courts of Appellate Jurisdiction and a member of the Section on Family Law.

Ms. Gebhardt is a Director of the Women's Bar Association of the State of New York (WBASNY) and a co-chair of WBASNY's Matrimonial Law Committee.

Ms. Gebhardt is a past president of the Westchester Women's Bar Association (WWBA). She currently serves the WWBA as co-chair of its Matrimonial Law and Programs Committees. Previously, she served as WWBA Vice President, Treasurer, Chair of its Annual Dinner, and was a member of the Judicial Screening Committee.

Ms. Gebhardt is a Director and the Treasurer of the White Plains Bar Association, and a member of the American Bar Association, the Westchester County Bar Association's Family Law Section and the Bar Association of the City of New York.

Ms. Gebhardt is an adjunct professor at Hofstra Law School, where she has taught Collaborative Family Law since 2010.

Ms. Gebhardt was recently named a 2013 New York-Metro Super Lawyer.

Ms. Gebhardt is an active member of the New York Association of Collaborative Professionals (www.collaborativelawny.com), a practice group of lawyers, mental health professionals and financial professionals dedicated to collaborative divorce.

APRILANNE AGOSTINO received a Bachelor of Arts degree in Mathematics from New York University in 1981, and a Juris Doctor from Fordham University School of Law in 1984. The following year she began working at the Appellate Division, Second Department, first as a Court Attorney and then as Law Secretary to Associate Justice Richard A. Brown. In 1991, Ms. Agostino went to the Queens County District Attorney's office with newly-appointed DA Brown to serve as his Counsel. Ms. Agostino returned to the Second Department two years later, as Law Secretary to Associate Justice Charles B. Lawrence. She subsequently served in the court's Motions Department, and then as Deputy Chief Court Attorney. In 1999 she was appointed Chief Court Attorney, and in late 2003 she was promoted to the position of Associate Deputy Clerk. Ms. Agostino served as the Acting Chief Clerk of the Appellate Term for the Second Judicial Department from December of 2005 until the Spring of 2007, when she returned to the Appellate Division to continue her tenure as Associate Deputy Clerk. In 2010 she was appointed Deputy Clerk, and on December 1, 2011, she assumed the role of Clerk of the Court.

Appellate Division

Second Judicial Department

Justices of the Court

Associate Justice Daniel D. Angiolillo

Judicial Offices	<p>Associate Justice of the Appellate Division, Second Judicial Department Supreme Court of the State of New York (2006-Present) Appointed by Governor George E. Pataki on November 17, 2006</p> <p>Associate Justice of the Appellate Term, Ninth and Tenth Districts Supreme Court of the State of New York; presided over appellate cases originating in the lower trial courts. (2004-2006)</p> <p>Justice of the Supreme Court, Ninth Judicial District Elected on November 2, 1999 to a Fourteen Year Term Commencing January 2000 Term Expires December 31, 2013; presided over Integrated Domestic Violence Court, Westchester County (New York State Pilot Court) involving related Domestic Violence, Family Court and Matrimonial also known as "One Family/One Judge". (2001-2005)</p> <p>County Court Judge, Westchester County Acting Justice of the Supreme Court, Ninth Judicial District Elected on November 2,</p>
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	<p>1993 to a Ten Year Term commencing January 1994; presided over criminal and civil cases (1994-1999)</p>
<p>Other Professional Experience</p>	<p>Adjunct Professor of Law - Manhattanville College - (1996 to present) <i>Issues in Family Law and Administration of Justice; Criminal Law and Procedure; and The Rights of Crime Victims</i> - Iona College (1989-1993) <i>Business Law I and II</i></p> <p>Principal Law Clerk to Hon. Kenneth H. Lange (1985-1993) Westchester County Court Judge, Acting Justice of the Supreme Court</p> <p>Assistant District Attorney, Westchester County, March 1979 to November 1985 -Superior Court Trial Division, Career Criminal Bureau Trial Attorney, extensive trial prosecution of designated career criminals. -Rackets Bureau -Local Court Bureau</p> <p>Private Practice of Law (1977-1979)</p>
<p>Admission to the Bar</p>	<p>1984 United States Supreme Court</p> <p>1984 United States Supreme Court, Southern District of New York</p> <p>1978 United States District Court,</p>

	<p>Eastern District of New York</p> <p>1978 New York State Courts</p>
Education	<p>St. John's University School of Law, J.D. 1977</p> <p>-Publications, Balance ('77); Federal Criminal Case Review ('76 and '77)</p> <p>Boston College, B.S. Economics, Cum Laude 1974</p> <p>-Honors Program</p> <p>Cornell University Institute on Organized Crime, 1979</p>
Publications & Leading Cases	<p>Authored:</p> <p>"At What Age May A Child Testify Under Oath?", <i>The Navigator</i>, Vol. 2, Issue 1</p> <p>"Seeking Truth, Preserving Rights-Battered Women's Syndrome/Extreme Emotional Distress: Abuse Excuse or Syndrome Defense", <i>Pace Law Review</i>, Vol. 24, No. 1</p>
Professional & Civic Activities	<p>N.Y.S. Commission on the Jury, appointed by Chief Judge Judith S. Kaye</p> <p>Committee to Promote Gender Fairness in the Courts, 9th J.D. Court Responses to Batterers Program Noncompliance: A National Perspective, Advisory Board</p> <p>N.Y.S. Division of Criminal Justice Services Advisory Committee, Violence Against Women Act Criminal Justice Advisory Board, Westchester County</p>

