

IN BRIEF

Morgan Stanley Hit With \$15M Fine After Advisers Take Millions

Morgan Stanley was hit with a \$15 million fine from the U.S. Securities and Exchange Commission after four advisors were found to have stolen millions of dollars worth of client funds.

The SEC said in its Monday order that Morgan Stanley's failure to detect hundreds of unauthorized transfers that occurred between May 2015 and July 2022, and to "reasonably supervise" its employees, amounted to violations of the Investment Advisers Act of 1940.

"Safeguarding investor assets is a fundamental duty of every financial services firm, but [Morgan Stanley]'s supervisory and compliance policy failures let its financial advisors make hundreds of unauthorized transfers from their customer and client accounts and put many other such accounts at significant risk of harm," Sanjay Wadhwa, the acting director of the SEC's enforcement division, said in a Monday statement.

Morgan Stanley agreed to the fine and to hire an outside consultant to review its updated anti-fraud protocols, without admitting or denying the allegations, according to the SEC order.

"These were isolated events, each of which occurred several years ago," a Morgan Stanley spokesperson said in a statement. "We pride ourselves on putting clients first, and in each instance, when we learned of the wrongdoing, we conducted an internal investigation, terminated the wrongdoers, reported them to the proper authorities and worked with affected clients to compensate them for any harm."

In its order against Morgan Stanley, the SEC said that four advisers—Michael Carter, Chingyuan "Gary" Chang, Douglas McKelvey and Jesus Rodriguez—used client information to send money to themselves through wire transfers and the Automated Clearing House system, the nationwide payment system that banks use to electronically transfer money.

The agency said the unauthorized transfers went through, as until December 2022, Morgan Stanley lacked a procedure to screen externally-initiated ACH payments for indi-

cations of fraud, or to monitor whether the Morgan Stanley adviser assigned to the account was receiving the payment.

The final order "takes into account the firm's several self-reports to and substantial cooperation with, the commission staff and its remedial efforts," Wadhwa said in his statement.

—Alyssa Aquin

Goldberg Segalla Launches in Wilmington

Civil litigation law firm Goldberg Segalla has launched a new office in Wilmington, Delaware, looking to provide additional geo-



Scott T. Earle

graphic support for corporate clients and insurance carriers.

The office will be led by commercial litigator Scott

Earle, who also handles construction and real estate matters. As of the opening, Earle—who arrives from the firm's Philadelphia office—is the only attorney occupying the location, although Goldberg Segalla hiring partner Joseph Hanna indicated that the firm was in the process of adding two associates, a legal assistant, and a paralegal to the new office.

"This opening was driven by client needs," Hanna said in an interview, describing the Wilmington office opening as part of the firm's northeast expansion efforts. "We found the right lawyer to help lead this charge, and we've always had an overwhelming desire by our client base to send us work in Delaware."

"The opportunity to continue doing work for our clients across our footprint and having the right attorney to lead that charge was the perfect marriage," Hanna concluded.

With the founding of the Wilmington office, Goldberg Segalla now has over 450 attorneys spread across 23 total offices across the country, with a majority of those offices dotting the East Coast. According to Hanna, the firm is

Fifty Years After Nixon, Progress on Amending Rule 17(c) »3



NATHAN HOWARD/BLOOMBERG

More than a dozen attorneys practicing at private law firms are on a list put out by Donald Trump's pick for FBI Director **Kash Patel's** 2022 book.

Can Law Firms Avoid Landing On 'Enemy' List During The Trump Administration?

BY ABIGAIL ADCOX

AS DONALD Trump solidifies his top cabinet picks, a brewing concern for some law firms is staying off a so-called "enemies" list.

During his campaign, Trump was focused on Americans he believes have wronged or betrayed him. They are worse, he said, than foreign adversaries of the United States, calling them "the enemy from within."

Additionally, Trump's pick for FBI director, Kash Patel, outlined "Members of the Executive Branch Deep State" in his 2022 book. That 60-person list includes more than a dozen attorneys in law firms, including at Paul, Weiss, Rifkind, Wharton & Garrison; King & Spalding; and Covington & Burling, among other firms, according to a full list outlined in media reports in the last week. Representatives for these firms either declined to comment or didn't reply to

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Attorneys on Kash Patel's List

• **Eric Holder**, former attorney general under President Barack Obama's administration, is now senior counsel at Covington.

• **Robert Hur**, former special who investigated Biden over the mishandling of classified files, is now a partner at King & Spalding.

• **Gina Haspel**, CIA director under Trump, is now a national security advisor at King & Spalding.

• **Rod Rosenstein**, former deputy attorney general under Trump, is now a partner at King & Spalding.

• **Sally Yates**, former deputy attorney general under Obama, is now a partner at King & Spalding

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Court System Names New Administrative Judges for NYC Courts In Leadership Shakeup

BY ANDREW DENNEY

SEVERAL New York City courts are beginning the new year under new management.

New York court system officials announced on Monday that, effective immediately, Shahabuddeen A. Ally, the supervising judge for Manhattan Civil Court, has been appointed to oversee civil courts in all five boroughs.

Justice Genine Edwards has been appointed as the administrative judge for civil matters in Brooklyn Supreme Court; Raymond Rodriguez, an acting state Supreme Court justice, will take the reins for Staten Island Supreme Court for both criminal and civil matters.

Their appointments go into effect on Jan. 2, 2025.

Ally succeeds Carolyn Walker-Diallo, who in 2015 became the first Muslim elected to the bench in New York. She has held her administrative post for New York City Civil Court since July 2022.

Edwards replaces Lawrence Knipel, who held the post for 12 years and who will stay on the bench presiding over a commercial division court. Rodriguez succeeds state Supreme Court Justice Desmond Green, who has served as Staten Island's administrative judge since 2007.

"Each of these appointees brings enormous knowledge, energy, and vision to their new role," Chief Administrative Judge

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COURTESY PHOTOS

New Administrative Judges, from left, Administrative Judge of New York City Civil Court **Shahabuddeen A. Ally**, Administrative Judge for Kings County Supreme Court's Civil Term **Genine D. Edwards**, and Administrative Judge for Richmond County Supreme Court **Raymond L. Rodriguez**

Boies Schiller Adds Antitrust, Intellectual Property Partners

BY SAMSON AMORE

BOIES SCHILLER Flexner added two litigators on the East and West coasts on Monday: James Keyte, a litigator focused on antitrust and sports, in New York, and intellectual property litigator Enoch Liang in San Francisco.

Keyte joined the firm after serving as director of global development for economic consulting firm

Brattle Group. He was previously a partner at Skadden, Arps, Slate, Meagher & Flom for over two decades. His clientele includes major sports leagues such as the NBA, NHL and NFL and he also represents the Professional Rodeo Cowboys Association. On the business side, Keyte has represented or worked for Anheuser-Busch InBev, Coca-Cola and SanDisk.

While at Boies Schiller, Keyte will be tapped to advise on

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Amid Growing Litigation Volume, Don't Expect UnitedHealthcare To Change Its Stripes After CEO's Killing

BY CHARLES TOUTANT

AFTER the killing of its CEO and the manhunt for the suspect recedes from the public's attention, UnitedHealthcare will still face a heavy load of lawsuits over its reimbursement practices.

