

IN BRIEF

Simpson Thacher, Kirkland, Latham Among Firms Riding Boom in Latin America Data Centers

The push to develop data centers in Latin America is stirring work for lawyers who are pitching in on project finance, M&A and regulatory matters.

For decades, Latin America has largely relied on servers in other geographies for data storage, raising costs for businesses as well as security risks. Now the embrace of artificial intelligence is spurring development of infrastructure that can serve customers both in the region and abroad.

"If the data center is just processing AI, it can be in Brazil and serving the users in Latin America and also folks outside of the region," said Gabriel Silva, a New York-based partner at Simpson Thacher who has worked on multiple data center deals, including in Latin America.

Hyperscale data centers are massive facilities that are typically built in rural or remote areas where land and power are cheaper and more readily available. They handle intensive AI model training and complicated computational tasks, and then distribute that computing power globally through high-speed networks.

São Paulo-based Scala Data Centers is one of the companies taking advantage of Latin America's low-priced land and energy. It has six data centers in operation spread across Brazil, Chile and Mexico—and four more under construction, including one in Colombia.

Earlier this year, Scala raised \$254 million for the construction of an additional three hyperscale data centers in Chile, advised by Vinson & Elkins in New York and Claro & Cia. in Chile. A&O Shearman and Chile's Carey Abogados advised the lenders.

From a legal standpoint, Carey said the transaction involved complex regulatory, environmental, and land use challenges—as well as multi-jurisdictional coordination.

According to IDB Invest, the private sector arm of the Inter-American Development Bank, investment in data centers across Latin America is expected to reach \$10 billion by 2029.

Investors such as Australian asset manager Macquarie and

Florida-based DigitalBridge Group have been active in the space, alongside Canadian pension funds and sovereign wealth funds from the Middle East.

"Data centers are so inherently geopolitical right now that it's hard to say these investments are strictly financial," said Barry Kamar, a Miami-based partner at King & Spalding who frequently advises on matters related to Latin America and also the Middle East. "Whoever controls AI controls the future."

Often, the work intersecting with Latin America involves a global provider that happens to have a presence in the region.

For instance, in October, Macquarie announced the \$40 billion sale of Aligned Data Centers to the Artificial Intelligence Infrastructure Partnership, a consortium of investors that includes the United Arab Emirates' MGX and BlackRock's Global Infrastructure Partners.

Aligned, which is headquartered in Dallas, Texas, has data centers in the U.S. as well as in Brazil, Chile, Colombia and Mexico. Latham & Watkins was legal counsel to Macquarie, and Sterlington, PLLC advised Aligned's management team.

Kirkland & Ellis advised the acquirers, reflecting the firm's deep connection to private capital groups. The Artificial Intelligence Infrastructure Partnership also enlisted Demarest Advogados in Brazil and CMS Carey & Allende in Chile to advise on local matters related to the acquisition.

The explosion of data center development around the world "provides a unique opportunity for the Latin America market," said Tony Del Pino, the New York-based chair of the Latin America practice at Latham, noting that abundant renewable energy sources are helping the region gain traction in the space.

Globally, Latham has more than 100 lawyers focused on data centers, Del Pino said, with the firm having advised on more than 1,000 matters related to data centers over the decades. Del Pino is one of the partners advising Macquarie

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Update Shift of Residence/Domicile From NY to Florida, Part Two

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SEC Closes New Probe Into Fyre Festival Founder Billy McFarland

BY EMILY SAUL

THE U.S. Securities and Exchange Commission has ended its probe into the latest venture of Fyre Festival founder Billy McFarland, his attorney told the New York Law Journal and Law.com.

In a brief letter to defense attorney Harlan Protass, the SEC indicated on November 21 that an investigation into McFarland and his



Fyre Festival founder **Billy McFarland**

entities had concluded and that the commission will not recommend enforcement. The commission was investigating both McFarland and his new companies, Fyre Holdings and BZM Media.

"We are pleased that the SEC, after 2.5 years of investigation and the review of more than 30,000 documents, closed its investigation of Mr. McFarland (and two related companies, Fyre Holdings and BZM Media), taking no action and without any suggestion that there ever was any misconduct," Protass said in a statement.

Goodwin Procter partner Jonathan Shapiro, who represents the entities, declined to comment.

"The SEC does not comment on the existence or nonexistence of a possible investigation," a commission spokesperson said.

McFarland spent four years in prison for bilking investors in his 2017 Fyre Festival and was ordered to pay \$26 million in restitution to victims. The SEC also filed charges against him in 2018, alleging he defrauded more than 100 investors out of

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Zohran Mamdani, mayor-elect of New York City, second right, **Letitia James**, New York's Attorney General, second left, and **Brad Lander**, New York City comptroller, left, carry a banner across the Brooklyn Bridge on Monday, Nov. 3.

ADAM GRAY/BLOOMBERG

New Rule From NY's Top Court Limits How Amicus Briefs May Address Legislative Intent

BY BRIAN LEE

NEW YORK Court of Appeals is set to place restrictions on friend-of-the-court briefs that concern legislation and statutes, limiting writers to citation of acts that were part of the official record.

In New York Court of Appeals cases that examine lawmakers' intent, amici are prohibited from referencing or citing opinions of individual legislators that were not part of the actual legislative record.

The new rule for appellate lawyers takes effect on Dec. 10, according to Monday's notice to the bar.

Brian Ginsberg, chairman of Harris Beach Murtha's national appellate practice, said the new provision addressing "permissible and impermissible amici arguments concerning legislative intent" is especially noteworthy.

"The Court of Appeals and other appellate courts across the country have rules concerning the procedures for amicus filings, including provisions on timing, whether the parties must consent to the filing, whether leave of court is required, and similar issues," said Ginsberg, a former assistant solicitor general.



Brian Ginsberg, Harris Beach Murtha

"But I do not recall ever seeing a provision like this new one, which restricts the substance of what potential amici may argue on a particular subject, here the subject of statutory construction and legislative intent," Ginsberg said.

The restriction to "contemporaneous" legislative history could raise eyebrows, according to Ginsberg.

"From time to time, amici will attempt to demonstrate the meaning of a statute

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US Judges Remain Silent Following Halligan's US Attorney Disqualification

BY SULAIMAN ABDUR-RAHMAN

THE U.S. Attorney's Office for the Eastern District of Virginia appeared to lack clear leadership Wednesday two days after the disqualification of interim top prosecutor Lindsey Halligan in two high-profile cases.

U.S. District Chief Judge Mark S. Davis of the Eastern District of Virginia and his Article III colleagues have not immediately appointed a chief prosecutor for the district despite having an apparent green light to do so in

the Monday opinions finding Halligan's appointment invalid and holding she had no authority to obtain indictments from federal grand juries.

Davis' chambers declined to comment on Wednesday when the National Law Journal and Law.com asked whether the district court judges intend to name another U.S. attorney in the wake of Halligan's disqualification.

U.S. District Senior Judge Cameron McGowan Currie of the District of South Carolina in a Monday ruling declared Halligan's appointment unlawful.

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DECISIONS OF INTEREST

First Department

CIVIL PROCEDURE: Court imposes sanctions on defendant for missing deadlines. *Aicon Contemporary v. Dutta*, Supreme Court, New York.

REAL ESTATE: Receiver appropriate after members of LLC did not engage in accounting. *176 W. 87th Leasehold LLC v. Rudd*, Supreme Court, New York.

INSURANCE LITIGATION: Court grants motion for default judgment in insurance action. *American Tr. Ins. Co. v. Baten*, Supreme Court, New York.

CIVIL PROCEDURE: Court grants motion for defendants; plaintiffs failed to appear. *Penske v. National Holding Corp.*, Supreme Court, New York.

CRIMINAL LAW: Court finds certificate of compliance valid, dismissal denied. *People v. Guevara*, Criminal Court, Bronx.

Second Department

DISPUTE RESOLUTION: UM arbitration not stayed as inadmissible evidence was submitted on petition. *GEICO v. Vargas*, Supreme Court, Kings.

U.S. Courts

CRIMINAL APPEALS: Second Circuit affirms TVPA verdict, damages in bond trader sex-trafficking case. *Moore v. Rubin*, 2d. Cir.

TRADE SECRETS: Jury trial allowed on investment analyst's unjust enrichment claim over financial model. *Pauwels v. Bank of New York Mellon Corp.*, SDNY.

REAL ESTATE: Court grants summary judgment allowing foreclosure on long-defaulted mortgage. *Avail 1 LLC v. Kalsi*, EDNY.

INSURANCE LITIGATION: Insurer awarded \$336,000 in breach of contract case over unpaid premiums. *Am. Empire Surplus Lines Ins. Co. v. Cynical Steel Fabricators Inc.*, EDNY.

EMPLOYMENT LITIGATION: Court dismisses nurse's CFAA claim over employer's access to work email. *Beaver v. Capital Region Boces*, NDNY.

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FULL-TEXT DECISIONS, nylj.com

Disbarred Attorney Has a Month To Amend Racketeering Allegations Against Wilson Elser, Others

BY RILEY BRENNAN

A FEDERAL judge in Illinois agreed to change the reasoning for dismissing a disbarred attorney's racketeering suit against a malpractice insurer and defense team after she was disbarred, allowing her the chance to amend her allegations in the next month.

Last week, U.S. District Judge April M. Perry for the Northern District of Illinois granted disbarred attorney Nina Kazazian's pro se motion to alter the reasoning

behind the court's prior judgment dismissing her suit against the malpractice insurance carrier and an attorney with Wilson Elser, who she claims mishandled her disciplinary proceedings in Colorado.

The court dismissed the suit in July over improper venue, which Kazazian moved to alter or amend. She argued, among other things, that the court failed to consider the Racketeer Influenced and Corrupt Organizations Act (RICO) venue provision applicable to her claim which alleged the defendants engaged in a scheme to defraud

the insurance carrier by submitting fraudulent invoices regarding the disciplinary proceedings.

Perry concluded that the RICO claim was not properly pled, and therefore, changed the reasoning behind dismissing the claim for lack of venue to failure to state a plausible claim. Perry noted the claim was dismissed without prejudice and that Kazazian has until Dec. 23 to amend the claim.

"Here, plaintiff has not alleged any operational or management role played by any defendant in any RICO enterprise," Perry said. "The

scheme alleged is one that begins and ends with counsel defendants' submission of fraudulent invoices with respect to plaintiff's disciplinary proceedings. Nothing in the complaint demonstrates a 'threat of continued criminal activity' by the counsel defendants as to plaintiff, CNA, or any other person or entity."

In *Kazazian v. CNA Financial*, Kazazian faced a series of attorney disciplinary proceedings in 2020 in Colorado, where she had been practicing for decades. She was disbarred as a result of the proceedings in 2023, leading her

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New York Law Journal Inside

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Update Shift of Residence/ Domicile From NY to Florida, Part II
by John P. Barrie, Christopher Marsala, Hollis F. Russell, and Peter Wyman

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. Important Part information, including addresses, phone numbers and courtrooms are updated daily. **Only at nylj.com.**

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Firm, Corporate Law Libraries Are Beefing Up Staff, With Director Roles Highest Paid

BY ALEEZA FURMAN

LAW firms and corporations appear to be beefing up on their law library staff.

According to the 2025 American Association of Law Libraries Biennial Salary Survey & Organizational Characteristics, published Monday, the average number of staff employed in firm and corporate law libraries reached a decade high this year.

The AALL Salary Survey collected responses from 257 law libraries reporting data on more than 2,000 individual library staff. Academic law libraries made up the largest portion of respondents at 46%, followed by firm and corporate law libraries at 35%, with government law libraries making up the smallest segment at 19%.

Based on the survey responses, firm and corporate law libraries

are expanding their library staff, with both the average number of library professionals and number of overall library staff at a high point in 2025. Firm and corporate law libraries reported that they supported an average of 7.9 total professionals and support staff in 2025, marking an 8% uptick from the last survey year of 2023 and the highest number recorded since at least 2015.

The growth comes at a time when many professions are feeling job insecurity in the face of industries' increasing reliance on generative artificial intelligence. But that technology is unlikely to displace law librarians any time soon, according to Debbie Ginsberg, faculty services manager at Harvard Law School Library and 2025-2026 chair of the AALL Economic Status of Law Librarians Committee.

"A big part of what we do is

research, and we see that AIs are fairly unreliable for that," Ginsberg told LegalTech News. While law libraries are exploring how to best leverage AI components in legal research platforms such as LexisNexis and Thomson Reuters' Westlaw, Ginsberg said, those tools can only do so much.

"The librarians have to find the materials. The librarians have to make the materials available. The librarians have to provide training," she said. "All those things that they do require judgment that the AIs aren't currently displaying."

Ginsberg said the impact of AI on law libraries is not something that is necessarily reflected in the survey's numbers, but it can be seen in the job descriptions mentioned throughout the report, which now include "knowledge of AI" among the listed qualifications.

As an academic librarian, Ginsberg said she couldn't speak to

exactly why firm and corporate law libraries appear to be growing.

However, the increase does not appear to be a simple matter of firms and corporate law departments scaling up on the whole, as the ratio of library staff to attorneys has shifted as well. 2025's ratio of one library staff member to every 64 attorneys represented a higher level of staffing support than firm and corporate law libraries have seen in recent years. However, even with that increase, the ratio remains higher than it was in the survey years preceding 2021, when the number of lawyers per library staff member hovered in the mid-40s.

Salaries

Of the firm and corporate law library staff reported in the survey, the highest-paid role was that

of "director of research services/information services/resources/information/library services." The median salary of the 58 individuals reported as holding director roles was \$184,453. Meanwhile, 35 individuals reported as holding the title of "manager of research services/information services/resources/information/library services" brought in a median salary of \$130,500.

The most commonly held positions reported among firm and corporate law library staff were nonsupervisory and senior nonsupervisory roles within reference/research services. The 161 individuals in nonsupervisory reference/research services roles made a median salary of \$99,000, while the 114 individuals in senior nonsupervisory reference/research services roles made a median salary of \$116,075. Senior managers within reference/research services

es brought in a median salary of \$150,000.

In addition to reference/research services, the survey also broke down staff pay in two other groups: information resources/technical services/electronic services/cataloging/acquisitions/operations, and competitive intelligence. The highest-paid post in the former category was that of senior manager, with a median salary of \$173,091. In the latter category, managers boasted the highest salaries, at a median of \$124,638.

Ginsberg noted that the roles described in the survey were meant to encompass positions that in practice span many different job titles and fit within a wide variety of organizational structures. "It's obviously a lot of round pegs going to square holes type things," she said.

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DOJ Settles Algorithmic Price-Fixing Claims With Landlord Tech Company RealPage

BY SULAIMAN ABDUR-RAHMAN

THE U.S. Department of Justice and RealPage Inc. have reached a proposed settlement resolving antitrust claims alleging the tech company participated in an algorithmic price-fixing conspiracy to inflate landlords' apartment rental prices.

"This resolution with the DOJ was necessary to provide certainty and finality for RealPage and its customers to avoid protracted litigation," Stephen Weissman, co-counsel for defendant RealPage, said Monday in a statement.

"While we deny any wrongdoing, we appreciate the constructive engagement by DOJ and its willingness to bless the legality of RealPage's prior and planned product changes under federal antitrust law through the consent decree," added Weissman, a Gibson, Dunn & Crutcher partner.



Assistant U.S. Attorney General **Gail Slater**, head of the Justice Department's Antitrust Division.

The proposed settlement includes no financial penalties or admissions of wrongdoing but would require RealPage to make behavioral chang-

es overseen by an independent monitor if approved by U.S. District Judge William L. Osteen Jr. of the Middle District of North Carolina.

The DOJ's Antitrust Division and several state attorneys general filed an amended complaint in January alleging RealPage monopolized the commercial revenue management market and conspired to inflate rental housing prices in violation of the Sherman Act.

Richardson, Texas-based RealPage provides revenue management software to landlords in the multifamily rental housing market. The proposed settlement, if approved, would restrict how RealPage can use competitively sensitive data from landlords.

"Competing companies must make independent pricing decisions, and with the rise of algorithmic and artificial intelligence tools, we will remain at the forefront of vigorous antitrust enforcement," Gail Slater, the DOJ's top antitrust enforcer, said Monday in a statement announcing the proposed settlement with RealPage.

"The United States has obtained

a settlement with RealPage that protects American renters by prohibiting the use of competitively sensitive information in RealPage's software to set rental prices, and by ending anticompetitive practices to align pricing among competing landlords," DOJ attorneys wrote in a competitive impact statement filed Monday.

Gibson Dunn and Robinson, Bradshaw & Hinson represent RealPage in the DOJ's antitrust complaint in North Carolina federal court.

"There has been a great deal of misinformation about how RealPage's software works and the value it provides for both housing providers and renters," Weissman, a former Federal Trade Commission deputy director, said in his statement as co-counsel for RealPage.

"We believe that RealPage's historical use of aggregated and anonymized nonpublic data, which

include rents that are typically lower than advertised rents, has led to lower rents, less vacancies, and more procompetitive effects," Weissman added.

One of the co-defendants in the case, Greystar Management Services LLC, previously settled antitrust claims with the Justice Department and on Nov. 18 reached a \$7 million settlement with nine state plaintiffs.

The DOJ's proposed settlement with RealPage must receive approval from the U.S. District Court for the Middle District of North Carolina under the Tunney Act.

RealPage is also named as a defendant in antitrust class-action litigation pending in the U.S. District Court for the Middle District of Tennessee challenging the legality of its AI-powered software and conduct in the rental housing market.

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SEC Decision To Halt Review of Most Corporate 'No Action' Requests Draws Investor Ire

BY CHRIS O'MALLEY

A U.S. Securities and Exchange Commission decision to halt substantive review of public company requests to exclude certain shareholder proposals has investor groups concerned their voices will be diminished in U.S. corporate governance.

