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Gramercy Park Club Fight Goes to Appeals Court

The legal battle between the National Arts Club and its former president, O. Aldon James, moved to appellate court on Tuesday when lawyers for both sides were questioned by the state court Appellate Division.

At issue is the March 22 ruling by state Supreme Court Justice Carol Edmead which negated the club's internal disciplinary hearing that would have expelled Mr. James, his brother John and their friend Steven Leitner from membership, as well as from their club-owned apartments. Justice Edmead had ruled that the board was biased in its decision and that a neutral third party should be brought in to hear the case.

"Aldon James could not get a fair shake from that board," attorney Ira Glauber told the appellate panel.

At the hearing, the appellate judges noted that the Gramercy Park nonprofit's bylaws were put in place to handle disciplinary matters, just as a co-op board has rules for handling issues like carpet and noise. "What is the court doing in this case?" asked Associate Justice Rosalyn H. Richter, adding that the lower-court ruling was akin to requiring a third party for "every Little League team who wants to fire a coach."

After the briefing, Mr. Glauber said his clients want the "right to a fair hearing before an unbiased tribunal." The club's lawyer, Roland Riopelle, said he was "confident the court would review the record carefully."

-- Pia Catton