



Allan B. Rappleyea Partner

Allan B. Rappleyea is primarily focused in the areas of estate planning and administration, real estate and real estate litigation, and commercial litigation.

In estate planning matters, Allan employs the highest standard of care when advising individuals and families as they navigate the planning process. In the implementation and settlement of an estate, Allan is committed to a seamless process. In meeting the client's goals and objectives, Allan works fluently with all parties involved to include executors, trustees, and administrators. Also, at the request of clients, Allan frequently serves as executor and trustee in client matters.

In real estate matters both large and small, Allan has extensive experience and is expertly prepared to represent clients from start to finish. These matters include transactions, development and litigation.

Additionally, Allan has successfully represented hundreds of clients in complex commercial litigation matters. Allan carefully considers all aspects of each business dispute and is intent on providing the best legal option to the client. Whether in court or at the negotiating table, Allan's focus is to minimize the risk to the client and produce an optimal outcome in an efficient and cost effective manner.

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)

NOTABLE REPRESENTATIONS

Estate Litigation

- Won numerous motions and 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).
- Won a proceeding construing a Will and removing a tenant from the estate property, when the person claimed to have life use, which she did not. Matter of Boyer, 2013 NY Slip Op 50914(U) (2013).
- Won all proceedings concerning the deceased's spouse, recovering all that was due her from the estate, Matter of Coons 2017 NY Slip Op. 02643 (App. Div. 2nd Dept 2017).
- Achieved a reversal of the trial court, and succeeded in establishing on appeal that the sale or transfer of development rights are considered real property under a provision of the real property actions and proceedings law. Hahn v. Hagar, 153 A.D.3d 105 (2d Dep't 2017).

Allan B. Rappleyea (continued)

Land Planning, Development, and Municipal Law

- Represented a landowner who developed his property 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 Property Disputes

- Won a case dismissing a builder's claim for over \$400,000.00. 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, involving a suit against a landowner client being sued by an individual 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 had been observed by the parties for many years. *Cannavino v. Davis*, 289 A.D. 2d 350 (2d Dep't 2001).
- After a 5 day jury trial, defeated a claim by a former employee of a client, seeking hundreds of thousands of dollars in damages. The jury awarded nothing. *Groves v Thorne*. Case No. 7:09-cv-03524 (2011), United States District Court, SDNY.
- Won a 9 day trial which awarded the client over \$70,000, and dismissed a school district's \$225,000 claim against a client, a "net" win of over \$300,000 for the client. *Palumbo Group v. Poughkeepsie City School District*. A.D. 3d (2d Dep't 2015).
- Achieved a reversal of the trial court, and succeeded in establishing on appeal that a landowner may recover for damages to the land itself when unlawful tree removal takes place. *Fair Chase Holdings II v. County of Dutchess*, 165 A.D.3d 1237 (2d Dep't 2018).