The move appears to strictly limit Exchange Rule 14a-8, which for 78 years has helped ensure proposals meet regulatory standards and that companies do not block them, according to the shareholder advisory group As You Sow.

The decision championed by SEC Chair Paul Atkins "is effectively forcing these matters into court, an expensive and lengthy outcome that is detrimental to both shareholders and companies," said Danielle Fugere, president and chief counsel of the El Cerrito, California-based group. "It's incredibly shortsighted."

For decades, public companies have petitioned the SEC to exclude advisory—or nonbinding—shareholder proposals that are not eligible under Rule 14a-8. Ineligible proposals include those that seek to micromanage ordinary business operations or otherwise have little economic relevance to the company.

Companies filed a "no action" letter with the SEC, seeking the agency's confirmation that it would not recommend enforcement action if the company excluded the shareholder proposal.

But on Nov. 17, the SEC

announced its Division of Corporate Finance would no longer express its views on no-action requests—except on a narrow category of non-binding proposals under Rule 14a-8(i)(1).

Rule 14a-8(i)(1) has permitted companies to omit proposals that are not a "proper subject" for action by shareholders under the laws of the state in which they are incorporated. That's generally the laws of Delaware, as most U.S. issuers are incorporated there.

The SEC's decision followed a speech Atkins gave last month at the John L. Weinberg Center for Corporate Governance.

Atkins said nonbinding—also known as precatory—shareholder proposals "consume a significant amount of management's time and impose costs on the company."

He added that "perhaps nothing has epitomized the politicization of shareholder meetings more than shareholder proposals focused on environmental and social issues."

Delaware generally prohibits shareholder proposals that would bind companies to such things as spending decisions but does not ban advisory/precatory proposals, *per se*.

But Atkins cited Delaware prac-

there have not been any."

"The speech leaves the uncanny impression that the Commission is now anointing itself the newest Vice Chancellor on the Delaware Court of Chancery, effectively creating a new state law, which it can then itself bless, to carry out an agenda that affords companies sweeping rights to reject shareholder proposals without impediment or regard for precedent," Crenshaw said.

She called the SEC's change to the no-action process "a Trojan horse."

"It cloaks itself in neutrality by expressing that the Division will not weigh in on any company's exclusion of shareholder proposals, but then it hands companies a hall pass to do whatever they want," Crenshaw added.

"It effectively creates unqualified permission for companies to silence investor voices, with 'no objection' from the Commission."

Morgan Lewis partner Leland Benton told Law.com the "new paradigm" established by the SEC's Monday statement "has the potential to reshape the way that proponents of shareholder proposals engage with company management."

Proponents will explore novel strategies and increase their use of existing alternatives to the Rule 14a-8 process, said Benton, who previously worked in the SEC Division of Corporation Finance.

"As foreshadowed in Monday's statement, in the immediate future we can likely expect well-funded proponents at Delaware companies who have submitted precatory pro-

posals currently under consideration by the SEC, or who intend to do so shortly, to engage Delaware counsel and challenge companies seeking to exclude those precatory proposals as being improper under Delaware state law through the same process, provided by Rule 14a-8(k)" that they would use to historically challenge no-action requests, Benton added.

Paul Chesser, director of the corporate integrity project at the National Legal and Policy Center, said that "shareholders' only recourse is to sue in federal court to try to force the company to include the proposal in its proxy statement."

The conservative NLPC, based in Falls Church, Virginia, has advanced proposals challenging corporate diversity, equity and inclusion programs in recent years.

Chesser said shareholder groups have other potential tools to continue their shareholder activism programs.

"I'm sure they [companies] are aware of the possibility of eliciting unintended consequences, like more opposition votes against directors because precatory proposals were excluded."

Fugere, of As You Sow, said she sees shareholder groups taking other actions as well, such as unfavorable say-on-pay votes.

Benton, of Morgan, Lewis & Bockius, stated in a client advisory he co-authored recently that the SEC's new policy shifts more responsibility—and more litigation risk—on companies and their counsel to determine whether they have a defensible basis for excluding proposals.

Companies must still provide the SEC and proponents notice that it intends to exclude a proposal from proxy materials, at least 80 calendar days before filing its

definitive proxy, Morgan Lewis noted.

"Given this significant change and the potential for even more dramatic developments, it is imperative that public companies continue to ensure robust legal analysis and documentation when excluding proposals," the advisory cautioned, "as the lack of Staff concurrence does not insulate them from potential shareholder litigation or SEC enforcement actions in the future."

Chesser said the SEC's latest move in some ways underscores "the flimsiness of the no-action relief process in the first place."

Granting "no-action relief" only meant staff would take no enforcement action against a company should they exclude a shareholder's proposal, Chesser said.

Yet "the SEC never did anything to 'enforce' inclusion anyway, to my knowledge, or at least to any significant, newsworthy degree," Chesser added.

Fugere lamented how the SEC decision to no longer express its views on most no-action requests disrupts a process that has been in place for decades and largely worked.

Companies and proponents have often negotiated, sometimes resulting in a proposal being withdrawn once assurances were made to shareholders, she said.

To the extent companies may now be tempted to exclude proposals with abandon, they now risk legal challenges costly to both sides. And pension funds that rely on shareholder advocacy to improve corporate performance and returns to the funds' investors now stand to suffer as well, Fugere added.

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Expert Analysis

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Update Shift of Residence/Domicile From NY to Florida, Part II

BY JOHN P. BARRIE,
CHRISTOPHER MARSALA,
HOLLIS F. RUSSELL
AND PETER WYMAN

Our earlier 2019 article, *Shift of Residence/Domicile From New York to Florida* (NYLJ August 2019), set out various planning considerations and analysis in connection with change of domicile/residence to Florida. To supplement that analysis, below are several specific considerations for higher net-worth taxpayers, focusing on New York residential property planning, nonresident New York income tax return filing, and audit settlement considerations. Additionally, some specific Florida law considerations are addressed.

Residential Property Planning

Often higher net-worth taxpayers are unwilling or unable to sell their New York residential property to avoid having a "permanent place of abode" in New York and potentially being treated as a statutory resident. Short of sale, some may be willing to enter into a third-party lease for an extended period (converting the residence to investment property)—ideally, at least the first full calendar year after the effective date chosen for change to nonresident status.

This allows a clear break from New York occupancy. Of course, the rental income would be New York-source income, requiring the filing of a New York nonresident tax return. Where leasing is an option, the best practice would be to rent the property unfurnished, with the contents moved into storage—preferably outside of New York, and ideally to Florida.

From a convenience standpoint,

however, the taxpayer may only be willing to lease on a furnished (or partially furnished) basis—not ideal, of course, but better than retaining right of occupancy. Importantly, notice to the homeowner's casualty insurance carrier should be considered for any coverage change required to be implemented. If the taxpayer were to sell the New York residence and then lease it back, care would again need to be taken to avoid statutory resident treatment.

For taxpayers unwilling or unable to sell or lease, consideration should be given to establishing an irrevocable residence trust to hold title. As generally described in our 2020 article, *Alert - 2020 Federal Gift and Estate Tax Planning* (NYLJ Oct. 2020), this technique involves an irrevocable trust for

trust, and the planning process should avoid elements of pre-arrangement for future possession by the grantor. With the \$15,000,000 federal estate and gift tax exemption (as adjusted for future inflation) permanently extended by the 2025 tax act (P.L. 119-21), the trust structure may be able to be implemented entirely by gift through use of the taxpayer's remaining exemption amount for the full value of the property; otherwise, a sale to grantor trust structure may be used. Importantly, transfer of title for a primary residence subject to mortgage debt typically requires the consent of an institutional lender, which may not be forthcoming for an older low-interest mortgage. Short of transfer of title, leasing the property presents a similar concern.

Effect of New York Resident/Nonresident Status on Future Tax Years

Before or during the first full calendar year of nonresidence, it is advisable to take all reasonable steps to establish that the taxpayer is no longer a New York resident. This is a significant burden, as taxpayers must prove by clear and convincing evidence that they have abandoned their New York domicile and established a new one elsewhere. See 20 N.Y.C.R.R. §105.20(d).

For further discussion of the burden of proof faced by taxpayers seeking to demonstrate that they have relinquished their New York domicile, see, e.g., D. Kelly, *Clear and Convincing: Murky Evidentiary Standards in New York Personal Income Tax Matters*, 29 Journal of Multistate Taxation and Incentives, No. 1 (2019).

The Tax Department's recent practice, however, has been to audit the first several years together, making it more difficult to isolate the for burden of proof purposes.

For settlement purposes, however, it is worthwhile (and potentially at a higher settlement level) for any audit of the initial year or years to be settled, if possible, on a non-residency or bona fide

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the benefit of descendants, structured as a grantor trust for income tax purposes.

This structure is more likely viable where the taxpayers' children have been frequently visitors and would likely enjoy the right of occupancy going forward. Assuming the parents moved to Florida, the trust terms should be structured as a Florida trust, with a Florida trustee. Carrying costs should be covered in the initial trust funding, at least for several years. After a decent interval of years—ideally, after the statute of limitations for the initial year of non-residency has expired (see below)—it may be viable for the taxpayer to rent the property back or possibly even reacquire it from the trust. Until the risk of audit has passed, the taxpayer should avoid visiting the property.

Any remaining furnishings should also be transferred to the

JOHN P. BARRIE, CHRISTOPHER MARSALA and HOLLIS F. RUSSELL are partners at McLaughlin & Stern, and PETER WYMAN is an associate at McLaughlin & Stern. SARAH HOUSTON, a legal intern at McLaughlin & Stern, assisted in the preparation of this article.

Disciplinary Proceeding

Matter of Matthew John Cavalier, an attorney and counselor-at-law

Motion No. 2022-06396

Appellate Division; Second Department

Lasalle, P.J., Dillon, Duffy, Barros, Connolly, JJ.

Decided: November 19, 2025

Catherine A. Sheridan, Hauppauge, NY (Stacey J. Sharpelletti of counsel), for petitioner.

Matthew John Cavalier, Oakland Gardens, NY, respondent pro se.

Table 1		
Date	Balance	Amount of Deficiency
1/16/18	\$179,456.58	\$543.42
1/22/18	\$179,208.25	\$791.75
1/31/18	\$179,848.01	\$151.99

Table 2		
Date	Balance	Amount of Deficiency
10/30/17	\$194,802.60	\$22,050.57
10/31/17	\$194,634.14	\$22,219.03
11/2/17	\$193,437.75	\$23,415.42
11/6/17	\$192,354.02	\$24,499.15

and August 24, 2017, the respondent was required to maintain \$34,453.37 in his escrow account for Ferrara between August 24, 2017, and at least August 29, 2017. The respondent's escrow account balance on August 24, 2017, was \$28,046.80 (\$6,406.57 deficient), and on August 29, 2017, the balance fell to \$27,801.01 (\$6,652.36 deficient).

Charge two alleges that on September 11, 2017, \$180,000 was deposited into the respondent's escrow account, representing a down payment in connection with a real estate transaction regarding a property located on

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Two Offices: Approx 9' x 13' each
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Tel: 516-488-0100
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IN BRIEF

« *Continued from page 1*
on its sale of Aligned; the deal is slated to close in the first half of 2026.

The momentum has led most global law firms to roll out data center practices. These groups guide clients across the whole lifecycle of a project—bringing in expertise on matters such as real estate, construction, finance, M&A, electricity, and environmental considerations.

Matthew Poulter, the São Paulo-based head of Linklaters' Latin America practice, said rising demand for data centers and computing power is also being driven by a local population that uses digital products and services at all levels and is quick to embrace new digital products and services.

Poulter recently advised Latitude.sh, a Brazilian company that provides bare metal cloud services globally on its \$150 million sale to Australia's Megaport Ltd. The combined entity will connect critical workloads across more than 1,000 data centers in 26 countries.

“[Latitude.sh's] global presence demonstrates how Latin America-based digital infrastructure innovators are successfully attracting both regional and international investment, driving significant growth across the sector,” said Poulter.

Poulter sees Brazil as a natural regional hub for technology infrastructure, given its economic scale, vibrant startup culture, and commitment to digital transformation.

Notably, the ReData regime—a new set of tax incentives established by the Brazilian federal government to attract investment and expand data center infrastructure in the country—is promoting sustainable data center development while creating favorable conditions for investors, he said.

With time, data residency may also rise in importance within the large Latin American economies as countries aim to protect citizen data and ensure national security. Data protection laws could, in turn, inspire major service providers to store more data in-country.

—Amy Guthrie

Why Did Egg Prices Get So High? Antitrust Suits Say It Wasn't Avian Flu

At least half a dozen class actions were filed last month accusing egg producers of conspiring to raise the price of eggs.

The lawsuits, filed in federal courts in Indiana, Illinois and Wisconsin, and flagged by Law.com Radar, follow disclosures earlier this year that the U.S. Department of Justice had launched an antitrust investigation into the egg producers, which include the nation's five largest: Cal-Maine Foods Inc., Rose Acre Farms Inc., Verso Holdings LLC, Hillandale Farms and Daybreak Foods Inc.

The lawsuits claim the egg producers collaborated by sharing information about their prices while telling the public that the increasing prices were due to an avian flu outbreak that began Feb. 1, 2022.

The class actions represent both direct purchasers, such as restaurants like Phil-in-Cindy's Lunch, in Jamestown, New York; the Breakfast Joynt in Scottsdale, Arizona; and indirect consumers, whose pocketbook was hit with egg prices that jumped to more than \$6 per dozen in March from under \$2.

“This has been a very hot button issue,” said plaintiffs’ attorney Blake Yagman, who filed one of the cases on Nov. 18. “Consumers have been into grocery stores and noticed egg prices are two to three times higher than they usually are. One of the reasons the egg

industry has said that those prices are higher is because of supply restraints as a result of avian flu. If you’ve reviewed the complaints, you can see there’s a lot of information that cuts to the contrary.”

The suits also name information exchange Urner Barry Publications Inc., which the egg industry allegedly used to inflate benchmark prices, and Egg Clearinghouse Inc., an online trading marketplace.

On Nov. 19, plaintiffs’ firms DiCello Levitt, Kirby McInerney, Lockridge Grindal Nauen and CohenMalad filed a motion before the U.S. Judicial Panel on Multidistrict Litigation to coordinate the antitrust cases against the egg industry to Indiana’s Southern District, where two of them are filed.

A spokesperson for Urner Barry Productions, now called Expana, declined to comment, and a representative at Egg Clearinghouse did not respond to a request for comment.

All the defendant egg producers, which also included Opal Foods and national cooperative United Egg Producers, doing business as the Egg Farmers of America, did not respond to emails requesting comment.

The suits alleged many of the egg producers have been accused of antitrust schemes before. In 2023, a jury in the Northern District of Illinois found Cal-Maine and others liable for price fixing, awarding a verdict of \$17.8 million, which, when trebled under antitrust law, came to a total of \$53 million for three opt-out plaintiffs. And the states of Texas and New York both accused Cal-Maine and Hillandale Farms of price gouging at the start of the COVID-19 pandemic.

A prior antitrust case coordinated into multidistrict litigation in U.S. District Court for the Eastern District of Pennsylvania alleged egg producers raised prices due to what they attributed to production restraints caused by new animal welfare requirements that reduced the number of laying hens.

“The key difference is that wasn’t solely tied to price; it was about creating supply constraints, which would drive up prices,” Yagman, of Schonbrun Seplow Harris Hoffman & Zelies in San Diego, said. “This is a very important case given that eggs are a staple. It’s one of the cheapest proteins Americans have access to, and the fact it plays such a prominent role in baking and restaurant usage and breakfast foods, it’s an important case because it’s a very prevalent part of American life.”

The cases are similar, however, to antitrust allegations against meat processors, such as broiler chicken, pork and turkey, which rely on Agri-Stats Inc., an information exchange sued by the DOJ.

In March, news reports disclosed that the DOJ was investigating potential antitrust violations in the egg industry, but prices immediately dropped.

“The speed and magnitude of the price drop strongly suggest that prior egg prices were sustained through coordinated conduct, rather than competitive market forces,” the MDL motion says.

New York Attorney General Letitia James also launched her own investigation into egg prices.

—Amanda Bronstad

ABA Removes Cooley Law School's Probationary Status

Cooley Law School, which had been out of compliance with the required minimum two-year bar passage rate since 2020, has now been taken off of probation by

the American Bar Association.

At its mid-November meeting, the Council of the Section of Legal Education and Admissions to the Bar of the ABA considered the school’s response to the council’s August 2025 decision letter and concluded that the “information provided by the law school is sufficient to demonstrate compliance with Standard 316,” according to the Nov. 21 decision.

“Our two-year bar pass rate for the graduating classes of 2024 exceeds 75% and will likely get higher as there are additional cycles left for some of these graduates,” Cooley Law School president and dean James McGrath told Law.com.

When McGrath testified before the council during its August meeting that its ultimate bar passage rate was over the required 75%, the council disagreed because results were not yet known for a small number of 2024 graduates who sat for the July bar, according to McGrath.

McGrath stated that “76.2% of Cooley’s 2024 graduates who have taken a bar examination within two years of graduating have passed, putting us in compliance,” according to the school.

The ABA did not confirm the school’s current ultimate bar passage rate. The ABA states that information about specific schools is confidential other than what is reported publicly in decision letters.

Cooley Law has campuses in Michigan and Florida.

The Michigan Board of Law Examiners published data showing Cooley Law had 104 students sit for the bar in July with 29% passing: 40% were first-time test takers and 21% were repeat test takers passed.

The Florida Board of Law Examiners reported that Cooley Law had 61.3% bar passage rate for the July bar for first-time test takers. It does not show data for ultimate bar passage.

The data from Michigan and Florida does not account for Cooley Law graduates who sat for the bar in other jurisdictions.

