

Commission Names 7 Potential Nominees for Court of Appeals

[Andrew Denney](#), New York Law Journal June 1, 2017



From left, top row: Eric Corngold, Paul Feinman, Judith Gische, Rosalyn Richter; bottom row: Mary Kay Vyskocil, Troy Karen Webber, Gerald Whalen

Six judges and a private practice lawyer with experience in government are on the [short list](#) to succeed the late Judge Sheila Abdus-Salaam on the New York Court of Appeals.

The Commission on Judicial Nomination released the list on Thursday, more than two months earlier than it was required to do so.

The sole non-judge on the list is Eric Corngold, a partner at Friedman Kaplan Seiler & Adelman who previously served in the New York Attorney General's Office.

Four of the nominees are justices on the Appellate Division, First Department. They are: Justices Paul Feinman, Judith Gische, Rosalyn Richter and Troy Karen Webber.

Also on the list are Mary Kay Vyskocil, a Southern District bankruptcy judge who spent more than 30 years at Simpson Thacher & Bartlett; and Gerald Whalen, presiding justice of the Appellate Division, Fourth Department.

Corngold and Gische were previously nominated to succeed Eugene Pigott Jr., who stepped down from the bench last year due to mandatory retirement rules. Rowan Wilson, a long-time partner at Cravath, Swaine & Moore, took his place.

Gov. Andrew Cuomo is required to pick a nominee from the list, and the nominee must then be confirmed by the state Senate.

Mark Zauderer, a partner at Flemming Zulack Williamson Zauderer, described the group of finalists as "an embarrassment of riches" for Cuomo.

"This is a superb slate of nominees—all very experienced, accomplished and respected in their respective orbits," he said. "An already stellar court will be enhanced, whoever is chosen."

The commission had until Aug. 15 to release the list, but Cuomo put [pressure](#) on the commission to release it before the end of the legislative session, which is tentatively set to conclude on June 21.

The commission sifted the list from a pool of 40 applicants, of whom the commission interviewed 16; 10 of the interviewees were women and four were minorities.

"The commission was mindful of the extraordinary circumstances presented by Judge Abdus-Salaam's passing and the need to ensure that her vacancy was filled swiftly," said E. Leo Milonas, interim chair of the commission, in a letter to Cuomo.

Abdus-Salaam, the first black woman to serve on New York's high court, was found dead on April 12. Her body was found floating in the Hudson River in Manhattan (NYLJ, April 13).

The New York City Police Department initially investigated her death as a suicide but later [deemed](#) it suspicious. The department announced last month that it had concluded its investigation and turned its evidence over to the Office of Chief Medical Examiner.

A spokeswoman for the medical examiner said Thursday that Abdus-Salaam's death remains under investigation.