	<p>Instructor/Presenter, Unified Court System, Orientation Seminar for Newly-Elected and Newly-Appointed Judges Former Member Domestic Violence Council, Westchester County Former Director, Chairman Scholarship Committee - Columbian Lawyers Association, Westchester Co. Former Chair, Sex Offender Management Committee, Westchester County Former President, White Plains Bar Association Former Advisory Board Member, Victims Assistance Services, Westchester County Westchester County, New York State, and Westchester Women's Bar Association</p> <p>President Emeritus, Prader-Willi Alliance of New York, Inc. Former Member Special Education P.T.A., Harrison Board of Directors, Alumni Association St. John's University School of Law Chair, Westchester Chapter, Alumni Association St. John's University School of Law Former Vice President and Board of Directors, Lions International Alumni Admission Volunteer, Boston College Parishioner/Lector Our Lady of Sorrows Church, White Plains Former Member St. Agnes Hospital Children's Rehabilitation Center, Development</p>
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	Committee Order Sons of Italy; Italian Civic Association; and Enrico Fermi Scholarship Fund
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Appellate Division

Second Judicial Department

Justices of the Court

Hon. Jeffrey A. Cohen

Judicial Offices	Associate Justice of the Appellate Division of the Supreme Court of the State of New York, Second Judicial Department. Appointed by Gov. David Patterson on December 9, 2010. Justice of the Supreme Court, State of New York, Ninth Judicial District. Elected in November 2009. Judge of the County Court, County of Westchester, State of New York, Ninth Judicial District. Elected in November 2006. Served from January 1, 2007 to December 31, 2009. Presiding Judge, Sex Offense Part, Westchester County Court. Served from January 1, 2008 to December 31, 2009. Acting Justice of the Supreme Court, State of New York. Served from January 1, 2009 to December 31, 2009. Justice of the Town of Yorktown, New York. Served from January 2, 1990 - December 31, 2006.
Other Professional Experience	Partner, Cohen, Timko & Moses, LLP (formerly Adler, Cohen & Timko). 1985 - 2006 Trial Attorney, The Legal Aid Society of Westchester County. 1977-1981; 1985

	Confidential Law Clerk to Westchester County Court Judge. 1976
Admission to the Bar	New York State - 1976 United States District Court, Eastern and Southern Districts of New York - 1980 United States Supreme Court - 1980 State of Israel - 1983
Education	Rutgers University School of Law (J.D., 1975) New York University (B.A., 1971)
Publications & Leading Cases	Westchester County Correction Officers Benevolent Association, Inc., et al. v. The County of Westchester, et al., Westchester County (2007) Official Reports: 29 Misc.3d 1219(A), 2008 WL 8136019 Affirmed on appeal, 71 A.D.3d 1040, 896 N.Y.S.2d 474 (2010, RI, AN, DK, RO); lv to app. denied, 15 N.Y.3d 702, 931 N.E.2d 1060, 905 N.Y.S.2d 804. People v. Selwyn Days, Westchester County (2009) NYLJ: 1/11/10 Official Reports: 26 Misc.3d 1205(A), Slip Copy, 2009 WL 5191433 (Table) Jurado v. Kalache, MD and the St. Joseph's Medical Center NYLJ: 10/22/10 Official Reports: 29 Misc.3d 1005, 912 N.Y.S.2d 375 (2010)

	<p>Yatauro v. Mangano Official Reports: 87 A.D.3d 582, 928 N.Y.S.2d 561 (2nd Dept., 2011) Dissenting. People v. Heidgen Official Reports: --- A.D.3d --- , -- - N.Y.S.2d ----, 2011 WL 4090019 (2nd Dept., 2011) Dissenting.</p>
<p>Professional & Civic Activities</p>	<p>President and co-founder, Justice Brandeis Law Society (2007 - Present) Chair, Westchester County Board of Ethics (1998- 2006) Member, Committee to Promote Gender Fairness, 9th Judicial District (2000 - Present) Teacher, CLE, "Selected Recent Ethics Issues and Cases," Westchester County District Attorney's Office, February 15, 2011 Adjunct Professor, Pace University, Criminal Justice Department, Criminal Justice and Ethics & Integrity (2009 - 2010) President (2000) and member of the Board of Directors (2001- 2006), Westchester County Magistrate's Association. Member, Westchester County Criminal Justice Advisory Board (2000 - 2006)</p>

Stuart M. Cohen returned to private solo practice in 2010 after a long period of employment in the appellate courts of New York, in which his positions included, among others, chief Clerk of the Court of Appeals and law clerk to a former Chief Judge. A graduate of Connecticut College and New York University School of Law, he has appeared as an advocate in the Court of Appeals and the Appellate Division on civil and criminal matters; his practice also includes consulting with other attorneys on appeals and litigated motions in appellate and trial courts. Contact information is available at www.smcappeals.com.