Some who followed the murder and its aftermath might have felt sadness and sympathy for UnitedHealthcare CEO Brian Thompson's family and colleagues, while others felt the gunman gave a voice to their outrage over denied claims. Litigation by hospitals and other health care providers over nonpayment for services has bal-

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ANDREY POPOV VIA ADORBE STOCK

UnitedHealthcare corporate headquarters in Minnetonka, Minn. The company removed a flurry of contract cases to federal courts in Alabama, New Jersey and New York in the last week.

DECISIONS OF INTEREST

First Department

CONTRACTS: **Defendants' partial summary judgment granted to foreclose on mechanic's lien.** *Henick-Lane, Inc. v. 616 First Avenue LLC*, Supreme Court, New York.

TRUSTS & ESTATES LAW: **Motion denied, court did not find abuse perpetuated against decedent.** *Probate Proceeding, Will of Emily Fisher Landau*, Surrogate's Court, New York.

Second Department

CRIMINAL LAW: **Court allows defendant's witness to testify about DNA analysis.** *People v. Higgins*, Supreme Court, Kings.

PERSONAL INJURY: **Claim dismissed, plaintiff failed to file timely default judgment motion.** *Machado v. Galdava*, Supreme Court, Kings.

HEALTH CARE LAW: **Court prevents hospital from administering haloperidol to pregnant patient.** *Ladapo v. Pierina F.*, Supreme Court, Kings.

LITIGATION: **Motion to restore granted for plaintiff against corpo-**

rate entity. *Ramani v. Manton House Corp.*, Civil Court, Queens.

U.S. Courts

CIVIL PROCEDURE: **Plaintiff may amend FAC after providing sufficient specificity against defendants.** *Dass v. City Univ. of New York*, SDNY.

CRIMINAL LAW: **Corporate defendants cannot be held liable for conduct preceding 2022 amendment to VGMVPL.** *Doe v. Combs*, SDNY.

CIVIL PROCEDURE: **Court appoints individual pension funds as lead plaintiffs in securities fraud action.** *Nixon v. CVS Health Corp.*, SDNY.

CONSTITUTIONAL LAW: **Second Amendment does not offer right to immediately obtain firearms 'on demand.'** *Mills v. New York City*, SDNY.

SOCIAL MEDIA: **Plaintiffs adequately state claims over statements that inventory levels were low.** *Authors Guild v. OpenAI Inc.*, SDNY.

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GABBY JONES/BLOOMBERG

Cannabis products are on display at the Union Square Travel Agency dispensary in Manhattan, one of over 260 legal cannabis stores in New York state.

Cannabis 'Cannibalization' Among Concerns of State Pot Attorneys

BY BRIAN LEE

NEW YORK'S legal marijuana industry has closed in on \$1 billion in combined sales since early 2023, with three-quarters of those sales generated during a "whirlwind" 2024, a state policy director said during Tuesday's Cannabis Control Board meeting.

The market has thus far amassed nearly \$919 million, with New York estimated to "comfortably" eclipse \$1 billion when the final four reporting weeks of 2024 are tallied, said John Kagia, the

Office of Cannabis Management's director of policy.

Nearly \$760 million of the sales has occurred in 2024, while 261 dispensaries are now open—a stark contrast from the barely two dozen stores that were open throughout the Empire State's 62 counties at this time 12 months ago.

Indicating the industry's slow rollout is a thing of the past, Kagia noted the state had opened nearly 40 stores the last 30 days.

But indications of a burgeoning industry were tempered during the public comment stanza of the meeting when many

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‘Close Our Borders’: Senate Judiciary Committee Examines Mass Deportation Proposal

BY SULAIMAN ABDUR-RAHMAN
WASHINGTON, D.C.

PRESIDENT-ELECT Donald Trump could devastate the U.S. economy if he carries out mass deportations during his second administration, witnesses testified Tuesday before the Senate Judiciary Committee.

A large-scale removal policy would cost up to \$1 trillion and “crash the American economy” with goods and services becoming more expensive, Aaron Reichlin-Melnick, senior fellow at the American Immigration Council, told the committee.

“On Day 1, I will launch the largest deportation program in American history to get the criminals out,” Trump said during the 2024 presidential campaign.

Ending the Deferred Action for Childhood Arrivals program could impact DACA recipients like Foday Turay, an assistant prosecutor in the Philadelphia District Attorney’s Office.

“I fear the consequences of mass deportation on a personal level, on a community level and on a society level,” Turay testified at the committee hearing. “If I were to be deported, my wife and our son would be left without [me] to pay the mortgage. ... Mass deportation hurts all of us.”

U.S. Sen. Dick Durbin, D-Illinois, the outgoing chair of the Senate Judiciary Committee, said the United States has “13 million undocumented immigrants” who pay “nearly \$50 billion a year” in taxes.

U.S. Sen. Lindsey Graham, R-South Carolina, said most Americans “feel like the Biden administration was criminally negligent” in failing to stop drugs and violent offenders from entering the United States unlawfully.

“I think deportation is necessary,” said committee witness Patty Morin, mother of slain Maryland resident Rachel Morin. “The American people should not feel afraid to live in their own homes.”



Senators **Lindsey Graham** (R-SC) and **Richard Durbin** (D-IL)

The U.S. Department of Homeland Security in July announced the arrest of a Salvadoran national in the August 2023 murder of Rachel Morin, a 37-year-old mother of five. The defendant, Victor Antonio Martinez-Hernandez, was unlawfully

present in the United States when authorities apprehended him.

“We need to close our borders,” Patty Morin testified before the Senate Judiciary Committee. “We need to protect American families.”

The incoming GOP-controlled

U.S. Senate will introduce a border security bill in January, Graham said. “If you’re here illegally, get ready to leave. If you’re a criminal, we’re coming after you first.”

In terms of Dreamers who remain in the United States under DACA, “Hopefully we can find a solution to that problem,” Graham said. “What I want to do is regain control of a broken border really quickly.”

Retired U.S. Army Maj. Gen. Randy Manner warned against using military resources to enforce mass deportations. “President-elect Trump has announced his intent to use the U.S. military to execute his mass deportation plan,” Manner testified at the hearing. “I am gravely concerned that placing our military in this role could cause significant harm to both the institution of our armed forces and to service members themselves.”

Andrew “Art” Arthur, a resident fellow at the Center for Immigration Studies, said Senate Judiciary Committee members should assume

Trump’s immigration policy will “comport with law” and would “implement enforcement mandates” under the Immigration and Nationality Act.

Labor lawyers since the Nov. 5 election have urged businesses to get their documents in order ahead of an expected Trump administration crackdown on noncitizens living in the country illegally.

When asked whether the U.S. experienced “mass illegal immigration” under the Biden administration, Arthur said that is a “fair characterization.”

Graham said “mass deportation” is the ideal policy for dealing with “mass illegal immigration.”

