

State of New York
Supreme Court, Appellate Division
Third Judicial Department

C O N F I D E N T I A L

Decided and Entered: September 1, 2026

In the Matter of the Application for
Divulgence by CAMPAIGN FOR
ACCOUNTABILITY,
Petitioner;

JOHN A. SARCONI III, an Attorney,
Respondent;

DECISION AND ORDER
ON MOTION

ATTORNEY GRIEVANCE COMMITTEE
FOR THE THIRD JUDICIAL
DEPARTMENT,
Respondent.

Following petitioner Campaign for Accountability's commencement of this proceeding pursuant to Rules for Attorney Disciplinary Matters (22 NYCRR) § 1240.18 (d) and Rules of the Appellate Division, Third Department (22 NYCRR) § 806.18 for an order directing the divulgence of "all records, papers and documents concerning the disciplinary proceeding against" respondent John A. Sarcone III, respondent Attorney Grievance Committee for the Third Judicial Department has interposed a letter application for an interlocutory order directing (1) that all papers, records and documents to be filed in relation to the Campaign for Accountability's pending application for divulgence be filed under seal pending final resolution of the Campaign's application, and (2) that the oral argument scheduled for the Court's September Term concerning the Campaign's application be closed to the public.

Upon consideration of the August 26, 2026 letter application by Alison M. Coan, Esq., Deputy Chief Attorney of respondent Attorney Grievance Committee for the Third Judicial Department, and upon consideration of the August 27, 2026 email correspondence of Michael J. Hutter, Esq., counsel to respondent John A. Sarcone III, and upon consideration of the August 28, 2026 correspondence of Gregory L. Diskant, Esq., counsel to petitioner Campaign for Accountability, and having determined that the continued confidentiality of this divulgence proceeding is an indispensable component of this Court's timely and meaningful disposition of the Campaign's application, including full and candid briefing by all parties to this proceeding in order to assist this Court in its consideration of whether good cause for divulgence has been established by the

Campaign and/or whether the Campaign's presumptive right of access, if any, to the disciplinary proceedings concerning Sarcone has been rebutted, in whole or in part, by any showing of respondents, it is

ORDERED that the letter application of respondent Attorney Grievance Committee for the Third Judicial Department is granted; and it is further

ORDERED that all papers to be filed by respondents in response to the pending application for divulgence by petitioner Campaign for Accountability, and all papers filed in reply by the Campaign, if any, shall be filed and served under seal, and such papers shall not be publicly disclosed by the parties or counsel until further order of this Court; and it is further

ORDERED that respondent Attorney Grievance Committee for the Third Judicial Department is directed to file under seal any written admonition and/or letter of advisement imposed upon respondent John A. Sarcone III by the Committee on or about April 1, 2026 for this Court's in camera review thereof, and any such admonition and/or letter of advisement shall not be served upon petitioner Campaign for Accountability until further order of this Court; and it is further

ORDERED that the oral argument concerning the application for divulgence of petitioner Campaign for Accountability scheduled for this Court's September 2026 Term shall be closed to the public and to the press, except that the Clerk of this Court is directed to maintain an audio-visual recording of such oral argument for potential dissemination to the parties upon further order of this Court; and it is further

ORDERED that this Confidential Decision and Order on Motion decided and entered September 1, 2026 shall remain under seal and shall not be publicly disseminated by the parties or counsel until further order of this Court.

Garry, P.J., Ceresia, McShan, Powers and Ryba, JJ., concur.

ENTER:



Robert D. Mayberger
Clerk of the Court