For the state of Michigan, the overall pass rate for the July bar was 65%, 76% for first-time test takers and 32% for repeat test takers; and Florida had a 67% overall bar passage rate for the July bar, 78% for first-time test takers and 21% for repeat test takers, according to National Conference of Bar Examiner data.

Cooley’s ultimate bar passage rates have been 62.3%, 59.5%, 61.0%, 55.8% and 57.4% for the classes of 2018, 2019, 2020, 2021 and 2022, respectively, according to ABA 509 reports.

For the class of 2022, Cooley had the lowest rate among all ABA-accredited law schools—with no other schools being below 60%—according to ABA data.

In its Sept. 19 decision letter, the council determined that Cooley Law School had “failed to take sufficient action” to correct its ultimate bar passage rate, further writing that the school’s “noncompliance with Standard 316 is ‘sufficiently serious that it raises concerns about the quality of the student learning experience provided by the law school.’”

Standard 316 was revised in 2019 to require 75% of a law school’s graduates who sit for the bar to pass it within two years, known as the two-year aggregate passage rate or the ultimate passage rate.

The school was first given notice that it was out of compliance in 2020, with the ultimate passage rate for its class of 2017 at 66%, and was given two years to get back into compliance. In 2022, the council determined the school was still out of compliance and granted a good-cause extension of up to three years.

—Christine Charnosky

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Kazazian appeared pro se.

Joseph A. Hinkhouse, of Hinkhouse Williams Walsh in Chicago, represents CNA Financial.

Rebecca Rothmann, of Wilson Elser in Chicago, represents the firm and Melichar.

Benjamin Edward Patterson, of Hall Prangle in Chicago, represents the expert defendant.

None of the attorneys immediately responded to requests for comment.

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Verdicts & Settlements

MOTOR VEHICLE

Pedestrian Wasn't Injured in Crash, Defense Argued

Verdict: \$0.00

Skylar King v. Gustavo Manuel Maurath, No. 161097/2020

Court: New York Supreme, NY

Plaintiff Attorney(s): Seth M. Katz; Alan Ripka & Associates, LLP; New York NY for Skylar King

Defense Attorney(s): Joseph Votto; Votto & Albee, PLLC; Staten Island, NY for Gustavo Manuel Maurath

Facts: On Feb. 13, 2018, plaintiff Skylar King, unemployed, was walking at Amsterdam Avenue between West 145 and West 146th Street in Manhattan. He was struck by a motor vehicle driven by Gustavo Manuel Maurath. King claimed he hurt his neck, back and shoulder.

King sued Maurath. He alleged that Maurath was negligent in the operation of a motor vehicle.

Maurath admitted liability.

The matter proceeded to a summary jury trial.

Injury: King claimed he suffered a torn labrum and supraspinatus tendon, bulging discs at C3, C6, L2-3 and L4-5, radiculopathy and a herniated disc at L5-S1. He did not undergo surgery.

Plaintiff's counsel claimed the injuries were permanent.

The defense contended that the vehicle barely touched King, so it could not have caused his injuries. The defense also disputed the permanency of the injuries.

The parties negotiated a high/low stipulation: The damages could not exceed \$100,000, but had to equal or exceed \$0.

Result: The jury found Maurath was not negligent and rendered a defense verdict.

MEDICAL MALPRACTICE

Injury During Foot Surgery Was Known Risk: Defense

Verdict: \$0.00

Jason Greenberg and Ann Marie Greenberg v. Cary B. Chapman, M.D., Cary B. Chapman M.D., PLLC and Orthopaedic & Sports Medicine Consultants of New York, No. 805189/2020

Court: New York Supreme, NY

Plaintiff Attorney(s): Sol Kodsi; Law Offices of Sol Kodsi, New York, NY, trial counsel for Law Offices of Michael N. David; New York NY for Wendel Deflorimonte

Defense Attorney(s): Scott Dinstell; Law Offices of Rothenberg & Romanek; Garden City, NY for Roy A. Brown

Wendel Deflorimonte v. Roy A. Brown, No. 513529/2018

Court: Kings Supreme, NY

Plaintiff Attorney(s): Sol Kodsi; Law Offices of Sol Kodsi, New York, NY, trial counsel for Law Offices of Michael N. David; New York NY for Wendel Deflorimonte

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Defense Attorney(s): Scott Dinstell; Law Offices of Rothenberg & Romanek; Garden City, NY for Roy A. Brown

Wendel Deflorimonte v. Roy A. Brown, No. 513529/2018

Court: Kings Supreme, NY

Plaintiff Attorney(s): Sol Kodsi; Law Offices of Sol Kodsi, New York, NY, trial counsel for Law Offices of Michael N. David; New York NY for Wendel Deflorimonte

Defense Attorney(s): Scott Dinstell; Law Offices of Rothenberg & Romanek; Garden City, NY for Roy A. Brown

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McFarland

Continued from page 1

\$27.4 million. McFarland did not contest or admit the allegations and consented to an entry of final judgment that same year.

The new 2024 SEC subpoenas sought documents and communications between McFarland and investors as he sought to launch "Fyre Festival 2" following his release from prison in 2022.

In 2023, he incorporated two companies, BZM Media and Fyre Holdings, per court papers. BZM was to manage his media appearances, including the sale of his life rights to a Broadway production, while Fyre Holdings was formed in order to arrange another festival.

Fyre 2, he told the New York Post in 2024, "is the most tangible way to repay the \$26 million that I owe [in restitution], and having real partners gives an opportunity in the next five to seven years to actually pay back that \$26 million."

In May 2024, attorneys for McFarland sought clarification of an order issued in connection with the SEC 2018 action. The filing explained that seven friends of McFarland's had agreed to invest a total of \$267,000 in his new ventures. One unnamed individual promised \$200,000, while the other six entered agreements totaling \$67,200, per the motion.

Thirteen days later, the SEC issued subpoenas to McFarland, seeking communications between McFarland, the companies and the new funders. The subpoenas

sought communications between McFarland or the entities and the investors from Jan. 1, 2021 to May 2024.

The SEC letter to Protass did not provide any explanation for the decision to close the probe.

"We have concluded the investigation as to your client, William Z. McFarland," Associate SEC Director Pei Chung wrote in the termination letter. "Based on the information we have as of this date, we do not intend to recommend an enforcement action by the commission against your client."

In a submission to the SEC in January, Protass told the SEC that the action against McFarland would be inconsistent with the commission's mission to protect investors.

"Those who have invested in Fyre [...] are happy with, have no complaints about and want to keep their investments," the attorney wrote. "They do not want to be divested of their investments, are not looking for protection from the commission and do not want the commission's interference."

In July 2025, McFarland sold Fyre Festival-related IP assets to the streaming service LimeWire on eBay for \$245,000. The entrepreneur retained minority ownership in two Fyre assets that remain in development, Fyre Festival Musical and Fyre Music Streaming, his attorney said.

Fyre Holding's investors "continue to benefit from the two projects in which Fyre retained a minority ownership interest," Protass said. Investors

were given the opportunity to redeem their ownership interests in Fyre Holdings and BZM and 80% remain invested, he added. Those who opted out received full payment.

Fyre 2, originally scheduled for December 2024, was repeatedly postponed, but remaining investors now hold ownership in the retained Fyre assets and McFarland's newest venture, called PHNX.

"PHNX is the continuation and evolution of the vision that began with Fyre Festival in 2017," Protass said.

Protass said PHNX held a "successful hotel pop-up" on the Caribbean island of Utila in September, and is now gearing up for its next event.

According to its website, PHNX will next host a music festival in which 400 people are scheduled to "descend" upon the Utila and Diamond Cay islands in Honduras between Dec. 5 and Dec. 8. Eleven international artists are confirmed for the event, the lawyer said.

Event tickets on the PHNX website range from \$499 to \$140,000.

The same eBay account that sold the Fyre IP now lists a "THE PHNX 2025 Golden Ticket" for sale. As of publication on Wednesday, the auction price for a single ticket was \$11,100.

Protass said his client has so far paid "hundreds of thousands of dollars" in restitution. The attorney declined to provide an exact figure.

Emily Saul can be reached at emily.saul@alm.com. X: @emily_saul_

the new rule.

"Protection of the integrity of the record in appellate practice remains of paramount importance," said Lavine, a Long Islander who chairs the lower legislative chamber's Judiciary Committee.

"The amended rules reaffirm the need to secure and protect an accurate record when questions of legislative intent have arisen," he said.

Lavine called the new requirement "entirely reasonable because the views of legislators that are not part of the debate or material considered by the legislature when the bills are being considered on the legislative floor are dehors the record and not to be in any way determinative of the ultimate decision of the appellate court."

When reviewing legislative intent, courts review the actual language of the law itself, along with legislative history, bill sponsors' memoranda, committee reports and debate, among other parts of the lawmaking process.

Legislative intent was a factor in one of the more seismic decisions by the top court: when a 4-3 decision in 2022 invalidated political maps drawn by the state Legislature's Democratic majority.

The top court ordered the previously deadlocked Independent Redistricting Committee to reconvene and produce a second set

of maps, with the majority of top judges referring to the law's intention of trying to eliminate partisan politics from redistricting.

The decision enabled Republicans to flip the political majority in Congress.

More recently, the Court of Appeals examined legislative intent when it left undisturbed the state's Even Year Election Law, which was challenged by years of litigation by Republican-led localities that had argued the law toppled home-rule principles that are enshrined in the state's constitution.

The top court held that the EYL's intent of increasing voter turnout, reducing voter fatigue, while streamlining elections, were among factors that weighed in the state's favor.

Brian Lee can be reached at brian.lee@alm.com. X: @bleerreporter

Letters Welcome

The Law Journal welcomes letters from its readers for publication. They must contain the names and addresses of correspondents. Letters should be of reasonable length and submitted with the understanding that all correspondence is subject to the editorial judgment of the newspaper in considering duplication, length, relevancy, taste and other criteria. Letters may be e-mailed to:

michael.marciano@alm.com

Calendar

TUESDAY, DEC. 2

NY State Bar (Non CLE)

Negotiating Sports Contracts I: Tax
Considerations & Provisions in
Sports Contracts

<https://nysba.org/events/negotiating-sports-contracts-i-tax-considerations-provisions-in-sports-contracts/>
Virtual

the-top-10-attorney-escrow-
account-blunders-how-to-avoid-
a-grievance/
1 CLE credit
Virtual

Nassau Community College

Environmental Law Update

3 p.m.
WHPC-90.3 FM Radio

TUESDAYS, DEC. 2, 9, 16

NY State Bar (Non CLE)

Finding Focus: Co-Working Group

<https://nysba.org/events/12-9-25-finding-focus-co-working-group/>
Virtual

NY State Bar (CLE)

Superfund/Brownfield Program

Update 2025
<https://nysba.org/events/superfund-brownfield-program-update-2025/>
4 CLE credits
Virtual

TUESDAY, DEC. 2
WEDNESDAY, DEC. 3

NY State Bar (CLE)

Estate Litigation: Contested Probate and Accounting Proceedings

<http://nysba.org/events/estate-litigation-contested-probate-and-accounting-proceedings-part-1/>
3.5 MCLE Credits
Virtual

NY State Bar (CLE)

Mindful Moments: Meditation Series

<https://nysba.org/events/12-5-25-mindful-moments-meditation-series/>
Virtual

WEDNESDAY, DEC. 3

NY State Bar (CLE)

Top 10 Attorney Escrow Account Blunders: How to Avoid a Grievance

<https://nysba.org/events/>
1 CLE credit, Virtual

NY State Bar (CLE)

Charitable Planning for Artists and Creators

<https://nysba.org/events/charitable-planning-for-artists-and-creators-part-1-a-two-part-series-for-attorneys-and-advisors/>
Virtual

'Peloton'

«Continued from page 4

whether or not a corporate disclosure qualifies as a material misrepresentation entails scrutinizing the statement's context and mode of presentation, and not just its literal truth. *See Singh v. Cigna Corp.*, 918 F.3d 57 (2d Cir. 2019).

Next, a court must ask if the allegedly deceitful statements, thus read collectively and in context, are capable of misleading a reasonable investor. Third, this tribunal and its sister circuits have long held that puffery, expressions of corporate optimism, and "aspirational statements" are far too nebulous to give rise to a plausible Section 10 claim.

Nonactionable Claims

Addressing first the contentions that management materially misstated post-pandemic demand for the manufacturer's exercise equipment, the tribunal was troubled by

or cautious picture of current performance and future prospects," while "expression[s] of corporate optimism [are] non-actionable puffery."

Plausible Allegations
The Second Circuit took an entirely different view, however, of management's representations of the "absolutely offensive" aim of discount pricing, finding those statements to be plausibly misleading. A reasonable investor, said the panel, would have interpreted that explanation "as rejecting the suggestion that the reduction was defensive."

The appellate court took cognizance that these utterances came at a time when the company was burdened with 91% of its goods unsold, and had restated earnings guidance downward by a staggering \$1 billion. "In other words," opined Circuit Judge Menashi, "Peloton was already engaging in the sale of excess inventory at

<p

Expert Analysis / Disciplinary Proceedings

Update

«Continued from page 3

change in domicile basis, meaning that subsequent years should be more difficult for the Tax Department to challenge. While that may be possible in the context of a more compelling taxpayer case, informal indication from some tax practitioners who regularly handle non-residency audits is that the Tax Department is unwilling to settle on a non-residency basis in closer cases, regardless of the settlement amount. Instead, penalty waiver by the Tax Department is a more likely basis for settlement.

New York Nonresident Income Tax Return

To bolster one's tax position supporting change of residence, a taxpayer should generally seek to dispose of New York source income—particularly any active business entities or employment arrangements, as described in our 2019 article. It may be worthwhile, however, to continue to hold investment property generating enough New York source income to require a New York filing requirement on a nonresident basis.

Filing the return then starts the clock for the general three-year statute of limitations, as well as

the six-year statute of limitations (albeit not generally utilized by the Tax Department) applicable to substantial under-reporting of income. N.Y. Tax Law §§683(a), 683(c)(1)(A). Another benefit to filing as a nonresident is to avoid a penalty for failure to file a return. N.Y. Tax Law § 685(a)(1). Mindful of audit risk, a taxpayer can also apply any tax overpayment to the following tax year (rather than seek a refund). While this practice can avoid significant underpayment interest imposed at the present 9.5% annual rate, the lost investment opportunity associated with the funds is a relevant consideration. N.Y. Tax Law §1096(e)(1).

Select Florida Planning Issues

To bolster the taxpayer's change of residence position, consideration might be given to two specific Florida trust opportunities under more recently enacted Florida statutes. One is the Florida directed trust statute, which offers flexibility either to move a trust into Florida from either New York or another state, or to create a new trust in Florida.

The Florida statute does require a Florida resident trustee (either corporate or individual), which can be helpful in the indicia of the grantor's relocation to Florida. One drawback, however, is that Florida

law (similar to New York law) does not offer self-settled trust protection—meaning that any such trust relocation from a self-settled trust law state (e.g., Delaware, South Dakota) to Florida would have to relinquish (presumably by decanting) the grantor's retained interest (as beneficiary) in the trust property. See *Protectors and Directors and Advisers: Oh My! The New Florida Uniform Directed Trust Act*, 96 Florida Bar Journal No. 2 (2022).

The other statute, the Florida

In the corporate context, Florida imposes an income tax on subchapter C corporations (but not pass-through entities) at a rate of 5.5%—significantly lower than many states, including New York, where the rate is approximately 7.25% (not including additional income tax for entities based in New York City and Yonkers). For individuals claiming Florida residency and owning a C-corporation, the lower tax rate can result in substantial savings on corporate

For taxpayers unwilling or unable to sell or lease, consideration should be given to establishing an irrevocable residence trust to hold title.

Community Property Trust Act of 2021, sets forth the requirements for establishing a community property trust in Florida, which may be of interest to married taxpayers owning low basis property. See generally *Understanding the New Florida Community Property Trust (Parts I and II)*, 96 Florida Bar Journal Nos. 4 & 5 (2022). In any event, establishing a trust in Florida is a factor favorable to the taxpayer seeking to establish change of domicile/residence from New York.

In addition, three specific Florida tax issues are worth consideration. First, Florida is not an entirely income tax-free state.

earnings retained within a business—and at the same time bolstering his or her claim to New York non-residency status.

Second, certain promissory notes are subject to a Florida documentary stamp tax. This tax applies to all notes secured by Florida real estate, with the tax is typically calculated at \$0.35 per \$100 of the note's face value and without any maximum cap.

In addition, this tax applies to unsecured promissory notes (such as intra-family loans) executed and delivered in Florida, albeit capped at a maximum amount of \$2,450. Taxpayers planning unsecured intra-

family notes (including promissory notes associated with grantor trust indebtedness) should be mindful of inadvertently triggering this tax on account of a Florida nexus for the debt transaction. On the other hand, payment of the relatively small tax (\$2,450) on an intra-family transaction containing a substantial promissory note component may be helpful to bolster the taxpayer's position non-New York resident position in the audit context.

Third, the homestead exemption from real property tax can have significant long-term tax benefit on account of its 3% capped maximum amount of annual assessed valuation increase. Although taxes are imposed later in the year, the applicant must own and reside in the property as of Jan. 1 and the application is due by March 1 in the first calendar year in which the homestead exemption is sought and requires proof of Florida residence under a county-by-county application process. Homestead status for subsequent years is automatically granted after approval in the initial year.

Importantly, the taxpayer's application may be denied if he or she continues to maintain residency-based tax exemption under New York's STAR program—and that can trigger retroactive revocation of homestead status under the applicable ten-year Florida statute

of limitations period. As part of the steps taken to change residence, the taxpayer should terminate any applicable STAR exemption in New York.

In that connection, there should be no mortgage default concern where the financial institution holder is alerted to termination of a STAR exemption for the taxpayer's primary residence, given that any mortgage terms requiring a primary residence representation are typically only applicable at closin—meaning that there is not continuing primary residence representation.