The Senate Judiciary Committee invited five witnesses to speak at Tuesday’s hearing entitled “How Mass Deportations Will Separate American Families, Harm Our Armed Forces and Devastate Our Economy.”

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SCOTUS Weighs Federal Agencies’ Duty Under National Environmental Policy Act

BY STEVE LASH
WASHINGTON, D.C.

THE U.S. Supreme Court on Tuesday grappled with the extent to which—if at all—a federal agency must review the downstream environmental effects of a proposed infrastructure project when those impacts are neither directly caused by the project nor fall within the agency’s jurisdiction under the National Environmental Policy Act.

Attorney Paul Clement, pressing for a narrow reading of NEPA, told the justices that the Surface Transportation Board has no statutory obligation to study the environmental harm that a proposed 88-mile rail line may cause as a result of its intended cargo, waxy crude oil destined for a refinery. Such concerns are remote in time and space and are the province of agencies that regulate refineries, Clement said.

The STB’s concern is with the construction of the line, not with what is being hauled, and has no jurisdiction with regard to environmental concerns regarding the refinery, added Clement, of Clement & Murphy.

NEPA, enacted in 1970, directs agencies to consider the environ-



Deputy U.S. Solicitor General **Edwin Kneedler**

ment impact of their decisions but did not require agencies to look beyond their governing statutory authority, said Clement, a former U.S. solicitor general. The STB complied with NEPA by consulting with related environmental agencies, including the U.S. Fish and Wildlife Service, he added.

“The board was not heedless of environmental effects,” Clement said of the STB’s consultation with the service before approving the rail project now in legal limbo.

NEPA’s purpose is “to inform government decisions, not paralyze,” Clement added. “You don’t have to look at things that are not within the ambit of the project and [are] within the jurisdiction of another agency.”

But Justices Sonia Sotomayor and Ketanji Brown Jackson voiced criticism of the view that agencies reviewing infrastructure projects need not be concerned with indirect environmental harms that fall within another agency’s juris-

diction. Environmental concerns should be a factor in the primary agency’s determination of whether to approve the project, they said.

“I don’t want absolute rules that make no sense,” Sotomayor added. “A test that just looks at the local impact is not enough.”

Jackson said, “I don’t think NEPA was designed to be that narrow. I don’t know why it cannot be broader.”

Attorney William Jay, arguing on behalf of environmentalists and a concerned Colorado county, said NEPA requires federal agencies to consider the “reasonably foreseeable” environmental impact of the infrastructure projects they are reviewing. He called it reasonably foreseeable that a rail system dedicated to the shipment of waxy crude oil to a refinery could pose an environmental harm.

“NEPA requires agencies to look at harms that they do not regulate,” said Jay, of Goodwin Procter. He assailed Clement’s narrow reading of the law as the agencies’ “not-my-problem standard” of review.

Deputy U.S. Solicitor General Edwin Kneedler, representing the federal government, said the law gives agencies discretion in determining the level of their review of

environmental impact, limited by their statutory authority and the administrative law’s mandate that they not act arbitrarily and capriciously. “The agency gets to decide in the first instance with great deference,” Kneedler said.

That argument drew concern from Chief Justice John Roberts Jr. due to its lack of direction for the agencies and notice for those proposing infrastructure projects.

“You left a lot of uncertainty for the agency and the people who appear before it,” Roberts said.

But Justice Brett Kavanaugh, in apparent agreement with Kneedler, said deference is perhaps owed to the agencies reviewing the proposed infrastructure projects and the level of environmental review they deem appropriate.

In the underlying case, environmentalists and leaders of Eagle County, Colorado, say building the rail line from the Uinta Basin in northeastern Utah to the national railway would result in 3,300 more oil wells over the next 15 years. The STB, however, declined to examine those downstream effects of the line, citing its lack of regulatory authority over those operations.

The U.S. Court of Appeals for the District of Columbia sided with the

environmentalists. The court held that the STB failed to conduct an adequate environmental review of the rail line backed by Clement’s clients, the Seven County Infrastructure Coalition and its investors. The coalition and investors sought review by the Supreme Court.

Clement, in urging the justices to overturn the D.C. Circuit’s decision, said the STB complied with its statutory obligations and pointed out potential environment concerns to other agencies.

“No good deed goes unpunished,” Clement said of the board’s action.

Jay responded that the STB is obligated to conduct the environmental review of its own accord because of the reasonable foreseeable of environmental harm related to the waxy crude oil that would be transported on the rail line.

“Congress does not require the agency to pass the buck to someone else,” he told the justices.

The Supreme Court is expected to render its decision by July in the case of *Seven County Infrastructure Coalition v. Eagle County*, Colorado, No. 23-975.

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After Fining Investment Firms Billions for Lost Text Messages, Regulators Turn Scrutiny to Audio Recordings

BY JAMES PALMER

AFTER hammering the financial services industry the past three years with billions of dollars in penalties for failing to retain written communications, federal regulators are reminding firms to keep a sharp watch on their audio messaging.

In September, the Commodity Futures Trading Commission charged the Minnesota-based brokerage firm CHS Hedging with failing to make or retain 3,000 audio recordings during transactions with clients. Minnesota-based CHS cooperated with the probe and settled it by agreeing to pay a \$650,000 penalty. A company spokesperson said CHS is committed to improving its compliance and risk management practices.

Financial services industry attorneys say they view the CHS

case as a warning flair from regulators that investment industry players must get their audio recording practices in order—or face the risk of similar enforcement actions.

“Voice has become the forgotten element, as trading moved on to message-type platforms, it got cast aside,” Martin Gaterall, a compliance director at the London branch of the pan-European Bank Unicredit Group, said during a recent webinar hosted by software developer Global Relay. “It’s still the quickest way to shoot short, sharp messages.”

While attorneys believe the Securities and Exchange Commission and CFTC likely will pursue so-called off-channel communication investigations with less zeal under President-elect Donald Trump than they did under President Joe Biden, they say regulators still will be on

the lookout for egregious violations.

Gaterall, a former head of HSBC’s futures trading operations in Europe, said if a trader knows voice is the weak link and they’re intent on nefarious activity, they’ll exploit it.

“Voice is the quick and dirty way to communicate,” he said. It’s never gone away. It’s been forgotten, but it’s about to come back into focus.”

Registered entities are required to record any audio leading to a transaction. Unregistered entities are not required to make recordings, but if they record one transaction, they must record all of them. And they must retain those recordings for at least a year.

“Audio continues to be an important form of communications, and you have retain and preserve those communications,” said James Sherer, a partner at BakerHostetler

who leads its its information governance and artificial intelligence practices. “The obligation hasn’t gone away.”

Legal departments are primarily reliant on technology to help them comply with the audio requirements, and the array of options available can be overwhelming.

John Goff, a compliance expert with the consulting firm FTI, said that when financial companies seek to install technology to aid with audio compliance, they should keep it simple, because if their storage system is too large and complex to manage, it can lead to issues with regulators.

“We often see clients that have implemented a technology solution to help tackle this issue, and are technically compliant with the regulations, but because they are adding the tool into an overly complex environment, the job of

preserving and monitoring communications channels is more difficult,” Goff said. “So, simplification of the electronic communications environment can help ensure optimal use of technology by reducing systems to monitor and streamlining surveillance and discovery processes.”