Appellate Division

Second Judicial Department

Justices of the Court

Associate Justice Thomas A. Dickerson

Judicial Offices	Associate Justice, Appellate Division, Second Department 2006-2017 Justice, New York State Supreme Court 2003-2017 Westchester County Court Judge, 2000-2002 Acting Family Court Judge 2000-2002 Yonkers City Court Judge 1994-1999 Former Presiding Justice: 9th Judicial District Tax Certiorari & Condemnation Law Part Web Site
Other Professional Experience	Councilman, City of Yonkers 1989-1993 Solo Practitioner, Consumer Law, Travel Law & Consumer Class Actions 1977-1993 Associate Attorney, Shea & Gould, N.Y., N.Y. 1975-1977 Associate Attorney, Kaye, Scholer, Fierman, Hays & Handler, N.Y., N.Y., 1974-1975 Military Service: U.S. Army Special Forces Airborne, Green Berets, Paratrooper 1963-1966 Service in Vietnam 1965-1966
Admission to the Bar	1975 Admitted in New York State, First Department Several Federal Courts

	<p>1983 U.S. Supreme Court</p> <p>1982 U.S. Court of Appeals, Second Circuit</p> <p>1975 Southern District of New York</p> <p>1975 Eastern District of New York</p> <p>1992 Northern District of New York</p>
Education	<p>Colgate University 1969 B.A.</p> <p>Cornell Law School 1973 J.D.</p> <p>Cornell Business School 1973 M.B.A.</p>
Publications & Leading Cases	<p>Legal Treatises</p> <p>Go to additional Articles, Treatises & Decisions</p> <p>Dickerson, Consumer Law 2007, The Judge's Guide To Federal And New York State Consumer Protection Statutes Web Page</p> <p>Dickerson, Class Actions, The Law of 50 States, Law Journal Press, N.Y., 2007 Web Site</p> <p>Dickerson, Travel Law, Law Journal Press, N.Y., 2007 Web Site</p> <p>Dickerson, New York State Class Actions under CPLR Article 9, 3 Weinstein, Korn & Miller New York Civil Practice CPLR, Lexis Nexis 2007</p> <p>Dickerson, The Judge's Guide To Federal & New York State Consumer Protection Statutes 2006 Web Site</p> <p>Dickerson, New York State Class Actions under CPLR Article 9, 3 Weinstein, Korn & Miller New York Civil Practice CPLR, Lexis Nexis 2007 Web Site</p> <p>Legal Articles [250+]</p> <p>Go to additional Tax Certiorari & Condemnation</p>

Proceedings Articles

http://www.classactionlitigation.com/library/ca_articles.html

http://www.consumerlaw.org/links/#travel_articles

Dickerson & Manning, New York State Class Actions in 2006, 28 Class Action Reports 113 (March-April 2007).

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Dickerson, The Selective Reassessment Of Real Property In New York State, The Real Property Tax Administration Reporter, The New York State Office of Real Property Services, Albany, NY, Part Two, Vol. 15, No. 2, June 2007.

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Dickerson & Manning, Summary of Article 9 Class Actions 2004, *New York Law Journal*, April 26, 2005, p. 4 [Web Site](#)

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New York State Bar Association Journal, September 2004 [Web Site](#)

Dickerson, The Marketing of Travel Services Over The Internet and the Impact Upon the Assertion of Personal Jurisdiction: 2004, *New York State Bar Association Torts, Insurance & Compensation Law Section Journal*, Summer 2004, Vol. 33, No. 2 [Web Site](#)

Dickerson, Taking Your Travel Agent On A Trip To The Courthouse *IFTTA Journal Of Tourism And Travel Law*, Spring 2000

Dickerson, Should Coupons Or Credits Be Used To Settle Travel Class Actions? *International Travel Law Journal*, Summer 2000 [Web Site](#)

Dickerson, The Licensing And Regulation Of Travel Agents, Tour Operators And Other Travel Sellers In The United States, Canada, Australia, Great Britain, Japan And The Members Of The European Community, [Web Site](#)

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Dickerson, How Safe Are Student Tours: Updated, Revision 1, July 20, 2000, Revision 2, August 3, 2000, Published in *IFTTA Journal Of Travel And Tourism Law*, December 2000, [Web Site](#)

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August 15, 2000, [Web Site](#)

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Dickerson, Consumer Law 2001 Update: The Consumer's Guide To Small Claims Court And How To Use Federal And New York State Consumer Protection Statutes, May 1, 2001, [Web Site](#)

Dickerson, Travel Agents 2001 : The Consumer's Rights & Remedies For Performance Failure, [Web Site](#)

Dickerson, Hotels, Resorts & Casinos: The Consumer's Rights & Remedies, December 1, 2001, [Web Site](#)

Dickerson & Manning, Summarizing New York State Class Actions in 2001, *New York Law Journal*, February 19, 2002, p. 1. [Web Site](#)

Dickerson, Hotels, Resorts and Casinos: The Consumer's Rights & Remedies: Selected Liability Issues, *International Travel Law Journal*, Issue One 2002, p. 30. [Web Site](#)

Dickerson, Internet Travel Sales and Personal Jurisdiction, *New York Law Journal*, October 1, 2002, p. 5.

Dickerson & Manning, A Summary of Article 9 Class Actions in 2002, *New York Law Journal*, January 29, 2003, p. 4, col. 1.

Dickerson, Hotels, Resorts and Casinos: Selected Liability Issues, *IFTTA Journal Of Travel And Tourism*

Law, 2003, Summer Edition, p. 39.