Conclusion

A successful transition to Florida requires much more than an occasional change of scenery—it demands careful planning, thorough documentation, and consistent lifestyle patterns that demonstrate a true abandonment of New York as a permanent home and the establishment of a new domicile.

As regulatory scrutiny intensifies, taxpayers should stay current on any important tax law developments and prepare for potential audit. As New York enforcement has heightened and audits have surged, a proactive and integrated strategy is important to navigate the residency transition and secure the tax benefits of life in Florida.

Cavalier

«Continued from page 3

2017, in two separate matters related to ORG, a total of \$7,420.98 in funds entrusted to the respondent as a fiduciary were deposited into his operating account. Between September 19, 2017, and January 16, 2018, that amount, \$7,420.98, was disbursed from the respondent's escrow account in connection with these same two matters.

Charge six alleges that the respondent misused his escrow account, in violation of rule 1.15(b) of the Rules of Professional Conduct. On September 5, 2016, \$308,927.24 was deposited into the respondent's escrow account, comprised of personal funds related to the sale of his personal real property. On multiple occasions between September 2016 and May 2019, the respondent deposited personal funds, including earned legal fees, into his escrow account. From at least September 2016 through May 2019, the respondent made monthly disbursements from his escrow account for personal or business expenses, including electronic withdrawals for the payment of credit cards, insurance, utilities, phone bills, and federal taxes.

Charge seven alleges that the respondent commingled personal funds with funds entrusted to him as a fiduciary incident to his practice of law, in violation of rule 1.15(a) of the Rules of Professional Conduct. For at least the approximately two years between September 2016 and October 2018, the respondent maintained personal funds in his escrow account at times when fiduciary funds were also present in that account.

Charge eight alleges that the respondent failed to make or maintain required bookkeeping records for his escrow account, in violation of rule 1.15(d)(2) of the Rules of Professional Conduct. For the approximately 2½ years between September 2016 and May 2019, the respondent failed to make or maintain records of all deposits into and withdrawals from his escrow account showing the date, source, and description of each item deposited, and the date, payee, and purpose of

each withdrawal or disbursement. During at least this same time period, the respondent also failed to make or maintain a contemporaneous ledger book or similar records of all transactions in his escrow account showing the source of all funds deposited, the names of all persons for whom the funds were held, the amount of such funds, the description and amounts, and the names of all persons to whom such funds were disbursed.

Charges nine and ten both allege that the respondent engaged in conduct adversely reflecting on his fitness as a lawyer, in violation of rule 8.4(h) of the Rules of Professional Conduct. Charge nine alleges that from at least September 2016 through May 2019, the respondent failed to reconcile his escrow account. The misconduct alleged in charge ten is based on all of the allegations set forth in charges one through nine.

The Hearing Record

At the hearing, the Grievance Committee's case relied on documentary evidence, and the respondent testified on his own behalf. The respondent began his commercial and no-fault collections practice in 1997, which he continued for 20 years, until he began working as an arbitrator with the American Arbitration Association in January 2017, which required no legal license. The respondent had not practiced law since November 2019. During the time that he worked in collections, the respondent's firm operated a high-volume business, representing more than 300 medical practices, settling 100,000 cases in two years, and collecting 300,000 checks for its clients.

The respondent provided evidence that he had represented Ferrara (related to charges one and three) in the sale of several loan portfolios to hedge funds for which Ferrara and the respondent each received commissions that were wired to the respondent's escrow account. The respondent then disbursed Ferrara's commission according to Ferrara's instruction, at times to cover Ferrara's personal expenses. The respondent provided contrary testimony for this arrangement, including that he

was helping Ferrara conceal how much Ferrara had leveraged his assets. The respondent stated that he reviewed contracts for Ferrara for more than 10 years and was paid \$41,453.33 for his services, although he provided no bill and testified that his fee became due when Ferrara became able to pay. The respondent did not provide any specific explanation as to what caused the escrow account deficiencies alleged in charges one and three.

With regard to the Hillside Avenue matter (related to charges two and three), the respondent testified that he worked out the figures for the closing checks prior to the closing with the title closer, but at the closing, a different title closer attended, arrived late, and recalculated the checks incorrectly, causing the respondent to over-disburse \$30,000 to the sellers. The respondent claimed that he did not insist on checking the new calculations because the buyers, who had offered significantly more than other purchasers, were on their way from the closing to the airport for an international flight and had threatened to abandon their purchase if it did not close before they left. The sellers ultimately returned the \$30,000 over-disbursement, which allowed a check to the title company that had previously been returned for insufficient funds to clear.

As to charge four, the respondent submitted evidence that two checks, both dated August 21, 2018, related to ORG, were returned for insufficient funds. According to the respondent, one of the checks was dishonored essentially due to the high volume of identically-valued checks in the respondent's and ORG's collections businesses, causing ORG staff to mistakenly apply the funds to the wrong claim five years earlier. The respondent testified that he replaced the funds for this check with his own money, rather than trying to figure out exactly what happened to the misapplied funds, noting that the error was "[his] fault alone." With regard to the other dishonored check, the respondent testified that the corresponding funds were not available in his escrow account, essentially because he paid personal expenses from his escrow account and failed to reconcile this account, causing an "inadvertent invasion of client

funds." The respondent claimed that in the end, all of the money that he received on behalf of ORG was disbursed.

With regard to the two deposits of fiduciary funds into his operating account (related to charge five), the respondent essentially claimed that ORG staff or a bank teller deposited the funds into the wrong account. While the respondent initially claimed that he transferred the mistakenly-deposited funds into his escrow account, he ultimately admitted that no such transfer was made prior to the corresponding checks being disbursed from his escrow account. For charges six and seven, which allege that the respondent deposited his personal funds into his escrow account, thus, in the case of charge seven, commingling, the respondent explained that some of these funds were from the sale of his father's condominium. The respondent further admitted that he did not insist on checking the new calculations because the buyers, who had offered significantly more than other purchasers, were on their way from the closing to the airport for an international flight and had threatened to abandon their purchase if it did not close before they left. The sellers ultimately returned the \$30,000 over-disbursement, which allowed a check to the title company that had previously been returned for insufficient funds to clear.

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cases] made it impossible to be perfect." The respondent claimed that he never intended to defraud anyone and that his errors were due to "sloppy bookkeeping and too much work going on" and failing to supervise his staff closely enough. According to the respondent, each of the parties affected by his misconduct in charges one through five received all of the funds to which they were entitled. The respondent no longer does personal injury or real estate work and does not practice law. He has engaged in a significant number of charity events between 2008 and 2018 and indicated that part of his motivation to do so was to foster good will in order to get legal referrals.

In aggravation, the respondent admitted that prior to the Grievance Committee's investigation, he had not kept proper bookkeeping records that would have allowed him to discover his errors independently, and therefore, it became difficult to distinguish his fiduciary funds from his own personal funds held in escrow. Certain errors he discovered only as a result of the Grievance Committee's investigation. He further admitted that he would pay personal bills from his escrow account on the day that they came due, and he therefore did not take the time to transfer his personal funds out of his escrow account but instead paid them directly from his escrow account, often by electronic transfer. The respondent acknowledged that he delayed in responding to the Grievance Committee with regard to all four of its investigations into his dishonored checks, a delay which he attributed to, inter alia, being distracted based on becoming an arbitrator, attempting to sell his law practice, defending an eviction proceeding against his practice, moving his entire practice to a new location, the health problems of two people close to him, and assisting an organization that he represented undergoing an audit based on charges of Medicaid and Medicare fraud. The respondent failed to directly express remorse for violating his fiduciary duties but admitted that his failure to reconcile and keep financial records caused him to lose money in the form of lost reimbursements. The Grievance Committee notes that the respondent has a prior admonition.

In mitigation, the respondent testified, among other things, that the errors made by ORG staff in misattributing payments to mistaken accounts were all made in favor of his collections clients and that "the sheer volume [of these

cases] made it impossible to be perfect." The respondent claimed that he never intended to defraud anyone and that his errors were due to "sloppy bookkeeping and too much work going on" and failing to supervise his staff closely enough. According to the respondent, each of the parties affected by his misconduct in charges one through five received all of the funds to which they were entitled. The respondent no longer does personal injury or real estate work and does not practice law. He has engaged in a significant number of charity events between 2008 and 2018 and indicated that part of his motivation to do so was to foster good will in order to get legal referrals.

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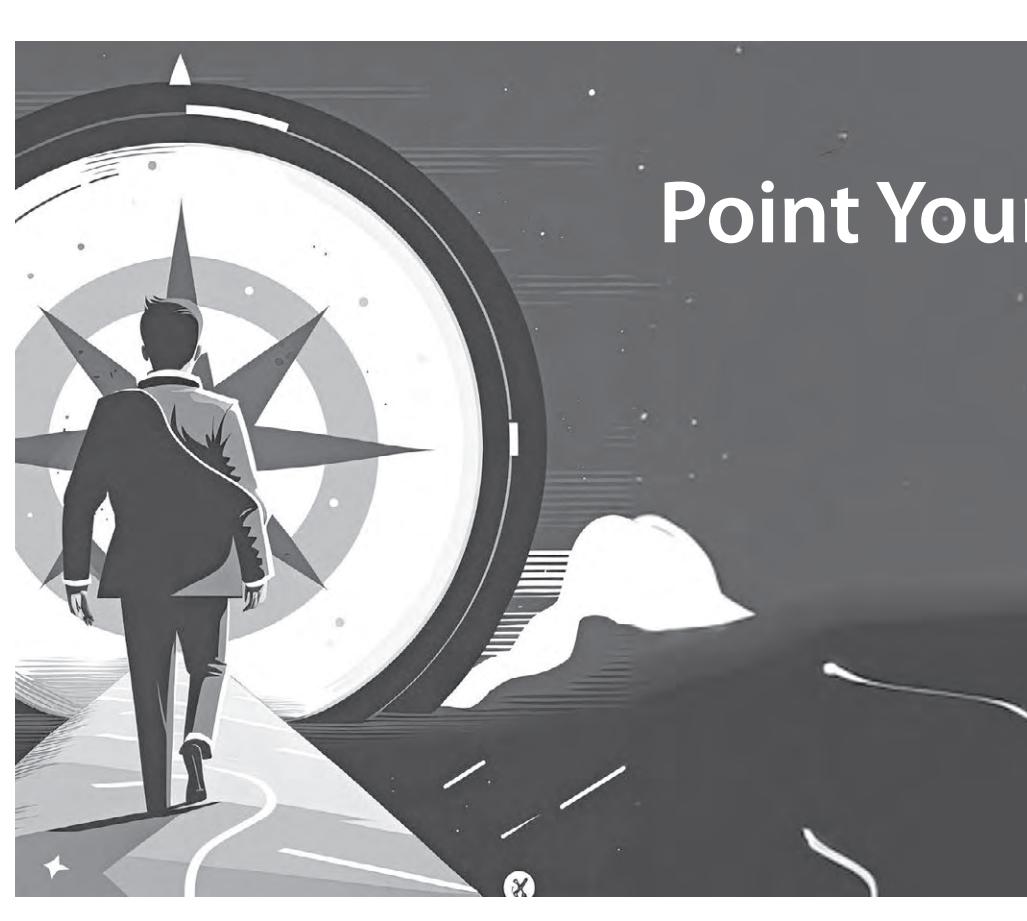
Under the totality of the circumstances, we find that the respondent's conduct warrants his suspension from the practice of law for a period of two years (see Matter of Farkas, 133 AD3d 81).

All concur.

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Court Calendars

First Department

APPELLATE DIVISION

CALENDAR FOR THE DECEMBER TERM

TUESDAY, DEC. 2

2 P.M.

22/03697 People v. Marcelis Hill
25/01215(2) Steinmann v. Steinmann
24/05049 P, Kirk
24/07540(2) JAK Advisors LLC v. Bauer
24/03119(2) Greenman v. Miller
25/03881(2) Mustafaj v. City of NY
24/02900 People v. Anthony Vega
18/04147 People v. Jefferson
Jasmine
25/01535 Continuum Energy v. Iron Oak
24/02211 Tejeda v. 57th & 6th Ground
24/07078 R., Tristan
25/02890 Yolanda Management v. Microlog, Inc.
24/04190 People v. Jose C. Rivera
24/06207 PROF-2013-S3 Legal v. West Fork
25/01769 Kennedy v. Roman Catholic Archdiocese
23/06301 People v. Jose De Los Santos
24/06740 Watson v. Intercounty Paving
24/05793 People v. Keyshawna Kitchens
24/0413 Arias v. Brooks Holding
25/02533(2) PennyMac Loan Services v. Valdez
24/05140 N. S., an Infant v. NYC Health & Hospitals

WEDNESDAY, DEC. 3

2 P.M.

23/05494 People v. Jose Panagua
24/06799 Francois v. Lamburt
24/07872 C., Cristal
24/05785 Jackson v. Consolidated Edison
25/02151 Cantor Fitzgerald & Co. v. PEI Global
24/04791(1) People v. Terrence Meggett
24/04527(1)N People v. Terrence Meggett
25/04988 SilverLining Interiors v. Arencibia Constr
24/05953 Wells Fargo Bank v. Hayden
25/0741 Batista-Rosa v. 1230 Franklin
25/01590 A., Ronald v. Tyesha H.
23/05115 People v. Julio Cuevas
24/03636(3) Kohli v. Tewari
24/04765(3) Kohli v. Tewari
24/05301 People v. Anthony Rosaving
25/01385(2) Pokoik v. Norsel Realities
25/02936 YS Div of Human Rights v. Dawn Homes Mgt
24/06915 Earl v. City of NY
19/4051 People v. Jaime Rodriguez
24/06370(1) Thompson v. Thompson
24/05138(1)N Thompson v. Thompson

THURSDAY, DEC. 4

2 P.M.

19/584 People v. Shaquana Carter
25/00963 Koval v. Access Industries
24/06517 K., Patricia v. David K.
24/06593 Jones v. Marshalls
25/03927 Rosario v. Franklin Plaza Apartments
25/01507(2) Citigroup Global Markets v. SCIP Capital
23/01296 People v. Jason Washington
22/01628 People v. Karen Agurs
24/04589 Silva-Rios v. NY Presbyterian Columbia
25/01985 HINA Holdings v. TSCE 2007
25/03064 D./M., Children Capital
23/04000 Denemark v. New Chapter Capital
23/0584 People v. Kashawn Jones
24/02784 Tilipman v. Korban
20/03313 People v. Amy Hartsgrove
25/02136(2) Haimovici v. Castle Village Owners
25/0512 Szalkiewicz v. Liu
18/5628 People v. Franklin Quiles
24/05655(2) Izquierdo v.
Amsterdam Ave. Redevelopment
24/04853(2) Izquierdo v.
Amsterdam Ave. Redevelopment
23/06326 N 47 Associates v. Jemco Realty

TUESDAY, DEC. 9

2 P.M.

24/03400 People v. Charlie Casillas
25/00652 Pander v. Guildnet, Inc.
24/0399 M., Mayra v. Raoul G.
24/01596 N. v. State of New York
23/03137 People v. Jose Monserate
24/04352 People v. Ali Hijazi
24/06451 Russell v. Lenox Hill Hospital
23/04248 People v. Everett Gausney
24/07361 Korpen Llc v. One Penn Plaza
24/07809 Alphasense, Inc. v. Financial Technology
23/02005 People v. Jose Perez
25/03898 Wells Fargo Bank v. UBS AG
24/06793 Kola v. City of NY
22/04871 People v. Jay Smith
24/05668 Manhattan Organization v. City of NY
25/02669 Vassilev v. Vassilev
25/01451 Collazo v. Calvert Lancaster Housing
24/01542 People v. Reinaldo Barada
25/02876(1)N Bowman v. Cosby
24/07377(1)N Bowman v. Cosby

WEDNESDAY, DEC. 10

2 P.M.

20/02148 People v. Horace Gayle
24/05643 Perez v. Norman's Cay Group
24/06534 W., Gail v. Jasmine C.
24/04710 Mendez v. City of NY
24/05783 Richardson v. City of NY
24/06416 Leon v. Plaza Construction
24/06788(1)N People v. Kyhree Page
24/01158 Michael Gross Diamonds v. Vaknin
25/02577 N. Orris v. Integral Yoga Institute
24/06574 Avi and Co. NY v. Certain Underwriters
23/06131 People v. Carlos Gonzalez
24/07743(2) Cohen v. Cohen
24/04247(1) Brown v. Hossain
21/04293 Century First Credit v. Priority Capital
24/0493 People v. Sean Morton
20/01850 People v. Manuel Cuevas
24/04963 Brittany W. v. Miles-Gustave
24/06259 Callan v. RCB3 Nominee
24/05366 People v. Jorge L. Andujar
24/06722 Brown v. City of NY

THURSDAY, DEC. 11

2 P.M.

23/03397 People v. Mata Balogh
The following matters were assigned to the Justices named below. These actions were assigned as a result of initial notices of motion or notices of petition returnable in the court on the date indicated 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 date indicated.

COURT NOTES

NEW YORK STATE COURT OF APPEALS

Amendment To Rules of Practice: Amicus Curiae

The Court of Appeals has amended its Rules of Practice relating to amicus curiae relief, effective December 10, 2025 (22 NYCR 500.23). The Rule has been reorganized for clarity and a provision had been added that provides potential amici with guidance on permissible and impermissible amici arguments concerning legislative intent. That provision states:

In matters that involve statutory construction and legislative intent, proposed amici may address the statutory language and canons of statutory construction, including publicly available contemporaneous legislative history. Proposed amici shall not present the views of individual lawmaker(s) outside of the publicly available contemporaneous legislative history to address legislative intent.

Cross-references to the amicus rule in Rules 500.11 and 500.12 have also been updated. A copy of the order amending the Rules is attached. Questions may be directed to the Clerk's Office at (518) 455-7700.