In the case of CHS, the firm used three platforms to record and retain audio messages, including Microsoft Teams, RingCentral and Skype SmartTap. According to CFTC, technical malfunctions resulted in 3,000 messages not being recorded or preserved.

Sherer said in addition to implementing the proper technology, financial firms are responsible for grasping how it functions.

“You can’t leave it to the magic of the process,” he said. “It’s good for companies to dig in and understand how the technology works and how it’s being used to gather information.”

While the off-channel communications crackdown has led some legal departments to get on top of compliance issues, ve addressing compliance issues, Goff said,

“We still see many organizations struggling to move from awareness to action—until it’s too late and they’re responding to a violation.”

Gaterall said companies need to recognize that regulators’ compliance expectations are going to continue to increase.

“As the technology becomes better and improves, regulators will take more interest, and I think sound will come back into play,” he said. “If regulators think the technology is sound enough, then ignorance will be no defense, poor quality of recordings will be no defense. I think the regulators are very much keen on this, and I think voice is about to become very fundamental part of the compliance package.”

But Sherer hopes regulators treat violators who are making a good-faith effort to comply differently from those flaunting the rules.

“Companies must audit their compliance policies perfectly,” he said. “The requirement of perfection is difficult to meet.”

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WHITE-COLLAR CRIME

Fifty Years After Nixon, Progress on Amending Rule 17(c)

Commentators long have pointed to the unfairness of applying the strict test used to assess a prosecutor's subpoena to a sitting president in *United States v. Nixon*, 418 U.S. 683 (1974), to run of the mill subpoenas criminal defendants utilize to seek documentary material from third parties pursuant to Fed. R. Crim. P. 17(c). See Robert J. Anello & Richard F. Albert, *Escaping 'Nixon's' Legacy: the Proper Standard for Rule 17(c) Subpoenas*, N.Y.L.J. (April 2, 2013). Triggered by a 2022 request from the New York City Bar Association, a subcommittee of the Advisory Committee on criminal rules, the official body charged with addressing proposed federal rule changes, has undertaken a comprehensive review of Rule 17.

As of October 2024, the Rule 17 subcommittee made public a discussion draft of an amended rule that, although falling short of all that defense counsel would desire, makes real progress in addressing some of the most pressing concerns. Most importantly, the draft rule would allow counsel to obtain most documentary materials from third parties so long as they are "material and relevant" to the preparation of the defense, dispensing with *Nixon's* requirement that a defendant make the often-impossible prior showing that unseen documents are "admissible," and enabling defendants to obtain documents that may constitute critical impeachment material but may not themselves be admissible.

As reflected at a public meeting of the Advisory Committee held in New York on Nov. 7, 2024 to allow for comment, full consensus is elusive, and the draft is not a final recommendation. Speakers from the Department of Justice, which in practice makes liberal use of grand jury subpoenas and thus very



By
Robert J. Anello



And
Richard F. Albert

rarely has to meet the Rule 17(c) standard, voiced strong concerns about revisions that would serve to reduce hurdles for defendants to obtain documentary evidence to aid their defense. Although significant further effort likely will be needed to get the long-awaited improvements reflected

As of October 2024, the Rule 17 subcommittee made public a discussion draft of an amended rule that, although falling short of all that defense counsel would desire, makes real progress in addressing some of the most pressing concerns.

in the draft across the goal line, the Advisory Committee's progress so far provides reason for hope that, with continued attention from the bar, the end result will be a much-needed step toward greater fairness.

The Nixon Problem

Rule 17(c) has remained essentially unchanged since 1944. Rule 17(c)(1) currently states that "[a] subpoena may order a witness to produce any books, papers, documents, data, or other objects the subpoena designates. The court may direct the witness to produce the designated items in court before trial or before they are to be offered in evidence. When the items arrive, the court may permit

the parties and their attorneys to inspect all or part of them."

Subsection (c)(2) provides that a court "may quash or modify the subpoena if compliance would be unreasonable or oppressive." The Rule does not set forth the standard for obtaining a subpoena, nor provide much guidance about the process for obtaining one, and the Supreme Court has not interpreted the Rule in the context of a defense subpoena seeking materials from a third party.

The Supreme Court has addressed Rule 17(c) in other contexts on two occasions. In *Bowman Dairy Co. v. United States*, 341 U.S. 214 (1951), a defendant charged with violations of the Sherman Antitrust Act sought to enforce a broad Rule 17(c) subpoena addressed to the government in lieu of the then narrower scope of discovery provided for under Rule 16 of the Federal Rules of Criminal Procedure. The court held that any government materials subject to a Rule 17(c) subpoena must be evidentiary, that is, "part of a good-faith effort . . . to obtain evidence" and Rule 17(c) cannot be used to undermine the limits on discovery set by Rule 16. See *Bowman*, 341 U.S. at 220-21.

Following *Bowman*, the court addressed Rule 17(c) in the context of the Watergate special prosecutor's subpoena addressed to President Nixon, seeking the infamous White House tapes. The court concluded, 8-0, that the special prosecutor had demonstrated the necessary "(1) relevancy; (2) admissibility; [and] (3) specificity" of the materials sought. *Nixon*, 418 U.S. at 699 n.12. The case was highly unusual in two ways.

First, the subpoena was issued by the prosecution team, which in practice very rarely need to resort to Rule 17(c). Second, the subpoena sought bombshell evidence from a sitting U.S. president. The *Nixon* Court explained that it "need not decide whether a lower standard exists" when a subpoena is issued to a nongovernment third-party. *Nixon*, 418 U.S. at 700. Many courts, however, have since applied the strict *Nixon* stan-

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ROBERT J. ANELLO and RICHARD F. ALBERT are members of Morvillo Abramowitz Grand Iason & Anello, P.C. EMILY SMIT, an associate at the firm, assisted in the preparation of this column.

CORPORATE AND SECURITIES LITIGATION

A New Era of Enforcement On 10b5-1 Trading Plans

BY JOSHUA NEWVILLE, HADASSA WAXMAN AND PETER ANGELICA

This past June the U.S. Department of Justice (DOJ) secured its first insider trading conviction relating to the defendant's use of a Rule 10b5-1 trading plan. The jury's verdict in *United States v. Peizer* marks a major milestone in securities law enforcement. In particular, the *Peizer* case puts pressure on the defense that 10b5-1 plans provided corporate insiders. Separately, the verdict suggests a new era of enforcement priorities and tactics, and provides instructive insights for practitioners and professionals.

Background on Rule 10b5-1 Trading Plans

Adopted by the Securities and Exchange Commission (SEC) in 2000, Rule 10b5-1 provides corporate insiders the opportunity to establish pre-arranged trading plans for buying or selling company stock. Trading under a 10b5-1 plan—which are effectively contracts between insiders and brokers—serves as an affirmative defense to violations of Rule 10b-5, which precludes the purchase or sale of securities while an individual is in possession of material non-public information (MNPI). In short, these plans disclose and regulate the purchase and sale of securities through a pre-arranged trade protocol. For example, trading plans lay out when and how much of a stock is set to be purchased or sold.