Dickerson, USA: A Post September 11th Perspective on Airline and Airport Security, Ethnic Profiling, Unruly Passengers, Overzealous Flight Attendants and Disabled Passengers, 2003 *International Travel Law Journal* 148-156

Leading Cases

See also Justice Dickerson's [Tax Certiorari & Condemnation Law Decisions](#)

Supreme Court, 9th Judicial District

Matter of Chrislex Staffing v. New York Dept. of Health, 195 Misc. 2d 465, 758 N.Y.S. 2d 481 (2003), *Aydelott v. Town of Bedford*, *New York Law Journal*, June 25, 2003, p. 21, col. 4 (2003), *Matter of Rose Mount Vernon v. Assessor of the City of Mt. Vernon*, 1 Misc. 3d 906 (2003) aff'd 2005 NY Slip Op 01364 (2d Dept. 2005), *Matter of Nextel v. Assessor of Village of Spring Valley*, 4 Misc. 3d 233, 771 N.Y.S. 2d 853 (2004), *Matter of SKM v. Town of Monroe*, 2 Misc. 3d 1004(A), 2004 WL 503485(2004), *Matter of Reckson v. Town of Greenburgh*, 2 Misc. 3d 1005 (2004), *Matter of Gemilas v. Assessor of Town of Ramapo*, 5 Misc. 3d 1026 (2004), *Matter of Village of Port Chester*, 10 Misc. 3d 1057(A)(West. Sup. 2005), *Bock v. Village of Scarsdale*, 2006 WL 328503 (2006); *Miriam Osborn Memorial Home Association v. City of Rye*, 11 Misc. 3d 1059 (2006), *Midway Shopping Center v. Town of Greenburgh*, 2006 WL 820261 (2006), *Matter of AKW v. Assessor of Town of Clarkstown*, 2006 WL 1440853 (. 2006), *Kaminsky v. Town of Ossining*, 2006 WL 1628978 (2006), *O&R v. Town of Haverstraw*, 12 Misc. 3d 1194 (Rockland Sup. 2006), *Mirant v. Stony Point*, 13 Misc. 3d 1204 (2006), *Meriam Osborn Home Association v. City of Rye*, 2006 WL 38367 (2006).

Westchester County Family Court : See Judge

	<p>Dickerson's Family Law Decisions, 2000-2001 at www.classactionlitigation.com/FAMILYLAW.htm</p> <p>Yonkers City Court</p> <p><i>Rossi v. 21st Century Concepts, Inc.</i> 162 Misc. 2d 932, 618 N.Y.S. 2d 182 (1994), <i>Pellegrini v. Landmark Travel Group</i> 165 Misc. 2d 589, 628 N.Y.S. 2d 1003 (1995), <i>Giarrantano v. Midas Muffler</i> 166 Misc. 2d 390, 630 N.Y.S. 2d 656 (1995), <i>Mongelli v. Cabral</i> 166 Misc. 2d 240, 632 N.Y.S. 2d 927 (1995), <i>Walker v. Winks Furniture</i> 168 Misc. 2d 265, 640 N.Y.S. 2d 428 (1996), <i>Oxman v. Amoroso</i> 172 Misc. 2d 773, 659 N.Y.S. 2d 963 (1997), <i>Baker v. Burlington Coat Factory</i>, 175 Misc. 2d 951, 673 N.Y.S. 2d 281 (1998), <i>Bridget Griffin-Amiel v. Frank Terris Orchestras</i>, 178 Misc. 2d 71, 677 N.Y.S. 2d 908 (1998), <i>O'Brien v. Exotic Pet Warehouse, Inc.</i>, <i>New York Law Journal</i>, October 5, 1999, p. 35, col. 2 (1999) .</p> <p>See also Judge Dickerson's Consumer Law Decisions at www.members.aol.com/judgetad</p>
<p>Professional & Civic Activities</p>	<p>Bar Associations</p> <p>New York State Bar Association: Member Executive Committee Tort Insurance & Compensation Law Section & Chairman of Class Action Committee Fellow The New York Bar Foundation</p> <p>Association of the Bar of the City of New York: Member of Admiralty Committee, Former Member of Consumer Affairs Committee, Hotels & Tourism Committee and Aeronautics Committee.</p> <p>Westchester County Bar Association. Westchester Womens Bar Association. Association of Justices of the Supreme Court of the State of New York. New York State Association Of City Court Judges. International Forum of Travel and Tourism Advocates: Member Board of Directors.</p>

	Veterans Organizations
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Special Forces Association

Veterans Of Foreign Wars

Vietnam Veterans Of America

Appellate Division

Second Judicial Department

Justices of the Court

Associate Justice Mark C. Dillon

Judicial Offices	<p>Associate Justice of the Appellate Division of the Supreme Court, Second Judicial Department. Appointed by Gov. Pataki on August 25, 2005. Appointment expires December 31, 2013.</p> <p>Justice of the Supreme Court, Ninth Judicial District. Elected November 2, 1999. Term in office expires December 31, 2013</p> <p>Judge of the Westchester County Court. Appointed by Gov. Pataki on May 9, 1997 and confirmed unanimously by the New York State Senate on May 28, 1997. Served from June 4, 1997-December 31, 1997.</p> <p>Town Justice, Town of Yorktown. Served from January 1, 1988-June 4, 1997.</p>
Other Professional Experience	<p>Adjunct Professor, New York Practice, Fordham School of Law, Spring 2008 - present. Voted Adjunct Professor of the Year by the student body, 2010.</p> <p>Faculty Member, Alternative Dispute Resolution Center at the Catholic University of Ghana, Suniyani, Ghana, West Africa, 2011 - present.</p> <p>Partner, Dillon & Sarcone, L.I.p., White Plains, New York. January 1, 1998-December 31, 1999.</p> <p>Trial Attorney, Cerussi & Spring, White Plains, New York. January 1, 1988- June 4, 1997.</p> <p>Assistant District Attorney of Westchester County. March 1985-December 31, 1987</p>