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

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

MONDAY, DEC. 1

12:30 P.M.

22/638/15 Rosario v. Mani

TUESDAY, DEC. 2

10 A.M.

65/2913/19 Murphy Kennedy Group v. Board of Managers

11 A.M.

21/109/17 Barber v. JJ Coco Nail & Spa

WEDNESDAY, DEC. 3

10 A.M.

65/4293/23 Cheng v. 50 Lex Development

80/45072/23 Arrington v. 1256 Clay Avenue

THURSDAY, DEC. 4

10 A.M.

21/930/19 Colon v. 251 Lexington

WEDNESDAY, DEC. 10

10 A.M.

65/6864/17 Al International Holdings v. TWC Borrower

2 P.M.

81/3125/23 Enriquez v. Pritchard

MONDAY, DEC. 15

9 A.M.

82/0354/23 Wright v. Thomas

APPELLATE TERM

60 Centre Street Room 401

10 A.M.

Commencing with the December 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.

MONDAY, DEC. 1

Brigantti and Perez, alpert

2/1/34 People v. Salgado Torres, Teodoro

2/10/17 People v. Santana, Randy

2/20/04 People v. Dukes, Carl

2/20/07 People v. Sanders, Kevin

2/20/07 People v. Lopez-Duran, Joell

2/11/10 People v. Black, Dawine

2/10/18 People v. Barton, Darryl

2/5/09 Esplanade Gardens v. Wright, Geoffrey

2/10/88 Amalgamated Dwell v. East Side Kosher Inc.

2/5/13/36 Chen, Jindi v. Wang Law Office PLLC

2/5/13/39 Park Avenue LLC v. Ordonez, Francisco

2/5/14/25 498 West End Ave LLC v. Reynolds, Jan

The following cases are on for submission. No appearance is necessary.

MONDAY, DEC. 1

Brigantti J.P., Perez and Alpert J.J.

25/140 309 WEST 109TH ST Corp v. Davidson, Daniel

25/143 McAtee, Ingrid v. 40 Park Avenue LLC

25/144 Cancel, Gladys v. Flora Vista LP

New York County

SUPREME COURT

Ex-Parte Motion Part

And

Special Term Part

Ex-Parte Motions Room 315, 9:30 A.M.

Special Term Proceedings Unsafe Buildings

Belleview Psychiatric Center Kirby Psychiatric Center

Metropolitan Hospital Manhattan Psychiatric Center

Belleview Hospital

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2 P.M.

20/02148 People v. Horace Gayle
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24/06534 W., Gail v. Jasmine C.
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24/05783 Richardson v. City of NY
24/06416 Leon v. Plaza Construction
24/06788(1)N People v. Kyhree Page
24/01158 Michael Gross Diamonds v. Vaknin
25/02577 N. Orris v. Integral Yoga Institute
24/06574 Avi and Co. NY v. Certain Underwriters
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24/04247(1) Brown v. Hossain
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24/0493 People v. Sean Morton
20/01850 People v. Manuel Cuevas
24/04963 Brittany W. v. Miles-Gustave
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24/06722 Brown v. City of NY

THURSDAY, DEC. 11

2 P.M.

23/03397 People v. Mata Balogh
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NEW YORK CIVIL COURT

Housing Part

Advisory Council to the Housing Part Seeks Applicants for Housing Court Judgeships

Application Deadline Extended to Dec. 10

Hon. Douglas Hoffman (Ret.), Chairperson of the Advisory Council for the Housing Part of the Civil Court of the City of New York, today announced that the Advisory Council has begun the process of soliciting applications for Housing Court Judge positions.

In order to encourage interest in applying and to provide sufficient time for a full review of candidates, application submission has been extended to December 10, 2025, at 5:00 p.m.

Housing Court Judges are appointed to five-year terms. They are required to have been admitted to the New York State Bar for at least five years, two of which must have been in an active and relevant practice. In addition, they must be qualified by training, interest, experience and judicial temperament and knowledge of federal, state, and local housing laws and programs. The present salary for Housing Court Judge is \$216,400 per year.

Persons interested in applying to become a Housing Court Judge may obtain a questionnaire from the courts website, Advisory Council - NY Housing | NYCourts.GOV. In as much as December 10, 2025, has been established as the deadline for submission of such applications, Judge Hoffman encourages all applicants to obtain, complete and submit the original questionnaire as soon as possible. Applications can be emailed to dcajnyhousing@nycourt.gov and the original mailed to the Office of the Deputy Chief Administrative Judge Adam Silvera, 111 Centre Street, Room 1240, New York, New York 10013. Dated: November 10, 2025

U.S. COURT OF APPEALS FOR THE SECOND CIRCUIT

Applications Being Accepted for Position of Bankruptcy Judge for the Southern District

Deadline is Jan. 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 Southern District of New York, with a duty station in Manhattan, New York. Applicants should identify in their cover letter whether, in addition to applying for this vacancy, they wish to be considered for either or both of the two vacancies in the Eastern District of New York, one in Brooklyn and one in Central Islip. Applicants who applied for one of the current Eastern District of New York vacancies should email bankruptcy_judge_application@ca2.uscourts.gov if they wish to also be considered for the Southern District of New York vacancy (these applicants need not submit a separate application for the Southern District of New York vacancy).

654297/25 Northeast Plastic Surgery Plc v. United Healthcare Ins. Co.
156299/21 Ondain Thomas v. Adax LLC.
156953/25 Osborn v. Aceperez 154870/23 Paley v. Bilus 16137/24 Pasquale v. Hunt Const. Group, Inc. Et Al 190188/22 Pfeil v. Aii Acquisition 65292/25 Piris Capital v. Kuzari Investor 267/1 LLC Et Al 15748/24 Platinum Services Ny v. 90 John Mazel Spa Owner LLC Et Al

653362/25 Pnc Bank v. Scheer Medical Wellness P.C.
653751/25 Prescott v. Alegria Operating LLC
651576/25 Qd Trading Inc v. Rf B'way LLC Dba Redfarm Collective LLC Et Al 659648/25 Reachout Tech. Co. v. Mack Mgt. & Const. Corp. D/b/a The Mack Co.
65563/20 Qd Lumber Co. v. Alpine Hardwood Corp. Et Al 151671/22 Robinson v. 580 Lenox Associates 150286/23 Rodriguez v. Fsp 787 Seventh 150749/22 Ruggiero v. Extell Dev. Co. Et Al 15400/18 Russo v. Food Machinery of America 65950/21 Shenzhen Yingfan E-Commerce Co. Ltd. v. Amazon. Com Services 850072/25 Sig Cre 2023 Venture LLC v. 1662 First Rty. 162312/24 Sims v. NYC Police Dept. 654892/25 Spartan Business Solutions LLC D/b/a Spartan Capital v. Amour Escrow, Inc. D/b/a Amour Escrow Et Al 156000/25 State Farm Fire And Casualty Co. v. Antey Corp Et Al 150188/25 State Farm Fire And Casualty Co. v. Haynes 151362/24 State Farm Fire And Casualty Co. v. McCalla 159635/24 State Farm Mutual Automobile Ins. Co. v. Bennett 152264/25 State Farm Mutual Automobile Ins. Co. v. Pittier 15859/21 Stewart v. NYCTA Et Al 655710/25 Stifel v. Kim 164436/25 Sunderland v. Board of Education of The City School Dist. of NYC Et Al 156089/24 Super Nova 330 v. Phil Art Studio Sci Toefi in Ny, Inc. Et Al 158384/25 Surveillance Tech. Oversight Project v. NYC Police Dept. 151576/20 Tapia v. Esrt 2359 B'way. 157386/21 The A.J.D. Bldg. LLC v. Ben-Harush

452879/25 The Board of Education of The City School Dist. of NYC ("doc") v. United Federation of Teachers 153568/25 The Board of Mgrs. of 54 Thompson St. Condominium v. 54 Thompson St.
155408/22 The Board of Mgrs. of The Broad Exch. Bldg. Condominium v. Nicole Lambert 452923/24 NYC Et Al v. 251 Boerum Rty. LLC 655086/25 Troth Contracting Inc. v. Roxann Mgt. Co. LLC Et Al 160030/24 Unitrin Safeguard Ins. Co. v. J Sports Medicine Pc 151922/24 Urena Estevez v. Pamela Equities Corp. Et Al 805103/19 Waheed v. Kim 150283/23 Warshaw Burstein v. Colombia Technologies, Inc. 151920/24 Weintraub v. Klatskin 65652/22 Whithfield v. Law Enforcement Employee, Benevolent Assoc. (Jeeba) 161014/21 Williams v. 593 Riverside Associates 850154/25 Wilmington Trust v. 505 Bronx Equities LLC Et Al 151372/24 Zimmerman v. Afazal

TUESDAY, DEC. 2
655441/25 Afk Inc. v. The Great Indian Kitchen of West Palm Beach LLC Et Al 65095/24 Alegria v. Barwick 152402/18 Alexopoulos v. 2 Rector St. (NY) 850293/25 American General Life Ins. Co. Et Al v. 500-512 Seventh Ave. Ltd. Partnership Et Al 655311/23 Arena Ltd. Spv. v. The Chalets LLC Et Al 45275/24 Asaro v. NYC 850120/20 Avant Capital 52 East 64th v. 52 East 64th St. LLC 659288/24 Abdallah v. Inos 190669/23 Bacsin v. Avon Prods., Inc. Et Al 159555/23 Balakitsis v. NYC School Conest. Auth. Et Al 653314/25 Bartasi v. Perceptive Advisors 150280/25 Boor v. Hudson 46 Inc. D/b/a Harbor NYC Et Al 805081/23 Budhi v. Steinbrech M.D. 160133/23 Cantales v. NYCHA 175715/22 Carrasco Reyes v. The Trustees of Columbia Univ. of NYC Et Al 156028/25 Cassano v. Jessica S. Tisch 160397/22 Chantiles v. Tavern on The Green Et Al 159218/22 Cheung v. Jpmorgan Chase & Co. Et Al 15175/24 Cohen v. Procure Mechanical Corp. Et Al 651842/23 Dental Recycling North America, Inc. v. Mid-Atlantic Topco 15746/25 Deputy Sheriffs' Benevolent Assoc. Et Al v. NYC Et Al 850108/25 Deutsche Bank Trust Co. Americas As Trustee For The Registered Holders of Wrb's Commercial Mortgage Trust 2014- Lc14 v. Cohen Tkt Retail Co. 805125/18 Dominick Zaccoli As The v. NYU Langone Health System 155953/23 Feliciano v. NYCHA 158575/18 Finger v. NYC 15510/25 Flemming v. Fang 654183/25 Fora Financial Warehouse 2024 LLC v. Eye Happy Graphics LLC D/b/a Eye Happy Mfg Et Al 15359/24 Galperin v. Eden General Const. Inc. 152756/25 Govt. Employees Ins. Co. v. 10 of Medsupp 15117/25 Govt. Employees Ins. Co. v. Able Chiropractic 805189/25 Hamidou S. Mds. 159450/18 House v. Slow Food LLC 653418/23 Houston Casualty Co. Et Al v. Hudson Excess Ins. Co. 151872/23 Hughey v. Brown Brothers Harriman & Co. Et Al 65325/23 Itria Ventures LLC v. Aneela I LLC Et Al 655488/23 Itria Ventures LLC v. Rasik Prods. USA LLC Et Al 155640/25 Jacobs v. Masai Properties LLC Et Al 15862/23 Jimenez v. NYC Et Al 158511/19 Kelly v. Estee Lauder Inc. Et Al 952247/22 Klein v. Paduano 159348/24 Lourdi v. NYCTA Et Al 16170/25 Lux Builders, Inc. v. NYC Et Al 850012/25 Manhattan Lending Partners LLC v. Amsterdam Key Associates LLC Et Al 157372/24 Morton v. 1122 First Ave. LLC 659494/24 Omada v. Hunt 159433/24 Oquendo v. NYC 161139/22 Perdomo v. 361 East Rty. Associates LLC Et Al 159697/24 Ponce v. NYC Et Al 162260/25 Rexer v. NYC Loft Board Et Al 157863/24 Rodriguez v. Albanese 155021/23 Santana v. Target Stores, Inc. Et Al 158874/22 Scully v. Hfz W 75th St. Owner

158759/23 Shapiro v. Trihop 14th St. LLC Et Al 153815/24 Sharp v. Ferrante Law Firm Et Al 155221/24 Sow v. Qrl Eight Inc. Et Al 150182/19 McCann v. Ship Wrecked Bar And Grill

Motion
650507/20277 Park Avenue v. Mistral Architectural Metal 65302/23 92 Grove Rty. v. Mickie 152268/18 Base Sun D/b/a Rr Surplus, Inc.

Motion
Justice Joel M. Cohen 60 Centre Street Phone 646-386-3287 Room 208

MOTION, DEC. 1

65678/221 Structure Tone LLC, Successor By Merger To Structure Tone, Inc. v. Utica Nat. Ins. Co. of Texas 160399/24 The Cincinnati Nat. Ins. Co. As Subroge of Scott Mosberg And Alyssa Mosberg v. Systems 2000 Plumbing Services Inc. Co. v. 94-04 80st LLC Et Al 150815/23 USAlliance Fed. Credit Union v. Weigel 15423/21 Uziel v. 325 Tenants Corp. 154655/14 Villa v. Agbh Printing Instruments, Inc. Et Al 45136/20 People of the State of New v. Richmond Capital Group LLC

Motion
659550/25 Goanna Capital Private Tech. v. Blr v. Blair 15918/24 Google LLC v. Dr Globaltech, Inc. Et Al 65454/25 Meggit Sa. Davidson Instruments, Inc. Et Al 154288/23 Warren v. Gottlieb 156041/19 Wilson v. Lambert 16245/21 Wu v. NYCH&HC And 150808/25 Yorkville Advisors Global v. Brand Engagement Network, Inc.

WEDNESDAY, DEC. 3

657290/195 Beekman Property Owner v. Henick-Lane, Inc. 150840/24 Ag Prop. Casualty Co. v. Lane 151145/25 Amona Monroe Terrace LLC v. Monad Terrace Investment LLC Et Al 156709/24 Boswell v. NYCTA Et Al 15592/19 23 Brezak v. Fletcher 161301/20 Castro v. Civic Center Community Group B'way. LLC. Et Al 16026/25 Chen v. NYC Et Al 15263/20 Crp 701 West 135th St. v. Pillor Associates 16056/18 Cruz Nunez v. Port Auth. of New 100670/25 Davis v. James S. Oddo 150549/23 Deutsche Bank Trust v. Rh 538 West 159 St. Lp Et Al 805149/23 Diop v. McArthur Md 157780/24 DMAR & Granite, Inc. v. 66 Clinton Hldgs. LLC 15322/24 Enterprise v. Shvo 158830/25 Excess 57th Corp. v. Ravich

WEDNESDAY, DEC. 3

15840/25 Gao v. Meng 15445/25 Goanna Capital Private Tech. v. Blr v. Blair 15918/24 Google LLC v. Dr Globaltech, Inc. Et Al 45136/20 People of the State of New v. Richmond Capital Group LLC

TUESDAY, DEC. 2

65475/24 Băstărescu v. Yorktown Vii Corp. Lp Et Al 15419/21 Faraday 15074/25 Depalis Institute of Tech. v. Gatsby Enterprises 15518/25 Franklin v. Riverbend Housing Co., Inc. Et Al 15634/24 Gallery Apts. Co., L.P. v. The Board of Managers of The Petit Verdot Condominium

15925/25 Graves v. Black Spruce Management LLC Et Al 154830/25 Lim v. Ay Creative, Inc. Et Al 15534/25 Martin v. Morningside Heights Housing Corp. 157310/22 Nat. General Ins. Co. A/s/o Benjamin Shulitz v. Whirlpool Corp. 15644/20 Peng v. Eighty Mulberry Rty. Corp. 15195/23 Shaver Law Group v. Corinthian Partners 15559/21 4Singer v. Adore Floral Inc. 15787/24 Van Gahan v. Consigli Const. Co., Inc. Et Al 153785/25 VA Architects Plc v. Lee

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15957/25 Goanna Capital Private Tech. v. Blr v. Blair 15918/24 Google LLC v. Dr Globaltech, Inc. Et Al 45136/20 People of the State of New v. Richmond Capital Group LLC

TUESDAY, DEC. 2

65475/24 Băstărescu v. Yorktown Vii Corp. Lp Et Al 15419/21 Faraday 15074/25 Depalis Institute of Tech. v. Gatsby Enterprises 15518/25 Franklin v. Riverbend Housing Co., Inc. Et Al 15

Part 43

Justice Robert R. Reed
60 Centre Street
Phone 646-386-3238
Room 222
TUESDAY, DEC. 2
653016/25Bofa Securities, Inc. v. Gatos Silver, Inc.
655142/17Czaplinski v. Wrobel
65006/21D'Alessandro v. Kushner
65079/21Eversal Bags Corp. v. NYU Langone Hosps.
65416/23Heredia v. Lanco Brokerage Corp. Et Al
65439/20Lee v. Zeitlin
65075/20Samsung C&T America, Inc. v. Longh. Hds.
650642/23South32 Chile Copper Hdg. Pty Ltd (formerly Blue Murray Pty Ltd) v. Sumitomo Metal Mining Co., Ltd. Et Al
85030/22Wilmington Trust v. 9th Ave Hotel Prop. Hdg. LLC Et Al
Motion
655142/17Czaplinski v. Wrobel
65416/23Heredia v. Lanco Brokerage Corp. Et Al
WEDNESDAY, DEC. 3
65398/05Brighthill Capital v. Abrams
65434/25Fidelman v. Bondy
65955/25/6G Domestic Jiv 54 v. Calmar Capital Services
Motion
65398/05Brighthill Capital v. Abrams
65434/25Fidelman v. Bondy
65955/25/6G Domestic Jiv 54 v. Calmar Capital Services

**Part 40TR
Judicial Mediation**

Justice Suzanne J. Adams
60 Centre Street
Phone 646-386-3722
Room 300

MONDAY, DEC. 1

65558/20611 West 46 LLC v. Flom
154791/18Abreu v. Brutus
Associates
156237/20Alatorre v. Port Auth. of NY
15735/4/20Bassarath v. NYCTA
16126/21Bonomi v. Makover
15604/20Braganca-Ferreira v. Srep
10th Ave Venture LLC
15323/20B1Brigilio v. Fsp 787
Seventh
15067/21Calegari v. Rinaldi Group
15710/16Carafeno v. Comity LLC
60017/05Cathedral Gardens v.
110th St. Equities
15922/19Cruz v. The NYCHA
15619/19D'Antonio v. Rite Aid
Hdtrs. Corp.
15426/20D'Lebo v. Ennismore
Apts. Inc.
160973/17Farella v. Lam Gen 25
LLC
15969/14Ghodbane v. 111 John
Rly. Corp. Et Al
16124/21Goldman v. Riverview II
Preservation
15287/19Guapla v. Fortuna Fifth
Ave LLC
16095/23Harris v. Tollinchi
65711/21Jimmy Ray Productions
LLC v. Sahlens
158012/20Levy Energy LLC v.
Frazer
16117/20Lorenzo v. Great
Performances/artist
80503/16Maikish v. Good
Samaritan Hosp.
159413/22Martin v. Roosevelt
Landings Owner LLC Et Al
15392/22Morgan v. Heffran
125th Rly. LLC
65063/21Pardee v. Mercury
Capital Advisors
15745/18Peralta v. Ery Tenant LLC
16115/20Rocha v. Skyline
Restoration, Inc.
15857/20Ross v. Ps Meat Corp.
D/b/a Ctown
80528/21Smith v. Glass D.P.M.
15233/21Stoune v. Valet King Ltd.
16019/18Wimberly v. Asbestos
Transportation

TUESDAY, DEC. 2

15309/04/14 Fifth Ave. Owners
Corp. v. Ferrante
61384/25/30E Rly. LLC v. Great
Ajax FLS LLC

80514/21Aragon v. Premering
15074/4/20Ahmed v. Pjmx, Inc.