In December 2022, the SEC amended to Rule 10b5-1. In the SEC's Release of the Final Rule, it noted that courts, commentators, members of Congress, and academic studies had identified enforcement gaps in the 10b5-1 rule

scheme that had emerged over the first twenty years of its institution. For example, courts have noted that "[a] Rule 10b5-1 trading plan may give rise to an inference of scienter because 'a clever insider might 'maximize' their gain from knowledge of an impending price drop over an extended amount of time, and seek to disguise their conduct with a 10b5-1 plan.'" *Freudenberg v. E*Trade Fin. Corp.*, 712 F. Supp. 2d 171, 200 (S.D.N.Y. 2010) (collecting cases) (citations omitted). As a result, the SEC adopted changes in an attempt to "modernize" the rule.

The new amendments aimed to address the kind of conduct of a "clever insider" that courts had identified. Specifically, the amendments formally adopted a cooling-off period—which many brokers and companies had informally

Adopted by the Securities and Exchange Commission (SEC) in 2000, Rule 10b5-1 provides corporate insiders the opportunity to establish pre-arranged trading plans for buying or selling company stock.

required—before trading could begin for individuals other than issuers.

The new rules also require that at the time directors and officers enter into a new plan or modify a previous plan, they must certify that they are not aware of any material nonpublic information about the issuer or the securities, and also that they are adopting the plan in good faith and not as part of a plan or scheme to evade the prohibitions of Rule 10b-5. The new amendments became effective Feb. 27, 2023. See Press Release, SEC Adopts Amendments to Modernize Rule 10b5-1 Insider Trading Plans and Related Disclosures (Dec. 14, 2022).

The Case

Terren Peizer was the founder and first CEO of Ontrak, a healthcare company. At the time of the

conviction, Peizer was Ontrak's Executive Chairman and Chairman of the Board of Directors. In that role and his prior position, Peizer had access to Ontrak's confidential information, including information about its relationships with customers.

Relevant here was information the Peizer received about Cigna—Ontrak's largest client—and its potential renegotiation or termination of its contractual relationship with the company. As noted in the indictment, Peizer would have been aware of the impact of the loss of a large customer, as Ontrak's stock price had previously dropped significantly after its then largest customer (Aetna) cut ties with the organization.

Two weeks before a meeting with Cigna, Peizer attempted to set up a 10b5-1 trading plan to sell Ontrak's stock. This marked only the third time Peizer had sold Ontrak stock since he founded the company. The broker Peizer contacted to set up the 10b5-1 plan required a cooling-off period for the plan, and after learning this, Peizer declined to set up a plan with this broker. He then contacted another broker—who did not require, but strongly suggested a cooling-off period. The indictment reflects that Peizer told the second broker that no cooling off period was legally required to trade the securities.

Peizer entered into the Rule 10b5-1 plan at issue on May 10, 2021, in which he specifically represented that it was not entered into after receiving MNPI. Peizer began selling stock the next day. Eight days later, Cigna privately communicated to Ontrak's CEO that it intended to terminate its contract by the end of the year, the CEO relayed this information to Peizer.

After receiving additional updates on Cigna in the following months, Peizer then began the process of entering into a subsequent 10b5-1 plan on Aug. 13, 2021, after learning earlier in the day that Cigna intended to formally terminate its relationship with Ontrak, likely during an upcoming call on Aug. 18. From Aug. 16 (the day the plan was finalized) to Aug. 18,

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ALM. Intelligence

Off the Front

New Judges

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Joseph Zayas said in a court system news release. “Along with their extensive judicial and administrative expertise, all are widely recognized for their deep commitment to the pursuit of equal justice, and their ability to seek and implement innovative strategies to meet and advance the court system’s crucial mandate.”

In 2018, Ally became the first Muslim male to be elected to the bench in New York, and he is the first person of South Asian descent to hold an administrative role in the state court system.

“The New York City Civil Court is the ‘People’s Court’ for a reason. It’s where the citizens of this city come—often without legal representation—looking for a fair resolution of the most critical issues facing them in their daily lives, such as housing and eviction issues,” Ally said in a court system news release. “Serving as the court’s Administrative Judge, with the opportunity to guide it in its mission to [meet] the peoples’ needs, is truly an honor and a privilege.”

New York City’s civil courts have jurisdiction over housing and small claims courts, and civil matters involving \$50,000 or less.

While Green and Walker-Dial-

lo are leaving their administrative posts, they will remain on the state Supreme Court bench and preside over court parts in Brooklyn, according to the court system’s release.

Walker-Diallo declined to comment on her departure from her administrative post. Green did not respond to requests for comment left with his chambers.

The court system’s announcement on the new appointments comes days after the New York Law Journal reported that officials are reshuffling leaders for New York City’s family courts.

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Cannabis

« Continued from page 1

attendees suggested that existing owners had been harmed by officials’ decision to relax a rule that pot stores can’t open within 1,000 feet of another.

Others suggested that cannabis regulators should now be open to the notion that stores might be opening at too rapid a pace, and that it should delay its December tranche of licenses—an idea that would’ve been considered unthinkable 12 months ago, when there were just 32 stores open.

New York State Assembly Member Grace Lee, D-Manhattan, suggested the state should be selective in granting licenses moving into 2025.

Lee, who represents the city’s financial district, Lower East Side and Chinatown, noted that her district’s first tranche of licensed operators included an Asian-American woman, as well as a formerly incarcerated individual from the Dominican Republic who employs justice-involved individuals, said that these are “incredible entrepreneurs” who are investing and giving back to their community.

The lawmaker then went on to suggest that their efforts might be damaged by the relaxation of the 1,000-foot buffer between stores. She noted that a multi-state, multi-billion dollar company was vying

to enter her district, “looking to extract from our communities.”

Lee urged the board to protect the local business owners by giving them the opportunity to “thrive before we start flooding the market.”

Asked about those concerns, Jeffrey Hoffman, a New York City-based cannabis attorney who also spoke at the meeting, said: “The idea is that the metric will be judged on not how many equity licenses we give out, or even how many equity stores we open.”

“We will be judged based on how many of those equity stores are still open a year from now and five and 10 years from now. This is the prize, and we need to make sure that we keep our eye on it,” continued Hoffman, who hosts “Ask Me Anything about Cannabis Legalization in New York” each week on LinkedIn.

Hoffman has a particular interest in social and economic equity cannabis license applicants who currently consume New York’s market.

Another prominent cannabis attorney, Ryan J. McCall, a principal at McCall, Sweeney & Silva, P.C. in the Albany area, also expressed concern about whether New York regulators were setting up small business owners to fail with the recent turn of events.

“There is a lot of cautious optimism in the New York cannabis industry currently,” McCall said. “With that being said, concerns of market saturation are beginning

to occur which could potentially cannibalize the industry down the line. This could result in lost jobs and businesses being closed, similar to what has occurred in the craft beer industry.”