<p>Admission to the Bar</p>	<p>New York State, Connecticut, Massachusetts and the District of Columbia</p> <p>United States District Courts for the Southern, Eastern and Western Districts of New York, the District of Connecticut and the District of Massachusetts</p> <p>United States Courts of Appeals for the First and Second Circuits</p> <p>United States Tax Court</p> <p>United States Claims Court</p> <p>United States Supreme Court</p>
<p>Education</p>	<p>Colgate University, Hamilton, New York (B.A., 1981)</p> <p>Fordham Law School, New York, New York (J.D., 1984)</p> <p>University of Salzburg, Salzburg, Austria (DIPL. INT'L. LAW, 1985)</p> <p>New York University, New York, New York (M.A., 1990)</p>
<p>Publications & Leading Cases</p>	<p>"The Extent to Which 'Yellowstone Injunctions' Apply in Favor of Residential Tenants: Who Will See Red, Who May Earn Green, and Who May Feel Blue?" 9 Cardozo Pub. Law, Policy & Ethics J. 287 (Spring 2011).</p> <p>"An Overview of Tolls of Statutes of Limitations on Account of War: Are They Current and Relevant in the Post-September 11 ERA?" 13 N.Y.U.J Legis. & Pub. Pol'y 315 (Spring 2010).</p> <p>"The Newly-Enacted CPLR 3408 for Easing the Mortgage Foreclosure Crisis: Very Good Steps, But Not Legislatively Perfect," 30 Pace L. Rev. 855 (Spring 2010).</p> <p>"The Extrapolation of Defendants' Liabilities Under CPLR Article 16 Where the Plaintiff Is Contributorily Negligent: An Update Toward</p>

Resolving a Perceived Ambiguity of CPLR 1601," 73 Albany Law Review 79 (December 2009)

"The Legalities of Leap Day," *New York Law Journal*, February 29, 2008, p. 4, col. 3.

"No More Specific Ad Damnums," NYLJ, October 22, 2007, p. 4 (explanation and insight on amendment to Court of Claims Act Section 11[b] changing ad damnum pleading requirements).

"The CPLR's Most Dangerous Discovery Statute," *New York Law Journal*, March 28, 2003, p. 4, col. 4 (Vol. 229). Article summarizing the procedures and pitfalls of Notices to Admit under CPLR 3123.

"Requiring Witnesses to Answer at Deposition," *New York Law Journal*, October 22, 2001, p. 1, col. 1 (vol. 226, No. 78). Article regarding the five limited categories of circumstances when deposition witnesses may validly refuse to answer deposition questions.

"Obtaining Out-Of-State Witnesses and Documents for Discovery And Trial," 28 *Westchester Bar Journal* (Spring 2001). Article regarding the Commission procedure available under CPLR Rule 3108 for obtaining out-of-state material or witnesses over whom a New York Court has no power of subpoena.

"Judge's Corner," 24 *Westchester Bar Association Newsletter*, p. 2 (October 2000). Article regarding verdict values in Rockland County.

"Serious Injury Test Does Not Travel Well," *New York Law Journal*, October 16 2000, p. 1, col. 1 (Vo.l. 224, No. 73). Article regarding the implications of the non-extraterritorial effect of the New York No Fault "serious injury" threshold codified by Insurance Law Sections 5102 and 5104, and the law that must be applied in lieu of the threshold when automobile accidents

	<p>between New York parties occurs out-of-state.</p> <p>"Five Tips for the Civil Practitioner in Handling Choice of Law Issues," 22 <i>Westchester Bar Journal</i>, Winter, 1995, p. 15. Advices for the civil bar in identifying, pleading and litigating choice-of-law issues.</p> <p>"CPL Section 180.80 Should be Amended to Accommodate Town, Village Courts," <i>New York Law Journal</i>, September 30, 1988, p. 1.</p> <p>"The Forgotten Checks and Balances," 14 <i>Westchester Bar Journal</i>, Spring, 1987, p. 225.</p> <p>"The Case for Reversing the 'Rogers Rule' on the Right to Counsel," 58 <i>New York State Bar Journal</i>, July, 1986, p. 36.</p> <p>"Felony Murder Rule Holds Criminals Responsible for Crimes," <i>The New York Times</i>, September 7, 1985, p. 22</p> <p>Researched and drafted three chapters to the <i>Art of Advocacy: Settlement</i>, a civil law book by Henry G. Miller, Esq. (Matthew Bender, 1983). The three chapters deal with indemnity and contribution rights against released civil tortfeasors; the periodic payment of civil judgments; and "Mary Carter" agreements.</p>
<p>Professional & Civic Activities</p>	<p>TEACHER, CLE on "Attorney Disciplinary Proceedings," NYS Bar Association, New York, New York, Jan. 22, 2013</p> <p>TEACHER, CLE on "Appellate Practice," Westchester Black Bar Association, White Plains, New York, Jan. 16, 2013</p> <p>TEACHER, Seminar to all NYS court attorney referees, "Decision Writing," NYS Judicial Institute, White Plains, New York, Nov. 28, 2012</p> <p>TEACHER, CLE on "Recent Developments in 2nd Dept. Case Law," Yonkers Bar Association, Yonkers, New York, Oct. 23,</p>