15123/19/19Alterior Contracting
Corp. v. Spring Rd

15054/20Alvarenga v. 19th Ave.

Properties

15423/23Asif Siraj A/k/a Jarvis Sid
v. Gottsman

15110/19Barrado Alonso v.

Carbgen Developer LLC

651986/23Be Temerario Group v.

Meldinc LLC

15648/20Bell v. Bonao Taxi Inc. Et Al

15835/18Berganza Garcia v. 100

Church Fee Owner LLC

65983/24Bt Prodins, Inc. Et Al

v. R.S. Kaplan Cpa

158983/23Bunzel v. Crane

65385/25Cell Jrr v. East End

Builders & Associates Inc.

15332/19Copara v. Porven Real

Estate

15804/15Cruz Vasquez v. Home

Depot U.S.A., Inc.

65984/24Duff v. Royer Cooper

Cohen Braufield LLC Et Al

15393/22Elite Contractors Inc. v.

Mezuyon Owner LLC Et Al

16078/21Elisiray v. The Trustees

of Columbia Univ. in NYC

65943/23Fairview Prop. Group v.

Steven C. Lushy

65440/25Fiori Financial Asset

Securitization v. Perfect

Remodeling

65485/23Garcia v. Scale

Facilitation Partners LLC

16033/23Georgie v. Dorken

152119/16Gkoumas v. Lewis Const.

And

15019/21Harrer v. Ganpat

15184/20Hanson v. Macheric Co.

16055/16Hollis v. NYCHA

65965/24Huang v. Chi Restaurant

& Bar, Inc. Et Al

15143/18Jinmezene v. St. Nicholas

Ave. Housing

15422/17Lagundzija v. Birchwood

Properties LLC

65949/24Lee's Fashion v. Fishkin

15747/21Lopez v. East River

Owner

65945/24Meridian Capital Group

LLC v. Tynker 9 And 12 LLC

15828/21Morales Sanchez v.

Singh

15259/20Morales v. Trustees of

Columbia

15902/22Mou v. Koritsky

Mellon Mgt.

65532/20Noho Dental Inc. v.

Elysium Const. Group Inc. Et Al

655218/25Ochoa Avila v. Cittarella

Operating LLC

65945/24Plagio Group Americas,

Inc. v. Dsolvutions

15430/21Quiroga v. 277 West 10

Owner

65545/25Radegen Sports Mgt. LLC

v. Hutchinson

15641/21Ramos v. 36 Sutton

South Corp.

153618/19Restrepo v. 304 Mulberry

St.

15600/19Robinson v. Delgado

15943/21Robinson v. Souleycole

Inc. Et Al

15636/18Rodriguez v. Majo

Transit, Inc.

15815/21Sanchez v. NYC Et Al

15556/20Sandoval Moreno v.

Ahmed

15766/19Santiago v. Genting NY

LIC

15732/17Santorelli v. Battery Park

City Auth.

15565/6/21Schattner v. 200 East 16th St. Housing Corp. Et Al
805011/22Schmiri v. Vaezi M.D.
15285/21Siguencia v. Hudson Companies
15196/20Singh v. Sanou
15608/3/19Spoto v. Matos
65216/21Spring Roe v. Alterior Contracting Corp.
80519/14Spr Funding Trust 2011-5 v. De La Cruz
15701/20Stern v. Al-Hashimi
65047/5/25Structure Tone LLC v. Women in Mechanical Piping Corp. A/k/a Hand Tight Mechanical Corp. Et Al
65593/24/28T Electrical Corp. v. Borough Const. Group LLC Et Al
15849/19Tatulus v. White Horse Tavern
10872/4/10Tempesta v. Laffey
65531/25Tendal Inc. v. Elysium Const. Group Inc. Et Al
65168/22Texwood Investments, Inc. v. Jason & Harry Food Corp. Et Al
80540/8/21Torbati v. Lama Al-Aswad
16098/20Torres De Frias v. Courthouse Square Rly.
80530/7/21Updale v. Memorial Sloan Kettering Cancer Center
15830/24Urban Holiday LLC v. Stawska Partners Corp.
65593/24Uswon Rly. LLC v. Shore Club Prop. Owner LLC Et Al
TUESDAY, DEC. 3
65631/23Eaton Vance Floating Rate Income Trust Et Al v. Black Diamond Commercial Finance
65657/8/22Sino Cap LLC v. Kaufman
TUESDAY, DEC. 2
65568/2/24Aurora Tourism Services LLC v. Go NY Tours, Inc. D/b/a Top View
65053/24/26Mod Champagne LLC Et Al v. Eisemann
Motion
65940/24Rose v. Jacobs
TUESDAY, DEC. 2
65098/20/22Dongwen Tony Chan v. Wen
65341/20/24Funicular Funds v. Getty Images Hdgs., Inc.
TUESDAY, DEC. 3
65018/25Electra Capital Pm Saul Debt Fund v. Kia
65178/28/29Roam Capital, Inc. v. Asia Alternatives Mgt.
65520/8/23Oppenheimer & Co. Inc. v. Terminal One Group Assoc.

Part 43

65631/23Eaton Vance Floating Rate Income Trust Et Al v. Black Diamond Commercial Finance

65657/8/22Sino Cap LLC v. Kaufman

TUESDAY, DEC. 2

65568/2/24Aurora Tourism Services LLC v. Go NY Tours, Inc. D/b/a Top View

65053/24/26Mod Champagne LLC Et Al v. Eisemann

Motion

65940/24Rose v. Jacobs

TUESDAY, DEC. 2

65098/20/22Dongwen Tony Chan v. Wen

65341/20/24Funicular Funds v. Getty Images Hdgs., Inc.

TUESDAY, DEC. 3

65018/25Electra Capital Pm Saul Debt Fund v. Kia

65178/28/29Roam Capital, Inc. v. Asia Alternatives Mgt.

65520/8/23Oppenheimer & Co. Inc. v. Terminal One Group Assoc.

**Part 44
Commercial Div.**

Justice Andrea Masley
60 Centre Street
Phone 646-386-3265
Room 242

MOTION, DEC. 1

65157/1/25Amtax Holdings 227 v. Cohnreznick Llp

65478/4/25Beacon Factors v. Elegant Legwear LLC Et Al

65516/1/24Danper Trujillo S.A.C. v. Nature's Intent LLC Et Al

65433/2/25Pawlak v. Charter Communications

65078/2/25Riptide Autonomous Solutions v. Bas Systems

65491/2/24Workspace 11 LLC v. Sciane Const.

65133/2/24Urbanity LLC v. Cittarella Operating LLC

65495/2/19Zhang v. 28 St Izumi Japanese

TUESDAY, DEC. 3

15244/21/25Amax Holdings 227 v. Cohnreznick Llp

65478/4/25Beacon Factors v. Elegant Legwear LLC Et Al

65516/1/24Danper Trujillo S.A.C. v. Nature's Intent LLC Et Al

65433/2/25Pawlak v. Charter Communications

65078/2/25Riptide Autonomous Solutions v. Bas Systems

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71 THOMAS STREET

Part 13

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

MONDAY, DEC. 1

190163/20 Catapano v. Aero International
190017/25 Koczwara Sr. v. Air & Liquid Systems Corp.
190154/23 McGuire v. Barrets Minerals Inc. Et Al
190188/22 Pfeil v. Aii Acquisition
190004/19 Warner v. Aero Int'l

TUESDAY, DEC. 2

190069/23 Bacsin v. Avon Prod.s, Inc. Et Al
116167/04 Cooper v. A.O. Smith Water Prods.
190549/12 Cuomo v. Air & Liquid Systems

190191/18 Dinapoli v. Amchem Prods., Inc.
190032/23 Edelson v. Amchem Prods., Inc., N/k/a Rhone Poulen Ag Co., N/k/a Bayer Cropscience Inc Et Al

190349/17 Eileen Forsyth v. Amchem Prods., Inc.
190235/15 Frost v. Air & Liquid Systems

190298/22 Frumento v. A.O. Smith Water Prods., Co. Et Al

117835/02 Gallagher v. A.P. Green

190341/15 Hanley v. A.O. Smith Water Prods.

112417/02 Haskins v. A.C. & S.

190505/23 Reinwald v. A.O. Smith Water Prods. Co Et Al

190254/21 Sears v. Aero Int'l, Inc. Et Al

190290/12 Soto v. Aero Int'l

190341/16 Vandurme v. A.O. Smith Water Prods.

121090/02 Weigold Sr. v. A.C. And S.

WEDNESDAY, DEC. 3

190018/24 Ashdown v. Sumitomo Corp. of Americas Et Al
190266/13 Baez v. Affinia Group

190028/24 Broach v. Arkema, Inc., F/k/a Pennwalt Corp. Et Al

190437/18 Campbell v. Amchem Prods., Inc.

190067/24 Denham v. Sumitomo Corp. of Americas Et Al

190182/22 Edington v. Barrets Minerals Inc. Et Al

190082/22 Hardin v. Aero Int'l, Inc. Et Al

190261/24 Kay v. Pfizer Inc. Et Al

190285/24 Keith v. Conopco, Inc., A Subsidiary of Unilever U.S., Inc. And D/b/a Unilever Home & Personal Care USA, Sued Individually And As Successor-In-Interest To Chesbrough Manufacturing Co. A/k/a Chesbrough-Ponds A/k/a Chesbrough-Ponds USA Co. Et Al

190055/22 Kirby v. David Fabricators of N.Y., Inc.

190166/20 Koehler v. Abb, Inc. Individually And As Successor In Interest To Ite Circuit Breakers, Inc Et Al

190010/22 Liers v. Goulds Pumps, Inc., Now Known As Goulds Pumps, LLC Et Al

190108/24 Logothetis v. American Biltrite Inc Et Al

190119/23 McDonald v. A.O. Smith Water Prods. Co Et Al

655273/17 Rickey Babineaux v. Area.., Inc.

190097/22 Shakour v. Avon Prods., Inc.

190049/22 Tsagouris v. Blackmer Et Al

Motion

190082/22 Hardin v. Aero Int'l, Inc. Et Al
19019/23 McDonald v. A.O. Smith Water Prods. Co Et Al

655273/17 Rickey Babineaux v. Area.., Inc.

Part 18

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

MONDAY, DEC. 1

654969/24 Sefla v. Ameriprise Financial Services

Motion

654969/24 Sefla v. Ameriprise Financial Services

TUESDAY, DEC. 2

950219/19A v. Archdiocese of NY

452062/25A v. Jcca Edenthal, Inc. Et Al

950927/21 Aneozulakis v. Greek Orthodox Archdiocese of America Et Al

950181/21B v. Archdiocese of NY

950506/20 Castro v. Archdiocese of NY Et Al

950015/21 Clarke v. American Baptist Churches of Metro. NY Et Al

950925/21 Georginis v. Greek Orthodox Archdiocese of America Et Al

951405/21 Jackson v. Our Lady of Pompeii Church Et Al

158868/17 Jaquez v. Dmcar 2007-Cd5 Garden St.

950006/21 Johnson v. Spence-Chapin Services To

950482/21 Kearns v. Archdiocese of NY Et Al

155577/21 Li City Ventures LLC

D/b/a Modern Spaces v. Ascent Dev. LLC Et Al

950612/21 Ljucovic v. Roman Catholic Archdiocese of NY Et Al

452824/22 M. v. Edwin Gould Services For Children And Families

150463/22 M2ngage

Telecommunications II Corp. v. Corporate Suites

950123/20 Mango v. USA Northeast Province of

951992/21 Mendez v. The Primitive Christian Church Et Al

950102/20 Michaels v. NYC Et Al

951217/21 Mjj v. Archdiocese of NY Et Al

950236/20 N. v. NYC

951358/21 R. v. NYC Et Al

950003/19 Riordan v. The Roman Catholic Archdiocese of NY Et Al

950407/21 S. v. NYC

950380/21 Santiago v. NYC

95043/21 Vogel v. Yeshiva Gedolah Zichron Moshe A/k/a Yeshiva of South Fallsburg F/k/a Et Al

950342/21 Young v. Roman Catholic Archdiocese of NY Et Al

WEDNESDAY, DEC. 3

451265/25 Mazzio v. NYC Dept. of Consumer And Worker Protection

950111/19 Twersky v. Yeshiva Univ.

Motion

451265/25 Mazzio v. NYC Dept. of Consumer And Worker Protection

950111/19 Twersky v. Yeshiva Univ.

Part 23

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

MONDAY, DEC. 1

190163/20 Catapano v. Aero International

190017/25 Koczwara Sr. v. Air & Liquid Systems Corp.

190154/23 McGuire v. Barrets Minerals Inc. Et Al

190188/22 Pfeil v. Aii Acquisition

190004/19 Warner v. Aero Int'l

TUESDAY, DEC. 2

190069/23 Bacsin v. Avon Prod.s, Inc. Et Al

116167/04 Cooper v. A.O. Smith Water Prods.

190549/12 Cuomo v. Air & Liquid Systems

190191/18 Dinapoli v. Amchem Prods., Inc.

190349/17 Eileen Forsyth v. Amchem Prods., Inc.

190235/15 Frost v. Air & Liquid Systems

190298/22 Frumento v. A.O. Smith Water Prods., Co. Et Al

117835/02 Gallagher v. A.P. Green

190341/15 Hanley v. A.O. Smith Water Prods.

112417/02 Haskins v. A.C. & S.

190505/23 Reinwald v. A.O. Smith Water Prods. Co Et Al

190254/21 Sears v. Aero Int'l, Inc. Et Al

190290/12 Soto v. Aero Int'l

190341/16 Vandurme v. A.O. Smith Water Prods.

121090/02 Weigold Sr. v. A.C. And S.

WEDNESDAY, DEC. 3

190018/24 Ashdown v. Sumitomo Corp. of Americas Et Al

190266/13 Baez v. Affinia Group

190028/24 Broach v. Arkema, Inc., F/k/a Pennwalt Corp. Et Al

190437/18 Campbell v. Amchem Prods., Inc.

190067/24 Denham v. Sumitomo Corp. of Americas Et Al

190182/22 Edington v. Barrets Minerals Inc. Et Al

190082/22 Hardin v. Aero Int'l, Inc. Et Al

190261/24 Kay v. Pfizer Inc. Et Al

190285/24 Keith v. Conopco, Inc., A Subsidiary of Unilever U.S., Inc. And D/b/a Unilever Home & Personal Care USA, Sued Individually And As Successor-In-Interest To Chesbrough Manufacturing Co. A/k/a Chesbrough-Ponds A/k/a Chesbrough-Ponds USA Co. Et Al

190055/22 Kirby v. David Fabricators of N.Y., Inc.

190166/20 Koehler v. Abb, Inc. Individually And As Successor In Interest To Ite Circuit Breakers, Inc Et Al

190010/22 Liers v. Goulds Pumps, Inc., Now Known As Goulds Pumps, LLC Et Al

190108/24 Logothetis v. American Biltrite Inc Et Al

190119/23 McDonald v. A.O. Smith Water Prods. Co Et Al

655273/17 Rickey Babineaux v. Area.., Inc.

190097/22 Shakour v. Avon Prods., Inc.

190049/22 Tsagouris v. Blackmer Et Al

Part 29

Justice Leticia M. Ramirez
71 Thomas Street

Phone 646-386-3016

Room 311

MONDAY, DEC. 1

162121/25 Maltezos v. Bass Wyden

150188/25 State Farm Fire And Casualty Co. v. Haynes

100861/25 Sterling v. NYC

100862/25 Sterling v. NYC

150049/22 Tsagouris v. Blackmer

Part JHO/Part 37

Justice Adlerberg
Phone 646-386-4037
100 Centre Street
Room 1600, 9:30 A.M.