Kagia, the state policy official, had noted during the meeting that as the legal market’s aggressive growth continues, and consumers are afforded a greater diversity of product, average revenue among existing stores has already trended downward, from a one-time high of more than \$900,000 per month to about \$450,000 per month. He called it a natural function of market expansion.

He urged followers to think about a community where consumers were driving three miles to get to a dispensary, and then a new one opens down the road.

Within a new industry, he said, the first stage of growth involves driving out illicit operators. Kagia noted cannabis regulators’ task force work with law enforcement throughout the state to padlock illegal operators has been a success, particularly downstate, where New York City’s mayor had launched a parallel crackdown.

The declining availability of illicit dispensaries, combined with the opening of more legal stores, has created a tension that is leading to “significantly increased competition as this market grows,” Kagia said.

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UHC

« Continued from page 1

looned in recent years, but the high-profile killing won’t have a major impact on such suits, one legal authority said.

The health insurance industry showed signs that it would put on a kinder, gentler face after Thompson was killed on a Manhattan street, said John Aloysius Cogan Jr., a professor at the University of Connecticut School of Law. But any such reaction is likely to be short-lived, since the health care insurance industry is insulated from any backlash from those who criticize its reimbursement policies, according to Cogan.

Cogan cites an announcement by another health insurance provider, Anthem Blue Cross Blue Shield, that it would limit reimbursement for anesthesia during surgery and other medical procedures in Connecticut, Missouri and New York. The company’s Nov. 1 announcement drew widespread criticism from anesthesiologists and politicians. But on Dec. 5, the day after Thompson’s killing, Anthem said it was withdrawing the policy change.

Cogan said that before the anesthesia policy was retracted, he saw social media posts referencing the policy along with the home address of Anthem’s CEO and her photo.

“Was this due to the uproar about denying claims? I don’t know,” Cogan said. “But if it was, here’s what I think is going to happen: Anthem is going to reassert this policy in six months, or, if they think they are losing money, they’ll figure out another way to address whatever issue they have. My speculation is that Anthem may have reacted, but it’s not going to be long-term.”

And the same goes for the way United and other health insurance companies approach litigation by hospitals and doctors. These companies are accustomed to being unpopular with the public, and the killing of Thompson won’t result in any big changes to their litigation strategy, Cogan said.

“These companies don’t care that much about what people

think,” Cogan said. “Really harsh thing to say. There’s not going to be a change in their behavior because of this. And as far as public sympathy or public reaction to the bad behavior of insurers, it may get a little traction. I suspect that Anthem retracted its policy, at least in part, because of what happened to the CEO of United. But at the end of the day, these are for-profit companies. They’re very good at making money, and I don’t think it’s going to change their behavior. And I think any sort of publicity effects will wear out over time. I think the extent to which it affects any litigation may be short-lived.”

Some people reacted to the shooting of Thompson by saying he was a killer because he was denying claims and people were dying as a result, but the “moral equivalence” there is not the same as a person being shot in the street, Cogan said. But Thompson and the people who deny claims for medical treatment are not in the hospital room or looking face-to-face at the patient whose claim they deny, he said.

“There’s a long sort of psychological distance between what this guy was doing and what all the United people are doing, and their effect on people. They don’t see it. And I think that has an effect on the way insurance companies operate,” he said.

UnitedHealthcare and its parent company, UnitedHealth, removed a flurry of contract cases to federal court in the last week. The company removed at least 12 breach-of-contract lawsuits from state court to federal courts in Alabama, New Jersey and New York, all of which seek reimbursement for medical services rendered.

In Alabama, King & Spalding brought two suits against UnitedHealthcare over its failure to reimburse hospitals at the allowable rate for drugs administered to Medicare patients. A suit on behalf of three hospitals in Montgomery, Alabama, was removed to the U.S. District Court for the Middle District of Alabama on Dec. 2, and another suit on behalf of the University of Alabama Hospital was removed to the U.S. District Court for the Northern District of Alabama on Dec. 6.

The Alabama suits claim UnitedHealthcare continues to violate a 2022 U.S. Supreme Court ruling, *American Hospital Association v. Becerra*, which said that a federal policy reducing certain drug reimbursements violates the Medicare act and frustrates a law intended to ensure that hospitals serving low-income patients, including the plaintiffs, are adequately subsidized.

Alston & Bird and Butler Snow represent UnitedHealthcare in both cases.

UnitedHealthcare removed seven cases to the U.S. District Court for the District of New Jersey between Dec. 2 and Dec. 5. All were brought by Maggs, McDermott & DiCicco of Wall, New Jersey, on behalf of The Plastic Surgery Center of Shrewsbury, New Jersey. In each of the cases, the plaintiff, which is an out-of-network provider for UnitedHealthcare, says the company went back on agreements to pay the in-network rate for performing breast reconstruction surgery on patents who had undergone mastectomies due to breast cancer. Robinson & Cole in New York represents UnitedHealthcare in those cases.

In addition, UnitedHealthcare removed three cases to the U.S. District Court for the Eastern District of New York on Dec. 4 and 5 on behalf of neurologist Jeffrey Farkas. Farkas, represented by Gottlieb & Greenspan of Fair Lawn, New Jersey, claims he performed various procedures after United promised to reimburse those charges based on the plaintiff’s billed charges or an amount that was agreed on between the doctor and United, so that the patient would be held harmless for the remainder. Robinson & Cole represents UnitedHealthcare in the New York cases.

These actions were surfaced by Law.com Radar, which delivers artificial intelligence-enhanced case summaries and daily case reports from more than 2,200 state and federal courts. Click here to get started and be among the first to act on opportunities in your region, practice area or client sector.

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Outside Counsel

What To Do If ICE Comes To Your Business

President-Elect Donald Trump’s campaign manager stated, on Nov. 6, 2024, that mass deportations of undocumented immigrants will begin on Jan. 21, 2025. Estimates of the number of undocumented immigrants in the United States vary from 11 million to 20 million. The industries with the most undocumented immigrants by percentage are:

Agriculture: **14.2%**
Construction: **12.3%**
Leisure and Hospitality: **7.5%**
Personal/Other Services: **6.6%**

See Statista (<https://www.statista.com/statistics/652960/employed-undocumented-immigrants-in-the-us-by-industry/>).

If you own or run a business, even if none of your employees are undocumented immigrants, there is a chance that agents from U.S. Immigration and Customs Enforcement (ICE) may come to your business looking to inspect your Form I-9s and search for undocumented immigrants. Below are tips on what to do before, during, and after a raid.

Employment of Undocumented Workers

It well known that employing workers who lack authorization is unlawful. The penalties are less well-known because enforcement in this area has historically been relatively light.

As a reminder, under the Immigration and Nationality Act, 8 U.S.C. 1324a, sanctions for employing undocumented workers include:

Civil Penalties: A minimum of \$375 per unauthorized worker for a first offense, and up to \$1,600 per worker for a third or subsequent offense

Criminal Penalties: Up to \$3,000 per employee in fines and/or up to six months in prison for a “pattern or practice” of hiring undocumented workers

PAUL P. ROONEY is an employment lawyer in New York. The views expressed in this article are his own and not of any other person or entity. The statements in this article are not legal advice.