2012

TEACHER, CLE on "Appellate Practice: A View From Both Sides of the Bench," Rockland Bar Association, Nanuet, New York, Oct. 16, 2012

TEACHER, Seminar to all NYS trial judges on "Making an Effective Record," NYS JUDicial Institute, White Plains, New York, June 28, 2012

TEACHER, Seminar to all NYS trial judges on "Decision Writing," NYS Judicial Institute, White Plains, New York, June 28, 2012

TEACHER, CLE on "Strategies and Developments in Appellate Practice," New Rochelle Bar Association, New Rochelle, New York, May 15, 2012

TEACHER, Seminar on "Residential Mortgage Foreclosure Statutes and Case Law," taught to fellow justices of the Appellate Divisions, First and Second Departments, in Brooklyn, New York, April 25, 2012

TEACHER, CLE on "Recent Developments in 2nd Dept. Case Law," Dutchess County Bar Association, Poughkeepsie, New York, April 19, 2012

TEACHER, Seminar on "Decisions" to all NYS trial judges, NYS Judicial Institute, White Plains, New York, Jan. 4, 2012

TEACHER, Seminar on "Law of Contempt" taught to all NYS trial judges, NYS JUDicial Institute, White Plains, New York, Dec. 19, 2011

TEACHER, CLE to Law Dept. of the Appellate Division, 2nd Dept., on "Statutory and Case Law Developments in NYS Mortgage Foreclosure Law," Brooklyn, New York, May 11, 2011

TEACHER, webcast Seminar to NYS Court Attorneys, "Assigned Counsel and the Attorney Affirmation Requirement for Residential Mortgage Foreclosures," NYS Judicial Institute, White Plains, New York, Sept. 27, 2010

MEMBER, NYS Committee on Opinions, representing the Second Department on contested publication determinations of the Miscellaneous Reports (22 NYCRR 7300.4). 2009 - present.

TEACHER, Webcast seminar to all New York trial judges, "Mortgage Foreclosure Settlement Conferences under CPLR 3409," sponsored by the NYS Judicial Institute, White Plains, New York, July 23, 2010.

TEACHER, CLE, Appellate Practice, New York State Bar Association, Tarrytown, November 13, 2009

TEACHER, CLE, "Law and Medicine," Westchester Black Bar Association, October 28, 2009

TEACHER, All Statewide Trial Judges, NYS Annual Judicial Training Seminar, CPLR Practice and Procedure Update, 7/23/09, 7/30/09 and 8/6/09

TEACHER, CLE, "Appellate Practice," Dutchess County Bar Association, February 24, 2009

TEACHER, CLE, "Appellate Practice," Wilson, Elser, Moskowitz, Edelman and Dicker, October 22, 2008

TEACHER, CLE, "Appellate Practice," Rockland County Bar Association, September 10, 2008

TEACHER, CLE, "The Law of Medical Malpractice," Dutchess County Bar Association, April 10, 2008

Guest Lecturer, Matrimonial and New York

Practice Classes at Pace University School of Law, 2006-2009

CLE on Appellate Practice for the NYS Academy of Trial Lawyers and the Brooklyn Bar Association, "Appeals in the Second Department," December 18, 2007 in Brooklyn

CLE on Appellate Practice for New York State Bar Association, "Appeals in the Second Department," November 2, 2007 in Tarrytown

CLE on Appellate Advocacy for Westchester Bar Association, "Taking an Appeal: A View From the Bench," October 9, 2007 in White Plains

Teacher, Criminal Law CLE for the Office of the Westchester County District Attorney, June 21, 2006

Teacher, Matrimonial Law CLE for Family Law Section of the Westchester County Bar Association, May 16, 2006

Teacher, Westchester Bar Association CLE Program on the Intersection of Bankruptcy and Matrimonial Law, 3/3/05

Committee Chair, Judges and Lawyers for Family Justice (2002-2004)

Teacher, NYS Bar Association CLE Program on Advanced Evidence for the Matrimonial Lawyer, 5/14/04

Teacher, NYS Bar Association CLE Program on the presentation of expert witness testimony at trial, 4/03

Teacher, Dutchess County Bar Association CLE Program in mid-2002, on the mandatory periodic payment of certain Judgments

Teacher, New York State Continuing Judicial Education Program, providing instruction to town and village judges of the Ninth Judicial District on selected aspects of procedural

and substantive law (in both 10/94 and 5/01)

Captain, New York Guard Judge Advocate General Corps. (1999-2006 (Honorable Discharge))

First Lieutenant, U.S. Army Reserve Judge Advocate General Corps. (1988-1997) (Honorable Discharge)

Member, New York State Magistrates' Associations (1988-present)

Chairman, Westchester County Bar Association Law Day Committee (1986-1990)

