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IN BRIEF

Coinbase Data Breach Cases Consolidated in New York

About 20 data breach class actions against Coinbase Global Inc. will be transferred to New York's Southern District, where the cryptocurrency exchange has its executive offices.

Thursday's order by the U.S. Judicial Panel on Multidistrict Litigation assigned U.S. District Judge Edgardo Ramos to the cases, most of which are pending in New York and California. Many plaintiffs' lawyers had argued that the lawsuits should be coordinated in the Northern District of California, where Coinbase was founded in San Francisco or suggested U.S. District Judge Jesse Furman, in the Southern District of New York. Coinbase, represented by Alan Schoenfeld, of Wilmer Cutler Pickering Hale & Dorr in New York, had supported the Southern District of New York.

"Coinbase maintains corporate offices in New York and has a major data center in nearby Secaucus, New Jersey," the panel wrote. "Thus, relevant witnesses and documents may be in or near the Southern District of New York."

The suits were filed quickly after Coinbase disclosed the breach in a May 15 blog post, stating that cybercriminals had bribed "a group of overseas support agents" to steal user account information. Less than 1% of its 9.7 million monthly users had been affected, but Coinbase estimated damages of up to \$400 million.

The lawsuits allege Coinbase's lax security measures allowed the bad actors, who stole customers' personal information, such as phone numbers, banking history and the last four digits of their Social Security numbers. One case named TaskUs Inc., a Coinbase contractor, is alleged to have hired the overseas workers behind the breach.

In Thursday's ruling, the panel rejected requests by lawyers in that case, called *Estrada v. TaskUs*, to exempt them from

Phishing and Spoofing Causes of Action in State Court »2

the MDL, leaving the decision to the appointed judge.

—Amanda Bronstad

Cadwalader, 'Pacing Ahead' Of Last Year's Revenue Growth, Hires Sidley Austin Real Estate Pro

Cadwalader Wickersham & Taft, hit by a group of real estate departures this year to Sidley Austin, has lured a partner from the same firm to co-lead a commercial real estate securitization team.

The firm's hiring of partner Steven Kolyer from Sidley Austin comes shortly after Cadwalader announced it was

"busier than ever" and the firm had seen financial growth this year.

In an email to Law.com, Stuart Gold-

stein, partner, managing committee member and co-chair of capital markets at the firm, said, "in terms of revenue and other metrics" that ALM uses when reporting on law firm performance, Cadwalader is "pacing ahead" of 2024 financial records this year. Goldstein and the firm declined to detail specific numbers for 2025, however.

Cadwalader saw firm revenue jump by 15.7% to \$638.2 million in 2024, while profits per equity partner jumped up to \$3.7 million.

Kolyer joined Cadwalader on Friday, after more than six years at Sidley Austin. He will co-head Cadwalader's commercial real estate collateralized loan obligation (CRE CLO) practice, along with senior partner Jeffrey Rotblat, to help the firm serve increasing demand in the space, Cadwalader said.

Kolyer joins the firm during a busy year for the practice group, Rotblat said in an email. "CRE CLO issuance in 2025 has definitely been much stronger in 2025 than 2024, but it's important to understand that CRE CLOs are just one of many ways that Cadwalader is servicing the private real estate credit market, and one thing that is for certain is that the private real estate credit market has only one way to go, and that is up," Rotblat said.

Kolyer's jump to Cadwalader comes shortly after » Page 4

DECISIONS OF INTEREST

First Department

PERSONAL INJURY: Motion to dismiss defamation suit denied by court. *Talbert v. Tynes*, Supreme Court, New York.

TRUSTS & ESTATES LAW: Petitioner withdraws case; consents to counsel's withdrawal of representation. *Estate of Robert Scott*, Surrogate's Court, Bronx.

ADMINISTRATIVE LAW: Court dismisses petition to revoke press credentials. *Mayor's Office of Media & Entertainment v. Brik*, Other Courts, New York.

Second Department

REAL ESTATE LAW: Court finds mortgage was time-barred; summary judgment granted. *Hamilton v. 21st Mortgage Corporation*, Supreme Court, Kings.

LANDLORD-TENANT LAW: Order to show cause denied as there was no affidavit of translation. *Jackson Heights LLC v. BMB Employment Consultant Inc.*, Civil Court, Queens.

CRIMINAL LAW: Prosecution fails to extend deadline of protective order, failed to hand over discovery. *People v. Martinez*, District Court, Nassau.

U.S. Courts

REGULATION: Common law claims not preempted by HMTA; requirements are substantively the same. *DCC Propane LLC v. KMT Indus. Inc.*, 2d Cir.

WAGE AND HOUR LITIGATION: Unopposed motion to amend complaint in FLSA, NYLL wages action is granted. *Peralta v. La Morena Restaurant Corp.*, SDNY.

ADMINISTRATIVE LAW: TRAC factors favor dismissal of bid to compel USCIS adjudication of asylum application. *Wara v. U.S. Cit. & Immi. Servs.*, EDNY.

ADMINISTRATIVE LAW: SOX retaliation claim dismissed; OSHA administrative remedies were not exhausted. *Pratico v. GE Vernova*, NDNY.

CIVIL PROCEDURE: Venue improperly placed in WDNY and foreclosed in SDNY; transfer motion is denied. *Buffalo Biodiesel Inc. v. Lifecycle Renewables Inc.*, WDNY.

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SPENCER PLATT/GETTY IMAGES VIA BLOOMBERG

Federal agents patrol the halls of immigration court at the Jacob K. Javits Federal Building in New York last month. The amicus brief of Legal Aid Society and seven other organizations said the federal administration's ramped up immigration enforcement effort might violate numerous constitutional protections.

Too Afraid To Go to Court: 8 Groups File Amicus Brief on Arrests at Courthouses

BY BRIAN LEE

IN AN AMICUS brief on Monday, eight organizations asked a federal judge to turn back the U.S. Department of Justice's challenge to a law prohibiting federal officers from conducting civil arrests in or around state courthouses without a judicial warrant.

The brief, led by the Legal Aid Society, says the federal government's return to an aggressive enforcement effort by Immigration,

Customs and Enforcement agents during President Donald Trump's second term might violate numerous constitutional rights, and has already disincentivized New Yorkers from utilizing the courts.

In 2020, New York Democratic lawmakers enacted the Protect Our Courts Act, in reaction to the initial massive enforcement effort during Trump's first term. The state also enacted two executive orders—one preventing civil immigration arrests in a broad category of buildings leased or owned by

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Circuit Split Widens on Judicial Approach to Sending FLSA Collective Action Notices

BY AVALON ZOPPO

Federal appeals courts have become increasingly divided on when U.S. district judges should issue notices of collective action in Fair Labor Standards Act litigation involving "similarly situated" employees, a disagreement the U.S. Supreme Court may need to resolve.

Last week, the U.S. Court of Appeals for the Seventh Circuit made the analysis for when judges should issue the notices more rigorous, becoming the third federal appellate court to break away from the lenient two-part approach historically used by district judges.

"The [Seventh Circuit's] holding is going to reverberate and have a huge impact on wage and hour litigation throughout the United States," said Gerald Maitman, chair of Duane Morris' class action defense group.

The 1938 Fair Labor Standards Act enables workers to sue employers for violations of the law on behalf of themselves and similarly situated employees. District judges may issue collective action notices—which notify employees of an FLSA lawsuit they can opt into—upon determin-



YURI KADOBNOV/ALAMY/GETTY IMAGES VIA BLOOMBERG

New York City remains a key hub for Am Law 100 firms. A recent report suggests the legal industry is in a challenging phase, with rising costs and clients becoming more cautious with payments.

Big Law Heading Into 'Darker Skies' Amid Growing Costs, Lower Collections

BY ANDREW MALONEY

LAW FIRMS had an "unexpectedly prosperous" second quarter, a new legal industry financial report shows, buffered again by record billing rate growth and counter-cyclical work that filled the void for stumbling transactional work.

But amid a year already ripe with uncertainty, the industry may just be in the "eye of the storm," the report's authors said, with costs still rising quickly and clients potentially becoming more cautious with their payments.

Worked rates—those billing rates that clients actually agreed to, as opposed to standard or "rack" rates measured before any discounting—rose by 7.4% in Q2, a record-high according to Thomson Reuters, which tracks that

3.5%
Growth in demand among midsize firms.

2.6%
Growth among the second hundred firms.

-0.6%
Decline among Am Law 100 firms.

number in its Law Firm Financial Index report, published Monday.

And though productivity dipped by 1.3%, and industry-wide demand saw a relatively modest 1.6% increase, it's still

Has President Trump Filed His Last Executive Order Against Law Firms?

BY BRENDA SAPINO JEFFREYS

THE DEPARTMENT of Justice indicated in a recent court filing that President Donald Trump might be done issuing executive orders against law firms that seek restrictions that would impede the firms' ability to do business.

In a motion to dismiss a complaint the American Bar Association filed in June against the Trump administration over its actions targeting law firms, DOJ lawyers asserted that the ABA lacks standing to sue, and its lawsuit is unripe.

"Although the ABA seems to know that it cannot seek to enjoin the president from issuing another EO, it seeks to enjoin the agencies from implementing the president's order. But because such an action has not happened in four months and may never happen, the ABA's complaint is premature," the government wrote in a memo filed Friday with the U.S. District Court in Washington, D.C.

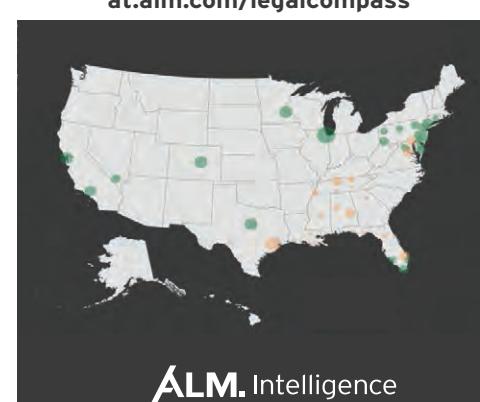
In the June lawsuit, the ABA sued the Trump administration over what the ABA called a campaign to intimidate and coerce law firms to "abandon clients, causes, and policy positions" that Trump does not like.

In that complaint, the ABA alleges the administration has carried out the policy

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Child Support Awards
by Joel R. Brandes

Online

➤ Court Calendars

Civil and Supreme Court calendars for New York and surrounding counties are now available weeks in advance at nylj.com. Search cases by county, index, judge or party name. Information is updated daily. Only at nylj.com.

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by Mark A. Berman

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by Benjamin Joyner

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Milbank Summer Bonus Matches Unlikely in Near Term, Observers Say

BY DAN ROE

LAST year, Milbank's midyear special bonuses went unmatched by Big Law peers until the year-end bonus season, when most firms that pay associates on the top scale tacked on the additional payments of \$6,000 to \$25,000.

After Milbank on Thursday announced an identical round of summer bonuses, Big Law associate recruiters believe the same dynamic is likely to play out in 2025.

So far, more than a day after Milbank announced summer bonuses, no other Big Law peer has confirmed it will pay out special bonuses this summer for associates. The exceptions are smaller firms and boutiques. Litigation boutique Hueston Hennigan came over the top of Milbank by announcing on Thursday \$10,000 to \$30,000 midyear bonuses for associates, a source familiar with the bonuses confirmed.

Although certain transactional practices, such as project finance



Milbank will pay out special bonuses this summer for associates.

related to finance, and therefore I don't think firms will be compelled to issue a summer bonus unless another New York firm like Cravath or Sullivan & Cromwell follows Milbank," said Garrison recruiter Matt Schwartz. "I think you need a second shoe to drop."

Representatives for Cravath Swaine & Moore, Sullivan & Cromwell, Davis Polk & Wardwell and Paul, Weiss, Rifkind, Wharton & Garrison didn't respond to messages seeking comment about whether they will match the bonuses immediately or later on.

Milbank's special bonus move may have as much to do with the firm's demand for lateral associates as does Milbank's historical position as a first-mover on compensation, said Empire Search Partners recruiter James McCormick.

"It isn't surprising at this stage, coming from Milbank," McCormick said. "They've consistently shown that they are out in front as it relates to compensation decisions within the marketplace."

McCormick added that Milbank's peers are likely to match—in

part because corporate demand has increased over the course of the year—although it's not clear whether matches will happen this summer or at the end of the year.

Major, Lindsey & Africa's Stephanie Biderman said that although summertime special bonus matches were possible, a milder M&A market means that Milbank's peers can also wait until year-end.

"I think M&A has been a little softer this year and last year than some people predicted," Biderman said.

However, some associates outside of Big Law are scoring special summer bonuses at several boutique firms, including Hueston Hennigan. Before Milbank announced bonuses on Thursday, New York finance law firm Otterbourg in late July announced \$15,000 midyear bonuses for its full-time associates. Texas litigation boutique Vartabedian Hester & Haynes announced \$5,000 summer bonuses last month.

On the other end of midyear bonuses, A&O Shearman pushed back start dates for a group of

first-year associates last month, a move that recruiters said typically signals overcapacity.

However, some sources said they had not heard of other Big Law firms weighing similar deferred start dates.

Still, the increasing range of profitability among firms that pay associates on the top Big Law compensation scale could result in some firms eventually bowing out of matching special bonuses, said Garrison recruiter Dan Binstock.

"One thing we may continue to see is stratification among certain firms that have very high profits being able to do things that the large majority of firms that may have followed in the past are no longer willing to do to keep up with the Joneses," Binstock said.

➤ Dan Roe can be reached at droe@alm.com.

Have a Move to Announce?

E-mail potential "On the Move" items to pkane@alm.com

DOJ Divestiture Remedy Opens Door for \$3.3B Hospice Merger Plan Between UnitedHealth Group and Amedisys

BY SULAIMAN ABDUR-RAHMAN
WASHINGTON, D.C.

A PROPOSED structural remedy and civil penalty would allow UnitedHealth Group Inc. to acquire the nation's largest home health and hospice firm under a negotiated settlement between the Trump administration and counsel representing the merging parties.

The U.S. Department of Justice announced a divestiture settlement Thursday allowing insurance giant UnitedHealth to consummate its \$3.3 billion acquisition of Amedisys Inc. while resolving antitrust claims filed by the DOJ and state plaintiffs.

"This settlement protects quality and price competition for hundreds of thousands of vulnerable patients and wage competition for thousands of nurses," Assistant Attorney General Gail Slater of the DOJ Antitrust Division said Thursday in a statement. "I commend the Antitrust Division's Staff



Abigail Slater testifies before the Senate Judiciary Committee during her confirmation hearing to be assistant attorney general for the Antitrust Division at the U.S. Department of Justice in February

for doggedly investigating and prosecuting this case on behalf of seniors, hospice patients, nurses, and their families."

The proposed settlement, if approved by the U.S. District Court for the District of Maryland, would require the defendants to divest

numerous assets and Amedisys to pay a \$1.1 million civil penalty for alleged violations of the Hart-Scott-Rodino Antitrust Improvements Act of 1976.

DOJ attorneys and the states of Maryland, Illinois, New Jersey and New York filed a complaint last November in Maryland federal court seeking to block the UnitedHealth-Amedisys merger plan, alleging the transaction would harm competition in violation of the Clayton Act.

UnitedHealth and Amedisys offered to divest more than 100 home health and hospice assets during the final days of the Biden administration, according to court documents filed in January.

Kirkland & Ellis; and Gallagher Evelius & Jones representing UnitedHealth, and Paul, Weiss, Rifkind, Wharton & Garrison; Simpson Thacher & Bartlett; and Kramon & Graham representing Amedisys filed a response to the DOJ's complaint in February defending

the proposed transaction as pro-competitive.

"Robust competition will remain in every relevant jurisdiction following the acquisition," counsel for the defendants wrote in their answer to the complaint. "There is no basis to block this transaction, and doing so will only harm patients and the American healthcare system more broadly."

Kirkland partner Matt Reilly, who played a leading role representing UnitedHealth, was not available Friday to discuss the proposed settlement.

Simpson Thacher declined to make a partner available for comment Friday but issued a written statement championing the negotiated settlement.

"The settlement clears the path for Amedisys's strategic transaction with UnitedHealth Group, which marks a significant step forward in Amedisys's mission to expand access to high-quality, innovative home healthcare and hospice services for patients and families nationwide," Simpson Thacher said Thursday in a press release.

UnitedHealth and Amedisys have agreed to sell off their rights, titles and interests to 164

home health and hospice locations across 19 states under the proposed divestiture remedy, the Justice Department announced Thursday.

The buyers of the divestiture assets would be Louisville, Kentucky-based BrightSpring Health Services Inc., Eagle, Idaho-based The Pennant Group Inc. and any other entity approved by the Justice Department, according to the proposed final judgment.

UnitedHealth's Optum Health division proposed an all-cash offer to combine with Amedisys in June 2023. The proposed settlement will allow the transaction to move forward if U.S. District Senior Judge James K. Bredar of the District of Maryland grants final approval.

"We're pleased to have reached a resolution and are grateful for the Department of Justice's cooperation," an Optum spokesperson said Friday in a statement. "With Amedisys, we look forward to continuing meaningful improvements in the home health and hospice care space, a vital part of our value-based care approach."

➤ Sulaiman Abdur-Rahman can be reached at aabdur@alm.com.

Jumping 'Process': Managing Antsy Clients Who Think They Can Cut the Line in Trump's DOJ

BY EMILY SAUL

AS CLIENTS demand their lawyers leverage contacts within the Justice Department or White House to cut deals, one defense attorney shared that a colleague had tried—and failed—to do so.

"It went nowhere," the former federal prosecutor said of a client's decision to engage another person who alleged access to high-ranking decision makers. This person, who worked in the first Trump administration, claimed to have a line on a sympathetic ear.

"So many people are running around saying, 'I've got an in with [DOJ] leadership,' or, more frequently, 'I've got an in with the White House, and I can get this taken care of,'" said the former prosecutor, who asked that his name not be used to discuss a sensitive subject. "I think a lot of times, that's not worth much."

The attorney declined to share the name of the third party in this circumstance because he's currently using the contact for his own client.

More than 10 former federal prosecutors spoke to Litigation Daily about a trend that has emerged under the second Trump administration.

Clients, following the extremely public dismissal in the political corruption case of New York City Mayor Eric Adams, expect their

lawyers to call the most powerful contact the attorney has and negotiate away the case.

General discomfort around flouting a norm—following "process" in DOJ jargon, or starting at the bottom of the DOJ and working one's way up—has led to a "cottage industry" of people who claim the "industry" of people who claim the exposure is.

On the flip side, "you can't do a presentation that's wholly on policy," he noted.

Seth DuCharme, now a Bracewell partner, served as principal associate deputy attorney general during the first Trump administration. As a former high-ranking DOJ official under Trump, DuCharme also observed the impression from clients that those with previous service might have a leg up on other advisors.

"It's become readily apparent that a lot of clients and potential clients are hopeful that a lawyer, particularly a former senior government official from the last Trump administration, has the ability to leapfrog and skip normal process and thereby get faster and different results," said DuCharme, who has a long career of public service that also includes a stint as Acting U.S. Attorney for the Eastern District of New York.

DuCharme observed that there was more direct contact between the White House and various executive agencies than he'd seen in the past. He cited Trump's speech at DOJ headquarters in March as an example.

"How synced up they are is a little unusual," he said.

But, given that dynamic, DuCharme said you can understand why a defense attorney might leapfrog to "make policy arguments to people who are empowered to make policy decisions."

On the flip side, "you can't do a presentation that's wholly on policy," he noted.

"I have not made purely policy-based arguments because sometimes the statute of limitations runs longer than an administration," he explained. "You want to be able to tell a client what their exposure is."

Another attorney who asked his name not be used said he was recommending clients continue on both tracks—legal arguments with line assistants and the less traditional outreach via third parties to higher-ranking officials within the DOJ or White House.

A former federal prosecutor said she was aware of at least one matter in which leapfrogging had negatively impacted a case, but declined to say which case or describe the fallout.

"You're alienating the people you're dealing with, and you're not facilitating a discussion on the merits," another formal federal prosecutor said.

A DOJ official, asked about the trend, said attorneys must follow procedure and "go through the proper channels before any matter is taken under DOJ leadership's consideration."

Clients are beginning to understand that deals may not be as available as they first thought, multiple people said.

For those still expecting miracles, one defense attorney with an international practice said he was having a lot of conversations about expectations that, in the past, had been more common with foreign clients.

"You have to manage their expectations, but also have to manage where they fit in the larger picture," he said. "I could represent the biggest company on the planet, but their particular matter may not be a front-burner issue with the administration."

And picking up the phone could potentially highlight the matter and create unnecessary exposure, he warned.

The client's position, he said, makes sense. Retaining multiple firms to handle an investigation could easily cost millions of dollars a quarter and drag on for years. And sometimes the government just disappears and ceases contact for months, if not longer.

"You have an obligation to your shareholders and what's right for them," he said of corporate clients. "If that means you need to use non-legal means to resolve something, why wouldn't you?"

Another defense attorney said "of course" he was going to take a meeting if he could get one.

"If it is legal and ethical, you have to—you must—do everything in

your power," he said emphatically.

He brought up older clients facing potentially long prison sentences that meant the client could die in jail.

"Damn right you're going to ask for a meeting," he said.

Discomfort?

In conversations, many raised concerns about reputation. They worried that leapfrogging could destroy credibility with prosecutors or an office. One former federal prosecutor said the practice was "extremely damaging" to the defense bar, in her view.

"I do think it creates a bit of tension between the white-collar criminal bar and the people whose specialty is access," one former federal prosecutor said of leapfrogging. "Some of us don't want to touch this."

"I haven't had to do it myself

yet," another lawyer who'd observed the phenomenon said. "I honestly don't know what I would do if it happened."

"I think what you have is lawyers that are being incentivized or pressed into a role that most of us are not comfortable with," DuCharme shared. "There would be no reason historically to insist on a meeting with the president."

Multiple lawyers said they had direct knowledge of clients assembling what they called "misfit" or "hodge-podge" defense teams that include both lawyers and people who claim to have contacts outside of traditional channels.

In some cases, the person claiming to be a lawyer, and sometimes not. While the work may be "extra-legal," an attorney-client relationship allows one to assert privilege.

Stephen Gillers, professor emeritus at New York University School of Law, said he sees no

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An observer said the criminal justice system allows for favor-trading, such as acceptance of guilt, plea bargains and cooperation agreements.

your power," he said emphatically. He brought up older clients facing potentially long prison sentences that meant the client could die in jail. "Damn right you're going to ask for a meeting," he said.