By Paul P. Rooney

Loss of Business License: The ability to conduct business may be revoked

Additional Criminal Charges: If the undocumented workers were paid “off the books,” additional criminal charges may apply, such as tax evasion or willful failure to collect and pay over taxes.

Factors that courts may consider when determining the penalties

If you own or run a business, even if none of your employees are undocumented immigrants, there is a chance that agents from U.S. Immigration and Customs Enforcement may come to your business looking to inspect your Form I-9s and search for undocumented immigrants. Here are tips on what to do before, during, and after a raid.

include: the size of the employer, the employer’s good faith, the seriousness of the violations, previous violations, and the actual involvement of undocumented immigrants. These factors allow for a good deal of discretion in applying punishment.

It remains to be seen whether the promised immigration crackdown will extend to business owners. Of small business owners, 76% are White, and in “battleground” states, between 53% and 71% of Whites voted Republican in the presidential election of 2024. Accordingly, the new administration has little political incentive to penalize, let alone imprison, business owners, for employing undoc-

umented immigrants, particularly if they are political contributors. The incoming administration may, instead, use its discretion to issue warnings and token fines.

Before Deportation Agents Come

Before the deportation project begins, there are a number of things a business at risk of a raid should do to prepare:

- Check your Form I-9s, make sure you have one for every employee, that they are fully completed, and that they are easily accessible. You can obtain a Form I-9 and instructions for completing it at this link: <https://www.uscis.gov/i-9>
- Internally audit your Form I-9s to ensure they are complete and correct. ICE provides a detailed guide on how to do this. See *Guidance for Employers Conducting Internal Employment Eligibility Verification Form I-9 Audits* at www.ice.gov/doclib/guidance/i9Guidance.pdf
- Review your business interruption policy to see if you have coverage for a situation where the authorities arrest and/or detain a significant number of your workers.
- Those making decisions about which businesses to raid will likely have political connections. Accordingly, if local authorities are cooperating with the effort, and your business has the resources, it may be advisable to cultivate relationships with local political parties. If your business has even more means, you should consider hiring a lobbyist. If you are concerned about the appearance of impropriety, businesses can give unlimited “dark” money contributions to “SuperPACs” that indirectly benefit politicians. See *Citizens United v. Federal Election Comm’n*, 558 U.S. 310 (2010). Moreover, the United States Supreme Court has held that 18 U.S.C. § 666 does not make it a

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IN BRIEF

« Continued from page 1

ending 2024 with its largest attorney headcount to date, describing the year as “very productive and very profitable.”

“I’m very proud to say we had a record year in 2024,” Hanna said. “We’re ending the year with our highest attorney count, and our attrition has been minimal in terms of departures, which is a challenge in this day and age in the legal universe.”

Financially, Goldberg Segalla put in a solid performance in fiscal year 2023, bringing in \$182 million in revenue and moving up 3 spots to No. 172 in the Am Law 200 rankings. Over the course of the year, the firm has added on litigator and LinkedIn celebrity Frank Ramos, in addition to partners in Chicago, San Francisco, and Manhattan. In a previous interview with Law.com, Hanna said that the firm budgeted more money for hiring as part of its efforts to expand in Florida and California.

As for future plans, Hanna said that the firm planned to continue its expansion through 2025, both for the Wilmington office and the firm’s other locations.

“We have a number of great things on the horizon in 2025—some key hires are on the way and will be announced in the near future, and we’ll continue to grow our footprint and our practice areas within our 23 office footprint,” Hanna hinted.

—Amanda O’Brien

Federal Judge Grants FTC Motion Blocking Proposed Kroger-Albertsons Merger

A federal judge has blocked Kroger’s proposed acquisition of rival grocery chain Albertsons in a Tuesday ruling favoring

the Federal Trade Commission. “Plaintiffs are likely to succeed on the merits and the equities weigh in favor of an injunction,” Oregon U.S. District Judge Adrienne Nelson wrote in her opinion. “The proposed merger between defendants Kroger Company and Albertsons Companies Inc. is enjoined pending the outcome of the administrative proceedings before the Federal Trade Commission.”

The FTC and a bipartisan group of nine state attorneys general successfully secured a preliminary injunction after alleging the proposed \$24.6 billion merger between America’s two largest traditional supermarket chains could “materially increase the cost of essential food and household items.”

“The FTC, along with our state partners, scored a major victory for the American people, successfully blocking Kroger’s acquisition of Albertsons,” FTC Bureau of Competition Director Henry Liu said Tuesday in a press statement. “This historic win protects millions of Americans across the country from higher prices for essential groceries—from milk, to bread, to eggs—ultimately allowing consumers to keep more money in their pockets.”

Both supermarket chains have expressed disappointment in Tuesday’s 71-page ruling.

Kroger, represented by Arnold & Porter Kaye Scholer, Stoen Rives and Weil, Gotshal & Manges, on Tuesday said it is “reviewing its options” following the legal setback.

“Through its proposed merger with Albertsons, Kroger would invest more than \$1 billion in lower grocery prices, invest an additional \$1 billion in higher

grocery worker wages, and invest an additional \$1.3 billion to improve Albertsons stores,” a Kroger spokesperson said in a statement.

“Kroger is disappointed in the opinions issued by the U.S. District Court for the District of Oregon and the Washington State Court, which overlook the substantial evidence presented at trial showing that a merger between Kroger and Albertsons would advance the company’s decades-long commitment to lowering prices, respecting collective bargaining agreements, and is in the best interests of customers, associates, and the broader competitive environment in a rapidly evolving grocery landscape.”

Albertsons, represented by Angell Law Group, Dechert and Williams & Connolly, issued a similar statement Tuesday.

“We believe we clearly outlined during the proceedings how the proposed merger would expand competition, lower prices, increase associate wages, protect union jobs, and enhance customers’ shopping experience,” Albertsons said in its statement. “We are carefully reviewing the Court’s opinion and are evaluating our options in accordance with the merger agreement.”

Kroger and Albertsons announced their intention to merge in October 2022. The FTC in February filed a complaint in Oregon federal court seeking injunctive relief to prevent the proposed merger from seeing the light of day.

—Sulaiman Abdur-Rahman

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Corporate Update

IMMIGRATION

Immigration Under the Trump Administration: Five Things To Expect

BY MEREDITH C. DOLL
AND MELANIE C. WALKER

The first Trump administration brought significant changes to U.S. immigration policies, which had profound impacts on businesses and individuals alike. Donald Trump has shared plans for closing the U.S. borders and enforcing mass deportations for undocumented immigrants almost immediately after taking office in January. Below are five major impacts to immigration policy we saw as a result of Trump's first term, and what we can expect for his second term.