Member, New York State Bar Association, many years

Director, Yorktown Bar Association (1988-1992) and Member many years since 1986

Vice President, Fordham Law Alumni Association Westchester-Putnam Chapter (2009-present)

Director, Fordham Law Alumni Association Westchester-Putnam Chapter (2001-present)

Co-Chair, Westchester County Council on Domestic Violence (July 1996-December 31, 1997)

President, Yorktown Area Jaycees (1990-1991) and Chairman of Board (1991-1992)

Lector, St. Patrick's Church, Yorktown (1986-2000), St. Denis Church, Hopewell Junction (2005-present)

"Midnight Runs" to the streets of Manhattan, delivering food and clothing to the needy

Member, The Friendly Sons of St. Patrick (1996-present)

	<p>Member, the Irish-American Social Club of Westchester-Putnam (1987-2000)</p>
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	<p>Member, Elks Lodge #2324 (1987-2000)</p>
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	<p>Member, National Eagle Scout Association, The Westchester-Putnam Council of the Boy Scouts of America and merit badge counselor</p>
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Robert Herbst

Robert Herbst was most recently Senior Vice President, General Counsel, and Secretary of Health Systems Solutions, Inc. and Vice President, General Counsel, and Secretary of Town Sports International Holdings, Inc. While in private practice, he was a partner at the firm of Beller & Keller and an associate at White & Case. He is a past Chair of the New York State Bar Association Committee on Courts of Appellate Jurisdiction and is a contributing author to New York Appellate Practice published by Matthew Bender.

Mr. Herbst is a graduate of Columbia Law School and Trinity College, where he was elected to Phi Beta Kappa and was Salutatorian of his class.

MATTHEW LEE- RENERT

Matthew Lee-Renert is a staff counsel and principal attorney for the Grievance Committee for the Ninth Judicial District in White Plains, N.Y., serving at the direction of its Chief Counsel, Gary L. Casella. In that capacity, he investigates complaints of ethical and professional misconduct by attorneys and, in necessary cases, prosecutes disciplinary proceedings and the related appellate proceedings regarding such. Mr. Lee-Renert has been a full-time member of the Grievance Committee's staff since 1995 and has found this area of law to be gratifying because of the disciplinary system's function of protecting the public including the members of the practicing bar. He received his J.D. from Boston University School of Law in 1994 and his B.A. in History from Cornell University in 1991. He presently serves as the Secretary of the White Plains Bar Association. In addition to Pace University School of Law, Mr. Lee-Renert previously has lectured on ethical issues and the attorney disciplinary process for the Unified Court System, New York University - School of Continuing Professional Studies, St. Johns University School of Law, New York Law School and the New York State Bar Association as well as the Dutchess, Rockland and Westchester County Bar Associations.

JAMES EDWARD PELZER
Attorney and Counselor-at-Law
91 Dennis Street
Manhasset, New York 11030-3009
Telephone: (917) 842-3228
james.pelzer@verizon.net

Experience

Private Practice of Law – September 2010 to present.

Clerk of the Court, Appellate Division, Second Judicial Department - November 1999 to August 2010.

General supervisory responsibility for the operation of the court and its non-judicial personnel.

Supervisor of Decision Department, Appellate Division, Second Department – October 1985 to November 1999.

Supervised a staff of editors, clerks, and typists that edited, printed, and released approximately 5,000 appeal decisions and 12,000 motion decisions per year. Co-designer of the court's computer database of case records. Monitored and reported on court statistical information. Developed court caseload management plan. Presented orders to show cause to duty Justice for signature. Advised attorneys and *pro se* litigants on court procedure.

Decision Department Editor, Appellate Division, Second Judicial Department – October 1983 to October 1985.

Edited draft memorandum decisions and opinions of the Justices for conformity with the court's style, for grammatical and legal correctness, and for consistency with prior decisions of the court.

Principal Law Clerk to Appellate Division Justice Vincent D. Damiani. – September 1978 to October 1983.

Drafted opinions and memorandum decisions, performed assigned research tasks, and wrote confidential reports.

Law Assistant, Appellate Division, Second Judicial Department – March 1971 to September 1978.

Wrote internal reports for the Justices on civil and criminal cases. In 1978, served as the first reporter of motions. Worked in the Decision Department editing motion decisions.

Education

Saint John's University School of Law. Juris Doctor, June 1970.

University of California at Santa Barbara, Bachelor of Arts in Political Science, June 1967.

Publications

Justice Delayed: A Status Report on the Condition of the Court (Brooklyn: Appellate Division, Second Judicial Department, 1993) (co-author with Martin H. Brownstein & Alan Chevat).

“The Basics of Appellate Jurisdiction: The Concepts of Aggrievement, Appealability and Reviewability in New York Civil Appellate Practice” and “Taking and Perfecting an Appeal to the Appellate Division, Second Judicial Department” in *New York Appellate Practice* (Albany: New York State Bar Association, 2009).

Guide to Civil Practice: With Forms (Brooklyn: Appellate Division, Second Judicial Department, rev. ed. 2004) (co-author with Martin H. Brownstein).

Bar Admissions

New York, 1971; United States District Courts for the Southern and Eastern Districts of New York, 1976; United States Court of Appeals for the Second Circuit, 1976; Supreme Court of the United States, 1976.