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Expert Analysis

LAW AND THE FAMILY

Shared Custody Child Support Awards

Although Domestic Relations Law 70 and 240 and Family Court Act 651 authorize the court to determine custody of and the right to or visitation with minors, the terms "custody" and "visitation" are not defined by the statutes.

The Court of Appeals has observed that "visitation is a subspecies of custody, but the differences in degree in these relational categories are so great and so fundamental that rules which have been carefully crafted and made available only to custody disputes should not be casually extended to the visitation field. *Matter of Ronald FF v. Cindy GG*, 70 N.Y.2d 141, 517 N.Y.S.2d 932 (1987).

"Parental access" is often used interchangeably with "visitation" in Second Department decisions to describe the right of a parent to spend time with their child. (see e.g., *Paese v. Paese*, 175 A.D.3d 502, 108 N.Y.S.3d 458, 460, (2d Dept., 2019). However, it has not been used instead of "visitation" in appeals decided by the other judicial Departments (See matter of *Michael B. v. Dolores C.*, 113 AD3d 517, 518 (1st Dept 2014)).

"Joint custody" is a two-pronged concept. There is a distinction between "legal joint custody," which usually involves sharing in all the important decisions concerning the child, and "physical joint custody," which involves sharing time with and physically caring for the child.

Although there is no consensus as to a precise definition of "joint custody," the Court of Appeals has commented that "joint custody" is generally used to describe joint legal custody or joint decision-making, as opposed to expanded visitation or shared custody arrangements. (*Bast v. Rossoff*, 91

JOEL R. BRANDES practices matrimonial law in New York City, concentrating on appeals. He is the author of the twelve-volume treatise, *Law and the Family New York*, 2024-2025 Edition, and *Law and the Family New York Forms*, 2024 Edition (five volumes), both published by Thomson Reuters, and the *New York Matrimonial Trial Handbook*, 2d Edition (Bookbaby, 2024).



By
Joel R.
Brandes

the custodial parent for purposes of child support by identifying which parent has physical custody of the child for a majority of the time, indicating that [t]he reality of the situation governs.

Even though each parent has a custodial period in a shared custody arrangement, for purposes of child support, the court can still identify the primary custodial parent.

It rejected the proportional offset method, which reduces each parent's pro-rata share of the basic child support obligation by the percentage of time each spends with his or her child.

In *Baraby v. Baraby* (250 A.D.2d 201, 681 N.Y.S.2d 826 (3d Dept., 1998)), the parties shared physical custody of the children on an equal basis by alternating weeks. The Supreme Court applied the Child Support Standards Act and calculated the parties' combined parental income according to the three-step statutory formula.

It then applied the proportional offset method... In doing so, the court reduced each party's monthly child support obligation by half and "netted out" those amounts to arrive at a support amount to be paid by the defendant to the plaintiff.

The Third Department, noting that the Court of Appeals had explicitly rejected the use of the proportional offset method in shared custody cases held that the three-step statutory formula of the CSSA for determining the basic child support obligation must be applied in all shared custody cases and the noncustodial parent directed to pay a pro-rata share of that obligation unless the court finds that amount to be "unjust or inappropriate" based upon a consideration of the "paragraph (f)" factors.

It recognized that *Bast* did not specifically address how to apply the CSSA in cases of equal shared custody. It interpreted *Bast* as requiring the application of the CSSA to such situations.

It held that where the parents' custodial arrangement splits the children's physical custody so that neither can be said to have physical custody of the children for a majority of the time, the parent having the greater pro-rata share of the child sup-

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Even though each parent has a custodial period in a shared custody arrangement, for purposes of child support, the court can still identify the primary custodial parent.

decisions, such as those involving religion, education, medical care, discipline, or choice of school/camp, are jointly made. (*Trapp v. Trapp*, 136 AD2d 178, 526 N.Y.S.2d 95 (1st Dept., 1988).

In *Bast v. Rossoff* (91 N.Y.2d 723, 675 N.Y.S.2d 19 (1998)), the Court of Appeals observed that there are many different kinds of shared custody arrangements. It held that child support in a joint or shared custody case should be calculated under the Child Support Standards Act (CSSA) just as it is in any other case.

It observed that the CSSA requires the trial court to first calculate the basic child support obligation, using the three-step statutory formula, before resorting to the "paragraph (f)" factors in Domestic Relations Law 240 (1-b)(f).

It pointed out that in most instances, the court can determine

PROPERTY TAX

Applying the Correct Standard To Overcome The Presumption of Validity of a Tax Assessment

The review of tax assessments is frequently in the hands of trial courts in New York, without much distinction from civil and criminal matters except that in some areas, where the volume of tax appeals is significant, these proceedings tend to go to one designated part of the Supreme Court. Unlike court systems in some other states, New York provides no specialized tribunal for the hearing of complex property tax controversies. These matters come before elected Supreme Court justices, rather than juries, who may also handle a myriad of case types from divorce and other family matters, commercial disputes, to general civil litigation, and sometimes criminal law matters as well.

Perhaps in part due to New York's extraordinarily high property taxes and byzantine assessment methods, there is also a tremendous backlog of unresolved cases in many Supreme Court parts across the state. This backlog is especially apparent in tax certiorari parts for a few reasons.

Assessments are issued and must be challenged annually. It is also fairly common that it may take more than one year of filings before a municipality is prepared to negotiate an appeal. As such, many cases, especially properties of substantial value, will have multiple calendar positions/index numbers before the case is resolved. So, any single property may have multiple, even many, court index numbers associated with it. This limits the number of cases that a court can efficiently process.

Procedurally, the review of commercial assessments is a two-pronged process by which a taxpayer must first exhaust the administrative review of the assessment before going to court. Administrative review takes the form of the filing of a grievance (complaint) before what are commonly called "Boards of Assessment Review" in most of the state.



By
David C.
Wilkes

And
Kevin M.
Clyne

A fundamental issue at this level is that the level of engagement and review varies substantially from one jurisdiction to another: some boards hold mandatory, in person or virtual hearings, some issue determinations based on paper submissions, some issue no determinations at all; some board affir-

Perhaps in part due to New York's extraordinarily high property taxes and byzantine assessment methods, there is also a tremendous backlog of unresolved cases in many Supreme Court parts across the state. This backlog is especially apparent in tax certiorari parts for a few reasons.

matively make targeted requests for supplementary information, others make broad requests for information that are clearly inapplicable to the subject property, while others make no request at all. In most, in our experience, the ultimate result of administrative review is a rubber stamp acceptance of the assessor's assessment without change, and often a denial of the administrative application with a blanket "insufficient information" rationale that typically has no bearing on the sufficiency of the information supplied by the property owner.

The interplay of inconsistent administrative level review and an overwhelmed judicial system results in one troubling truism:

in seeking equality and fairness in property taxes that are among the highest in the country, there are several regions and judicial districts in the state that have become the embodiment of the well-earned cliché that "justice delayed is justice denied."

The system as currently constructed is the first, and perhaps most challenging, burden for a taxpayer to overcome. However, the burdens continue once the case is ready for resolution. Here, that burden is of a technical and legal nature.

Once before the court, the burden to prove over assessment remains with the taxpayer. The assessor's value enjoys a rebuttable presumption of correctness. An assessor has no obligation to defend its assessment absent a sufficient showing by the taxpayer. To ultimately prevail the taxpayer must both: overcome this initial presumption and, then once the presumption is overcome and the playing field leveled, prove by a preponderance of the evidence that the property is over assessed.

The Initial Presumption

It is important to note that the initial threshold simply requires that the taxpayer come forward with substantial evidence to overcome this initial presumption. "Substantial evidence" in the context of a property tax appeal is not a "heavy" burden and is satisfied by documentary and testimonial evidence based on sound theory and objective data. This concept is tied to Section 202.59 of the Uniform Rules of Trial Court, which states that an appraisal must lay out all the "facts, figures and calculations" upon which its conclusions of value rest.

In other words, if the taxpayer's appraiser presents a facially valid theory of valuation supported with adequate "facts, figures and calculations," the presumption that the assessed is valid disappears, the case moves ahead, and the proof presented by a taxpayer and municipality must then be equally considered at trial.

Once the taxpayer has navigated the burdens of

» Page 8

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Off the Front

FLSA

« *Continued from page 1*
ing which workers are similarly situated to the named plaintiff.

The historically used two-part *Lusardi* approach says the court can issue "conditional certification" notice after the named plaintiff shows he or she and other employees were "victims of a common policy or plan that violated the law." The employer can challenge that determination only after the conditional certification is sent out and individuals opt in.

The Seventh Circuit, however, has called for a deeper judicial review at an earlier stage of what constitutes similarly situated.

Judges must first consider both parties' evidence and may issue notice when named plaintiffs have raised at least "a material factual dispute" and produced "some evidence suggesting that they and the members of the proposed collective are victims of a common unlawful employment practice or policy," the Seventh Circuit stated.

The Seventh Circuit added that district judges have leeway when deciding whether to issue a notice based on their assessment of the factual dispute.

"We rely on the sound discretion of the district court to facilitate notice in an efficient way that strikes an appropriate balance between timely notice and judicial neutrality," the Seventh Circuit said.

Maatman called the ruling a win for employers facing lawsuits under the FLSA and the federal Age Discrimination in Employment Act, which incorporates the FLSA's enforcement provisions.

Employers can clinch decertification of conditional certifications once they have the opportunity to present their evidence, Maatman said. However, under the traditional two-step *Lusardi* standard, pressure to settle the case often builds as more employees opt in to the action, he said.

"The issue before the Seventh Circuit is super important for employers, because if the case is certified, all of a sudden the case grows [and] becomes very expensive," Maatman said. "And more often than not, employers end up feeling forced into settling the case just because it grows and gets so big."

More Questions

The Seventh Circuit's decision, however, leaves many open questions about how courts will facilitate the process, such as how much time judges allow for discovery and what types of discov-

ery are warranted, said Rebecca Ojserkis, an associate in Cohen Milstein's civil rights and employment practice.

"There's no strict timeline. There's no strict guidance about what can be allowed," Ojserkis said. "So I can envision that there are going to be a lot of questions coming up amongst the district courts about how to implement this new standard, although the Seventh Circuit really explicitly gave that qualifier that they do not want to get into micromanaging all of these decisions."

Another important question is whether judges will temporarily stop the statute of limitations while that discovery plays out, Ojserkis said.

Under the FLSA, the statute of limitations is not automatically tolled to the date of the first filing for plaintiffs who have yet to opt in. Thus, delays in issuing a collective action notice could run out the clock on potential plaintiffs' claims.

In response to this potential problem, the Seventh Circuit specified that courts have the power to pause the clock "to ensure plaintiffs are not unfairly disadvantaged."

"That's a huge thing, because if the clocks aren't paused and discovery takes months to years to just get to a certification decision, that means that workers are potentially losing their ability to vindicate their rights—workers in completely meritorious cases who are not even aware that this litigation is ongoing because they never got notified that it was happening," Ojserkis said.

Circuits Splintering

Other circuits in recent years have already broken from the *Lusardi* approach and created a higher standard for issuing a collective action notice.

In a 2021 ruling, the Fifth Circuit said named plaintiffs must show at the outset that potential notice recipients are "actually similar" to them, ostensibly by a preponderance of evidence. And in the Sixth Circuit, plaintiffs must show a "strong likelihood" that employees are similarly situated.

With the circuits even more divided now, Maatman said he expects the traditional certification process to be put to the test at the high court.

"Since you now have four different standards out there, this is on its way eventually to the U.S. Supreme Court to figure out, based on a statute passed in 1938, what the actual standard ought to

be," Maatman said. "To me, [it's] a pretty monumental decision that seems to suggest that there's enough of a circuit split now that the Supreme Court ought to wade into the issue."

In the underlying 7th Circuit case, Monica Richards alleges pharmaceutical giant Eli Lilly violated the ADEA by rejecting her for a district sales manager position that went to someone younger and with less experience.

Contending a pattern of age discrimination against Eli Lilly's older workers, Richards sought a court-issued collective action notice to all employees "who were 40 or older when they were denied promotions for which they were qualified" since 2022.

Eli Lilly has denied the allegations.

Richards' attorney, Harold Lichten, called the Seventh Circuit's decision "a mixed bag" for plaintiffs. While the court raised the bar to obtain notice, it is less stringent than the standards put forward by the Fifth and Sixth Circuits, he said.

"Additionally there is some good language in the decision about the need to notify potential opt-in plaintiffs before addressing the merits," added Lichten, of Lichten & Liss-Riordan.

Jones Day, which represented Eli Lilly, did not immediately return a request for comment on the ruling.

Ojserkis said employers have cited the Fifth and Sixth Circuit decisions in urging district courts across the country to take a stricter approach to collective action notices.

But last month, the Ninth Circuit rejected employer Cracker Barrel's request to adopt a stricter standard than the traditional *Lusardi* analysis in a wage and hour case brought by current and former employees of the company.

"With the Seventh Circuit,

changing course and selecting a more middle ground approach, perhaps that will lead to some sort of wave in one direction or another," Ojserkis said.

"There's another voice in the room now and the split was pretty lopsided for a while, and this is balancing the scale a little more in terms of how many courts are staying with the two-step and how many courts are doing something new, even though that 'something new' changes from each circuit," Ojserkis added.

"It certainly remains a possibility that it will get to the Supreme Court one day."

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Trump

« *Continued from page 1*
using a series of executive orders designed to "severely damage" particular firms and intimidate other firms and lawyers, through a series of "deals" or "settlements" with firms to avoid orders or have them rescinded, and through other executive orders or statements by Trump or his administration.

The ABA, on behalf of its members, seeks declaratory and injunctive relief to declare any termination of a security clearance or any effort to deny access to a federal building unconstitutional, and to enjoin the defendants from enforcing a federal employment provision against any ABA member or the member's law firm based on legal organization affiliation or client representation, and to enjoin defendants from initiating attorney conduct and disciplinary proceedings based on those factors.

The ABA suit was filed by lawyers from Houston-founded trial firm Susman Godfrey, which is one of four firms targeted with an executive order. Each of the firms sued over the EOs, and federal judges have entered permanent injunctions enjoining the EOs against all four firms.

The Trump administration alleged in the Friday memo that the ABA lacks standing to enjoin a "hypothetical future EO or hypothetical future agency act."

"The ABA's theory assumes that the president will issue an executive order, and that such an executive order will be substantially similar to the Spring 2025 executive orders, and that an ABA member's firm will be the focus of such an order. But a court generally 'may not enjoin the President in the performance of his official duties,'" the DOJ wrote in the memorandum.

The government alleges in the memorandum that while the ABA expects injury, because more executive orders will be filed, "that bare assertion is based substantially on an alleged exchange that took place during the signing of EO 14230 (the Perkins Coie EO) between the president and the staff secretary indicating that the White House was looking at about 15 different law firms."

However, the memo alleges, that argument fails because as the ABA acknowledges in its complaint, 13 firms received EOs or chose to negotiate agreements, and "that is already in the ballpark of about 15 firms."

Also, the government wrote that Trump has not signed any EO against firms since the one against Susman Godfrey in April, and has not announced any new settlements with firms since April, and that "limited pattern" undermines the inference that additional EOs are pending.

The government alleges the ABA has "neither organizational

nor associational standing" to sue, and its claims are unripe, and it seeks a court order to dismiss without prejudice the ABA's complaint for lack of subject-matter jurisdiction.

In addition to the lawsuit, the ABA on Monday adopted a resolution related to the federal government's executive actions, "opposing government action punishing or threatening lawyers and law firms for representation of clients or causes disfavored by the government," the resolution states.

The resolution was raised during the ABA's 2025 Annual Meeting in Toronto.

"This Resolution is an outgrowth of the ABA's commitment to the rule of law," the resolution states. "It is designed to point out and strongly oppose actions by our own government designed to nullify key elements of the checks and balances that are triggered when needed to prevent abuse and undue enlargement of the power granted to the Executive Branch by the Framers of our Constitution. As noted, one of the pillars of the ABA is its commitment to the rule of law."

A spokesperson for the ABA said the organization does not comment on pending litigation. The co-managing partners of Susman Godfrey did not reply to a request for comment.

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Outside Counsel

Cryptocurrency Reform Targets Regulators

For the last century, major statutory overhauls of the American financial system have followed a boringly predictable pattern:

major, systemic financial crisis reveals structural risks while costing many consumers their savings and, in response, Congress implements a new statutory regime to address those newly revealed risks. For example, the Securities Act of 1933 and the Securities and Exchange Act of 1934 were both enacted to prevent another Great Depression. Likewise, after the Enron and WorldCom accounting scandals, Congress passed the Sarbanes-Oxley Act of 2002 to implement necessary accounting reforms. More recently, in the wake of the 2008 financial crisis, Congress enacted the Dodd-Frank Wall Street Reform and Consumer Protection Act to reduce real estate financing risk and limit the need for public bailouts of banks deemed "too big to fail."

Given this historical trend, when the cryptocurrency market suffered from a severe panic in 2022, it would have been unsurprising if Congress had acted swiftly to address the causes. As a reminder, in May 2022, the supposedly stable-coin pair of Terra-Luna unpegged from \$1. This started a chain reaction of market failures that ultimately climaxed in the collapse of cryptocurrency behemoths like Voyager, Celsius and FTX. Before 2022 was finished, FTX's founder and CEO, Sam Bankman-Fried, had been indicted. Alexander Mashinsky, the founder and CEO of Celsius was also indicted in July 2023. In a matter of months, roughly \$2 trillion worth of crypto-assets were wiped out as the price of Bitcoin fell from its 2022 high of approximately \$47,000 to approximately \$16,000. Yet the Congressional response appeared nonexistent.

A crisis like this abhors a vacuum, so the Securities and Exchange Commission (SEC) stepped up its



By
John
Moon



And
Daniel
Stone

enforcement in the crypto-asset market. In 2022, the SEC brought a total of 30 cryptocurrency-related enforcement actions, up 50% from 2021. That rose to 46 in 2023, the highest number of crypto-asset enforcement actions since 2013. These enforcement actions were based on the SEC's expansive views of its own enforcement jurisdiction, which generated substantial

Although the CLARITY Act would bring much-needed jurisdictional clarity over which regulator oversees which digital assets, it may not meaningfully reduce the regulatory burden digital assets and their related providers face.

controversy, including within the commission itself.

For example, on Feb. 9, 2023, the SEC sued Kraken for failing to register the offer and sale of their "staking-as-a-service" program—a novel product in which Kraken had pooled certain assets and staked them on behalf of investors to generate crypto-asset returns for those investors. In response to the SEC's enforcement action, SEC Commissioner Hester Peirce publicly criticized the SEC's heavy-handed approach of "choosing to speak through an enforcement action" rather than "taking the path of thinking through staking programs and issuing guidance."

In 2025, with the inauguration of the second Trump administration, the SEC's Enforcement Division has "pulled in its claws" with respect to

counsel Matt Peters in London.

Goldstein, the Cadwalader managing committee member, said in an email that Cadwalader has been a leader in commercial mortgage-backed securities since 2000 and that bringing Kolyer to the firm "consolidates our position and gives us even more depth in CRE CLO deals."

Goldstein added that Kolyer's experience will be useful to the

prosecuting crypto fraud. Since the inauguration, the SEC has settled or otherwise abandoned many of its crypto-asset enforcement actions and investigations, including the multiyear action against Ripple Labs and its investigation into Uniswap. Likewise, the 2022 "crypto winter" appears to be a faded, unpleasant memory, as Bitcoin prices are riding an all-time high of around \$120,000. Both Sam Bankman-Fried and Alexander Mashinsky, serving long prison sentences, have disappeared from public view. From this, one might reasonably conclude that the time for Congressional action had passed.

Instead, this month the House passed the Digital Asset Market Clarity Act, commonly known as the CLARITY Act, with bipartisan support. The CLARITY Act provides cryptocurrencies with a way to replace the SEC's formerly potent oversight with that of the Commodity Futures Trading Commission (CFTC) in the event that the digital asset and its related blockchain system upon which it is based is not controlled by any person or group of persons. In other words, the major statutory overhaul of the digital asset space following the 2022 "crypto winter" is focused on reforming cryptocurrency regulators, not the industry itself.

Many industry insiders are cheering the act. For example, Kraken, Coinbase, and Anchorage Digital, all major digital asset institutions, each praised the CLARITY Act as advancing crypto policy and providing needed regulatory clarity.

Yet questions remain whether the CFTC's jurisdiction will prove more favorable to the industry. The CLARITY Act still requires digital commodity exchanges, digital commodity brokers and dealers, and commodity pool operators to register with the CFTC, a costly endeavor. And the CFTC has not been a wallflower when it comes to enforcement actions in the cryptocurrency space. For example, in December 2023 the SEC settled charges against Binance and two executives for over \$2.7 billion. Similarly, in August

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IN BRIEF

« *Continued from page 1*
a 14-attorney real estate financial team left Cadwalader for Sidley, his former firm, in April. After those departures, Cadwalader named Holly Chamberlain its new head of real estate finance practice and made Sutie Arias a real estate partner.

In recent weeks, Cadwalader added five associates to its real estate team, along with special

firm's clients in matters outside CRE CLOs as well.

In a statement on his move, Kolyer said his new colleagues are "hard-working, client-first lawyers" whom he has known for decades in the "closely knit" securities community.

A Sidley representative did not immediately return a message seeking comment.

—Ryan Harroff

Maxwell

« *Continued from page 1*

After Trump's reverse course, the DOJ moved to unseal the grand jury transcripts in the criminal case against Maxwell, who in 2022 was sentenced to 20 years in prison for sex trafficking. New York prosecutors said that Maxwell, one of Epstein's closest associates and a one-time girlfriend, selected and groomed Epstein's victims.

In the U.S. Court of Appeals for the Second Circuit, grand jury materials—which would otherwise only be released for national security or law enforcement purposes—may be unsealed for extraordinary circumstances. Citing that standard, the DOJ argued that the grand jury records contained undisclosed information of significant historical or public interest.

Defense attorneys for Maxwell fought the request, arguing the records would taint Maxwell's case. She is currently appealing her conviction and sentence to the U.S. Supreme Court, and she has already garnered the support of the

National Association of Criminal Defense Lawyers.

But Engelmayer said there was nothing within the grand jury records warranting their release. Those concerned about Epstein's case "would come away feeling disappointed and misled. There is no 'there' there," Engelmayer said.

"The materials do not identify any person other than Epstein and Maxwell as having had sexual contact with a minor," Engelmayer said. "They do not discuss or identify any client of Epstein's or Maxwell's. They do not reveal any heretofore unknown means or methods of Epstein's or Maxwell's crimes. They do not reveal new venues at which their crimes occurred. They do not reveal new sources of their wealth. They do not explore the circumstances of Epstein's death."