Part 41

Justice Dwyer
Phone 646-386-4041
Fax 212-401-9262
100 Centre Street
Room 1116, 9:30 A.M.

Part 42

Justice Wiley
Phone 646-386-4042
Fax 212-401-9263
111 Centre Street
Room 733, 9:30 A.M.

Part 51

Justice Edwards
Phone 646-386-4051
Fax 212-401-9264
100 Centre Street
Room 1324, 9:30 A.M.

Part 52

Justice T. Farber
Phone 646-386-4052
Fax 212-401-9265
111 Centre Street
Room 763, 9:30 A.M.

Part 53

Justice Rodney
Phone 646-386-4053
100 Centre Street
Room 124, 9:30 A.M.

Part 54

Justice Antignani
Phone 646-386-4054
111 Centre Street
Room 621, 9:30 A.M.

Part 55

Justice Drysdale
Phone 646-386-4056
111 Centre Street
Room 724, 9:30 A.M.

Part 59

Justice J. Merchan
Phone 646-386-4059
Fax 212-295-4932
100 Centre Street
Room 1602, 9:30 A.M.

Part 61

Justice Clott
Phone 646-386-4061
Fax 212-401-9266
100 Centre Street
Room 1130, 9:30 A.M.

Part 62

Justice M. Jackson
Phone 646-386-4062
Fax 212-401-9267
100 Centre Street
Room 1111, 9:30 A.M.

Part 63

Justice Hong
Phone 646-386-4063
111 Centre Street
Room 631, 9:30 A.M.

Part 66

Justice Pickholz
Phone 646-386-4066
Fax 212-401-9097
111 Centre Street
Room 1047, 9:30 A.M.

Part 71

Justice L. Ward
Phone 646-386-4071
Fax 212-401-9268
100 Centre Street
Room 1104, 9:30 A.M.

Part 72

Justice R. Stolz
Phone 646-386-4072
Fax 212-401-9269
100 Centre Street
Room 1123, 9:30 A.M.

Part 73

Justice Roberts
Phone 646-386-4073
Fax 212-401-9116
111 Centre Street
Room 763, 9:30 A.M.

Part 75

Justice Mandelbaum
Phone 646-386-4075
111 Centre Street
Room 583, 9:30 A.M.

Part 77

Justice Obus
Phone 646-386-4077
100 Centre Street
Room 1536, 9:30 A.M.

Part 81

Justice C. Farber
Phone 646-386-4081
Fax 212-401-9113
111 Centre Street
Room 1523, 9:30 A.M.

Part 85

Justice Hayes
Phone 646-386-4085
Fax 212-401-9113
111 Centre Street
Room 1240, 9:30 A.M.

Part 92

Justice Mitchell
Phone 646-386-4092
Fax 212-295-4914
111 Centre Street
Room 1250, 9:30 A.M.

Part 93

Justice Scherzer
Phone 646-386-4093
100 Centre Street
Room 1333, 9:30 A.M.

Part 95

Justice D. Conviser
Phone 646-386-4095
Fax 212-401-9137
111 Centre Street
Room 678, 9:30 A.M.

Part 99

Justice Burke
Phone 646-386-4099
Fax 212-401-9270
100 Centre Street
Room 1530, 9:30 A.M.

Part N-5CT

Justice Peterson
Phone 646-386-4014
Fax 212-401-9272
100 Centre Street
Room 1218, 9:30 A.M.

Part 1D9

Justice Dawson
Phone 646-386-3579
Fax 212-884-8938
100 Centre Street
Room 1604, 9:30 A.M.

SURROGATE'S COURT
Surrogate Hilary Gingold
Surrogate Rita Mella
31 Chamber's Street
New York, NY

See court's webpage for information about appearances: Visiting Surrogate's Court | NYCOURTS.GOV

Bronx County**SUPREME COURT
EX PARTE AND
URGENT
MOTIONS PART**

The Following is the List of Sittings in the Ex Parte Urgent Motions Part on the Dates Specified:

TRIAL TERM
718-618-1248

Day Calendar**Court Notices
Key to Submission
Motion Calendar**

FS = Fully submitted.
FSN = Fully Submitted, No
Opposition

ADJ=adjourned to the marked date for oral argument in the above calendar part. Answering papers are to be submitted on the original return date in Room 217.

Mental Hygiene Part

Justice TBA

A Supreme Court calendar will be called and Mental Hygiene Hearings will be conducted virtually at Bronx Supreme Court-Civil Term, 851 Grand Concourse, Bronx, NY 10451, Room TBA, every Wednesdays, commencing at a time TBA.

A Supreme Court calendar will be called and Mental Hygiene Hearings will be conducted in person at Bronx Supreme Court-Civil Term, 851 Grand Concourse, Bronx NY 10451, Room TBA, every Thursday, commencing at a time TBA.

A Supreme Court calendar will be called and Mental Hygiene Hearings will be conducted virtually for the Community Assisted Outpatient Treatment Calendar at Bronx Supreme Court-Civil Term, 851 Grand Concourse, Bronx, NY 10451, Room TBA, every 4th Friday of each month, commencing at a time TBA.

Mortgage Foreclosure Sales

Mortgage foreclosure sales in the Supreme Court of the State of New York, County of Bronx, are conducted at the Bronx County Courthouse, located at 851 Grand Concourse, Courtroom 711, commencing at 2:15 p.m.

Auction information is available at the following link: https://www.nycourts.gov/courts/12jdf/Bronx/Civil/Foreclosure_Information.shtml.

Foreclosure Department contact information: Email: bxforeclosure@nycourt.gov; Phone: 718-618-1322.

Trial Assignment Part
Justice Joseph E. Capella
Phone 718-618-1201
Room 711, 9:30 A.M.

MONDAY, DEC. 1

81213521 Capellan Sanchez v. Lowe
80595/05/23 Correa Jr v. Montefiore Medical Center Et Al

812587/21 Washington v. Lopez

TUESDAY, DEC. 2

819827/25 Alvarez Montalvo v. Bcbg Mgmt LLC

81562/24 By His Mother And Natural Guardian Evelyn Rodriguez v. NYC Et Al

81102/25 Califer v. Gonzalez

30318/19 Carranza v. Beresford Apts., Inc. Et Al

81419/24 Castillo v. 3400 Cannon Pl. LLC Et Al

819284/24 Edmund v. Bridge Back To Life Center, Inc.

81947/22 Encarnacion v. Gelco Fleet Trust, Inc. Et Al

81241/25 Ferguson v. Soorko

81021/20 Gentile v. DeJesus

81481/25 Germino v. Brown

81910/25 Hernandez v. De Paula Urena

80434/24 Jackson v. Zion Pentecostal Faith Center Inc. Et Al

81163/25 Marte Adamez v. Mekwa LLC Et Al

81165/25/25 Millan v. Escobar Benitez

81245/27/23 Morales v. Neighborhood Renewal Housing Dev. Fund Corp. Et Al

80793/22 Arlan-Chavez v. Santodomingo

81102/25/22 Blake v. Kingdom Royale Hair N. Body, Inc. Et Al

80446/22 Brandon v. Hurricane Mgt. Corp. Et Al

80530/22/22 Branden v. Goldstein

80806/22 Dennis Sanchez v. Mk 1680 Rly. LLC

80808/22 Donaldson v. Affinity Health Plan Inc.

80969/22 Doubina v. Zhuang

81814/22 Edwards v. Kings Harbor Multicare Center Et Al

81421/20 Fazio v. A&T Transit Inc.

80385/16 Deljanin v. Vno 7 West 34th St. Owner

80806/7/22 Dennis Sanchez v. Mk 1680 Rly. LLC

80808/22 Goris v. Cnb Contracting Corp. Et Al

80995/22 Hernandez v. Dominguez

82849/20 Hoyte v. Jones

82357/019 Husband's v. Ceesay

80235/18 Jimenez v. Nival

80761/27/21 Keri v. Beige

80809/21 Koyate v. Atigbor

81414/20 Lipeth v. Huang

80696/22 Lopez v. Mills

81341/20 Lopez v. Sanchez

80490/18 Marquez v. Miranda

80917/23 McPherson v. Klemann

82549/20 Newby v. Morales

80341/24 Otero v. Hernany Inc Et Al

82836/19 Parkes v. Gaston

81546/42 Payamps v. Mgsa V111 LLC

80262/28 Persaud v. Next Solutions C.S.

84245/28 Poznyakovskiy v. Weir

33466/20 Rivera v. Diallo

30150/11 Rosa v. NYCTA

80530/25 Sappafios v. NY

80635/00 Scott v. St. Barnabas Hosp.

29637/20 Serratos Aracena v. Lopez Vargas

820140/23 Smith v. Alam

81741/22 Torrez v. Gil

81945/21 United Medicine And Rehabilitation P.C. v.

80818/22 Vargelis v. Travelers Nyc

80819/22/22 Vargelis v. Travelers Nyc

80819/22/23 Vargelis v. Travelers Nyc

80819/22/24 Vargelis v. Travelers Nyc

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LICQUOR LICENSES

NOTICE IS HEREBY given that a Hotel On-Premise Full Liquor License, NYS Application ID: NA-0342-25-113766 has been applied for by 523 W Management LLC serving beer, wine, cider and liquor to be sold at retail for on-premises consumption in a Hotel, for the premises located at 52 W 36th St New York NY 10018. 17648 n24-M d1

NOTICE IS HEREBY given that an On-Premises Food & Beverage-Business Liquor License, NYS Application ID: NA-0370-25-134833 has been applied for by Beverly Rose Cafe LLC serving beer, wine, cider, mead and liquor to be sold at retail for on-premises consumption in a Food & Beverage Business-Liquor establishment located at 274 3rd Ave New York NY 10010. 17649 n24-M d1

NOTICE IS HEREBY given that license# NA-0340-25-136175 for liquor has been applied for by the undersigned to sell liquor at retail in a restaurant under the ABC law at 109 LUDLOW ST NY, NY 10002, NY County for on-premises consumption. 94 AVENUE A BAR LLC 109 LUDLOW ST NEW YORK NY 10002. 17643 Nov24 m Dec1

LIMITED LIABILITY ENTITIES

FUNCTIONAL APPLIED BEHAVIOR ANALYSIS PLLC, a Prof. LLC, Arts. of Org. filed with the SSNY on 11/10/2025. Office loc: Westchester County. SSNY has been designated as agent upon whom process against it may be served. SSNY shall mail process to: The PLLC, 230 Haines Rd, Bedford Hills, NY 10507. Purpose: To Practice The Profession Of Applied Behavior Analysis. 17855 d1-M j5

THOUGHTFUL PRACTICE MENTAL HEALTH COUNSELING PLLC, a Prof. LLC, Arts. of Org. filed with the SSNY on 04/07/2025. Office location: Nassau County. SSNY has been designated as agent upon whom process against it may be served. SSNY shall mail process to: The PLLC, 528 Merrick Rd, Unit 21, Rockville Centre, NY 11570. Purpose: To Practice The Profession Of Mental Health Counseling. 17854 d1-M j5

LCS Oral Surgery PLLC filed w/SSNY 11/17/25. Off. in Nassau Co. Process served to SSNY - desig as agt of PLLC & mailed to: the PLLC, 5 Wyat Rd, Garden City, NY 11530. Any lawful purpose. 17749 Dec1 m Jan5

SIMON J. LANGER LCSW PLLC, Arts. of Org. filed with the SSNY on 10/23/25. 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, 201 West 21st Street, #3K, New York, NY 10011. Purpose: For the practice of the profession of Licensed Clinical Social Work. 16777 n10-M d15

Digital Periodontics Implant Dentistry PLLC, Filed 9/30/25. Office: NY Co. SSNY desig. as agent for process & shall mail to: 344 3rd Ave 15c, NY, NY 10010. Purpose: Dentist. 17253 n17-F d22

DR. SHERRY CHIANG DDS PLLC, Filed 8/27/25. Office: NY Co. SSNY desig. as agent for process & shall mail to: 175 E 96th St, 18c, NY, NY 10128. Purpose: Dentistry. 17254 n17-F d22

STEFANIE POLLARD, PT, DPT, PLLC, a Prof. LLC, Arts. of Org. filed with the SSNY on 11/17/2025. Office loc: Westchester County. SSNY has been designated as agent upon whom process against it may be served. SSNY shall mail process to: The PLLC, 1 Fountain Lane, Apt 2A, Scarsdale, NY 10583. Purpose: To Practice The Profession Of Physical Therapy. 17646 n24-M d29

NOTICE OF FORMATION of Marcella Maxine Jayne, Esquire PLLC, 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 PLLC to 1744 Weeks Ave, Apt 3, Bronx, NY 10457. P/B/A: 43 West 43rd St, Ste 381, New York, NY 10036-7424. Purpose: any lawful act. 16722 N10 M D15

NOTICE OF FORMATION of JOSEPH C. DANIL-CZYK, ESQ., PLLC, Arts. of Org filed with Secy. of State of NY (SSNY) on 09/23/2025. Office location: NY County. SSNY designated as agent upon whom process may be served and shall mail copy of process against PLLC to P/B/A: 43 W 43rd Street, Suite 236, New York, NY 10036-USA. Purpose: any lawful act. 17260 N17 M D22

LIMITED LIABILITY ENTITIES

SEMINARA LAW PLLC, a Prof. LLC, Arts. of Org. filed with the SSNY on 11/26/2025. Office loc: Westchester County. SSNY has been designated as agent upon whom process against it may be served. SSNY shall mail process to: The PLLC, 3 Hunter Dr, Armonk, NY 10504. Purpose: To Practice The Profession Of Law. 17869 d1-M j5

NOTICE OF FORMATION of KIMBERLY PRESHLOCK, NP IN PSYCHIATRY PLLC, Arts. of Org. filed with SSNY on 09/22/2025. Office location: Nassau SSNY desig. as agent of PLLC upon whom process against it may be served. SSNY mail process to 1936 HEMPTSTEAD TPKE SUITE 116, EAST MEADOW, NY 11554. Any lawful purpose. 16481 Nov3 m Dec8

LIMITED LIABILITY ENTITIES

NOTICE OF QUALIFICATION of CAPIN CROUSE, LLC, Appl. for Auth. filed with Secy. of State of NY (SSNY) on 09/18/25. Office location: NY County. PLLC formed in Indiana (IN) on 02/05/96. SSNY designated as agent of PLLC upon whom process against it may be served. SSNY shall mail process to: c/o Corporation Service Co., 80 State St., Albany, NY 12207-2543. In addr. of PLLC: 345 Massachusetts Ave., Ste. 300, Indianapolis, IN 46204. Cert. of Form. filed with IN Secy. of State, 200 W. Washington St., #201, Indianapolis, IN 46204. Purpose: Public Accountancy. 17210 Nov17 m Dec22

LIMITED LIABILITY ENTITIES

HIBISCUS HARBOR HOLDINGS LLC, Arts. of Org. filed with the SSNY on 08/26/2025. Office: New York County. SSNY is designated as the agent of the LLC for service of process. Any legal documents served to the LLC through SSNY will be forwarded to LEGALCORP SOLUTIONS, LLC 11 BROADWAY SUITE 615 NEW YORK, NY 10004 Purpose: Any lawful purpose. 16399 n03 M D08

LIMITED LIABILITY ENTITIES

1214 GRAN MANZANA LLC, Filed with SSNY on 10/22/2025. Office: Bronx County. SSNY designated as agent for process & shall mail to: 1214 WHITE PLAINS RD, BRONX, NY 10472. Purpose: Any Lawful 16897 n10-M D15

LIMITED LIABILITY ENTITIES

2334 ENTERPRISES LLC, Filed with SSNY on 10/30/2025. Office: Nassau County. SSNY designated as agent for process & shall mail to: 2303 JONES AVE, WANTAGH, NY 11793. Purpose: Any Lawful 16916 n10-M D15

LIMITED LIABILITY ENTITIES

2822 HARRINGTON LLC, Filed with SSNY on 10/29/2025. Office: Bronx County. SSNY designated as agent for process & shall mail to: 2825 ROEBLING AVE, BRONX, NY 10461. Purpose: Any Lawful 16898 n10-M D15

LIMITED LIABILITY ENTITIES

409 SAWGRASS COURT, LLC, Filed with SSNY on 10/30/2025. Office: New York County. SSNY designated as agent for process & shall mail to: 140 CHARLES ST, 15B, NEW YORK, NY 10014. Purpose: Any Lawful 16905 n10-M D15

LIMITED LIABILITY ENTITIES

409 SAWGRASS COURT, LLC, Filed with SSNY on 10/30/2025. Office: New York County. SSNY designated as agent for process & shall mail to: 140 CHARLES ST, 15B, NEW YORK, NY 10014. Purpose: Any Lawful 16774 n10-M D15

LIMITED LIABILITY ENTITIES

APT. A6 LLC, Arts. of Org. filed with the SSNY on 11/25/2025. Office loc: Westchester County. SSNY designated as agent upon whom process against it may be served. SSNY shall mail copy of process to: The PLLC, 201 West 21st Street, #3K, New York, NY 10011. Purpose: For the practice of the profession of Licensed Clinical Social Work. 16777 d1-M j5

LIMITED LIABILITY ENTITIES

203 WANSER PARTNERS LLC, Arts. of Org. filed with the SSNY on 11/21/25. 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 PLLC, 2 Broaday, Lawrence, NY 11559. Purpose: Any lawful purpose. 17848 d1-M j5

LIMITED LIABILITY ENTITIES

2805 MORRIS LLC, Art. of Org. Filed Sec of State of NY 11/6/2025. Off. Loc. Bronx Co. SSNY designated as agent upon whom process against it may be served. SSNY to mail copy of process to the PLLC, 1846 Victor Street, Bronx, NY 10462, USA. Purpose: Any lawful act or activity. 17775 d1-M j5