Elliott Scheinberg, whose practice is limited to matrimonial appeals, serves on the Board of Managers of the American Academy of Matrimonial Lawyers and co-chairs its Amicus Curiae and CLE Committees. He is a member of NYSBA's Committee of Courts of Appellate Jurisdiction and CLE Committee. He has authored a two volume treatise, *Contract Doctrine and Marital Agreements in New York*, in its second edition, a variety of chapters for Matthew Bender's *New York Civil Practice, Matrimonial Actions*, and is the author of "Grandparental Visitation: Its Evolution in New York State," which traces the history and evolution of grandparental visitation in New York, published by the Benjamin N. Cardozo School of Law. He has written numerous articles for the *New York Law Journal*, the *New York State Bar Association's Family Law Review*, and the *New York Family Law Monthly*.

Mr. Scheinberg has written seven amicus curiae briefs to the New York State Court of Appeals, having been cited in one decision, with others adopting arguments advanced in the briefs. Mr. Scheinberg lectures regularly at the Appellate Division, Second Department, and for Bar Associations. He is a member of NYSBA's Executive Committee of the Family Law Section and is the co-chair of NYSBA's Amicus Committee.

A graduate of the Benjamin N. Cardozo School of Law, Mr. Scheinberg, prior to entering law school, was a doctoral candidate in Romance Philology at the University of Chicago, and a Teaching Fellow in the French Department, Romance Linguistics Program, at the University of Michigan in Ann Arbor. He received his Bachelor of Science in Mathematics and French from Brooklyn College, Brooklyn, N.Y.

He is in "Who's Who in American Law" and in "The Best Lawyers in America." He is also rated AV Preeminent 5.0 out 5.0 in Martindale-Hubble.

WILLIAM B. STOCK, ESQ.
3935 Blackstone Ave., #9J
Riverdale, New York 10471
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PROFILE STATEMENT:

Appellate Attorney and Litigator, as well as a degreed Law Librarian, with more than 20 years experience including creating substantial case law in Civil Procedure and Insurance Law, seeks position as Appellate Counsel or Litigator.

ADMISSIONS:

- New York State
- U.S. Supreme Court
- U.S. Court of Appeals for the Second Circuit
- U.S. District Courts for the Southern and Eastern Districts of New York

SIGNIFICANT REPORTED CASES:

- *Cole v. Young*, 28 A.D.3d 702, 814 N.Y.S. 224 (2nd Dept. 2006) (vacated six-figure default judgment). Reversed denials of summary judgment in “threshold” cases, including: *Li v. Yun*, 27 A.D.3d 624, 812 N.Y.S.2d 604 (2nd Dept. 2006, cited 33 times on Westlaw) and *Toulson v. Pae*, 13 A.D.3d 317, 788 N.Y.S. 2d 334 (1st Dept. 2004, cited 38 times) (plaintiff must have contemporaneous admissible evidence of injury under N.Y. Ins. L. § 102[d]);
- *Solomon v. Ramlall*, 18 A.D.3d 461, 795 N.Y.S.2d 76 (2nd Dept. 2005, cited 22 times, law review citation) (“law office failure”);
- *Perez v. Rodriguez*, 25 A.D.3d 506, 809 N.Y.S.2d 19 (2nd Dept. 2006, cited 59 times) (“gap in treatment”);
- *Finocchiaro v. Wall Street Pk-Up Servs.*, 2005 Slip Op 51163U, 803 N.Y.S.2d 18 (App. Term 2nd Dept.) (\$215,000 jury verdict vacated, new trial ordered due to improper admission of EMG into evidence).

LAW FIRM EXPERIENCE:

Cheven, Keely & Hatzis, Esqs. - Present	Appellate Counsel/Litigation	12/00
Raymond B. Schwartzberg, Esq. – 12/00	Associate Litigator	04/00
Viscardi, Steinman & Basner, Esqs. - 03/00	Of Counsel Litigator	01/97

PUBLICATIONS:

New York State Bar Journal, June 2011; Vol. 83 No. 5 at 10, *Shakespeare Testifies - Belott v. Mountjoy* .

Westchester County Bar Journal, Spring/Summer 2009; 36:1 at 64 (Stock, William) *Appellate Motion Practice: A Tactical Approach* (Also published on WESTLAW, Journals & Law Reviews databases.)

Book reviews written for such publications as the New York Law Journal and The New York County Lawyer.

Author of 'Sarah's Love,' an e-novel on Amazon.com

ADDITIONAL PROFESSIONAL ACCOMPLISHMENTS:

- Frequent lecturer at NYSBA CLE seminars on appellate practice; drafted course material.
- Drafted and argued appeals before various appellate panels (over 70 reported Appellate Division decisions) on various issues in civil practice;
- Extensive motion practice in trial and appellate courts, conducted more than 1,000 depositions;
- N.Y.S. Supreme and Civil Court Trial experience: selected 25 juries; conducted 4 jury trials and 2 bench trials; currently managing caseload of over 150 litigation matters.

EDUCATION:

New York Law School, J.D. - 1984 (Graduated in 2.5 years)

Pratt Institute, M.I.L.S. - 1992 (Library & Information Science – Concentration in Legal Research)

PROFESSIONAL ASSOCIATIONS:

Committee on Courts of Appellate Jurisdiction, New York Bar State Association

- Editor of the committee's newsletter 'Leaveworthy.'