The documents, Engelmayer explained, showed that the grand juries in Maxwell's case had only met for "the quotidian purpose of returning an indictment" and were not used for any investigative purpose.

Before conducting his review, Engelmayer requested that the

DOJ highlight any information that could have been unknown to the public.

"Only scattered words, clauses and occasional sentences are highlighted. These items are few and far between," Engelmayer said. In a footnote, he added that the DOJ's highlighting was "significantly overinclusive."

The motion to unseal the grand jury records in Maxwell's case is separate from the still-pending motion to unseal the grand jury materials in Epstein's case. That motion is before Engelmayer's colleague on the SDNY bench, U.S. District Judge Richard Berman.

Representatives for Maxwell and the White House didn't immediately respond to requests for comment.

The U.S. Attorney's Office for the Southern District of New York declined to comment.

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Phishing and Spoofing Causes Of Action in State Court

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Thus, the only available recourse is against the lender involved in the transaction and/or the entity which was "phished" or "spoofed" that had sent the fraudulent electronic communication or wire instructions that provided the payor with payment instructions.

Discussed below are two recent decisions that uphold causes of action that may be asserted in such scenarios.

In *High Style Floors, Inc. v. Discover Bank*, 2025 N.Y. Misc. LEXIS 4033 (Kings. Co. Sup. Ct. May 12, 2025), plaintiff alleged that it had sent an ACH payment to its supplier and four days later learned that it had been the victim of a "phishing" scam, in that plaintiff had received payment instructions via email from a source purporting to be its supplier.

The account information was at Discover Bank and the ACH instructions included the name of the supplier as the recipient. However it is alleged that the supplier was not the source of this email, and the wired funds were stolen by the unknown recipients.

Plaintiff alleged that Discover Bank failed to verify the identity of the account holder, which did not match the identity indicated in the



payment order issued by Plaintiff and that, upon information and belief, Discover Bank was aware that the "name and account numbers did not match and should have refused to complete the transaction."

Plaintiff contacted Chase Bank, from where the funds had been sent, and Chase Bank attempted to recall the funds from Discover Bank. Chase Bank had "insisted upon a release and indemnity to process the recall."

Plaintiff also emailed numerous individuals at Discover Bank to notify them of the fraud and to ask that the funds be held in the fraudulent account pending the recall from Chase Bank.

Plaintiff then alleged that Discover Bank failed to hold the funds or take any action to prevent their withdrawal of the funds."

Plaintiff claimed that Discover Bank had violated the Uniform Com-

mercial Code (UCC) by their actions. §4-A-207 of the UCC entitled "Misdescription of Beneficiary, which provides that:

(1) Subject to subsection (2), if, in a payment order received by the beneficiary's bank, the name, bank account number, or other identification of the beneficiary refers to a nonexistent or unidentifiable

Subject to subsection (2), if, in a payment order received by the beneficiary's bank, the name, bank account number, or other identification of the beneficiary refers to a nonexistent or unidentifiable person or account, no person has rights as a beneficiary of the order and acceptance of the order cannot occur.

Subject to subsection (2), if, in a payment order received by the beneficiary's bank, the name, bank account number, or other identification of the beneficiary refers to a nonexistent or unidentifiable person or account, no person has rights as a beneficiary of the order and acceptance of the order cannot occur.

person or account, no person has rights as a beneficiary of the order and acceptance of the order cannot occur.

beneficiary's bank pays the person identified by number as permitted by paragraph (a) of subsection (2), the following rules apply:

» Page 7

(2) If a payment order received by the beneficiary's bank identifies the beneficiary both by name and by an identifying or bank account number and the name and number identify different persons, the following rules apply:

- Except as otherwise provided in subsection (3), if the beneficiary's bank does not know that the name and number refer to different persons, it may rely on the number as the proper identification of the beneficiary of the order. The beneficiary's bank need not determine whether the name and number refer to the same person.
- If the beneficiary's bank pays the person identified by name or knows that the name and number identify different persons, no person has rights as beneficiary except the person paid by the beneficiary's bank if that person was entitled to receive payment from the originator of the funds transfer. If no person has rights as beneficiary, acceptance of the order cannot occur.
- If (i) a payment order described in subsection (2) is accepted, (ii) the originator's payment order described the beneficiary inconsistently by name and number, and (iii) the

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In New Appeal, Ousted Copyright Chief Says AI-Copyright Analysis Motivated Her Removal

BY MICHELLE MORGANTE

SHIRA Perlmutter, the ousted head of the U.S. Copyright Office, contends in a new appeal that her removal was motivated by the preliminary report she issued analyzing the use of copyrighted materials to train generative artificial intelligence models.

In an appeal filed Thursday night in the U.S. Court of Appeals for the District of Columbia Circuit, Perlmutter notes she issued the report on May 9, 2025, and that President Trump, "who subsequently made public statements contradicting" its conclusions, "purported to fire her the very next day."

The May 9 report, the third installment of four reports being developed by the Copyright Office, had been scheduled for release over the summer, according to the appeal. "The uncertainty over Perlmutter's position has put that effort on indefinite hold," it said.

Perlmutter contends her firing was unlawful because the Copyright Office and its overseeing body, the Library of Congress, are part of the legislative branch, not the executive. A suit she filed in the U.S. District Court for the District of Columbia on May 22 argues Trump had no legal authority to remove Carla Hayden as the librarian of Congress and appoint Todd Blanche as the acting librarian, nor did Blanche have authority to appoint Paul Perkins as the acting register of copyrights.

The appeal said officials at the Library have not recognized Blanche or Perkins in their purported roles or allowed them to assume control over the Library or Copyright Office.

The Copyright Office issued the analysis titled "Copyright and Artificial Intelligence Part 3: Generative AI Training" in pre-publication format in response to congressional inquiries and interest from other stakeholders, it said, noting that a final version would be published "in the near future, without any substantive changes expected in the analysis or conclusions."

The use of copyrighted works for AI training is a question central to dozens of cases currently pending before federal courts involving the nation's leading technology companies such as Meta, Microsoft, Open AI, Anthropic, Google, NVIDIA and others.

The May 9 analysis found training generative AI models on copyrighted materials could go beyond the limits of fair use and risks causing dilution of the value of the original works. It suggested



COURTESY PHOTO

Shira Perlmutter, former 14th Register of Copyrights, overseeing the U.S. Copyright Office at the Library of Congress.

that licensing agreements should be considered for such use.

"When a model is deployed for purposes such as analysis or research—the types of uses that are critical to international competitiveness—the outputs are unlikely to substitute for expressive works used in training," the report said.

"But making commercial use of vast troves of copyrighted works to produce expressive content that competes with them in existing markets, especially where this is accomplished through illegal access, goes beyond established fair use boundaries."

Al developers have said it would not be feasible to reach licensing agreements with all of the owners of copyrighted materials they've used for training. Trump last month said that requiring AI companies to pay for such use is "not doable."

"When a person reads a book or an article, you've gained great knowledge. That does not mean that you're violating copyright laws or have to make deals with every content provider," Trump said on July 23 while unveiling the administration's AI Action Plan. "You just can't do it. China's not doing it."

In her appeal to the Circuit Court, Perlmutter asked that she be returned to her position immediately in order to avoid irreparable harm.

"The importance and urgency of Perlmutter's work in advising Congress on the critical copyright issues raised by generative AI is evidenced by the President's rush to block her from continuing that effort," it said. "Without immediate relief, she will irreparably lose her ability to advise Congress during this critical time."

District Judge Timothy Kelly has turned away Perlmutter's requests

for temporary relief, denying a temporary restraining order on May 28 and a preliminary injunction on July 30 because she had failed to prove her removal would cause her irreparable harm even if she were to prevail at trial.

On Monday, attorneys for Perlmutter filed an emergency motion for injunction pending appeal. Judge Kelly has directed the government's attorneys to file their opposition to the request by Aug. 12.

Attorneys for the government have argued Perlmutter would not be irreparably harmed because she could be compensated with back pay, for example, if she were to win on merits.

The appeal to the Circuit Court, however, argues courts in the circuit have found that monetary damages cannot remedy one's deprivation of a statutory entitlement to a high-ranking public servant role.

"Perlmutter's inability to lead and direct the important work of the Copyright Office at a critical juncture transcends the loss of income or embarrassment involved in the typical employment action," it said. "Perlmutter's patently unlawful removal deprives her of the opportunity to influence federal decisionmaking on copyright matters of national importance."

It refuted Kelly's finding that irreparable harm occurs only if the plaintiff shows the position would no longer exist without immediate relief. "Defendants have no theory here as to how Perlmutter could be made whole for her inability to function as Register now, during a time period of critical developments," it said.

The appeal points to recent decisions affecting other government workers removed from their roles, including the District Court's April 4 decision granting a preliminary injunction restoring plaintiff Sara Aviel to her role as president and CEO of the Inter-American Foundation.

Perlmutter is represented by Allyson Scher and Brian Netter of the Democracy Forward Foundation and a team from Munger, Tolles & Olson of Washington, D.C., and Los Angeles. The attorneys did not immediately respond to a request for comment.

On Friday, Judge Kelly ordered Perlmutter to file her motion for summary judgment by Sept. 8, with defendants to file their opposition by Sept. 22. A hearing on the motions is scheduled for Nov. 4.

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Meta Verdict

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Jer Nixon, a class action attorney at the Simon Law Firm.

What's Next for Meta?

According to court filings related to the settlement reached by Flurry, plaintiffs' counsel have projected that the nationwide class could include up to 38 million Flo app users in the United States. CIPA imposes a \$5,000 penalty per transgression; in the Meta verdict, these numbers could translate to damages of \$190 billion.

Though the exact number of statutory damages in the case remains unknown at this stage, the calculations could prove to be "unconstitutionally large," said Brian Fitzpatrick, a class-action expert and professor of law at Vanderbilt University.

"There are precedents under the due process clause about excessive damages," Fitzpatrick said.

"Most of them come from the punitive damages context, but there, the Supreme Court has basically said if the ratio of the curative damages to the compensatory damages is more than 10, it probably violates the due process clause. So companies argue similar things about these statutory damages regimes—that if the statutory damages are grossly disproportionate to the actual harm that the class members faced, then the statutory damages are unconstitutional and have to be reduced."

Meta will likely argue that the due process clause caps the potential damages at a number much lower than \$5,000 per person on appeal, Fitzpatrick said—and the judge may be hoping that Meta enters into a settlement agreement.

Still, he added, it was a "gutsy" move for such a deep-pocketed company to go to trial in the first place.

"The company may think either the trial judge or appellate court is going to cut down the potential damages substantially to stay within constitutional bounds," he said. "But that's a bit of a roulette wheel. And Meta has ... a lot of money. And so where the constitutional line is for a company that has a

lot of money is a bit up in the air."

Kate Polozie, a partner at Woods Oviatt Gilman who specializes in data privacy and security, noted that the damages could be astronomical given a previous 2024 settlement in which Meta was ordered to pay \$1.4 billion to the state of Texas over its "unauthorized capture of personal biometric data."

Data Privacy and CIPA Class Actions

David Hoppe, founder and managing partner at the media- and technology-focused firm Gamma Law, said that this verdict could signal a broader trend of "push-back, and perhaps a mainstream hostility, growing toward Big Tech," which is mirrored by the passage of recent state legislation tightening age verification requirements for minors on tech platforms. "You can kind of view this verdict as a similar thing," he said.

"From my personal perspective, hopefully this is another opportunity for these companies to bring their practices in line with standards we're seeing developing in Europe and more in line with consumer expectations," he added.

Gary Kibel, a partner at Davis & Gilbert who specializes in privacy, technology and data security, said that the verdict may pressure the California legislature to pass California Senate Bill 690, which seeks to exempt web-tracking technologies from CIPA if they are used for a "commercial business purpose." SB 690 cleared the California State Senate in June.

"These CIPA claims are an absolute nightmare," said Kibel. "It's certainly not a positive development for businesses that are dealing with these nonstop CIPA claims to have a jury verdict that says that a software development kit in an app is intercepting communications in violation of a wire-tapping claim. ... This is another notch in the plaintiffs' side of the table. So I think it'll just encourage more plaintiffs that will be coming out from class action firms in California."

In addition to generating more digital privacy class actions and CIPA claims, the Meta verdict could potentially result in more tech companies enacting "robust and clear" consent protocols around data collection, said Jeremy Moseley, a class-action attorney and partner at Spencer Fane.

"The case ends with the collection of the data," said Moseley. "It doesn't matter that it was anonymized after that. So that, I think, is going to be a big focus on the tech company side."

Polozie noted that, under the less enforcement-heavy Trump administration, which has emphasized deregulating the AI industry to promote American dominance in recent executive orders, state privacy legislation is picking up the slack—and this latest verdict may only further embolden the plaintiffs' bar to pursue claims under state laws like CIPA.

"I think, in general, you're seeing a lot less enforcement on the FTC level of these types of privacy or AI-type issues," she said.

"What you might see is the backlash of the states and again, most of these, where you're going to see future actions, it's going to be just like here—under state case law."

Even if the case provides a springboard for limiting the scope of CIPA through bills such as SB 690, she added, this particular claim "isn't frivolous"—and state attorney generals are becoming increasingly concerned about transparency. She cited recent privacy legislation such as Washington's My Health My Data Act, which was passed in 2024, and the 2023 amendment to California's Confidentiality of Medical Information Act to include a private right of action.

"States are going to be very, very specific that you need to get consent, and you need to be transparent," she said. "And what happened here was the lack of both."

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DECISIONS WANTED

The editors of the New York Law Journal are eager to publish court rulings of interest to the bench and bar. Submissions must include a sentence or two on why the decision would be of significance to our readers. Also include contact information for each party's attorneys. E-mail decisions to decisions@alm.com.

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Arrests

«Continued from page 1
the state, and another preventing state government workers from sharing information "critical" for civil immigration enforcement.

Since Trump returned to the White House in January, ICE has returned to the beefed-up operation in and around courts—and the DOJ's lawsuit was filed on June 12 in U.S. District Court, Northern District of New York, asking to strike down the state law and EO's.

"These laws were enacted during the first Trump Administration in direct response to ICE's predatory presence at New York state courthouses and other state facilities, which spread fear, and denied New Yorkers' access to the courts, and to state programs, benefits, and services," said Meghan Philip, director of the Special Litigation Unit at The Legal Aid Society, who filed the brief.

The government's lawsuit argues that the state policy purposefully shields dangerous migrants from being lawfully detained at or on their way to or from a state courthouse, and Attorney General Pam Bondi has said the law and two executive orders violate the Supremacy Clause of the U.S. Constitution, because they obstruct the execution of federal immigration authorities.

Said Philip: "New York has a constitutional duty to ensure equal access to justice, and to

benefits and services, for all New Yorkers—regardless of immigration status—and that principle was at the heart of both POCA and these executive orders. The second Trump Administration has openly targeted sanctuary jurisdictions. This lawsuit is another example of that political attack, and it should be dismissed," Philip said.

The Immigrant Defense Project; Sanctuary for Families; New York County Defender Services; Latino Justice PRLDEF; Neighborhood Defender Service of Harlem; Makes the Road New York; and Brooklyn Defender Services also joined forces on submission of the brief, which notes that the enforcement effort has had an adverse impact on the scales of justice, and has noncitizen New Yorkers in fear.

For example, The Legal Aid Society cited a noncitizen client who is a domestic violence survivor and recently separated from her abuser. A case manager at the client's shelter recommended she go to Family Court for an order of protection. But she told her lawyer she is too afraid to go to court because of the current administration's policies toward undocumented immigrants.

According to the brief, another Legal Aid client involved in a non-payment-of-rent eviction proceeding was allegedly "intimidated" by her landlord's repeated threats to call "immigration." The Legal Aid Society said its client made significant cash

and overhead expenses were up by 6.6%. Broken down by segment, overhead costs for the Am Law 100 were even higher, rising 8.1%, with large firms especially in an "arms race" over artificial intelligence, the report noted. Firms are hoping that spending will reap rewards down the road.

But it doesn't help that typically lucrative M&A momentum "faltering" in Q2, rising only by 0.3%. Corporate was up 1.3%, according to the report, while litigation (2.0%), real estate (1.7%) and tax (1.5%) led the way. Bankruptcy and IP work were the only practices tracked by Thomson Reuters that saw a decline, -0.7% and -1.4%, respectively.

There are some eerie similarities with 2021, where we saw firms engaged in a hot competition for talent, and things going well from a demand and rates perspective," added Bryce Engelland, senior industry data analyst for Thomson Reuters. "And all of a sudden, the floor fell out from under those firms."

Demand growth has also been uneven among law firm segments. Midsized firms notched 3.5% growth, while Second Hundred firms tallied 2.6% growth, and Am Law 100 firms actually saw a decline in demand, -0.6%. Brooks said, according to their data, they haven't seen the Am Law 100 as a segment lead demand growth since 2021. He said part of the reason that segment has still done well despite the trendline

Daily columns in the Law Journal report developments in laws affecting medical malpractice, immigration, equal employment opportunity, pensions, personal-injury claims, communications and many other areas.

Technology Today / Expert Analysis

Ogletree

«Continued from page 5

which generates human resources documents in response to a questionnaire filled out by users.

Nancy Martinez Ramirez, another member of the winning team, told Legaltech news in an email that "the idea was to streamline routine HR tasks for clients."

"Based on their responses, the system would adapt in real time, showing additional or fewer questions as needed to collect all relevant information," she said. "Once completed, the tool would automatically generate a legally sound document, such as an engagement letter, separation agreement, or other employment-related forms."

The entry was one of three selected as finalists by a panel consisting of the firm's chief knowledge and innovation officer and three office managing shareholders. It was chosen as the winner by the firm's managing shareholder, Liz Washko, and two board members.

Although the firm did not initially plan on building out customer-facing products based on the entries it received, Fox noted that the winner stood out for its

feasibility and usability, qualities that make it attractive as a possible project.

"Going into it, we saw this purely as educational," he said. "Our winning team, what they came up with is something that is definitely useful, and it's something that we're looking into to see what we might be able to do."

A Shared Education

Much as summer associates programs are designed to allow future attorneys and firms to learn more about each other, the hackathon proved to be an educational experience for both the participants and firm leadership.

For the contestants, the hackathon was first and foremost an opportunity to get hands-on experience with legal technology that most don't receive at law school. Gallagher and Martinez Ramirez both told Legaltech News that they entered the competition with only limited exposure to newer legal tech tools.

"Educational institutions seem to be struggling with the development of AI use, so opportunities to use these new tools are limited," Gallagher said.

It also helped the summer associates get valuable face time with leadership, and to practice vital legal skills beyond drafting, research and document review.

"It mirrors real-world legal practice, where lawyers must pitch ideas, present strategies, and advocate for clients before decision-makers, whether they're clients, partners or judges," Martinez Ramirez said.

For the firm, the event demonstrated that many attorneys are entering the profession without sufficient knowledge of the tools that will shape their practice.

"We learned through the processes that a lot of law schools aren't necessarily teaching their students generative AI," Fox said. "They're prohibiting it, or they're limiting how they can use it, so it really is going to fall to the firms to do a better job of training their first years, their junior associates."

He noted that the firm is now planning an AI boot camp for incoming first years, to ensure they're well equipped to leverage the firm's technology investments from the start of their careers.

Benjamin Joyner can be reached at bjjoyner@alm.com.

Spoofing

«Continued from page 5

• If the originator is a bank, the originator is obliged to pay its order.

• If the originator is not a bank and proves that the person identified by number was not entitled to receive payment from the originator, the originator is not obliged to pay its order unless the originator's bank proves that the originator, before acceptance of the originator's order, had notice that payment of a payment order issued by the originator might be made

and that person was not entitled to receive payment from the originator, the amount paid may be recovered from that person to the extent allowed by the law governing mistake and restitution as follows:

- If the originator is obliged to pay its payment order as stated in subsection (3), the originator has the right to recover.
- If the originator is not a bank and is not obliged to pay its payment order, the originator's bank has the right to recover.

Defendant argued that "it is well established that claims under Article 4-A can only be asserted by the

its payment of the funds to the beneficiary."

The motion court noted that under the UCC, "a bank that accepts a wire transfer and credits the proceeds to the account number designated by the originator has handled the wire transfer *properly as long as it does not have actual knowledge that the recipient's account belongs to someone other than the intended beneficiary.*" (emphasis in original)

Accordingly, the motion court denied the motion to dismiss, and held plaintiff had stated a cause of action. The motion court held that discovery should proceed and that there are issues of fact to be decided by a jury.

In *USCHAG Corp. v. Flagstar Bank*, FSB, 220 A.D.3d 823 (2nd Dep't 2023), plaintiff alleged that it was the victim of a fraudulent scheme in which it was induced to transfer \$81,750 to the defendants by an email allegedly sent by employee of the defendant HUB International Limited (HUB), who was assisting the plaintiff in obtaining an insurance bond on a potential business investment.

The email allegedly sent by the HUB employee was a fraudulent "spoof" email sent by a third party. Plaintiff alleged that HUB was negligent in, *inter alia*, failing to comply with its own cybersecurity policies and failing to warn the public or its clients of the issue.

The Appellate Division affirmed denial of HUB's motion to dismiss holding that the motion court, accepting the facts as alleged as true, "fit within theories of negligence and gross negligence."

originator (here, plaintiff) against a receiving bank (here, plaintiff's own bank)."

Defendant further argued that "similar claims by an originator against the beneficiary bank pursuant to various sections of Article 4-A are consistently dismissed ... as plaintiff was not in privity ... with the beneficiary bank."

Conversely, plaintiff argues that "while certain provisions of Article 4-A apply only between a bank and its customer, no provision of S4-A-207 state[s] that limitation."

Plaintiff further argued that Discovery Bank "had actual knowledge of its claim for the misidentified account prior to

the notice relates.

by the beneficiary's bank on the basis of an identifying or bank account number even if it identifies a person different from the named beneficiary. Proof of notice may be made by any admissible evidence. The originator's bank satisfies the burden of proof if it proves that the originator, before the payment order was accepted, signed a writing stating the information to which the notice relates.

(4) In a case governed by paragraph (a) of subsection (2), if the beneficiary's bank rightfully pays the person identified by number

Overcome

«Continued from page 3

administrative review and the court system, as well as the burden to overcome the threshold burden of presumption that the assessment is correct, the taxpayer can present its argument and proof for relief.

This reality is in tension with another fundamental concept of property tax appeals in New York as often stated by the courts: the Real Property Tax Law (RPTL) is

Perhaps partly due to a lack of familiarity among trial courts with what may appear to be a subtle distinction as to the standard of review to be applied at the outset of a tax certiorari proceeding, an improperly high burden of proof is sometimes placed upon the taxpayer too soon. This can result in the improper outright dismissal of a case that should have been permitted to move forward.