LIMITED LIABILITY ENTITIES

APT. A6 LLC, Arts. of Org. filed with the SSNY on 10/23/25. Office loc: Nassau County. SSNY designated as agent upon whom process against it may be served. SSNY shall mail copy of process to: The PLLC, 201 West 21st Street, #3K, New York, NY 10011. Purpose: For the practice of the profession of Licensed Clinical Social Work. 16777 d1-M j5

LIMITED LIABILITY ENTITIES

203 WANSER PARTNERS LLC, Arts. of Org. filed with the SSNY on 11/21/25. 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 PLLC, 2 Broaday, Lawrence, NY 11559. Purpose: Any lawful purpose. 17848 d1-M j5

LIMITED LIABILITY ENTITIES

203 WANSER PARTNERS LLC, Arts. of Org. filed with the SSNY on 11/21/25. 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 PLLC, 2 Broaday, Lawrence, NY 11559. Purpose: Any lawful purpose. 17848 d1-M j5

LIMITED LIABILITY ENTITIES

203 WANSER PARTNERS LLC, Arts. of Org. filed with the SSNY on 11/21/25. 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 PLLC, 2 Broaday, Lawrence, NY 11559. Purpose: Any lawful purpose. 17848 d1-M j5

LIMITED LIABILITY ENTITIES

203 WANSER PARTNERS LLC, Arts. of Org. filed with the SSNY on 11/21/25. 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 PLLC, 2 Broaday, Lawrence, NY 11559. Purpose: Any lawful purpose. 17848 d1-M j5

LIMITED LIABILITY ENTITIES

203 WANSER PARTNERS LLC, Arts. of Org. filed with the SSNY on 11/21/25. 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 PLLC, 2 Broaday, Lawrence, NY 11559. Purpose: Any lawful purpose. 17848 d1-M j5

LIMITED LIABILITY ENTITIES

203 WANSER PARTNERS LLC, Arts. of Org. filed with the SSNY on 11/21/25. 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 PLLC, 2 Broaday, Lawrence, NY 11559. Purpose: Any lawful purpose. 17848 d1-M j5

LIMITED LIABILITY ENTITIES

203 WANSER PARTNERS LLC, Arts. of Org. filed with the SSNY on 11/21/25. 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 PLLC, 2 Broaday, Lawrence, NY 11559. Purpose: Any lawful purpose. 17848 d1-M j5

LIMITED LIABILITY ENTITIES

203 WANSER PARTNERS LLC, Arts. of Org. filed with the SSNY on 11/21/25. 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 PLLC, 2 Broaday, Lawrence, NY 11559. Purpose: Any lawful purpose. 17848 d1-M j5

LIMITED LIABILITY ENTITIES

203 WANSER PARTNERS LLC, Arts. of Org. filed with the SSNY on 11/21/25. 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 PLLC, 2 Broaday, Lawrence, NY 11559. Purpose: Any lawful purpose. 17848 d1-M j5

LIMITED LIABILITY ENTITIES

203 WANSER PARTNERS LLC, Arts. of Org. filed with the SSNY on 11/21/25. 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 PLLC, 2 Broaday, Lawrence, NY 11559. Purpose: Any lawful purpose. 17848 d1-M j5

LIMITED LIABILITY ENTITIES

203 WANSER PARTNERS LLC, Arts. of Org. filed with the SSNY on 11/21/25. 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 PLLC, 2 Broaday, Lawrence, NY 11559. Purpose: Any lawful purpose. 17848 d1-M j5

LIMITED LIABILITY ENTITIES

203 WANSER PARTNERS LLC, Arts. of Org. filed with the SSNY on 11/21/25. 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 PLLC, 2 Broaday, Lawrence, NY 11559. Purpose: Any lawful purpose. 17848 d1-M j5

LIMITED LIABILITY ENTITIES

203 WANSER PARTNERS LLC, Arts. of Org. filed with the SSNY on 11/21/25. 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 PLLC, 2 Broaday, Lawrence, NY 11559. Purpose: Any lawful purpose. 17848 d1-M j5

LIMITED LIABILITY ENTITIES

203 WANSER PARTNERS LLC, Arts. of Org. filed with the SSNY on 11/21/25. 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 PLLC, 2 Broaday, Lawrence, NY 11559. Purpose: Any lawful purpose. 17848 d1-M j5

LIMITED LIABILITY ENTITIES

203 WANSER PARTNERS LLC, Arts. of Org. filed with the SSNY on 11/21/25. 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 PLLC, 2 Broaday, Lawrence, NY 11559. Purpose: Any lawful purpose. 17848 d1-M j5

LIMITED LIABILITY ENTITIES

203 WANSER PARTNERS LLC, Arts. of Org. filed with the SSNY on 11/21/25. 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 PLLC, 2 Broaday, Lawrence, NY 11559. Purpose: Any lawful purpose. 17848 d1-M j5

LIMITED LIABILITY ENTITIES

203 WANSER PARTNERS LLC, Arts. of Org. filed with the SSNY on 11/21/25. 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 PLLC, 2 Broaday, Lawrence, NY 11559. Purpose: Any lawful purpose. 17848 d1-M j5

LIMITED LIABILITY ENTITIES

203 WANSER PARTNERS LLC, Arts. of Org. filed with the SSNY on 11/21/25. 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 PLLC, 2 Broaday, Lawrence, NY 11559. Purpose: Any lawful purpose. 17848 d1-M j5

LIMITED LIABILITY ENTITIES

NOTICE OF QUALIFICATION of LAKE BROADWAY SHOWS, L.P. Authority filed with NY Secy of State (SSNY) on 10/31/25. Office location: New York County, LP formed in Delaware (DE) on 8/11/25. SSNY is designated as agent of LP upon whom process against it may be served. SSNY shall mail process to: 28 Liberty St, NY, NY 10005. DE address of LP: 1209 Orange St, Wilmington, DE 19801. List of names and addresses of all general partners available from SSNY. The name and address of the Reg. Agent is C T Corporation System, 28 Liberty St, NY, NY 10005. Cert. of Limited Partnership filed with DE Secy of State, 401 Federal St, Ste 4, Dover, DE 19901. Purpose: any lawful activity. 17306 n17-F d22

NOTICE OF QUALIFICATION of NVP CAPITAL EDA GENERAL PARTNER, LLC. Authority filed with NY Secy of State (SSNY) on 10/29/25. Office location: New York County, LLC formed in Delaware (DE) on 1/31/25. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 60 Charlton St, Fl. 12, NY, NY 10013. DE address of LLC: 1209 Orange St, Wilmington, DE 19801. Cert. of Formation filed with DE Secy of State, 401 Federal St, Ste 4, Dover, DE 19901. Purpose: any lawful activity. 17308 n17-F d22

NOTICE OF QUALIFICATION of NVP CAPITAL I GENERAL PARTNER, LLC. Authority filed with NY Secy of State (SSNY) on 10/29/25. Office location: New York County, LLC formed in Delaware (DE) on 1/15/20. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 60 Charlton St, Fl. 12, NY, NY 10013. DE address of LLC: 1209 Orange St, Wilmington, DE 19801. Cert. of Formation filed with DE Secy of State, 401 Federal St, Ste 4, Dover, DE 19901. Purpose: any lawful activity. 17309 n17-F d22

NOTICE OF QUALIFICATION of NVP CAPITAL II GENERAL PARTNER, LLC. Authority filed with NY Secy of State (SSNY) on 10/29/25. Office location: New York County, LLC formed in Delaware (DE) on 9/6/23. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 60 Charlton St, Fl. 12, NY, NY 10013. DE address of LLC: 1209 Orange St, Wilmington, DE 19801. Cert. of Formation filed with DE Secy of State, 401 Federal St, Ste 4, Dover, DE 19901. Purpose: any lawful activity. 17310 n17-F d22

NOTICE OF QUALIFICATION of Renaissance Acquisition Company LLC. Authority filed with NY Secy of State (SSNY) on 10/3/25. Office location: New York County, LLC formed in Delaware (DE) on 7/25/23. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 28 Liberty St, NY, NY 10005. IN address of LLC: 3888 Keystone Crossing, Ste 1200, Indianapolis, IN 46240. Cert. of Formation filed with IN Secy of State, 302 W. Washington St, Rm E018, Indianapolis, IN 46204. The name and address of the Reg. Agent is C T Corporation System, 28 Liberty St, NY, NY 10005. Purpose: any lawful activity. 17312 n17-F d22

NOTICE OF QUALIFICATION of NARON-JOANNA, LLC. Auth filed with SSNY on 09/05/2025. Office location: Nassau, LLC formed in DE on 09/03/2025. SSNY desg. as agent of LLC upon whom process against it may be served. SSNY mail process to: 3333 NEW HYDE PARK ROAD, SUITE 41, NEW HYDE PARK, NY, 11042. Arts. of Org. filed with DE SOS. Townsend Bldg. Dover, DE 19901. Any lawful purpose. 17668 Nov24 m Dec29

NOTICE OF QUALIFICATION of BO FARAWAY MV LENDER, LLC. Auth. filed with SSNY on 11/18/2025. Office location: NEW YORK, LLC formed in DE on 11/14/2025. SSNY desg. as agent of LLC upon whom process against it may be served. SSNY mail process to: 600 MAMARONECK AVENUE #400, HARRISON, NY, UNITED STATES, 10528. Arts. of Org. filed with DE SOS. 401 Federal St, Ste 3 Dover, DE 19901. Any lawful purpose. 17670 Nov24 m Dec29

NOTICE OF QUALIFICATION of NERT ASSOCIATES LLC. Auth. filed with SSNY on 02/18/2025. Office location: Nassau, LLC formed in CA on 02/1/2025. SSNY desg. as agent of LLC upon whom process against it may be served. SSNY mail process to: 36 WALNUT AVE, ROCKVILLE CENTRE, NY, 11570. Arts. of Org. filed with CA SOS. 1500 11th Street, Sacramento, CA 95814. Any lawful purpose. 17666 Nov24 m Dec29

NOTICE OF QUALIFICATION of Eurofins CRL Cosmetics, LLC. Authority filed with NY Dept. of State: 10/6/25. Office location: NY County. Princ. bus. addr: 343 W. Main St., Leola, PA 17540. LLC formed in DE: 6/29/18. NY Sec. of State designated agent of LLC upon whom process against it may be served and shall mail process to: Cogeny Global Inc., 122 E. 42nd St., 18th Fl., NY, NY 10168. DE addr. of DE Sec. of State, 401 Federal St., Dover, DE 19901. Purpose: any lawful purpose. 16087 Nov10 m Dec15

SULLIVAN ROAD ASSOCIATES LLC Authority filed with Secy. of State of NY (SSNY) on 10/17/25. Office location: Nassau Co. LLC formed in GA on 12/12/19. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: The LLC 123 Grove Ave Ste 212 Cedarhurst NY 11516. GA address of LLC: 123 Grove Ave Ste 212 Cedarhurst NY 11516. Arts. of Org. filed with GA Secy. of State, 2 MLK Jr Dr SE Ste 814 Atlanta GA 30344. Purpose: Any lawful activity. 16879 Nov10 m Dec15

LIMITED LIABILITY ENTITIES

NOTICE OF QUALIFICATION of SITUSAMC VARS CRE, LLC. Authority filed with NY Secy of State (SSNY) on 10/31/25. Office location: New York County, LLC formed in Delaware (DE) on 10/13/25. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 28 Liberty St, NY, NY 10005. DE address of LLC: 1209 Orange St, Wilmington, DE 19801. Cert. of Formation filed with DE Secy of State, 401 Federal St, Ste 3, Dover, DE 19901. The name and address of the Reg. Agent is C T Corporation System, 28 Liberty St, NY, NY 10005. Cert. of Limited Partnership filed with DE Secy of State, 401 Federal St, Ste 4, Dover, DE 19901. Purpose: any lawful activity. 17313 n17-F d22

17229 Nov17 m Dec22

NOTICE OF QUALIFICATION of 114 W 41 OWNER BH, LLC Appl. for Auth. filed with Secy. of State of NY (SSNY) on 11/06/25. Office location: NY County, LLC formed in Delaware (DE) on 8/01/25. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 28 Liberty St, NY, NY 10005. DE address of LLC: 1209 Orange St, Wilmington, DE 19801. Cert. of Formation filed with DE Secy of State, 401 Federal St, Ste 4, Dover, DE 19901. Purpose: any lawful activity. 17308 n17-F d22

17228 Nov17 m Dec22

NOTICE OF QUALIFICATION of 338 W 36TH LENDER LLC Auth. filed with SSNY on 11/12/2025. Office location: NY County, LLC formed in Delaware (DE) on 11/10/2025. SSNY desg. as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 28 Liberty St, NY, NY 10005. DE address of LLC: 1209 Orange St, Wilmington, DE 19801. Cert. of Form. filed with DE Secy of State, 401 Federal St, Ste 4, Dover, DE 19901. Purpose: Any lawful activity. 17308 n17-F d22

17228 Nov17 m Dec22

NOTICE OF QUALIFICATION of 338 W 36TH LENDER LLC Auth. filed with SSNY on 11/12/2025. Office location: NY County, LLC formed in Delaware (DE) on 11/10/2025. SSNY desg. as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 28 Liberty St, NY, NY 10005. DE address of LLC: 1209 Orange St, Wilmington, DE 19801. Cert. of Form. filed with DE Secy of State, 401 Federal St, Ste 4, Dover, DE 19901. Purpose: Any lawful activity. 17308 n17-F d22

17228 Nov17 m Dec22

NOTICE OF QUALIFICATION of 338 W 36TH LENDER LLC Auth. filed with SSNY on 11/12/2025. Office location: NY County, LLC formed in Delaware (DE) on 11/10/2025. SSNY desg. as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 28 Liberty St, NY, NY 10005. DE address of LLC: 1209 Orange St, Wilmington, DE 19801. Cert. of Form. filed with DE Secy of State, 401 Federal St, Ste 4, Dover, DE 19901. Purpose: Any lawful activity. 17308 n17-F d22

17228 Nov17 m Dec22

NOTICE OF QUALIFICATION of 338 W 36TH LENDER LLC Auth. filed with SSNY on 11/12/2025. Office location: NY County, LLC formed in Delaware (DE) on 11/10/2025. SSNY desg. as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 28 Liberty St, NY, NY 10005. DE address of LLC: 1209 Orange St, Wilmington, DE 19801. Cert. of Form. filed with DE Secy of State, 401 Federal St, Ste 4, Dover, DE 19901. Purpose: Any lawful activity. 17308 n17-F d22

17228 Nov17 m Dec22

NOTICE OF QUALIFICATION of 338 W 36TH LENDER LLC Auth. filed with SSNY on 11/12/2025. Office location: NY County, LLC formed in Delaware (DE) on 11/10/2025. SSNY desg. as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 28 Liberty St, NY, NY 10005. DE address of LLC: 1209 Orange St, Wilmington, DE 19801. Cert. of Form. filed with DE Secy of State, 401 Federal St, Ste 4, Dover, DE 19901. Purpose: Any lawful activity. 17308 n17-F d22

17228 Nov17 m Dec22

NOTICE OF QUALIFICATION of 338 W 36TH LENDER LLC Auth. filed with SSNY on 11/12/2025. Office location: NY County, LLC formed in Delaware (DE) on 11/10/2025. SSNY desg. as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 28 Liberty St, NY, NY 10005. DE address of LLC: 1209 Orange St, Wilmington, DE 19801. Cert. of Form. filed with DE Secy of State, 401 Federal St, Ste 4, Dover, DE 19901. Purpose: Any lawful activity. 17308 n17-F d22

17228 Nov17 m Dec22

NOTICE OF QUALIFICATION of 338 W 36TH LENDER LLC Auth. filed with SSNY on 11/12/2025. Office location: NY County, LLC formed in Delaware (DE) on 11/10/2025. SSNY desg. as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 28 Liberty St, NY, NY 10005. DE address of LLC: 1209 Orange St, Wilmington, DE 19801. Cert. of Form. filed with DE Secy of State, 401 Federal St, Ste 4, Dover, DE 19901. Purpose: Any lawful activity. 17308 n17-F d22

17228 Nov17 m Dec22

NOTICE OF QUALIFICATION of 338 W 36TH LENDER LLC Auth. filed with SSNY on 11/12/2025. Office location: NY County, LLC formed in Delaware (DE) on 11/10/2025. SSNY desg. as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 28 Liberty St, NY, NY 10005. DE address of LLC: 1209 Orange St, Wilmington, DE 19801. Cert. of Form. filed with DE Secy of State, 401 Federal St, Ste 4, Dover, DE 19901. Purpose: Any lawful activity. 17308 n17-F d22

17228 Nov17 m Dec22

NOTICE OF QUALIFICATION of 338 W 36TH LENDER LLC Auth. filed with SSNY on 11/12/2025. Office location: NY County, LLC formed in Delaware (DE) on 11/10/2025. SSNY desg. as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 28 Liberty St, NY, NY 10005. DE address of LLC: 1209 Orange St, Wilmington, DE 19801. Cert. of Form. filed with DE Secy of State, 401 Federal St, Ste 4, Dover, DE 19901. Purpose: Any lawful activity. 17308 n17-F d22

17228 Nov17 m Dec22

NOTICE OF QUALIFICATION of 338 W 36TH LENDER LLC Auth. filed with SSNY on 11/12/2025. Office location: NY County, LLC formed in Delaware (DE) on 11/10/2025. SSNY desg. as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 28 Liberty St, NY, NY 10005. DE address of LLC: 1209 Orange St, Wilmington, DE 19801. Cert. of Form. filed with DE Secy of State, 401 Federal St, Ste 4, Dover, DE 19901. Purpose: Any lawful activity. 17308 n17-F d22

17228 Nov17 m Dec22

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