

# Allan B. Rappleyea

## Partner

### eFolio



Allan B. Rappleyea primarily focuses on estate planning and administration, real estate and commercial litigation. Allan represents individuals and families through the process of their estate planning needs, working with executors, trustees, and administrators in the implementation and settlement of estates. Allan frequently serves as an executor and trustee in client matters, and acknowledges the significant role of a fiduciary.

Allan also has extensive experience representing clients in all aspects in connection with real estate development and transactions, including negotiating and drafting contracts of sale, reviewing pre-closing documents, generating the contracts of sale and guiding clients through the closing process. He also handles significant real estate development and real estate litigation, as well as general commercial litigation.

Allan is a director of the Bank of Millbrook and Millbrook Banks Systems. He also serves as a President of Our Lady of Lourdes Fund, Inc., and several private charitable foundations. He is a past board member of the Millbrook Business Association, Our Lady of Lourdes High School, Hospice, and the Town Board, Town of Washington.

#### CONTACT

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#### AREAS OF PRACTICE

Estate Planning  
Elder Law  
Real Estate  
Commercial Litigation

#### BAR ADMISSIONS

Connecticut  
New York  
SDNY  
United States Court of Appeals;  
2nd Circuit

#### PROFESSIONAL ASSOCIATIONS

American Bar  
Dutchess County Bar  
New York State Bar

#### EDUCATION

Our Lady of Lourdes (1984);  
Canterbury School (1985);  
Union College (1989);  
Western New England School  
of Law, cum laude (1992)

# Allan B. Rappleyea (continued)

## EXPERIENCE

### Estate Litigation

- Won numerous motions and the firm's client ultimately prevailed on all relief sought. In re Estate of Ehmer, 240 A.D.2d 668 (2d Dep't 1997); In re Ehmer, 255 A.D.2d 581 (2d Dep't 1998); In re Ehmer, 272 A.D.2d 540 (2d Dep't 2000); In re Ehmer, 272 A.D.2d 542 (2d Dep't 2000).
- Established that the US Department of Veteran Affairs did not have standing to claim a larger share of a Veteran's estate. In re Estate of Lauer, 3 Misc. 3d 219 (2004).

### Land planning, development, and municipal law

- Represented a landowner who developed his land and won several cases filed by those challenging the approvals. In re Dowd v. Planning Bd., 54 A.D.3d 340 (2d Dep't 2008); In re Dowd v. Planning Bd., 54 A.D.3d 339 (2d Dep't 2008).
- Represented a landowner and established that all approvals were proper. Quaker Hill Civic Ass'n v. Johnson, 254 A.D.2d 422 (2d Dep't 1998).
- Established a landowner's right, for one year, to sue a Town for road abandonment. Dandomar v. Town of Pleasant Valley, 2011 NY Slip Op 4673 (2011).

### Construction, corporate and landowner dispute

- Won the case dismissing a builder's claim for over \$400,000.00, and established the builder owed the homeowner over \$500,000 for overcharges. Master-Built Constr. Co. v. Thorne, 22 A.D.3d 535 (2d Dep't 2005).
- Won at trial, and on appeal, when a person sued a client claiming to own a part of the client's land by adverse possession. Robert v. Shaul, 62 A.D.3d 1127 (3d Dep't 2009).
- Won a corporate dispute where, although bylaws had not been formally amended, the substance of the bylaw change has been observed by the parties for many years. Cannavino v. Davis, 289 A.D.2d 360 (2d Dep't 2001).