These scenarios have some common traits. In an income capitalization analysis, which is

ance on lease abstracts together with interviewing people with knowledge.

In considering whether the taxpayer has met its initial burden, courts will on occasion rejected individual comparable transactions for a failure of verification and then go so far as to make this a partial basis for striking the taxpayer's report entirely, even where a majority of the comparable lease transactions were deemed properly verified. We believe that in such scenarios, precedent should dictate that the threshold burden was satisfied as there was enough data to support a credible dispute in valuation.

The ultimate result of a trial may be that the taxpayer did not satisfy its burden of persuasion in establishing over assessment by a preponderance of evidence. However, this conclusion could only be reached when weighing equally the proof presented by both sides. In ruling that the taxpayer did not overcome the initial presumption of correctness, despite the existence of credible data driven evidence of a dispute, the court fails to reach a consideration of the sufficiency of the municipal proof in the absence of any presumption that it is accurate.

The proper balancing of these burdens ensures that the taxpayer truly has its "day in court" after navigating the burdensome path to get there in the first place. It ensures that the underlying remedial nature of the RPTL is honored. It is not controversial that the taxpayer should have the burden to prove over-assessment. However, that burden must be evaluated using the proper standard of review of an appraisal. The current state of the tax appeal process in New York can make the initial burden yet another unfair element of the review of a tax assessment.

It is not controversial that the taxpayer should have the burden to prove over-assessment. However, that burden must be evaluated using the proper standard of review of an appraisal.

remedial in character and should be liberally construed to the end that a taxpayer's right to review should not be defeated by technicalities.

It is therefore important that the courts properly apply the threshold burden standard so as to avoid dismissing a taxpayer's claim before it can be properly weighed against deficiencies in municipal proof. Again, those deficiencies are wholly irrelevant until the taxpayer provides evidence or a credible dispute. The taxpayer does not need to prove its case is better than that of the municipality at that stage of the court's analysis—just that there is data-driven proof of a credible dispute.

If a court conflates the threshold burden of proof with the ultimate burden of persuasion when considering the evidence presented by each side it effectively sidesteps substantive review of the assessment, and frustrates the remedial nature of the statute.

the preferred method for appraising commercial real property, an appraiser must provide the facts, figures and calculations supporting the appraised value as to: market rent, occupancy/vacancy expenses, and capitalization rate. When analyzing comparable rents, the taxpayer may cite to a number of comparable transactions as support. The optimal evidentiary support for a rent comparable would be the presentation to the court of a copy of an actual lease along with access to a party with personal knowledge of the transaction. However, as any credible appraiser will affirm, this is not always possible for a variety of reasons, including the fact that leases are often treated by market participants as confidential. Appraisers are required by case law and their own professional mandates under the Uniform Standards of Professional Appraisal Practice (USPAP) to confirm all comparable transactions, but can use alternative acceptable verification methods such as reli-

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Contact:

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Customer Relations Department, 212-382-6663 or cerrelations@nycbar.org
Time: 6 p.m. - 8 p.m.
[Webinar Registration Link:](https://services.nycbar.org/EventDetail?EventKey=SS081225&mcode=NYLJ)
<https://services.nycbar.org/EventDetail?EventKey=SS081225&mcode=NYLJ>
Good Lawyering as a Concept: Civility is Key
<https://nysba.org/events/good-lawyering-as-a-concept-civility-is-key/>
Location: Hybrid
Contact:

NY State Bar (CLE)
Basics of Social Security Law and Practice - Video Replay
<https://nysba.org/events/basics-of-social-security-law-and-practice-video-replay/>
1.5 CLE credits
Virtual

Good Lawyering as a Concept: Civility is Key

<https://nysba.org/events/good-lawyering-as-a-concept-civility-is-key/>

NY State Bar (Non CLE)

Navigating Your Law School Year and the Path Ahead
<https://nysba.org/events/navigating-your-law-school-year-and-the-path-ahead/>
Informational program
Virtual

TUESDAYS AUG. 12, 19, 26

NY State Bar (Non CLE)
Finding Focus: Co-Working Group
<https://nysba.org/events/8-5-25-finding-focus-co-working-group/>
Informational program
Virtual

TUESDAYS AUG. 12, 19, 26

NY State Bar (CLE)
Basics of Arbitration and Mediation-Video Replay
<https://nysba.org/events/basics-of-arbitration-and-mediation-video-replay/>
1.5 CLE credits
Virtual

Building the Legal Function from the Ground Up: Practical Insights for Startup Counsel
<https://nysba.org/events/building-the-legal-function-from-the-ground-up-practical-insights-for-startup-counsel/>
1 CLE credit
Virtual

WEDNESDAY AUG. 13

NY State Bar (CLE)
Adoption 101- Video Replay
<https://nysba.org/events/adoption-101-video-replay/>
1 CLE credit
Virtual

WEDNESDAY AUG. 13

Nuances of Intellectual Property & Tech-Related Disputes Before WIPO
<https://nysba.org/events/nuances-of-intellectual-property-tech-related-disputes-before-wipo/>
1 CLE credit
Virtual

WEDNESDAY AUG. 13

NY State Bar (CLE)

A Taxonomy of AI in Legal Practice
<https://nysba.org/events/a-taxonomy-of-ai-in-legal-practice/>
1 CLE credit

Basics of Criminal Law and Practice - Video Replay

<https://nysba.org/events/basics-of-criminal-law-and-practice-video-replay/>

1.5 CLE credits
Virtual

WEDNESDAY AUG. 13

NY State Bar (CLE)

Basics of Real Estate Transactions

- Video Replay

<https://nysba.org/events/basics-of-real-estate-transactions-commercial-property-video-replay/>

1.5 CLE credits, Virtual

WEDNESDAY AUG. 13

NY State Bar (CLE)

Removal and Suspension of Fiduciaries in Surrogate Court

<https://nysba.org/events/removal-and-suspension-of-fiduciaries-in-surrogates-court-2/>

1 CLE credit; Virtual

Top 10 Ethics Mistakes Attorneys

Make and How to Avoid Them

<https://nysba.org/events/top-10-ethics-mistakes-attorneys-make-and-how-to-avoid-them/>

1 CLE credit; Virtual

Have an event to list?

E-mail the details to pkane@alm.com

LexisNexis

«Continued from page 5

A press release from LexisNexis noted that Protégé General AI has a number of LLMs users can choose from, including Claude Sonnet 4 and GPT-4o, o3 and the newly released GPT-5 from OpenAI. The release added that each model can provide "distinct advantages" noting that OpenAI o3 is optimized for deep research while GPT-4o can excel "at everyday tasks like general exploration, brainstorming, drafting and integrating web-based information into real-time conversations."

The proper balancing of these burdens ensures that the taxpayer truly has its "day in court" after navigating the burdensome path to get there in the first place. It ensures that the underlying remedial nature of the RPTL is honored.

It is not controversial that the taxpayer should have the burden to prove over-assessment.

However, that burden must be evaluated using the proper standard of review of an appraisal.

The current state of the tax appeal process in New York can make the initial burden yet

Expert Analysis / Off Page 2

Child

«Continued from page 3

port obligation, determined after application of the three-step statutory formula of the CSSA, should be identified as the "non-custodial" parent for the purpose of support regardless of the labels employed by the parties.

That parent must be directed to pay his or her pro-rata share of the child support obligation to the other parent unless "the statutory formula yields a result that is unjust or inappropriate." In that event, "the trial court can resort to the 'paragraph (f)' factors and order payment of an amount that is just and appropriate."

All of the appellate judicial departments follow the rule in *Bast* that a parent who has physical custody of the child for a majority of the time in a shared custody situation is considered the custodial parent for child support purposes (see e.g. *Rubin v. Salla*, 107 A.D.3d at 62, 964 N.Y.S.2d 41 (1st Dept. 2013); *Gainey v. Gainey*, 303 A.D.2d 628, 756 N.Y.S.2d 647 (2d Dept. 2003); Matter of *Gillette v. Gillette*, A.D.3d 1102, 778 N.Y.S.2d 362 (4th Dept. 2004)).

having parenting time on alternate weekends (from Friday after school to Monday morning) and every Thursday overnight.

During the summer, the schedule was reversed and the child would live primarily with the mother but would spend Thursday overnights and alternate weekends with the father. The mother would also have the child each midwinter school break and the other school breaks were evenly divided.

In addition, each parent was given two weeks with the child during the summer. Following the custody decision, the father moved for summary judgment dismissing the mother's cause of action for child support.

He argued that, by the terms of the custody order, he was the custodial parent because the child would spend the majority of the year with him.

He submitted to the court a calendar showing that during the period from July 2012 to June 2013, there were 206 overnights with the father and 159 with the mother. These custodial periods equated to the child being with the father 56% of the time and with the mother 44% of the time.

The mother did not dispute the

no other option than to direct payment by the noncustodial parent to the custodial parent in shared custody cases.

Referring to *Baraby v. Baraby*, *supra*, the court observed that courts have uniformly followed *Bast's* direction that where parents have unequal residential time with a child, the party with the greater amount of time is the custodial parent for CSSA purposes. The great disparity in overnights here was 56% to 44%.

The court pointed out that only where the parents' custodial time is truly equal, such that neither parent has physical custody of the child a majority of the time, have courts deemed the parent with the higher income to be the noncustodial parent for child support purposes.

The court found that the Supreme Court ignored its own custody schedule when it stated that the parents shared Avery nearly equal physical custody of the child.

The Supreme Court focused on how much "awaking, non-school time" the child spent with each parent, and suggested that a custodial parent could be identified by calculating the number of waking hours he or she spends with the child.

The Appellate Division rejected the counting of waking hours as a method of determining who is the custodial parent. Instead, it believed that the number of overnights, not the number of waking hours, is the most practical and workable approach.

Allowing a parent to receive child support based on the number of daytime hours spent with the child bears no logical relation to the purpose behind child support awards, i.e., to assist a custodial parent in providing the child with shelter, food, and clothing.

Considering overnights, the court opined that the child spent "significantly more time with the father," making him the custodial parent.

Neither the CSSA nor *Bast v. Rossoff* allows for economic disparity to govern the determination of who is the custodial parent where the custodial time is not equal.

It has been held that where there are two or more children and their custody is split between the parents, each party's proportionate obligation for support of the child(ren) residing with the other must be calculated, and after their respective obligations are determined, a net support obligation is derived by subtracting the smaller from the greater of them. (*Riseley v. Riseley*, 208 A.D.2d 132, 622 N.Y.S.2d 387 (3d Dept. 1995); *Scomello v. Scomello*, 260 A.D.2d 483, 688 N.Y.S.2d 199 (2d Dept. 1999)).

Conclusion

In *Baraby v. Baraby*, the Third Department held that where the court cannot determine who has the child the majority of the time, and thus, who is the custodial parent, the parent with the greater income should be identified as the "non-custodial" parent for the purpose of paying child support.

It did not indicate the specific method to be used in identifying which parent has physical custody of the child for a majority of the time. The rule enunciated by the Third Department in *Baraby* has been adopted by the Second and Fourth Departments.

In contrast, in *Rubin v. Salla*, the First Department held that a custodial parent cannot be directed to pay child support to the noncustodial parent for child support purposes.

The mandatory nature of the statutory language undeniably showed that the legislature intended for the noncustodial parent to be the payer of child support and the custodial parent to be the recipient.

The CSSA provides for no other option and vests the court with no discretion to order payment in the other direction. *Bast v. Rossoff* left

should know that a client's access is being improperly monetized will risk discipline and prosecution," he added. "The president, by contrast, has immunity."

Professor Rebecca Roiphe at New York Law School expressed some concern about free-wheeling negotiations that may not be strictly about the legal merits of a case.

She said the criminal justice system allows for some favor-trading, such as acceptance of guilt, plea bargains and cooperation agreements.

"We should not have a system in which you can trade something else, unrelated to criminal justice, that you can do for the administration in exchange for leniency," she explained.

"If this becomes a more common practice, does it change the way we think about these things?" she asked aloud. "I don't think something like this gets resolved in disciplinary proceedings or legal ethics opinions."

Emily Saul can be reached at esaul@alm.com.

Process

«Continued from page 2

concerns so long as the negotiations are lawful.

"Clients may see lawyers as valuable because of their good relationships with government officials, developed over years," Gillers stated. "Access is part of what lawyers sell and the stronger and more productive the access, the more valuable will be the lawyer."

"Certainly, there is a widespread impression that if you want a pardon or a sentence commutation, you need to retain certain persons," he continued. "How much that access costs, for what, and who gets the money is another story."

Gillers said he did not view lawyers playing the role of intermediaries in those situations as a violation of professional conduct rules, so long as there is nothing in the arrangement that is unlawful.

"A private lawyer who knows or

has immunity," he added. "The president, by contrast, has immunity."

Roiphe said the criminal justice system allows for some favor-trading, such as acceptance of guilt, plea bargains and cooperation agreements.

"We should not have a system in which you can trade something else, unrelated to criminal justice, that you can do for the administration in exchange for leniency," she explained.

"If this becomes a more common

practice, does it change the way we think about these things?" she asked aloud. "I don't think something like this gets resolved in disciplinary proceedings or legal ethics opinions."

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Court Calendars

First Department

APPELLATE DIVISION

The following cases have been scheduled for pre-argument conference on the dates and at the times indicated:

Renwick, P.J., Manzanet, Kapnick, Webber and Kern, J.J.

THURSDAY, AUG. 14

10 A.M.

814844/24 Munroe v. Hempstead

MONDAY, AUG. 18

12 P.M.

156787/22 Marquez v. Animal Care and Control of NYC

CALENDAR FOR THE SEPTEMBER TERM

The September 2025 Term will commence September 2, 2025. The Court will convene at 2:00 P.M. on Tuesdays, Wednesdays, and Thursdays, and at 10:00 A.M. on Fridays. Counsel who desire and are entitled to argument pursuant to Section 600.15(a) of the Court's rules but have commitments, including those of a religious nature, which will make them unavailable on particular dates during the term shall notify the Clerk in writing of such unavailability of dates and reasons therefor, with copy to adversary, not later than 4 P.M. August 7, 2025. This information is essential at that time for consideration in preparation of the Day Calendars for the term. No change of calendar date can be made after the Day Calendars have been prepared.

Respondents' briefs are to be served and filed no later than August 6, 2025. Appellants' reply briefs are to be served and filed no later than August 15, 2025. The last day to file stipulations of adjournment and time requests for oral argument is August 7, 2025.

Cases are listed in alphabetical order, with civil cases appearing first.

Civil Cases

23/4560 Forster v. Bejani (NY 3663/2009)

24/2919 Forster v. Bejani (NY 3663/2009)

23/6499/134 Lexington, LLC v. Bhawani Maa (NY 151567/2023)

24/7825/200 Claremont Avenue v. Estate of Elsie Lewis (NY 571374/2023)

24/7333/213 Mortgage Corp. v. Lin (NY 850508/2018)

23/0952/239 East 18th Owners v. Wade (NY 161314/2018)

24/6715/242 Tenth Investors v. GVC 242 Tenant Sponsor (NY 651242/2021)

24/0605/250 E. 63 Realty v. NYS Division of Housing (NY 150562/2023)

25/3294/27th Street Property Owner v. Karpati (NY 650911/2024)

25/1830/214 Morris v. Ortega (NY 802421/2021)

24/0605/250 E. 63 Realty v. NYS Division of Housing (NY 150562/2023)

24/2392/18th Street Property Owner v. Karpati (NY 650911/2024)

24/1830/214 Morris v. Ortega (NY 802421/2021)

24/6794/417 N Comanche v. Emres II (NY 651541/2024)

25/1604/437 West 36th Street v. ZDJ W. 37 LLC (NY 156904/2024)

24/4804/470 4th Avenue Fee v. Wesco Insurance (NY 651184/2020)

24/5101/538 Morgan Realty v. Law Office of Aihong You (NY 153886/2023)

23/4993/600 Associates v. Illinois Union Insurance (NY 814015/2022)

24/4519/721 Borrower v. Premier Digital (NY 652213/2023)

25/0277/902 Associates v. Union Square (NY 156065/2020)

25/0007/1 A. Emmanuel v. Evelyn G. (BX 151461/2021)

25/1590/1 A. Ronald T. Tyehs H. (P) 1971/2023)

24/5758/1 A Specialized v. James River Insurance (NY 652944/2022)

24/5959/AB 105 LLC v. Martinez (NY 650810/2023)

24/4851/ Abramov v. 230 PAS SPE (NY 153359/2022)

24/5770/ Abramov v. Abrams (NY 658845/2021)

24/7799/ Abromavage v. Deutsche Bank Securities (NY 159172/2022)

24/7233/ Academic Health v. Ahluwalia (NY 650875/2024)

24/2920/ Acevedo v. Citibank (NY 802892/2021)

24/7910/ Acevedo v. City of NY (BX 2053/2020)

24/1177/ Adaga v. Sy (NY 651241/2021)

24/5957/ Adler v. Troy (NY 805726/2021)

24/2059/ Aguilera v. City of NY (BX 801703/2024)

24/6088/ Ahsanuddin v. Addo (NY 30571/2017)

24/2129/ Akande v. City of NY (NY 154742/2024)

24/665/ Alfred v. Brutus (NY 365160/2020)

24/4756/2 Ali Baba Hotel v. Prose (NY 150993/2020)

24/7809/ Alphonse, Inc. v. Financial Technology (NY 65186/2024)

25/1782/ AMF Trust Ventures v. i80 Group (NY 653519/2023)

24/5581/ Anstrut North America v. Insurance Specialty (NY 650502/2024)

25/1590/ Citigroup Global Markets v. SCIP Capital (NY 651031/2019)

24/3014/ City of NY v. Board of Collective Bargaining (NY 45249/2022)

24/3243/ City of NY v. Eisner (NY 45138/2023)

24/3403/ CIS Industries v. Dolce (NY 151385/2023)

24/5099/ Clares v. 600 West 183rd Street (NY 451198/2018)

25/3501/ CLNC 2019-F1L Funding v. Bennett (NY 651851/2023)

24/3149/ Clypta Corp. v. Conigliaro (NY 160867/2022)

25/4164/ Coast Marine Company v. Holland & Knight LLP (NY 650051/2025)

24/6708/ Cochancela v. Sutton Place (NY 612498/2024)

24/7743/ Cohen v. Cohen (NY 650536/2022)

24/7867/ Cohn v. RTW Retailwinds Acquisition (NY 653518/2024)

24/5686/ Commonwealth Land v. Sky Abstract (NY 159204

24/3754 Jiesheng Group v. New Gold Entities (NY 654487/2023)
 24/386 Johnson v. Northeast Agencies (BX 80987/2023)
 24/2979 Jones Law Firm v. J Synergy (NY 653730/2023)
 24/3617 Judson Realty v. Judson CRE (NY 159388/2020)
 24/5008 Julian Fare, LLC v. Stove Properties (NY 653122/2019)
 24/4398 Justicebacher, Inc. v. Abeles (NY 650374/2017)
 25/1005 K., Aisha v. Phillip C. (BX 06624/2022)
 25/7929 K., Dorell v. Dalee L. (BX 02305/2022)
 24/7941 K., Hind v. Faycal T. (NY V6164/2019)
 24/7683 K., Peter v. Mayumi M. (NY V5183/2023)
 24/2933 Kambia Chios Realty v. Utica First Insurance (BX 80332/2021)
 25/3541 Kapitus Servicing, Inc. v. Ragtime Gourmet Corp. (NY 653529/2022)
 25/1099 Kassai v. Trump Management (NY 161322/2018)
 24/3574 Katz-Wisnudel v. Lower Manhattan Dialysis (NY 155252/2021)
 24/3088 Kaufman v. Hirsch (NY 161183/2020)
 24/3260 KD-1 Doe v. MC-Doe (NY 952138/2023)
 25/2079 Keenan v. Bloomberg L.P. (NY 155679/2024)
 24/6015 Kelenem v. Duplication Services (NY 160226/2017)
 24/3061 Kimmelman v. Smith (NY 805105/2019)
 24/6292 Kinesy v. Almazan (BX 800526/2023)
 24/7338 Knight v. Family Energy (NY 650903/2023)
 24/0356(2) Kohli v. Tewari (NY 365297/2021)
 24/4765(2) Kohli v. Tewari (NY 365297/2021)
 24/6793 Kola v. City of NY (NY 155411/2023)
 25/1279 Kozeli v. Renali Realty (BX 261982/2020)
 25/2005 L., Children (BX N6348/2025)
 24/5183 Labby v. Cummings (NY 805428/2017)
 25/0463 Lacrume v. Memorial Sloan-Kettering (NY 150195/2019)
 24/7215 Lara v. Mount Sinai Hospital (NY 805250/2020)
 25/0362(2) Lash v. Modulaire Holdings (NY 655935/2023)
 25/0840 Lava Media v. Hart (NY 651035/2023)
 24/2963 Law Office of Cyrus Joubin v. Manhattan District Attorney (NY 151682/2023)
 25/2994 Lebda v. Touro College School (NY 101271/2024)
 24/4818 Lebedev v. Migdal (NY 320246/2020)
 25/0542 Lee v. Hay Housing Corporation (NY 656670/2021)
 24/4532 Lee v. Lee (NY 365055/2018)
 24/4242 Lee v. Montefiore Medical Center (BX 205652/2016)
 24/1656 Lee v. Nejat (NY 800296/2011)
 23/1461 Lemva v. 1148 Corporation (NY 450904/2018)
 24/6416 Leon v. Plaza Construction (NY 151025/2020)
 24/1225 Leon v. Brown Foreman Corp. (NY 151627/2019)
 23/6567(1) Leslie Digital Imaging v. Empower Information (NY 652634/2022)
 24/6130 Leslie J. Garfield & Co. v. Evans (NY 651854/2021)
 24/2453 Lewis v. Ganesh (BX 24992/2018)
 25/2403 Liberty Mobility v. Port Authority of NY (NY 151814/2024)
 24/4927 Lopez v. Rodriguez (NY 158166/2023)
 24/1890 Lotrean v. 3M Company (NY 153361/2020)
 23/1508 Lutefiva v. Services for the Aged (NY 161213/2023)
 24/015 M., Bryanna v. ACS (NY V5102/203)
 24/3499 M., Mayra v. Raoul G. (NY 0500/2023)
 24/109 M., Michelle v. Cantabile J. (BX F17113/2022)
 24/5408 M., Peter v. Fezeke G. (BX V1491/2022)
 24/157M., Portia v. Antaeus A. (NY V7517/2020)
 24/6582 M., Rafael v. Kimberly T. (BX 20342/2020)
 24/6090 M., Rajah v. Said B. (NY 06767/2022)
 25/0436 M. Ma v. Wang (NY 655044/2022)
 24/6390 Macklowe Investment v. MIP 57th Development (NY 656919/2021)
 24/1758 Malave v. Kini (NY 805456/2021)
 25/0514 Manicula & Fantone v. Liu (NY 450521/2024)
 24/5068 Manhattan Organization v. City of NY (NY 151940/2024)
 24/1643 Markman v. NY-Presbyterian (BX 2030/2021)
 24/6747 Martinez v. Martinez (NY 159286/2021)
 24/5955 Mather v. HFZ Kik 30th Street (NY 161223/2019)
 20/1200N McCarter & English v. National Collegiate (NY 654144/2018)
 24/4765(2) McGrane-Mungo v. Dag Hammarskjold Tower (NY 159019/2020)
 25/1240 McGregor v. Manhattan Nursing Home (NY 158715/2021)
 24/5945 McGuire v. Roman Catholic Bishop (NY 951104/2021)
 22/1003 McLeod v. NYC Health & Hospitals (BX 335132/2019)
 24/5477 McNilim v. Out-Look Safety (NY 65757/2019)
 24/5854 Medina v. Medina (NY 810353/2023)
 24/4710 Mendez v. City of NY (BX 2736/2020)
 25/2963 Metropolitan Partners v. Nerney (NY 650013/2025)
 24/4359 Metropolitan Property v. Pantai Residential (NY 153189/2018)
 23/0732 Miami Firefighters v. Icahn (NY 657447/2019)
 24/1158 Michael Gross Diamonds v. Vakini (NY 651396/2014)
 24/5564 Milchin v. Milchin (NY 305293/2019)
 25/2569 Mirza v. College of Mount Saint Vincent (BX 805075/2024)
 24/3234 Mitchell v. City of NY (BX 2323/2020)
 24/2793 Moghtaderi v. Apis Capital (NY 650287/2020)
 24/5224 Moises-Ortiz v. FDB Acquisition (NY 152869/2017)
 25/0171 Molina v. Chatham Towers, Inc. (NY 156785/2021)
 24/5268 Molina v. Mount Sinai Morningside (NY 805314/2021)
 24/5803 Molner v. Molner (NY 301261/2012)
 25/0799N Molner v. Molner (NY 301261/2012)
 24/2789 Moore v. Greystone Properties (NY 154133/2017)
 24/0318N Morales v. 58-66 East Fordham (BX 25194/2020)
 24/6114 Mt. Hawley Insurance v. Michelle Kuo Corp. (NY 656474/2021)
 24/5258 Mucci v. City University of NY (BX 818230/2023)
 24/6163 Mueller v. Seed Invest Technology (NY 653225/2023)
 23/6574 Mujav v. Devash LLC (NY 151529/2018)
 25/3118 Municipal Credit Union v. Thomas (BX 802289/2023)
 24/2318 Murillo v. Downtown NYC Owner (NY 152211/2017)
 24/0146N Munroff v. Heerd (NY 805358/2017)
 25/3881 Mustafaj v. City of NY (BX 800323/2022)

24/5149 Mycklebust v. Consolidated Edison (NY 652679/2023)
 23/2698 Myrtle Point v. B3 Ridgewood Holdings (NY 650869/2023)
 23/6326N N47 Associates v. Jemco Realty (NY 159215/2020)
 23/6215 Napoli v. Bern (NY 159576/2014)
 21/3777(2) Napoli v. Bern (NY 159576/2014)
 24/6846 Naramore v. Mount Sinai Health (NY 152989/2020)
 24/4524 National Community v. Midtown Coalition (NY 652675/2021)
 25/0941 Nationstar Mortgage v. O'Connor (BX 35379/2013)
 24/5483(2) NewRez v. Morton (NY 850098/2017)
 24/4782 Ng v. Figueroa (NY 155023/2018)
 24/6575N Norguard Insurance v. 140 W. 28 Owner (NY 154822/2020)
 24/6457 NRD GP v. McCarthy (NY 654694/2022)
 25/1288 Nitru v. W. WV Preservation (NY 158358/2021)
 24/4306 Nunez v. Turo, Inc. (BX 81044/2021)
 25/1856N NY Life Insurance v. Hancock Life Insurance (NY 655745/2023)
 24/2938 NY Taxi Workers v. NYC Taxi (NY 154242/2023)
 25/2195 NYC Transit Authority v. Local 100 (NY 452726/2024)
 23/5732N NYS Division of Housing v. Zara Realty (NY 450245/2019)
 24/4036 NYS Unified Court v. NYS Public Employment (NY 161972/2023)
 24/5041 Ocasio v. Achabar (BX 805753/2022)
 24/6937 Ochoa v. C.I. Lobster Corp. (BX 815202/2022)
 24/5784 Odnorolov v. Weiner (NY 805588/2018)
 24/5853 Olszan Frome Wolosky LLP v. Kestenbaum (NY 656174/2023)
 24/5046 O'Rear v. Kashanco International (NY 159816/2020)
 25/0543 Ortiz v. City of NY (BX 21877/2019)
 24/5202 Ovalle v. Church Street Construction (BX 30590/2019)
 24/7483 Owen v. Johnson (NY 365421/2020)
 25/3052 Owens v. Metropolitan Transportation Authority (NY 160308/2021)
 24/5348 Owens v. New Empire Corp. (NY 654796/2023)
 24/7851 P., Corby v. Deandra H. (BX V3526/2021)
 24/2022 P/B., Children (BX N52727/2022)
 24/4585 P.S. Marcato Elevator v. Scottsdale Insurance (NY 65325/2019)
 25/2621 Pacheco v. Catholic Guardian Services (NY 159163/2023)
 24/7332 Pacheco v. Georgetown Eleventh (NY 157529/2021)
 24/5816 Padilla v. 3521 Dekalb Avenue (BX 31286/2017)
 24/4715 Paller v. Romero (BX 30503/2015)
 25/0652 Pander v. Guildnet, Inc. (NY 160216/2022)
 25/2624 Panos v. Panos (NY 365148/2021)
 24/6401 Parker Col Adminstration v. One West Bank (NY 150652/2024)
 24/7648(2) Parque Solar v. Enel S.P.A. (NY 65615/2023)
 24/1511 Partners for Payment De III v. Crooks (BX 38040/2013)
 24/7802 Patterson v. 786 East 182 (BX 805958/2022)
 24/4524 PCVA Doe v. NY Presbyterian Hospital (NY 95204/2023)
 24/5450 Peck v. Milbank LLP (NY 152909/2022)
 24/5234 Peerenboom v. Marvel Entertainment (NY 162152/2015)
 24/5261 Pena v. City of NY (BX 23439/2016)
 25/2077 Penske v. National Holding Corp. (NY 655002/2021)
 24/5358 Peralta v. Hunter Roberts Construction (NY 159317/2018)
 24/3152 Perez v. Trustees of Columbia University (NY 159472/2017)
 24/6733 Pescala v. Pax Ventures (NY 653319/2019)
 25/2577 Pescala v. Pax Ventures (NY 653319/2019)
 24/5371 Peiro v. Aero International (NY 190324/2020)
 24/6524 Philippe NYC I v. Office of Administrative Trials (NY 152622/2024)
 25/1064N Phillips v. Uber Technologies (BX 42032/2023)
 24/3607 Phillips v. Uber Technologies (BX 42032/2023)
 24/4741 Richard v. The George Units (NY 152229/2021)
 24/6417 Pilapata v. Hudson 888 Owner (NY 152726/2020)
 24/4141 Pizzatotti LLC v. MDB Development (NY 650890/2019)
 24/5253 Plotch v. Citibank (NY 653971/2022)
 24/5790 Plumbers Local Union v. NYC Department of Buildings (NY 160502/2022)
 24/7216N Prager Metis CPAS v. Goldstein (NY 651768/2023)
 24/4546 Prete v. J.H. Joy LLC (NY 161724/2019)
 24/2077 PROF-2013-S3 Legal v. West Ford (BX 26380/2019)
 24/6629 Quach v. C. & Jerome Realty (BX 2051/2019)
 24/5598 Quezada v. 3850 Broadway Holding (NY 151965/2018)
 24/4805 Quezada v. City of NY (NY 158031/2016)
 25/2461 Quinn Emanuel Urquhart & Sillivan v. Desktop Metal (NY 652274/2025)
 24/5837 R., Angelika v. Yolanda K. (BX 30551/2017)
 25/1109 R., Cherie (NY 74462/2022)
 24/4069 R., Serenity (BX 85982/2020)
 24/6089 R., Zion (NY 4449/2023)
 24/7651 Rahal v. Taormina (NY 36553/2023)
 24/2786N Raistone Purchasing v. London Luxury (NY 65148/2023)
 24/5962 Ramirez v. 255 W. 108th Street Corp. (NY 154692/2013)
 24/7721 Ramirez v. 79-05/0709 Jackson Heights BX 30840/2021)
 24/5469 Ramirez v. Teixeira Bakery (NY 450691/2019)
 24/3492 Ramos v. City of NY (BX 70349/2021)
 24/6707 Ramos v. Ford Foundation (NY 159885/2017)
 24/3512 Reclaim the Records v. City of NY (NY 156960/2023)
 24/7647 Rihell Biopharmaceuticals v. Kubko Co. (NY 653200/2023)
 24/7314 Reeves v. Foundation for the Child Victims (NY 15073/2019)
 24/3926 Reyes v. Ford Foundation (NY 159885/2017)
 24/3512 Reclaim the Records v. City of NY (NY 156960/2023)
 24/5783 Richardson v. City of NY (NY 15309/2021)
 24/6051 Riederer v. Schulmann Properties (NY 158576/2019)
 25/0250 Riley v. Memorial Sloan Kettering (NY 156397/2020)
 24/5067 Rivera v. Shoprite of Bruckner (BX 81350/2020)
 24/3358 Rivera v. Site 2 DSA Owner (NY 159502/2020)
 25/2186 Robinson v. Delgado (NY 156003/2019)
 25/0490 Robinson v. Hiatt (NY 151639/2024)
 25/2579 Roche v. Hochfelder (NY 65045/2023)

24/2938 R., Angelika v. Yolanda K. (BX 30551/2017)
 24/3512 Reclaim the Records v. City of NY (NY 156960/2023)
 24/5783 Richardson v. City of NY (NY 15309/2021)
 24/6051 Riederer v. Schulmann Properties (NY 158576/2019)
 25/0250 Riley v. Memorial Sloan Kettering (NY 156397/2020)
 24/5067 Rivera v. Shoprite of Bruckner (BX 81350/2020)
 24/3358 Rivera v. Site 2 DSA Owner (NY 159502/2020)
 25/2186 Robinson v. Delgado (NY 156003/2019)
 25/0490 Robinson v. Hiatt (NY 151639/2024)
 25/2579 Roche v. Hochfelder (NY 65045/2023)

COURT NOTES

New Note!

U.S. COURT OF APPEALS FOR THE SECOND CIRCUIT

Court is Accepting Applications for Bankruptcy Judge for the Western District Application Deadline is Sept. 5

The United States Court of Appeals for the Second Circuit invites applications from qualified candidates for a 14-year appointment as United States Bankruptcy Judge for the Western District of New York, with a duty station in Rochester, New York. The selection process will be confidential and competitive. Applicants will be considered without regard to race, color, religion, sex, national origin, age, sexual orientation, or disability.

The current annual salary of a United States Bankruptcy Judge is \$227,608.

The Second Circuit uses an open and competitive selection process. All applications are screened by a Merit Selection Committee. The Committee will review applicants using the following criteria: legal competence evidenced by experience with complex legal issues; an aptitude for legal scholarship and writing; familiarity with the courts and court processes; commitment to equal justice under the law; characteristics indicative of a sound judicial temperament; a reputation for integrity, good character and ethical behavior; and physical and mental health sufficient to meet the demands and tenure of the position. The Merit Selection Committee will select a limited number of applicants for interview and will conduct appropriate due diligence inquiries into the candidates' backgrounds and qualifications. Upon a majority vote of the Second Circuit Judicial Council, the Council will forward the Merit Selection Committee's Report with any recommendations or comments to the active judges of the Court of Appeals. The selected nominee will be required to submit FBI and IRS background investigations prior to appointment.

Basic qualifications for consideration include:

1. Membership in good standing of at least one state bar, the District of Columbia bar, or the Commonwealth of Puerto Rico bar, and never other than membership in good standing of every bar of which the applicant has been a member; and

2. A minimum of five years of legal practice experience.

Application forms are posted on the Court's website at <http://www.ca2.uscourts.gov>.

Completed application packages must be in the format required by the Second Circuit and received no later than September 5, 2025.

NEW YORK STATE COURT OF APPEALS

July 2025 Appeals

The Clerk's Office announces that briefing schedules have been issued for the following appeals during July 2025.

D

23/2035 People v. Christopher Malondon (BX 7325/2022)	23/3558 People v. Khalid Wisdom (NY 70678/2022)
2019-5145 People v. Claudio Rivera (NY 2745/2017)	23/6489 People v. Kori Powell (BX 74677/2022)
22/3053 People v. Corey Key (NY 7021/2021)	24/0483 People v. Kyle Hardison (NY 298/2001)
21/2877 People v. Creig Bleyden (BX 2175/2019)	24/6343 People v. Lamar Withall (BX 70387/2020)
19/4665 People v. Cristian Compre-Moreno (NY 68/2019)	23/1932 People v. Lamont Hood (NY 74393/2022)
22/3041 People v. Daevon Jones (BX 112/2019)	24/3832 People v. Lance Lombard (BX 73810/2023)
20/300 People v. Daniel Newell (NY 1778/2018)	23/6750 People v. Lawrence Downey (NY 7199/2020)
22/3393 People v. Daquan D. (BX 7073/2022)	25/0616 People v. Leonard Lewis (BX 72876/2022)
23/0695 People v. Dashin Simmons (BX 120/2021)	22/4809 People v. Liz Thompson (NY 1593/2021)
22/1402 People v. David Taylor (NY 879/2021)	22/5672 People v. Lloyd Anderson (BX 71312/2022)
24/219 People v. David Young (BX 423/2021)	2017-2061 People v. Lonzell Green (NY 2373/2014)
23/5574 People v. Davon Best Kelly (BX 70088/2023)	22/3048 People v. Lonzell Green (NY 894/2020)
23/5183 People v. Derek Johnson (BX 710/1988)	24/6240 People v. Louis McDonald (BX 72250/2022)
20/1196 People v. Derrick Harris (BX 2099/2019)	23/4594 People v. Lucas Almonte (NY 3945/2019)
19/4645 People v. Diane Hunt (NY 2907/2017)	24/2352 People v. Luis Lopez (BX 74987/2023)
24/206 People v. Douglas Williams (BX 71328/2021)	22/5211 People v. Luis Morales (BX 71333/2021)
22/0046 People v. Duntrell Calderon (NY 307/2019)	24/0624 People v. Luis Ortiz (BX 74910/2023)
2018-2398 People v. Dwight Furet (NY 1523/2016)	20/1659 People v. Luis Sastre (BX 4712/2009)
2018-1432 People v. Egidio Lind (BX 3399/2012)	24/0555 People v. Luz Hernandez (BX 72841/2023)
25/0874 People v. Egidio Orellana (NY 71503/2023)	22/2316 People v. Malachi Williams (NY 71530/2023)
24/7834 People v. Egidio Orellana (BX 73457/2023)	24/5035 People v. Manuel Vega (BX 73404/2023)
23/1876 People v. Elijah Santiago (NY 71159/2021)	19/4977 People v. Mark White (NY 3865/2015)
24/4564 People v. Elston Howell (NY 3058/2019)	23/1032 People v. Markuise McGrier (BX 1493/2021)
24/6990 People v. Elvin Pacha aka Elvin Fernandez (NY 73890/2023)	23/3397 People v. Mata Balogh (BX 70327/2023)
2018-2631 People v. Emmet Allen, Sr. (BX 407/2017)	23/0877 People v. Maurice Reid (NY 523/2019)
21/4557 People v. Esteban Dejesus (BX 995/2021)	22/3039 People v. Mauro Vivar (BX 7220/2019)
21/3191 People v. Esteban Villaman Almonte (BX 867/2019)	24/0474 People v. Mbarek Lafrem (NY 115/2010)
22/4891 People v. Felipe Solar (NY 6127/2002)	22/4917 People v. Melissa Concepcion (NY 7274/2022)
2019-1470 People v. Ferdinand Rivera (NY 3418/2016)	23/5811 People v. Michael Cortes (BX 70196/2022)
21/3294 People v. Fernando PonceDeLeon (NY 455/2021)	22/2517 People v. Michael Mangual (BX 70778/2021)
23/3553 People v. Franklin Cabrera-Fernandez (NY 2808/2017)	2019-1433 People v. William Caruth (BX 300/2016)
23/2923 People v. Frederick Then (BX 1453/2018)	22/3915 People v. William Hooks (NY 538/1997)
2019-1856 People v. Gary Jacques (NY 9179/1991)	21/0134 People v. William Prieto (NY 2123/2019)
23/0298 People v. Geoffrey Tracy (NY 2956/2018)	22/2517 People v. William Rivera (NY 447/2019)
22/2187 People v. George McTaggart (NY 158/2021)	23/1682 People v. Willi Santos (BX 67/2021)
24/3398 People v. Gerard Hines (BX 7484/2023)	22/4459 People v. Xavier Rivera (BX 63/2021)
24/4374 People v. Gino Sozio (NY 7051/2023)	22/4656 People v. Zachary Louisian (BX 63/2019)
24/3388 People v. Glenn Pointdexter (BX 7461/2023)	22/3528 People v. Mohamed Qatabi (NY 447/2018)
2019-2288 People v. Gudberito Melendez (BX 2829/2016)	20/3318 People v. Mustapha Ouane (NY 3765/2010)
23/3836 People v. Gustin Jean-Baptiste (NY 75363/2022)	19/4781 People v. Nelson Rivera (NY 3635/2016)
201/248 People v. Horacio Gayle (BX 2220/2018)	
24/5365 People v. Ignacio Vasquettel (BX 72490/2023)	
20/1785 People v. Isaiah Iyasei (NY 1509/2019)	
23/1916 People v. Isaiah Rivera (BX 6342/2020)	
24/2415 People v. Israel Rivera (BX 72395/2023)	
20/4846 People v. Issac Daniel (BX 806/2018)	
24/3828 People v. Jahfione Johnson (BX 72108/2024)	
24/4487 People v. Jaiden Dechabert (NY 75507/2023)	
23/4195 People v. Jamie Richardson (NY 71122/2021)	
23/2642 People v. Jason Pagueo (BX 73144/2022)	
23/1296 People v. Jason Washington (NY 3054/2018)	
24/3082 People v. Jateis Leake (NY 72427/2022)	
24/2809 People v. Jateis Leake (BX 72953/2022)	
24/3727 People v. Javien Mazick (BX 70614/2023)	
23/0571 People v. Javier Rosario (BX 458/2021)	
24/0691 People v. Javier Santiago (NY 75468/2022)	
22/4871 People v. Jay Smith (BX 302/2017)	
24/4699 People v. Jaitiwan Braxton (NY 1384/2020)	
17/2093 People v. Jean Guillen-Belte (BX 384/2015)	
22/2133 People v. Jeffrey Davis (NY 357/2020)	
20/1314 People v. Jeffrey Tarrt (BX 1913/2018)	
23/5623 People v. Jeneli Berkley (BX 70946/2023)	
24/6135 People v. Jeremiah Martinez (NY 75230/2022)	
24/6181 People v. Jeremiah Martinez (NY 7413/2022)	
22/0048 People v. Jeremiah Rivera (NY 1802/19)	
22/4436 People v. Jeremy Scott-Mason (NY 2032/2021)	
24/2558 People v. Jesse Jouceco (NY 2330/2018)	
23/0785 People v. Jeury Marte (NY 4081/2019)	
24/4591 People v. Jhownali S. (BX 7268/2023)	
24/4821 People v. Joel R. (BX 7137/2022)	
24/0806 People v. Jonathan Alfonso (BX 2853/2010)	
24/5366 People v. Jorge L. Andujar (BX 7376/2023)	
20/4947 People v. Jorge Lazaro (NY 2082/2016)	
25/2224 People v. Jorge Louis (BX 32/2020)	
22/1871 People v. Jose Almodovar (BX 282/2020)	
23/2650 People v. Jose Alvarado (NY 255/2024)	
24/4019 People v. Jose C. Rivera (BX 71561/2023)	
20/2163 People v. Jose Matias (NY 4295/2017)	
23/3137 People v. Jose Monserate (BX 486/2020)	
23/0205 People v. Jose Perez (BX 40/2021)	
23/6021 People v. Jose S. (BX 1274/2021)	
24/5035 People v. Joseph Campbell (BX 74962/2023)	
24/075 People v. Joseph Evans (BX 7025/2023)	
23/0552 People v. Joseph Garcia (NY 147/2020)	
24/1784 People v. Joseph R. (BX 71568/2023)	
2019-986 People v. Joseph Urgitano (BX 1561/2016)	
19/533 People v. Joshua Buchanan (BX 247/2019)	
24/4330 People v. Joshua Roman (BX 7296/2023)	
24/1718 People v. Josan Normil (BX 72564/2022)	
2018-4923 People v. Juan Rosario (BX 2515/2014)	
23/052 People v. Juan Sosa C. (BX 7025/2021)	
23/5115 People v. Julio Cuevas (BX 7211/2023)	
23/2676 People v. Junior Zorrilla (NY 602/2018)	
24/1001 People v. Kahreem Perry (NY 70769/2021)	
24/5257 People v. Karen Geist (NY 73296/2022)	
22/1624 People v. Karon Agurs (NY 2338/2021)	
24/0202 People v. Keiron Montgomery (NY 7604/2023)	
2017-1547 People v. Kenneth Ferguson (NY 2740/15)	
24/0817 People v. Kenyatta Elvin (BX 71128/2023)	
22/6746 People v. Kevin Hawse (BX 981/2019)	

Court Calendars

COURT NOTES

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The Chief Administrator of the Courts may establish a continuing eligible list for any class of positions for which [inadequate numbers of qualified persons are found available for recruitment or appointment] such lists are appropriate. The Chief Administrator may only establish continuing eligible lists for any class of positions filled through open competitive examination. Names of eligibles shall be inserted in such list from time to time as applicants are tested and found qualified in examinations held at such intervals as may be prescribed by the Chief Administrator. Such successive examinations shall, so far as practicable, be constructed and rated so as to be equivalent tests of the merit and fitness of candidates. The name of any candidate who passes any such examination and who is otherwise qualified shall be placed on the continuing eligible list in the rank corresponding to his or her final rating on such examination. The period of eligibility of successful

candidates for certification and appointment from such continuing eligible list, as a result of any such examination, shall be fixed by the Chief Administrator but, except as a list may reach an announced terminal date, such period shall not be less than one year; nor shall such period of eligibility exceed four years, except as provided in section 25.17 of this Part. Subject to such conditions and limitations as the Chief Administrator may prescribe, a candidate may take more than one such examination; provided, however, that no such candidate shall be certified simultaneously with more than one rank on the continuing eligible list. With respect to any candidate who applies for and is granted additional credit in any such examination as a disabled or nondisabled veteran, and for the limited purpose of granting such additional credit, the eligible list shall be deemed to be established on the date on which his or her name is added thereto.

Chief Judge of the State of New York

22/432 People v. Vadam Shilman (BX 72654/2022)
2018-1059 People v. Walter Xicay (NY 2840/2016)
22/361 People v. Wilfredo Gonzalez (NY 2/2021)
24/7294 People v. William Blackman (NY 71752/2024)
2019-1433 People v. William Caruth (BX 300/2016)
22/3915 People v. William Hooks (NY 538/1997)
21/0134 People v. William Prieto (NY 2123/2019)
22/2517 People v. William Rivera (NY 447/2019)
23/1682 People v. Willi Santos (BX 67/2021)
22/4459 People v. Xavier Rivera (BX 63/2021)
22/4656 People v. Zachary Louisian (BX 63/2019)
22/3528 People v. Mohamed Qatabi (NY 447/2018)
20/3318 People v. Mustapha Ouane (NY 3765/2010)
19/4781 People v. Nelson Rivera (NY 3635/2016)

APPELLATE TERM

60 Centre Street

10 A.M.

Commencing with the September 2025 Term, all oral arguments at the Appellate Term, First Department will be in person. Counsel and pro se litigants also have the option to submit.

New York County

SUPREME COURT

Ex-Parte Motion Part

And Special Term Part

The following matters were assigned to the Justices named below. These actions are assigned as a result of initial notices of motion or notices of petition returnable in the court on the date for judicial intervention and the request for judicial intervention forms that have been filed in the court with such initial activity in the case. All Justices, assigned parts and courtrooms are listed herein prior to the assignments of Justices for the specified actions. In addition, listed below is information on judicial hearing officers, mediation, and special referees.

IAS PARTS

1 Silvera: 300 (60 Centre)
2 Sattler: 212 (60 Centre)
3 Cohen: J. 208 (60 Centre)
4 Kim: 308 (80 Centre)
5 King: 320 (80 Centre)
6 King: 351 (60 Centre)
7 Lebovitz: 345 (60 Centre)
8 Kotter: 278 (80 Centre)
9 Capiti: 355 (60 Centre)
11 Frank: 412 (60 Centre)
12 Stroth: 328 (80 Centre)
13 Schumacher: 304 (71 Thomas)
14 Bluth: 432 (60 Centre)
15 Johnson: 116 (60 Centre)
17 Hager: 335 (60 Centre)
18 Tisch: 104 (71 Thomas)
19 Sokoloff: 540 (60 Centre)
20 Kaplan: 422 (60Centre)
2

Part 17
Justice Shlomo S. Hagler
60 Centre Street
Phone 646-386-3283
Courtroom 335

Part 19
Justice Lisa A. Sokoloff
60 Centre Street
Phone 646-386-3979
Room 540

**Part 20
ADR**
Justice Deborah A. Kaplan
60 Centre Street
Phone 646-386-3300
Courtroom 422

TUESDAY, AUGUST 12
158740/24 Pergola v. Ihms

**Part 24
Matrimonial Part**
Justice Michael L. Katz
60 Centre Street
Phone 646-386-3285
Courtroom 325

TUESDAY, AUGUST 12
310178/19 Dolezal v. Park
Motion

310178/19 Dolezal v. Park
WEDNESDAY, AUGUST 13

365003/22 Ay v. Ay
32120/24 Fontenla v. Romero-Fontenla

157562/24 Galloway v. Reed—9:30 A.M.

365273/21 Markovits v. Basri

365333/24 Pourkhomami v. Pourkhomami

322987/21 Prater v. Cooke

311776/17 Samuels v. Bar

301822/18 Ungaro v. Zampolli

Motion

365003/22 Ay v. Ay

32120/24 Fontenla v. Romero-Fontenla

157562/24 Galloway v. Reed—9:30 A.M.

365273/21 Markovits v. Basri

365333/24 Pourkhomami v. Pourkhomami

311776/17 Samuels v. Bar

301822/18 Ungaro v. Zampolli

Part 26

Justice Ta-Tanisha D. James
60 Centre Street

Phone 646-386-4462

Room 438

TUESDAY, AUGUST 12

150573/23 Holaves v. Holaves

Part 28

Justice Aija Tingling
60 Centre Street

Phone 646-386-4372

Room 543

TUESDAY, AUGUST 12

365292/25 Markel v. Demel Markel

365594/23 Raines Heyden v. Heyden

365207/24 Roch v. Roch

321905/22 Wang v. Wang

Motion

365292/25 Markel v. Demel Markel

365207/24 Roch v. Roch

Part 30V

Justice Judith N. McMahon
60 Centre Street

646-386-3275

TUESDAY, AUGUST 12

805173/18 Heller v. Kremianskaya

805053/20 Settenbrino Davies v. Weltz

Part 33

Justice Mary V. Rosado
60 Centre Street

Phone 646-386-3894

Room 442

TUESDAY, AUGUST 12

158572/24 Araujo v. The NY And Presbyterian Hosp. Et Al

153284/25 Board of Mgrs. of The Textile Bldg. Condominium v. Board of Mgrs. of The Worth Bldg. Condominium

800312/11 Caracci v. Mount Sinai Medical Center

156045/22 Cashabamha v. Vincent De Filippo

100053/25 Park v. NYC Police Dept. Prop. Clerk

Motion

153284/25 Board of Mgrs. of The Textile Bldg. Condominium v. Board of Mgrs. of The Worth Bldg. Condominium

800312/11 Caracci v. Mount Sinai Medical Center

156045/22 Cashabamha v. Vincent De Filippo

100053/25 Park v. NYC Police Dept. Prop. Clerk

WEDNESDAY, AUGUST 13

151743/13-11 East 13th St. v. New School

159127/20 Almonte v. NYU Langone Hosps.

150841/25 Alvarez Rodriguez v. 55 Broad St. Owner LLC Et Al

158907/24 Baker v. The NYCHA

650873/24 Berkshire Hathaway Associates LLC

651674/24 Harmon v. Matthews

156014/21 Hereford Ins. Co. v. All Nations Dme Corp Et Al

157011/23 Hernandez v. Pa Builders, Inc. Et Al

150274/24 Jara v. 48 West 25th St. Prop. Investors IV LLC Et Al

154551/23 Johnson v. 516 Ritz, NY LLC

154186/24 Lew v. NYCHA Et Al

159259/23 Lopez Zamora v. Palace Funding Inc. Et Al

161082/22 Maldonado v. Cm & Associates Contracting Inc. Et Al

152585/21 McIntrye v. New York-Presbyterian Global Services

155070/22 Mendez v. Europa General Contracting Corp. Et Al

15454/23 Mta Long Island Rail Road Et Al v. Accredited Surety & Casualty Co. Inc.

156949/22 Nieri Tomala v. Hibernia Const. Corp Et Al

160470/21 O'Connor v. Fourth Wall Restaurants

161105/20 Ortega v. Ab Stable LLC

151073/23 Pellegrino v. The Mount Sinai Hosp.

655808/24 Peter K. Fury v. Amelia US LLC And Ipsos, Inc.

152466/23 Pfeiffer v. Jpmorgan Chase Bank

153612/23 Plummer Jr. v. Key Developers, Inc. Et Al

156131/24 Ribalow v. Gurney's Inn Spa Corp. Et Al

159901/23 Rivas v. 249 E. 62nd St. LLC

151106/22 Smith v. Apf 286 Mad LLC Et Al

154529/23 St. Jules v. Gs Site 25 Hotel

156321/24 State Farm Mutual Automobile Ins. Co. v. All City Family Healthcare Center, Inc. Et Al

160596/23 Thompson-Jenkins v. Boulevard Together Master Tenant LLC Et Al

150144/22 Treilles Astudillo v. Unity Const. Group

150847/22 Tuba Moroco v. 323 Houston St. Corp.
653746/21 Turner/Stv. v. NYC Et Al
154276/23 Unirint Safeguard Ins. Co. v. Marquez
156484/24 Valle v. Hilt NY Waldorf LLC Et Al
159382/22 Vogelman v. Modern Facility Services, Inc. Et Al
150371/23 Williams v. River Pl. I LLC Et Al

Motion

152854/21 McIntrye v. New York-Presbyterian Global Services

Part 34

Justice Dakota D. Ramseur
60 Centre Street

Phone 646-386-4370

Room 341

TUESDAY, AUGUST 12

153211/24 19-21 West 9th St. LLC v. Penguin Tenants Corp.

154833/22 Big Prop. Casualty Co. v. Samrad

155989/22 Altman v. East River 95 Owner LLC. Et Al

151468/22 Azcon v. Amazon.Com Services LLC Et Al

160158/22 Blandon Umanzor v. Nova Const. Services LLC Et Al

159218/22 Cheung v. Jpmorgan Chase & Co. Et Al

151619/22 Demarino v. Beldock Levine & Hoffman LLP Et Al

159310/22 Demir v. Port Imperial Ferry Corp. Et Al

111309/11 Dias v. Northern Manhattan

158306/22 Eason v. East Harlem Council For Human Services, Inc. Et Al

151468/22 Azcon v. Amazon.Com Services LLC Et Al

150510/22 McIntrye v. NYC Et Al

151468/22 Azcon v. Amazon.Com Services LLC Et Al

150510/22 McIntrye v. NYC Et Al

151468/22 Azcon v. Amazon.Com Services LLC Et Al

150510/22 McIntrye v. NYC Et Al

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151468/22 Azcon v. Amazon.Com Services LLC Et Al

150510/22 McIntrye v. NYC Et Al

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150510/22 McIntrye v. NYC Et Al

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151468/22 Azcon v. Amazon.Com Services LLC Et Al

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151468/22 Azcon v. Amazon.Com Services LLC Et Al

150510/22 McIntrye v. NYC Et Al

151468/22 Azcon v. Amazon.Com Services LLC Et Al

150510/22 McIntrye v. NYC Et Al

151468/22 Azcon v. Amazon.Com Services LLC Et Al

150510/22 McIntrye v. NYC Et Al

151468/22 Azcon v. Amazon.Com Services LLC Et Al

150510/22 McIntrye v. NYC Et Al

Part 18

Justice Alexander M. Tisch
71 Thomas Street
Phone 646-386-3472
Room 104

TUESDAY, AUGUST 12

950219/19A. v. Archdiocese of NY
452543/22B. v. The Salvation Army
Et Al
951085/21C. v. NYC
951274/21Carvalho v. Roman
Catholic Archdiocese of NY Et Al
135812/22 Cortes v. Archdiocese of
NY Et Al
950689/20 Doe v. Archdiocese of NY
950131/19 Hammond v. Our Lady of
Mt. Carmel Roman Et Al
950181/19 Henry v. Graham
950223/19 Hodd v. Grace Church
School
950363/20 Johnson v. NYC Et Al
100933/24Leiva v. NYS Dhs / Oti
950689/21 Lyons v. The Archdiocese
of NY Et Al
950201/21N. v. Archdiocese of NY
951323/21 Thompson v. NYC Et Al

Motion

100933/24Leiva v. NYS Dhs / Oti
WEDNESDAY, AUGUST 13
950049/19 Ark55 v. Archdiocese of
NY

Part 23

Justice Eric Schumacher
71 Thomas Street
Phone 646-386-3736
Courtroom 304

TUESDAY, AUGUST 12

190081/21 Ferraro v. A.O. Smith
Water Prods. Co Et Al
190266/24Lake v. Pfizer Inc.,
Individually And As Successor-
In-Interest To Coto Inc. And Coto
Int'l., Inc., Et Al
190036/19 McCabe v. A.O. Smith
Water Prods. Co

WEDNESDAY, AUGUST 13

190112/22 Donald Paul Del Duca
Jr v. Air & Liquid Systems Corp.,
As Successor-By Merger To
Buffalo Pumps, Inc., Et Al
190041/21 Drroscki v. A.O. Smith
Water Prods. Co
190246/20 Fox v. Abb. Inc.,
Individually
190238/21 Grace Lieberman v. A.O.
Smith Water Prods. Co Et Al
190080/23 Graham v. A.O. Smith
Water Prods. Co Et Al

190094/24 Hill v. Sumitomo Corp. of
Americas Et Al
161482/18 Holz v. Consol. Rail Corp.
190054/21 Joanne O'Leary v. Air &
Liquid Systems Corp.

190157/22 Kieboom v. Avon Prods., Inc.
Et Al

190195/20 Marino v. Air & Liquid
Systems

190116/20 Meiners v. Amchem
Prods., Inc.

190286/20 Michael F McCarthy v.
Amchem Prods., Inc.

190145/23 Percival v. A.O. Smith
Water Prods. Co Et Al

190249/23 Prestia v. A.O. Smith
Water Prods. Co., Et Al

190208/23 Smith v. A.O. Smith
Water Prods. Co Et Al

Part 29

Justice Leticia M. Ramirez
71 Thomas Street
Phone 646-386-3016
Room 311

WEDNESDAY, AUGUST 13

158479/19 Arguelles v. Hunter
Roberts Const.

155949/23 Carduner v. Plymouth
Mgt. Group, Inc. Et Al

156987/23 Carman v. Elev8 Center
NY

150253/23 Cobos Tito v. 1165
Madison Ave

159202/23 Cordero v. 42 Broad St.
West Owner LLC Et Al

158056/22 Cordero v. 610 West 163
Rlt.

151388/23 Degrage v. It Cosmetics

157895/23 Diakowski v. Turner
Const. Co. Et Al

156814/25 Doe v. Zara USA, Inc. Et
Al

152525/23 Green v. NY Univ.

157319/23 Greene v. NYCHA

160215/22 Kern v. Meyer

159471/22 Madrid v. Con Ed Co. of
New York, Inc.

156959/23 Maidana Cardozo v. Jam
E 89 LLC Et Al

153598/23 Mendez v. Fooda, Inc.

151568/23 Perez v. Mr 1326

153596/23 Pollock v. Delshah
Capital LLC

152615/23 Rodriguez v. Margis Rlt.
LLC Et Al

155205/23 Rosales v. Paragon Jv
Prop III LLC. Et Al

158303/23 Spady v. Martinique
Realty Associates

154282/23 Villanova v. 146th Apts.
LLC Et Al

152029/23 Zapotique Agus
v. Agence Architecture &
Engineering P.C. Et Al

Part 36

Justice Verma L. Saunders
71 Thomas Street
Phone 646-386-3733
Room 205

TUESDAY, AUGUST 12

153967/18 Casilar v. Interior
Management

WEDNESDAY, AUGUST 13

650652/240 Wall St. Suites LLC v.
Smith And Gordon Hldgs. Group,
Inc. Et Al

655205/21627 Second Corp. v.

Brasero Restaurant, Inc. Et Al

151385/22A Prop. Casualty Co. v.

Arthur C. Klein, Inc. Et Al

654723/21Aryeh Rlt. Corp. v.

Joseph

151850/21 Board of Mgrs. of The

233 East 70th St. Condominium

v. Macarthur Properties I

158678/20 Buitrago v. 600 B'way.

Partners LLC

157879/20 Cerefice v. 75 Broad

152741/25 Chieke v. Wiley

162033/23 Firemans Fund Ins. Co.

A/6/78th & Park Corp. v. Arthur

C. Klein

158656/25 First Funds v. Abdullah

161534/21 Fuchs v. 442 West 50 LLC
Et Al

656253/21 Holand v. The Guardian

Life Ins. Co. of America Et Al

453012/23 Houser v. Carrion Jr

156130/21 Hudson View Gardens,

Inc. v. Peleus Ins. Co.

100320/23 Leiva v. NYC Dept. of

Health And Mental Hygiene

157532/23 McNeely v. Just Salad

151051/18 Miqui v. Symphony Cp
(park Lane)

160752/20 Murawski v. Basso

156131/21 Westchester Surplus

Lines Ins. Co. v. E. Demarino

Trucking Inc.

161425/23 Williams v. Silverstein

Properties, Inc. Et Al

150017/22 Wilson v. J.P. Morgan

Chase Bank Na Et Al

155466/19 Year v. J.T. Magen & Co.
Inc.

Motion

152741/25 Chieke v. Wiley

158656/25 First Funds v. Abdullah

150320/23 Houser v. Carrion Jr

156130/23 Leiva v. NYC Dept. of

Health And Mental Hygiene

157532/23 McNeely v. Just Salad

151051/18 Miqui v. Symphony Cp
(park Lane)

160752/20 Murawski v. Basso

156131/21 Westchester Surplus

Lines Ins. Co. v. E. Demarino

Trucking Inc.

161425/23 Williams v. Silverstein

Properties, Inc. Et Al

150017/22 Wilson v. J.P. Morgan

Chase Bank Na Et Al

155466/19 Year v. J.T. Magen & Co.
Inc.

Motion

151136/21 Smartmatic USA Corp. v.

Fox Corp.

Motion</

809114/22 M.M. v. Escoffery	80523/22 Prendergast v. Stalikas	806374/22 Martinez v. Madison	24860/17 Jean-Louis v. Imperial	818139/24 Marshall v. Burnette	24613/19 Garcia v. Bruckner	803580/22 Cordero v. NYCHA	811087/23 Oblitas v. Lb II
811569/24 Morales Chirinos v.	812647/21 Primitivo Mata v. NYC Et Al	812597/22 Mateo v. Gueye	22156/19 Joseph v. Adk Freight LLC	81805/24 Pelosi v. Pelosi	29649/17 Gonzalez Cruz v. Church of the Blessed	801758/21 De Jesus Sanchez v. 95	Associates LLC Et Al
Speedway LLC	25186/20 Q. v. NYC	80898/21 Matos v. Fofana	80898/21 Kerr v. Con Ed	27529/20 Pineda-Rodriguez v. 123	29649/17 Gonzalez Cruz v. Church of the Blessed	Delaney LLC and 93 Ludlow St. Inc.	81488/23 Sanchez v. NYC Et Al
Jr	802716/23 Ramos v. NYC Et Al	25884/16 Medina v. Singh	80189/22 Kokotas v. Ampadu	285/920 Pineda-Rodriguez v. 123	27529/20 Pineda-Rodriguez v. 123	80674/23 Vasquez Mego v. 89 Ave	80674/23 Vasquez Mego v. 89 Ave
807708/25 Grena de Ulloa v. New Beginning Community Redevelopment Corp.	29457/19 Rivera v. NYC	81315/22 Hernandez v. Trinidad Nova	25342/19 Lopez-Ramos v. Hans	80189/22 Kokotas v. Ampadu	27529/20 Pineda-Rodriguez v. 123	Rly. LLC Et Al	34652/20 Walters v. 880 River Ave
812053/24 Ratrav v. Kemp-Taylor	30551/15 Rodriguez v. NYC	81595/15 Mendoza v. Pena De Jesus	34763/20 Moore v. Alina Services Corp.	80189/22 Kokotas v. Ampadu	27529/20 Pineda-Rodriguez v. 123	34652/20 Walters v. 880 River Ave	34652/20 Walters v. 880 River Ave
819868/24S. v. Celeste Properties Inc.	801196/16 Rolle v. NYC	80881/22 Miller v. Toussaint	81455/24 Pacheco v. Aurora	80189/22 Kokotas v. Ampadu	27529/20 Pineda-Rodriguez v. 123	34652/20 Walters v. 880 River Ave	34652/20 Walters v. 880 River Ave
817943/23 Sanchez v. 607 Concord Ave. Housing Dev. Fund Corp. Et Al	81497/22 Sanchez v. NYC Et Al	80333/18 Morris v. Venture Leasing LLC, Inc.	81544/23 Express LLC Et Al	80189/22 Kokotas v. Ampadu	27529/20 Pineda-Rodriguez v. 123	34652/20 Walters v. 880 River Ave	34652/20 Walters v. 880 River Ave
813283/24 Sosa v. Amazon.com Services	80807/22 Sander v. NYC	80811/24 S.D.S. v. NYC Et Al	3542/20 Paul v. Wilkins	80189/22 Kokotas v. Ampadu	27529/20 Pineda-Rodriguez v. 123	34652/20 Walters v. 880 River Ave	34652/20 Walters v. 880 River Ave
805760/25 Stroud v. Graham	80369/11 Stuckey v. NYC	80838/22 Miller v. Toussaint	22828/20 Perkins v. Cordero	80189/22 Kokotas v. Ampadu	27529/20 Pineda-Rodriguez v. 123	34652/20 Walters v. 880 River Ave	34652/20 Walters v. 880 River Ave
811628/25 Tetteh v. Myelles Logistics LLC Et Al	80867/24 Sylva v. NYC	80333/18 Morris v. Venture Leasing LLC, Inc.	25140/18 Rios v. Metro.	80189/22 Kokotas v. Ampadu	27529/20 Pineda-Rodriguez v. 123	34652/20 Walters v. 880 River Ave	34652/20 Walters v. 880 River Ave
WEDNESDAY, AUGUST 13	80007/22 Santiago v. NYC Et Al	80117/5/23 Serra v. NYC Et Al	21112/22 Mota v. Cruz	80189/22 Kokotas v. Ampadu	27529/20 Pineda-Rodriguez v. 123	34652/20 Walters v. 880 River Ave	34652/20 Walters v. 880 River Ave
30320/19 Aguilar Bollat v. Miah Et Al	80355/15 Rodriguez v. NYC	80408/19 Rivera v. Glenn A. Jacobson	22282/20 Perkins v. Cordero	80189/22 Kokotas v. Ampadu	27529/20 Pineda-Rodriguez v. 123	34652/20 Walters v. 880 River Ave	34652/20 Walters v. 880 River Ave
812929/23 Constantine v. Mar-Can Transportation Co., Inc. Et Al	80782/24 Townsend v. NYC Et Al	80809/24 Nikiema v. Ryder Truck Rental, Inc. Et Al	25341/18 Rios v. Metro.	80189/22 Kokotas v. Ampadu	27529/20 Pineda-Rodriguez v. 123	34652/20 Walters v. 880 River Ave	34652/20 Walters v. 880 River Ave
807842/24 Foster v. Parkash 215 LLC Et Al	80403/24 Vanpinter v. NYC Et Al	80338/22 Miller v. Toussaint	22828/20 Perkins v. Cordero	80189/22 Kokotas v. Ampadu	27529/20 Pineda-Rodriguez v. 123	34652/20 Walters v. 880 River Ave	34652/20 Walters v. 880 River Ave
809962/22 Francis v. 1520 Sedgwick Housing Dev. Fund Corp. And Et Al	80009/21 Vargas v. NYC Et Al	80333/18 Morris v. Venture Leasing LLC, Inc.	25140/18 Rios v. Metro.	80189/22 Kokotas v. Ampadu	27529/20 Pineda-Rodriguez v. 123	34652/20 Walters v. 880 River Ave	34652/20 Walters v. 880 River Ave
813867/23 Moya Gonzalez v. The Bible Church of Christ, Inc.	80894/23 Velasquez v. NYC	80884/23 Velasquez v. NYC Et Al	22835/18 Sander v. Lopez	80189/22 Kokotas v. Ampadu	27529/20 Pineda-Rodriguez v. 123	34652/20 Walters v. 880 River Ave	34652/20 Walters v. 880 River Ave
808498/24 Pepic v. Bathgate Rly. LLC.	80895/22 Washington v. NYC Et Al	80895/22 Washington v. NYC Et Al	22835/18 Sander v. Lopez	80189/22 Kokotas v. Ampadu	27529/20 Pineda-Rodriguez v. 123	34652/20 Walters v. 880 River Ave	34652/20 Walters v. 880 River Ave
801062/24 Rivas Laya v. Skf General Contractors LLC Et Al	80134/18 Santos v. 3445 Jerome Rly.	80134/18 Santos v. 3445 Jerome Rly.	22835/18 Sander v. Lopez	80189/22 Kokotas v. Ampadu	27529/20 Pineda-Rodriguez v. 123	34652/20 Walters v. 880 River Ave	34652/20 Walters v. 880 River Ave
813867/23 Vassell v. Netherland Gardens Coop	80270/22 Vazquez v. 653	80270/22 Vazquez v. 653	22835/18 Sander v. Lopez	80189/22 Kokotas v. Ampadu	27529/20 Pineda-Rodriguez v. 123	34652/20 Walters v. 880 River Ave	34652/20 Walters v. 880 River Ave
807917/23 Worth v. Trevcon Const. Co.	80003/13 Womack v. Nyd Et Al	80003/13 Womack v. Nyd Et Al	22835/18 Sander v. Lopez	80189/22 Kokotas v. Ampadu	27529/20 Pineda-Rodriguez v. 123	34652/20 Walters v. 880 River Ave	34652/20 Walters v. 880 River Ave
Part 5	80803/13 Womack v. Nyd Et Al	80003/13 Womack v. Nyd Et Al	22835/18 Sander v. Lopez	80189/22 Kokotas v. Ampadu	27529/20 Pineda-Rodriguez v. 123	34652/20 Walters v. 880 River Ave	34652/20 Walters v. 880 River Ave
Justice Alison Y. Tuitt	Phone 718-618-1224	Room 415, 9:30 A.M.					
TUESDAY, AUGUST 12	80045/23 Alvarado v. Sandoval LLC Et Al	80116/24 Blanchard v. NYCHA	80116/24 Blanchard v. NYCHA	80126/23 Brandon Warren Rice Thompson Et Al	80116/24 Autar v. Westchester Gentle Dentistry Et Al	80045/24 Autar v. Westchester Gentle Dentistry Et Al	80045/24 Autar v. Westchester Gentle Dentistry Et Al
80663/23 Alvarado v. Sandoval LLC Et Al	80116/24 Autar v. Westchester Gentle Dentistry Et Al	80116/24 Autar v. Westchester Gentle Dentistry Et Al	80116/24 Autar v. Westchester Gentle Dentistry Et Al	80116/24 Autar v. Westchester Gentle Dentistry Et Al	80116/24 Autar v. Westchester Gentle Dentistry Et Al	80045/24 Autar v. Westchester Gentle Dentistry Et Al	80045/24 Autar v. Westchester Gentle Dentistry Et Al
30441/18 Garcia Jr v. 518 E 187th St Bronx LLC	80116/24 Autar v. Westchester Gentle Dentistry Et Al	80116/24 Autar v. Westchester Gentle Dentistry Et Al	80116/24 Autar v. Westchester Gentle Dentistry Et Al	80116/24 Autar v. Westchester Gentle Dentistry Et Al	80116/24 Autar v. Westchester Gentle Dentistry Et Al	80045/24 Autar v. Westchester Gentle Dentistry Et Al	80045/24 Autar v. Westchester Gentle Dentistry Et Al
812377/24 Principe v. Bayside Gowanus Owner	80116/24 Autar v. Westchester Gentle Dentistry Et Al	80116/24 Autar v. Westchester Gentle Dentistry Et Al	80116/24 Autar v. Westchester Gentle Dentistry Et Al	80116/24 Autar v. Westchester Gentle Dentistry Et Al	80116/24 Autar v. Westchester Gentle Dentistry Et Al	80045/24 Autar v. Westchester Gentle Dentistry Et Al	80045/24 Autar v. Westchester Gentle Dentistry Et Al
WEDNESDAY, AUGUST 13	80045/23 Alvarado v. Sandoval LLC Et Al	80116/24 Autar v. Westchester Gentle Dentistry Et Al	80116/24 Autar v. Westchester Gentle Dentistry Et Al	80116/24 Autar v. Westchester Gentle Dentistry Et Al	80116/24 Autar v. Westchester Gentle Dentistry Et Al	80045/24 Autar v. Westchester Gentle Dentistry Et Al	80045/24 Autar v. Westchester Gentle Dentistry Et Al
30353/20 Gonzalez v. Vastro Realty	80116/24 Autar v. Westchester Gentle Dentistry Et Al	80116/24 Autar v. Westchester Gentle Dentistry Et Al	80116/24 Autar v. Westchester Gentle Dentistry Et Al	80116/24 Autar v. Westchester Gentle Dentistry Et Al	80116/24 Autar v. Westchester Gentle Dentistry Et Al	80045/24 Autar v. Westchester Gentle Dentistry Et Al	80045/24 Autar v. Westchester Gentle Dentistry Et Al
THURSDAY, AUGUST 14	80045/23 Alvarado v. Sandoval LLC Et Al	80116/24 Autar v. Westchester Gentle Dentistry Et Al	80116/24 Autar v. Westchester Gentle Dentistry Et Al	80116/24 Autar v. Westchester Gentle Dentistry Et Al	80116/24 Autar v. Westchester Gentle Dentistry Et Al	80045/24 Autar v. Westchester Gentle Dentistry Et Al	80045/24 Autar v. Westchester Gentle Dentistry Et Al
818665/22 Lopez v. 731 Bryant Ave. LLC Et Al	80116/24 Autar v. Westchester Gentle Dentistry Et Al	80116/24 Autar v. Westchester Gentle Dentistry Et Al	80116/24 Autar v. Westchester Gentle Dentistry Et Al	80116/24 Autar v. Westchester Gentle Dentistry Et Al	80116/24 Autar v. Westchester Gentle Dentistry Et Al	80045/24 Autar v. Westchester Gentle Dentistry Et Al	80045/24 Autar v. Westchester Gentle Dentistry Et Al
22365/17 Martinez v. Workmen's Circle Multicare	80116/24 Autar v. Westchester Gentle Dentistry Et Al	80116/24 Autar v. Westchester Gentle Dentistry Et Al	80116/24 Autar v. Westchester Gentle Dentistry Et Al	80116/24 Autar v. Westchester Gentle Dentistry Et Al	80116/24 Autar v. Westchester Gentle Dentistry Et Al	80045/24 Autar v. Westchester Gentle Dentistry Et Al	80045/24 Autar v. Westchester Gentle Dentistry Et Al
30576/12 Soriano v. Madd Rly. Corp.	80116/24 Autar v. Westchester Gentle Dentistry Et Al	80116/24 Autar v. Westchester Gentle Dentistry Et Al	80116/24 Autar v. Westchester Gentle Dentistry Et Al	80116/24 Autar v. Westchester Gentle Dentistry Et Al	80116/24 Autar v. Westchester Gentle Dentistry Et Al	80045/24 Autar v. Westchester Gentle Dentistry Et Al	80045/24 Autar v. Westchester Gentle Dentistry Et Al
Part 6	80116/24 Autar v. Westchester Gentle Dentistry Et Al	80116/24 Autar v. Westchester Gentle Dentistry Et Al	80116/24 Autar v. Westchester Gentle Dentistry Et Al	80116/24 Autar v. Westchester Gentle Dentistry Et Al	80116/24 Autar v. Westchester Gentle Dentistry Et Al	80045/24 Autar v. Westchester Gentle Dentistry Et Al	80045/24 Autar v. Westchester Gentle Dentistry Et Al
Justice Laura G. Douglas	Phone 718-618-1246	Room 811, 9:30 A.M.					
Part 7	80116/24 Autar v. Westchester Gentle Dentistry Et Al	80116/24 Autar v. Westchester Gentle Dentistry Et Al	80116/24 Autar v. Westchester Gentle Dentistry Et Al	80116/24 Autar v. Westchester Gentle Dentistry Et Al	80116/24 Autar v. Westchester Gentle Dentistry Et Al	80045/24 Autar v. Westchester Gentle Dentistry Et Al	80045/24 Autar v. Westchester Gentle Dentistry Et Al
Justice Wilma Guzman	Phone 718-618-1288	Room 624, 9:30 A.M.					
TUESDAY, AUGUST 12	80116/24 Autar v. Westchester Gentle Dentistry Et Al	80116/24 Autar v. Westchester Gentle Dentistry Et Al	80116/24 Autar v. Westchester Gentle Dentistry Et Al	80116/24 Autar v. Westchester Gentle Dentistry Et Al	80116/24 Autar v. Westchester Gentle Dentistry Et Al	80045/24 Autar v. Westchester Gentle Dentistry Et Al	80045/24 Autar v. Westchester Gentle Dentistry Et Al
821529/21 Bravo v. Kodra Const. Corp. Et Al	80116/24 Autar v. Westchester Gentle Dentistry Et Al	80116/24 Autar v. Westchester Gentle Dentistry Et Al	80116/24 Autar v. Westchester Gentle Dentistry Et Al	80116/24 Autar v. Westchester Gentle Dentistry Et Al	80116/24 Autar v. Westchester Gentle Dentistry Et Al	80045/24 Autar v. Westchester Gentle Dentistry Et Al	80045/24 Autar v. Westchester Gentle Dentistry Et Al
82250/21 E 17th Assocites LLC	80116/24 Autar v. Westchester Gentle Dentistry Et Al	80116/24 Autar v. Westchester Gentle Dentistry Et Al	80116/24 Autar v. Westchester Gentle Dentistry Et Al	80116/24 Autar v. Westchester Gentle Dentistry Et Al	80116/24 Autar v. Westchester Gentle Dentistry Et Al	80045/24 Autar v. Westchester Gentle Dentistry Et Al	80045/24 Autar v. Westchester Gentle Dentistry Et Al
WEDNESDAY, AUGUST 13	80116/24 Autar v. Westchester Gentle Dentistry Et Al	80116/24 Autar v. Westchester Gentle Dentistry Et Al	80116/24 Autar v. Westchester Gentle Dentistry Et Al	80116/24 Autar v. Westchester Gentle Dentistry Et Al	80116/24 Autar v. Westchester Gentle Dentistry Et Al	80045	

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Phone: 212.457.7850

Email: crobertson@alm.com

CITATIONS NY

PROBATE CITATION — File No. 2025-1789 — SURROGATE'S COURT — NEW YORK COUNTY — CITATION TO THE PEOPLE OF THE STATE OF NEW YORK. By the Grace of God Free and Independent — TO: Public Administrator of New York County, Felice Dresner — Perez-Pena, Renee Holden, Simone Zucker, being the decedent's paternal first cousins, or if deceased, their issue, to their heirs at law, next of kin and distributees whose names and places of residence are unknown and if they died subsequent to the decedent herein, to their executors, administrators, legatees, devisees, assignees and successors in interest whose names and places of residence are unknown and to all other heirs at law, next of kin and distributees of Sylvia Andree Dresner, the decedent herein, whose names and places of residence are unknown and cannot, after diligent inquiry, be ascertained. An amended petition having been duly filed by Mark D. Lehrman, who is domiciled at 300 West 108th Street, Apt. 4A, New York, NY 10025, YOU ARE HEREBY CITED TO SHOW CAUSE before the Surrogate's Court, New York County, at 31 Chambers Street, New York, New York, on September 15, 2025 at 9:30 o'clock in the FOREnoon of that day, why a decree should not be made in the estate of Sylvia Andree Dresner lately domiciled at 90 Riverside Drive, Apt. 16-E, New York, New York 10024, United States admitting to probate a Will dated September 27, 2012 a copy of which is attached, as the Will of Sylvia Andree Dresner deceased, relating to real and personal property, and directing that [x] Letters testamentary issue to: Mark D. Lehrman [] Letters of Trusteeship issue to: [] Letters of Administration c.t.a. issue to: (State any further relief requested): To dispense with the filing of a bond pursuant to Article SIX (E) of the Will. "to all parties: No in person appearances shall be made at the return date. If you wish to object to this matter, you may do so in writing in accordance with the annexed New York County Surrogate's Court Notice to Cited Parties. Dated, Attested and Sealed July 18, 2025 HON. RITA MELLA Surrogate Diana Sanabria, Chief Clerk Barbara E. Shiers, Esq. — Frankfur Kurin Klein & Selz PC, Firm (212) 826-5526 Telephone: 28 Liberty Street, 35th Floor, New York, New York 10005 Address: bshiers@fkks.com Email (optional) NOTE: This citation is served upon you as required by law. You are not required to appear. If you fail to appear it will be assumed you do not object to the relief requested. You have a right to have an attorney appear for you. NOTICE TO CITED PARTIES You have been served with a citation for a matter that is scheduled to be heard at a New York County Surrogate's Court calendar. The citation that you have received contains a return date. Please do not appear in the courthouse on that date. The following choices are available to you. If you do not object to the relief requested, you do not need to contact the court or do anything else. If you do object to the relief sought on the citation, you or your lawyer must send a document to the court signed by you or your lawyer indicating that: 1. You object to the relief or you are requesting discovery; OR 2. You are requesting the opportunity to appear in person or by using Skype for Business or by telephone conference; OR 3. You are requesting an adjournment to consult with or retain counsel. Your written response must be received by the court three (3) business days before the return date and must include either an email address or telephone number, or both, where you or your lawyer can be reached during business hours. Your communication to the court may be sent by email to: Probate-General@nycourts.gov or by mail addressed to the Probate Department of this court at the address listed above or you may bring it in person to the court. The attorney for the petitioner must be copied in your communication. If your written communication to the court indicates that you would like to proceed as described in choice number 1 above, your case may be referred to a court attorney-referee for a conference. The case will be adjourned to a future date, if you request the opportunity to appear in person or by electronic means or to consult or retain counsel (choice number 2 and 3). If you do not contact the court by the date on the citation, the record will reflect that you do not object to the relief requested. If an attorney plans to appear on your behalf, he or she must file a Notice of Appearance. This Notice may be filed by delivering it in person to the Probate Department of this court or mailing it ad-

CITATIONS NY

dressed to the Probate Department at the address listed above or through the e-filing system (NYSCEF), at www.nycourts.gov/efile. If you have questions about responding to the citation, you may contact the Probate Department at Probate-General@nycourts.gov. Please note that court staff are prohibited from giving legal advice, but they are available to answer any question about procedure. The Probate Department of the New York County Surrogate's Court, 12240 au5-Tu au26

FOUNDATIONS

THE ANNUAL RETURN OF STUPELL FOUNDATION. For the FISCAL year ended MAY31, 2024 is available at its principal office located at 79 PENN ROAD, SCARSDALE, NY 10583 for the inspection during regular business hours by any citizen who requests it within 180 days hereof. Principal Manager of the Foundation is AUDREY DORSEN. 12883 au12

THE ANNUAL RETURN OF THE Rice Family Foundation. For the (calendar) year ended December 31, 2024 is available at its principal office located at 100 Jericho Quadrangle Suite 342, Jericho NY 11753 for the inspection during regular business hours by any citizen who requests it within 180 days hereof. Principal Manager of the Foundation is Eve Hart Rice M.D. 12902 au12

THE ANNUAL RETURN OF The Robert Mize & Issa White Trimble Family Foundation, Inc. For the (Fiscal) year ended June 30, 2025 is available at its principal office located at c/o Allen and Brown, LLC 125 Daigneau Trail Montville, NY 12989 for the inspection during regular business hours by any citizen who requests it within 180 days hereof. Principal Manager of the Foundation is Daniel J. Ashley. 12903 au12

LIQUOR LICENSES

NOTICE IS HEREBY GIVEN that a license number NA - 0340-25-122464 for an on premises license has been applied for by Samsa Corp. d/b/a Samson Restaurant to sell liquor, wine, beer and cider at retail in a restaurant under the Alcoholic Beverage Control Law at 480 Ninth Avenue, New York, NY 10018 for on premises consumption. 12398 au5-Tu au12

LIMITED LIABILITY ENTITIES

GWENDOLYN CODY, MD, PLLC, Arts. of Org. filed with the SSNY on 07/29/25. Office: New York County. SSNY designated as agent of the PLLC upon whom process against it may be served. SSNY shall mail copy of process to the PLLC, 228 Park Avenue South, New York, NY 10003-1502. Purpose: For the practice of the profession of Medicine. 12876 au12-Tu s16

CARAVELLO MEDICAL WELLNESS NY PLLC Art. of Org. Filed Sec. of State of NY 7/16/2025. Off. Loc.: Nassau Co. SSNY designated as agent upon whom process may be served & shall mail process to 811 Wilson St, Valley Stream, NY 11581. Purpose: Medicine. 12026 jy22-Tu au26

EISENBERGER AND BINDERGAR ORTHODONTICS AT LONG ISLAND, PLLC. Filed with SSNY on 02/19/2025. Office location: Nassau County. SSNY designated as agent for process and shall mail to: 230 HILTON AVE, STE. 116, HEMPSTEAD, NY 11550. Purpose: DENTISTRY. 12335 jy29-Tu s2

HHIGH FIVE OCCUPATIONAL, PHYSICAL, & SPEECH THERAPY PLLC. Filed with SSNY on 06/02/2025. Office: Nassau County. SSNY designated as agent for process & shall mail to: 18 THE PROMENADE, GLEN HEAD, NY 11545. Purpose: Occupational Therapy, Physical Therapy, Speech Language Pathology. 12322 jy29-Tu s2

NOTICE OF FORMATION OF Thera Rehab Physical and Occupational Therapy PLLC. Arts. of Org. filed with the SSNY on 06/20/2025. Office location: NY County. SSNY designated as agent upon whom process may be served and shall mail copy of process to the PLLC, 207 E 57th St. #31A, NY, NY 10022. P/B/A: 115 W 30th St, Ste 502B, NY, NY 10001. Purpose: any lawful act. 11983 jy29-T S02

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LIMITED LIABILITY ENTITIES

LLL INJURY LAW, PLLC. Filed with SSNY on 08/09/2024. Office location: New York County. SSNY designated as agent for process and shall mail to: 700 BROADWAY, FL 2, NEW YORK, NY 10003. Purpose: LAW 12311 jy29-Tu s2

REGIONAL PODIATRY CONSULTANT PLLC. Filed with SSNY on 05/28/2025. Office location: Nassau County. SSNY designated as agent for process and shall mail to: 609 PRESCOTT PL, VALLEY STREAM, NY, 11581. Purpose: PODIATRY 12336 jy29-Tu s2

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LIMITED LIABILITY ENTITIES

BRIGHKEN LLC. Arts. of Org. filed with the SSNY on 07/29/25. Office: Bronx County. SSNY designated as agent of the LLC upon whom process against it may be served. SSNY shall mail copy of process to the LLC, 7B Edgewater Park, Bronx, NY 10465. Purpose: Any lawful purpose. 12880 au12-Tu s16

CARNEGIE HILL 94 LLC ARTICLES OF ORG. filed with SSNY on 08/07/25. Office: NY Co. SSNY designated as agent of LLC whom process may be served. SSNY shall mail process to Kaplan Fox & Kilsheimer LLP, c/o Jason P. Reska, 800 Third Ave., 38th Fl., NY, NY 10022. Purpose: Any lawful purpose. 12886 au12-Tu s16

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EVEN BETTER TV, LLC. Arts. of Org. filed with the SSNY on 07/17/25. Office: Nassau County. SSNY designated as agent of the LLC upon whom process against it may be served. SSNY shall mail copy of process to the LLC, 55 Brockmeyer Drive, Massapequa, NY 11758. Purpose: Any lawful purpose. 12887 au12-Tu s16

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HOUSE OF JSK LLC, Arts. of Org. filed with the SSNY on 08/07/2025. Office: Nassau County. SSNY has been designated as agent upon whom process against the LLC may be served. SSNY shall mail copy of process to the LLC, 259-23 Union Turnpike, Glen Oaks, NY 11004. Purpose: Any lawful purpose. 12888 au12-Tu s16

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LA-TI-DA 1 LLC. Arts. of Org. filed with the SSNY on 06/27/25. Office: Nassau County. SSNY designated as agent of the LLC upon whom process against it may be served. SSNY shall mail copy of process to the LLC, 130 W 82nd St Apt 3R, New York, NY 10023. Registered Agent address: c/o Nicholas Jurgens Sackman, 175 Kelbourne Ave, Sleepy Hollow, NY 10591. Purpose: Any lawful purpose. 12889 au12-Tu s16

Please check your ad the first day it appears. All ads placed by telephone are read back for verification of copy content. In the event of New York Law Journal error, we are responsible only for the first incorrect insertion. We assume no responsibility for any item error in an ad beyond the cost of the ad itself, or for the omission of copy.

LA-TI-DA 2 LLC. Arts. of Org. filed with the SSNY on 06/27/25. Office: Nassau County. SSNY designated as agent of the LLC upon whom process against it may be served. SSNY shall mail copy of process to the LLC, c/o Kristin Marino, 6 Jackson Place, Island Park, NY 11558. Purpose: Any lawful purpose. 12890 au12-Tu s16

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MAT HOSPITALITY GROUP LLC. Filed with SSNY on 01/28/2025. Office: New York County. SSNY designated as agent for process & shall mail to: 351 WEST 37TH ST, NEW YORK, NY 10018. Purpose: Any lawful purpose. 12891 au12-Tu s16

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PRAYLOW HIGH RESULTS LLC. Arts. of Org. filed with the SSNY on 07/31/25. Office: Nassau County. SSNY designated as agent upon whom process against it may be served. SSNY shall mail copy of process to the LLC, 1600 Grand Avenue, Unit 2, Baldwin, NY 11510. Purpose: Any lawful purpose. 12892 au12-Tu s16

Please check your ad the first day it appears. All ads placed by telephone are read back for verification of copy content. In the event of New York Law Journal error, we are responsible only for the first incorrect insertion. We assume no responsibility for any item error in an ad beyond the cost of the ad itself, or for the omission of copy.

STASI PROPERTIES LLC. Arts. of Org. filed with the SSNY on 07/18/25. Office: Nassau County. SSNY designated as agent for process & shall mail to: 275 HILLSIDE AVE, STE 2W, WILLISTON PARK, NY 11596. Purpose: Any lawful purpose. 12893 au12-Tu s16

Please check your ad the first day it appears. All ads placed by telephone are read back for verification of copy content. In the event of New York Law Journal error, we are responsible only for the first incorrect insertion. We assume no responsibility for any item error in an ad beyond the cost of the ad itself, or for the omission of copy.

THE SPARKLE EDIT LLC. Filed with SSNY on 06/20/2025. Office: Nassau County. SSNY designated as agent for process & shall mail to: 351 WEST 37TH ST, NEW YORK, NY 10018. Purpose: Any lawful purpose. 12894 au12-Tu s16

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THE SPARKLE EDIT LLC. Filed with SSNY on 06/20/2025. Office: Nassau County. SSNY designated as agent for process & shall mail to: 351 WEST 37TH ST, NEW YORK, NY 10018. Purpose: Any lawful purpose. 12895 au12-Tu s16

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THE SPARKLE EDIT LLC. Filed with SSNY on 06/20/2025. Office: Nassau County. SSNY designated as agent for process & shall mail to: 351 WEST 37TH ST, NEW YORK, NY 10018. Purpose: Any lawful purpose. 12896 au12-Tu s16

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THE SPARKLE EDIT LLC. Filed with SSNY on 06/20/2025. Office: Nassau County. SSNY designated as agent for process & shall mail to: 351 WEST 37TH ST, NEW YORK, NY 10018. Purpose: Any lawful purpose. 12897 au12-Tu s16

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THE SPARKLE EDIT LLC. Filed with SSNY on 06/20/2025. Office: Nassau County. SSNY designated as agent for process & shall mail to: 351 WEST 37TH ST, NEW YORK, NY 10018. Purpose: Any lawful purpose. 12898 au12-Tu s16

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THE SPARKLE EDIT LLC. Filed with SSNY on 06/20/2025. Office: Nassau County. SSNY designated as agent for process & shall mail to: 351 WEST 37TH ST, NEW YORK, NY 10018. Purpose: Any lawful purpose. 12899 au12-Tu s16

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THE SPARKLE EDIT LLC. Filed with SSNY on 06/20/2025. Office: Nassau County. SSNY designated as agent for process & shall mail to: 351 WEST 37TH ST, NEW YORK, NY 10018. Purpose: Any lawful purpose. 12900 au12-Tu s16

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THE SPARKLE EDIT LLC. Filed with SSNY on 06/20/2025. Office: Nassau County. SSNY designated as agent for process & shall mail to: 351 WEST 37TH ST, NEW YORK, NY 10018. Purpose: Any lawful purpose. 12901 au12-Tu s16

Please check your ad the first day it appears. All ads placed by telephone are read back for verification of copy content. In the event of New York Law Journal error, we are responsible only for the first incorrect insertion. We assume no responsibility for any item error in an ad beyond the cost of the ad itself, or for the omission of copy.

THE SPARKLE EDIT LLC. Filed with SSNY on 06/20/2025. Office: Nass

SALES

File No. 2025-534 CITATION The People of the State of New York, By the Grace of God Free and Independent TO: To the unknown heirs-at-law, and next-of-kind of Vladimir Lewin, deceased, if they be living, and if they be dead, to their Executors, Administrators, Creditors and Lienors, their husbands or wives or successors in interest. A petition having been duly filed by Danuta Kurstein who is domiciled at 67 Skyview Lane, New Rochelle, New York 10804; THIS RETURN DATE IS A VIRTUAL COURT DATE. IN-PERSON COURT APPEARANCES WILL NOT BE PERMITTED ON THE RETURN DATE UNLESS A PARTY NOTIFIES THE COURT THAT IT WISHES TO APPEAR IN PERSON AT LEAST THREE (3) BUSINESS DAYS BEFORE THE SCHEDULED COURT DATE. YOU ARE HEREBY CITED TO SHOW CAUSE by making a virtual appearance before the Surrogate's Court, Bronx County, at 851 Grand Concourse, Bronx, New York 10451, on September 30, 2025, at 9:30a.m. why the Court should not grant the following relief: That a Decree should be made in the Estate of VLADIMIR LEWIN a/k/a VLADIMIR WLUDZIMIERZ LEWIN, VLADIMIR W. LEWIN, lately domiciled at 3975 Sedgwick Avenue, Apt. 19F, Bronx, New York 10463, United States admitting to probate a Will dated March 3, 2021, as the Will of Vladimir Lewin deceased, relating to his real and personal property, and directing that: [X] Letters Testamentary be issued to: Danuta Kurstein PLEASE CONTACT THE COURT AT (718) 618-2373 OR VIRTUAL-BRONXSURGATESCOURT@NYCOURTS.GOV FOR INFORMATION ON HOW TO APPEAR ON THE COURT'S VIRTUAL PLATFORM. Dated, Attested and Sealed, July 31, 2025 Hon. Nelida Malave-Gonzalez, Surrogate. Elix R. Madera-Fliegelman, Chief Clerk Attorney Petitioner's Attorney. Neal B. Katz, Esq. Address: 75 Maiden Lane, Suite 237, New York, New York 10038 Telephone Number: (212) 290-7300 E-Mail: neelbkatz@gmail.com [NOTE: This citation is served upon you as required by law. You are not required to appear. If you fail to appear it will be assumed you do not object to the relief requested. You have a right to have an attorney appear for you.] #102484 12390 Au12-Tu s2

LIMITED LIABILITY ENTITIES

NOTICE OF FORMATION OF The Marine Park Handyman LLC. Arts of Org filed with Secy. of State of NY (SSNY) on 5/27/2025. Office location: NY County. SSNY designated as agent upon whom process may be served and shall mail copy of process against LLC to 228 Park Ave #56698, New York, NY 10003, R/A: US Corp Agents, Inc. 7014 13th Ave, #202, BK, NY 11228. Purpose: any lawful act. 12801 Au12-Tu S16

NOTICE OF FORMATION OF KIRKWOOD HOUSE SENIOR HOUSING CLASS B, LLC Arts of Org. filed with Secy. of State of NY (SSNY) on 07/21/25. Office location: NY County. Princ. office of LLC: 30 Hudson Yards, 72nd Fl., NY, NY 10011. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to Corporation Service Co., 80 State St., Albany, NY 12207. Purpose: Any lawful act. 12274 Jul29 tu Sept2

NOTICE OF FORMATION OF 1340 STRATFORD INTERESTS OWNER LLC Arts. of Org. filed with Secy. of State of NY (SSNY) on 07/21/25. Office location: NY County. Princ. office of LLC: 116 E 27th St, 11th Fl., NY, NY 10016. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to Corporation Service Co., 80 State St., Albany, NY 12207. Purpose: Products and Services: Real estate investment & development. 12272 Jul29 Sept2

NOTICE OF FORMATION OF FEC REPLACEMENT DEVELOPER, LLC Arts. of Org. filed with Secy. of State of NY (SSNY) on 07/22/25. Office location: NY County. Princ. office of LLC: 30 Hudson Yards, 72nd Fl., NY, NY 10001. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to Corporation Service Co., 80 State St., Albany, NY 12207. Purpose: Any lawful act. 12292 Jul29 tu Sept2

NOTICE OF FORMATION OF NABIL ALIFFI LLC. Arts of Org filed with Secy. of State of NY (SSNY) on 6/25/2025. Office location: NY County. SSNY designated as agent upon whom process may be served and shall mail copy of process against LLC to 60 E 8 St, #14N, New York, NY 10003. Purpose: any lawful act. 12280 Jy29 T S02

NOTICE OF FORMATION OF Prosper Legal Management LLC. Arts of Org filed with Secy. of State of NY (SSNY) on 6/30/2025. Office location: NY County. SSNY designated as agent upon whom process may be served and shall mail copy of process against LLC to 300 East 43rd St, Apt 43D, New York, NY 10128. Purpose: any lawful act. 12356 Jy29 T S02

AB HOLDINGS II LLC Art. of Org. Filed Sec. of State of NY 7/18/2025 Off. Loc.: Nassau Co. SSNY designated as agent upon whom process may be served & shall mail proc. c/o Aris Stathis, Alma Bank, 31-10 37 th Ave, Suite 400, Long Island City, NY 11101, USA. Purpose: Any lawful purpose. 12891 au12-Tu s16

EASTCHESTER 52 LLC. Filed with SSNY on 06/25/2025. Office: Nassau County. SSNY designated as agent for process & shall mail to: 16 MIDDLE NECK RD STE 280, GREAT NECK, NY 1021. Purpose: Any lawful act. 11673 Jy15-Tu au19

LIMITED LIABILITY ENTITIES

SOUTHGATE FLOWERS LLC. Filed with SSNY on 07/20/2025. Office: Nassau County. SSNY designated as agent for process & shall mail to: 785 SOUTHGATE DR, VALLEY STREAM, NY 11581. Purpose: Any Lawful Purpose. 12315 Jy29-Tu s2

SR 148 MADISON LLC. Arts. of Org. filed with the SSNY on 07/25/2025. Office loc: Nassau County. SSNY has been designated as agent upon whom process against the LLC may be served. SSNY shall mail process to: The LLC, 149 Dubois Ave, Valley Stream, NY 11581. Purpose: Any Lawful Purpose. 12303 Jy29-Tu s2

TB DESIGN WORKS LLC. Filed with SSNY on 06/02/2025. Office: New York County. SSNY designated as agent for process & shall mail to: 1150 PARK AVE, #10A, NEW YORK, NY 10128. Purpose: Any Lawful Purpose. 12313 Jy29-Tu s2

THE GLUTEN FREE TREAT SHOP LLC. Arts. of Org. filed with the SSNY on 07/24/2025. Office loc: Nassau County. SSNY has been designated as agent upon whom process against the LLC may be served. SSNY shall mail process to: Jenna Vanacore, 518B Broadway, Massapequa, NY 11758. Purpose: Any Lawful Purpose. 12302 Jy29-Tu s2

THIRD CITY REALTY HOLDINGS LLC. Filed with SSNY on 07/21/2025. Office: Nassau County. SSNY designated as agent for process & shall mail to: 150 GREAT NECK RD, STE 304, GREAT NECK, NY 11021. Purpose: Any Lawful Purpose. 12324 Jy29-Tu s2

THIRD CITY REALTY HOLDINGS LLC. Filed with SSNY on 07/21/2025. Office: Nassau County. SSNY designated as agent for process & shall mail to: 150 GREAT NECK RD, STE 304, GREAT NECK, NY 11021. Purpose: Any Lawful Purpose. 12329 Jy29-Tu s2

THIRD CITY REALTY HOLDINGS LLC. Filed with SSNY on 07/21/2025. Office: Nassau County. SSNY designated as agent for process & shall mail to: 150 GREAT NECK RD, STE 304, GREAT NECK, NY 11021. Purpose: Any Lawful Purpose. 12334 Jy29-Tu s2

THIRD CITY REALTY HOLDINGS LLC. Filed with SSNY on 07/21/2025. Office: Nassau County. SSNY designated as agent for process & shall mail to: 150 GREAT NECK RD, STE 304, GREAT NECK, NY 11021. Purpose: Any Lawful Purpose. 12335 Jy29-Tu s2

THIRD CITY REALTY HOLDINGS LLC. Filed with SSNY on 07/21/2025. Office: Nassau County. SSNY designated as agent for process & shall mail to: 150 GREAT NECK RD, STE 304, GREAT NECK, NY 11021. Purpose: Any Lawful Purpose. 12336 Jy29-Tu s2

THIRD CITY REALTY HOLDINGS LLC. Filed with SSNY on 07/21/2025. Office: Nassau County. SSNY designated as agent for process & shall mail to: 150 GREAT NECK RD, STE 304, GREAT NECK, NY 11021. Purpose: Any Lawful Purpose. 12337 Jy29-Tu s2

THIRD CITY REALTY HOLDINGS LLC. Filed with SSNY on 07/21/2025. Office: Nassau County. SSNY designated as agent for process & shall mail to: 150 GREAT NECK RD, STE 304, GREAT NECK, NY 11021. Purpose: Any Lawful Purpose. 12338 Jy29-Tu s2

THIRD CITY REALTY HOLDINGS LLC. Filed with SSNY on 07/21/2025. Office: Nassau County. SSNY designated as agent for process & shall mail to: 150 GREAT NECK RD, STE 304, GREAT NECK, NY 11021. Purpose: Any Lawful Purpose. 12339 Jy29-Tu s2

THIRD CITY REALTY HOLDINGS LLC. Filed with SSNY on 07/21/2025. Office: Nassau County. SSNY designated as agent for process & shall mail to: 150 GREAT NECK RD, STE 304, GREAT NECK, NY 11021. Purpose: Any Lawful Purpose. 12340 Jy29-Tu s2

THIRD CITY REALTY HOLDINGS LLC. Filed with SSNY on 07/21/2025. Office: Nassau County. SSNY designated as agent for process & shall mail to: 150 GREAT NECK RD, STE 304, GREAT NECK, NY 11021. Purpose: Any Lawful Purpose. 12341 Jy29-Tu s2

THIRD CITY REALTY HOLDINGS LLC. Filed with SSNY on 07/21/2025. Office: Nassau County. SSNY designated as agent for process & shall mail to: 150 GREAT NECK RD, STE 304, GREAT NECK, NY 11021. Purpose: Any Lawful Purpose. 12342 Jy29-Tu s2

THIRD CITY REALTY HOLDINGS LLC. Filed with SSNY on 07/21/2025. Office: Nassau County. SSNY designated as agent for process & shall mail to: 150 GREAT NECK RD, STE 304, GREAT NECK, NY 11021. Purpose: Any Lawful Purpose. 12343 Jy29-Tu s2

THIRD CITY REALTY HOLDINGS LLC. Filed with SSNY on 07/21/2025. Office: Nassau County. SSNY designated as agent for process & shall mail to: 150 GREAT NECK RD, STE 304, GREAT NECK, NY 11021. Purpose: Any Lawful Purpose. 12344 Jy29-Tu s2

THIRD CITY REALTY HOLDINGS LLC. Filed with SSNY on 07/21/2025. Office: Nassau County. SSNY designated as agent for process & shall mail to: 150 GREAT NECK RD, STE 304, GREAT NECK, NY 11021. Purpose: Any Lawful Purpose. 12345 Jy29-Tu s2

THIRD CITY REALTY HOLDINGS LLC. Filed with SSNY on 07/21/2025. Office: Nassau County. SSNY designated as agent for process & shall mail to: 150 GREAT NECK RD, STE 304, GREAT NECK, NY 11021. Purpose: Any Lawful Purpose. 12346 Jy29-Tu s2

THIRD CITY REALTY HOLDINGS LLC. Filed with SSNY on 07/21/2025. Office: Nassau County. SSNY designated as agent for process & shall mail to: 150 GREAT NECK RD, STE 304, GREAT NECK, NY 11021. Purpose: Any Lawful Purpose. 12347 Jy29-Tu s2

THIRD CITY REALTY HOLDINGS LLC. Filed with SSNY on 07/21/2025. Office: Nassau County. SSNY designated as agent for process & shall mail to: 150 GREAT NECK RD, STE 304, GREAT NECK, NY 11021. Purpose: Any Lawful Purpose. 12348 Jy29-Tu s2

THIRD CITY REALTY HOLDINGS LLC. Filed with SSNY on 07/21/2025. Office: Nassau County. SSNY designated as agent for process & shall mail to: 150 GREAT NECK RD, STE 304, GREAT NECK, NY 11021. Purpose: Any Lawful Purpose. 12349 Jy29-Tu s2

THIRD CITY REALTY HOLDINGS LLC. Filed with SSNY on 07/21/2025. Office: Nassau County. SSNY designated as agent for process & shall mail to: 150 GREAT NECK RD, STE 304, GREAT NECK, NY 11021. Purpose: Any Lawful Purpose. 12350 Jy29-Tu s2

THIRD CITY REALTY HOLDINGS LLC. Filed with SSNY on 07/21/2025. Office: Nassau County. SSNY designated as agent for process & shall mail to: 150 GREAT NECK RD, STE 304, GREAT NECK, NY 11021. Purpose: Any Lawful Purpose. 12351 Jy29-Tu s2

THIRD CITY REALTY HOLDINGS LLC. Filed with SSNY on 07/21/2025. Office: Nassau County. SSNY designated as agent for process & shall mail to: 150 GREAT NECK RD, STE 304, GREAT NECK, NY 11021. Purpose: Any Lawful Purpose. 12352 Jy29-Tu s2

THIRD CITY REALTY HOLDINGS LLC. Filed with SSNY on 07/21/2025. Office: Nassau County. SSNY designated as agent for process & shall mail to: 150 GREAT NECK RD, STE 304, GREAT NECK, NY 11021. Purpose: Any Lawful Purpose. 12353 Jy29-Tu s2

THIRD CITY REALTY HOLDINGS LLC. Filed with SSNY on 07/21/2025. Office: Nassau County. SSNY designated as agent for process & shall mail to: 150 GREAT NECK RD, STE 304, GREAT NECK, NY 11021. Purpose: Any Lawful Purpose. 12354 Jy29-Tu s2

THIRD CITY REALTY HOLDINGS LLC. Filed with SSNY on 07/21/2025. Office: Nassau County. SSNY designated as agent for process & shall mail to: 150 GREAT NECK RD, STE 304, GREAT NECK, NY 11021. Purpose: Any Lawful Purpose. 12355 Jy29-Tu s2

THIRD CITY REALTY HOLDINGS LLC. Filed with SSNY on 07/21/2025. Office: Nassau County. SSNY designated as agent for process & shall mail to: 150 GREAT NECK RD, STE 304, GREAT NECK, NY 11021. Purpose: Any Lawful Purpose. 12356 Jy29-Tu s2

THIRD CITY REALTY HOLDINGS LLC. Filed with SSNY on 07/21/2025. Office: Nassau County. SSNY designated as agent for process & shall mail to: 150 GREAT NECK RD, STE 304, GREAT NECK, NY 11021. Purpose: Any Lawful Purpose. 12357 Jy29-Tu s2

THIRD CITY REALTY HOLDINGS LLC. Filed with SSNY on 07/21/2025. Office: Nassau County. SSNY designated as agent for process & shall mail to: 150 GREAT NECK RD, STE 304, GREAT NECK, NY 11021. Purpose: Any Lawful Purpose. 12358 Jy29-Tu s2

THIRD CITY REALTY HOLDINGS LLC. Filed with SSNY on 07/21/2025. Office: Nassau County. SSNY designated as agent for process & shall mail to: 150 GREAT NECK RD, STE 304, GREAT NECK, NY 11021. Purpose: Any Lawful Purpose. 12359 Jy29-Tu s2

THIRD CITY REALTY HOLDINGS LLC. Filed with SSNY on 07/21/2025. Office: Nassau County. SSNY designated as agent for process & shall mail to: 150 GREAT NECK RD, STE 304, GREAT NECK, NY 11021. Purpose: Any Lawful Purpose. 12360 Jy29-Tu s2

THIRD CITY REALTY HOLDINGS LLC. Filed with SSNY on 07/21/2025. Office: Nassau County. SSNY designated as agent for process & shall mail to: 150 GREAT NECK RD, STE 304, GREAT NECK, NY 11021. Purpose: Any Lawful Purpose. 12361 Jy29-Tu s2

THIRD CITY REALTY HOLDINGS LLC. Filed with SSNY on 07/21/2025. Office: Nassau County. SSNY designated as agent for process & shall mail to: 150 GREAT NECK RD, STE 304, GREAT NECK, NY 11021. Purpose: Any Lawful Purpose. 12362 Jy29-Tu s2

THIRD CITY REALTY HOLDINGS LLC. Filed with SSNY on 07/21/2025. Office: Nassau County. SSNY designated as agent for process & shall mail to: 150 GREAT NECK RD, STE 304, GREAT NECK, NY 11021. Purpose: Any Lawful Purpose. 12363 Jy29-Tu s2

THIRD CITY REALTY HOLDINGS LLC. Filed with SSNY on 07/21/2025. Office: Nassau County. SSNY designated as agent for process & shall mail to: 150 GREAT NECK RD, STE 304, GREAT NECK, NY 11021. Purpose: Any Lawful Purpose. 12364 Jy29-Tu s2

THIRD CITY REALTY HOLDINGS LLC. Filed with SSNY on 07/21/2025. Office: Nassau County. SSNY designated as agent for process & shall mail to: 150 GREAT NECK RD, STE 304, GREAT NECK, NY 11021. Purpose: Any Lawful Purpose. 12365 Jy29-Tu s2

THIRD CITY REALTY HOLDINGS LLC. Filed with SSNY on 07/21/2025. Office: Nassau County. SSNY designated as agent for process & shall mail to: 150 GREAT NECK RD, STE 304, GREAT NECK, NY 11021. Purpose: Any Lawful Purpose. 12366 Jy29-Tu s2

THIRD CITY REALTY HOLDINGS LLC. Filed with SSNY on 07/21/2025. Office: Nassau County. SSNY designated as agent for process & shall mail to: 150 GREAT NECK RD, STE 304, GREAT NECK, NY 11021. Purpose: Any Lawful Purpose. 12367 Jy29-Tu s2

THIRD CITY REALTY HOLDINGS LLC. Filed with SSNY on 07/21/2025. Office: Nassau County. SSNY designated as agent for process & shall mail to: 150 GREAT NECK RD, STE 304, GREAT NECK, NY 11021. Purpose: Any Lawful Purpose. 12368 Jy29-Tu s2

THIRD CITY REALTY HOLDINGS LLC. Filed with SSNY on 07/21/2025. Office: Nassau County. SSNY designated as agent for process & shall mail to: 150 GREAT NECK RD, STE 304, GREAT NECK, NY 11021. Purpose: Any Lawful Purpose. 12369 Jy29-Tu s2

THIRD CITY REALTY HOLDINGS LLC. Filed with SS