Extreme Vetting: The administration introduced stringent vetting processes for visa applicants, with the stated aim of enhancing national security. This led to longer processing times and increased scrutiny of applicants' backgrounds. The U.S. Department of State, whose Bureau of Consular Affairs oversees the issuance of U.S. visas, has yet to recover from staffing shortages resulting from the first Trump administration, while geopolitical conflicts continue to grow in size and severity, drawing limited resources away from visa processing. Like under the first Trump administration, visa applicants – and the U.S. companies that employ them – can expect extremely long wait times for visa interview appointments, more frequent administrative processing delays, and much higher visa refusal rates. Foreign workers may be less able to travel internationally for work

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due to the risk of being unable to return to the U.S.

Hiring and Onboarding Delays: Slow adjudication and consular operations, coupled with heavy scrutiny, caused significant delays in hiring and onboarding international employees. Businesses faced challenges in maintaining their high-skilled workforces due to these prolonged processes since such (legal) foreign workers are the cohort most affected by delays and increased scrutiny of work visa applications. Only the H-2 visa category for seasonal and temporary workers seems to have been unaffected by these delays. In fact, the number of available H-2 visas doubled under Trump, and applications maintained an average approval rate of over 98 percent. Given this history, employers should plan for delays in onboarding high-skilled foreign workers as well as decreased ability to recruit such candidates to

the U.S., though the ability to recruit short-term and seasonal labor should remain steady.

Business Disruption: Border closures, visa bans, skyrocketing processing times, and denial rates under the first Trump administration exacerbated the staffing issues faced by

Employers in highly scrutinized industries like construction, manufacturing, food service, hospitality, and agriculture can expect increased immigration enforcement activity, including raids. Raids, in particular, have a chilling impact on recruitment and hiring even of authorized workers, including workers permanently authorized to work in the U.S. – like U.S. citizens, permanent residents, and asylees. In 2022, a federal court ordered ICE to pay more than \$1 million to victims of the agency's raid of a meatpacking plant in Tennessee, after determining ICE agents used racial profiling and excessive force to illegally detain workers without regard to their actual status – lawful or unlawful – in the U.S.

Increased Costs: The cost of sponsoring employees for visas and green cards increased due to additional documentary requirements and higher denial rates. Businesses had to allocate more resources to manage immigration-related expenses. Under the incoming administration, employers can expect a return to those high immigration costs and then some. Since Biden took office, denial rates for H-1B visa applications have hovered between 2 – 3 percent; under Trump, H-1B denial rates were

The first Trump administration brought significant changes to U.S. immigration policies, which had profound impacts on businesses and individuals alike. Donald Trump has shared plans for closing the U.S. borders and enforcing mass deportations for undocumented immigrants almost immediately after taking office in January.

companies during the pandemic and recovery. Year-plus processing times caused foreign nationals working legally in the U.S. to lose their work authorization and, in some cases, their jobs as employers struggled to navigate the changing adjudication standards.

more than triple that, ranging from 8 – 15 percent.

Uncertainty: In the first Trump administration, sudden policy changes, reduced service levels, and uncertain decisions created concern among employ- » Page 7

HubSpot Chief Legal Officer Departs 'Upon Mutual Agreement' After Just Two Years

BY TRUDY KNOCKLESS

ALYSSA Harvey Dawson is leaving HubSpot after just two years as chief legal officer "upon mutual agreement with the Board of Directors," the company disclosed in a U.S. Securities and Exchange Commission filing.

Dawson took the legal reins of the customer-relationship-management software maker in November 2022 after serving as chief legal officer of the payroll platform Gusto and holding senior legal roles at Netflix and eBay. The company has performed well during Dawson's tenure, with the stock price more than doubling and its market valuation ballooning to \$38 billion. Along the way, the company pulled



Alyssa Harvey Dawson will step down as CLO Dec. 31 and leave the company March 1.

off three modestly sized acquisitions—Clearbit in December 2023, Cacheflow in October and Frame this month.

This year was especially frenzied for HubSpot, with Reuters in April reporting that Alphabet was weighing making an offer for the Cambridge, Massachusetts-based company. It would have been Alphabet's biggest acquisition ever and would have received intense antitrust scrutiny. In July, Reuters reported that the talks had fizzled out.

It is not clear why Dawson is leaving. She and the company did not respond to requests for comment. In 2023, Dawson's first full year with the company, she was HubSpot's third-highest-paid executive, with compensation totaling \$5.6 million. » Page 6

Home Improvement App Thumbtack Hires Ex-SmileDirectClub CLO

BY CHRIS O'MALLEY

HOME services website Thumbtack, which has raised more than \$500 million in funding and has a valuation topping \$3 billion, has hired a chief legal officer steeped in advising public and private companies.

Susan Greenspon Rammelt joins the San Francisco-based Thumbtack after nearly seven years at SmileDirectClub. The Nashville, Tennessee-based teledentistry firm shut down late last year, three months after filing for Chapter 11 bankruptcy.

Rammelt, who became SmileDirectClub chief legal officer in 2018, stayed aboard until this month to help wind down the company. In the meantime, she served as general counsel of Antioch, Tennessee-based Access Dental Lab and as part-time general counsel for Camelot Venture Group of West Palm Beach, Florida.

Rammelt has more than 30 years of experience



Susan Greenspon Rammelt

helping companies through periods of "transformative" growth, said Marc Zappacosta, who co-founded Thumbtack in 2008 and is its CEO.

In a statement, Zappacosta cited Rammelt's "unique blend of experience advising both public and private companies in the technology, e-commerce and home industries."

The 1,000-plus-employee company trades in the \$600 billion home services industry, in roughly the same space as Angi, HomeAdvisor, Houzz and other companies that link homeowners with local service providers.

In 2021, Thumbtack secured a \$275 million investment at a valuation of \$3.2 billion, in a round led by Qatar Investment Authority. It was joined by Blackstone Alternative Asset Management and G Squared, according to Latham & Watkins, which represented Thumbtack in the deal. It raised another \$75 million this July.

Also in July, Thumbtack said its annual revenue exceeded \$300 million, up 30% year-over-year.

"Thumbtack is in an exciting phase of its growth as it doubles down on becoming the » Page 7

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Manufacturing Group Urges Sweeping Environmental Deregulation In Letter to Trump

BY DAN NOVAK

WITH little over a month until President-elect Donald Trump's inauguration, business groups are ready to roll back environmental protections on day one.

The National Association of Manufacturers, along with several dozen chemical and regional manufacturing groups, sent a letter to Trump last week urging environmental deregulation that NAM says will create more jobs. "The regulatory onslaught reached a fever pitch during the Biden administration," the letter stated. "You have the opportunity to tackle this challenge by addressing burdensome regulations that are stifling investment, making us less competitive in the world, limiting innovation and threatening the very jobs we are all working to create right here in America."

The letter suggested rolling back protections ranging from clean water and air standards to chemicals and emissions regulations.

"It's time for a regulatory reset," the letter stated, citing the U.S. Supreme Court ending judicial deference to agency regulations in *Loper Bright Enterprises v. Raimondo*.

"What's breathtaking here is the sweeping nature of their proposed deregulation," said Erik Olson, an environmental advocate with the Natural Resources Defense Council. "If all their wish list was granted with a magic wand, we'd end up having people choking on air pollution across the country, eating toxic chemicals, drinking forever toxics in their tap water and exposed to just a whole array of toxics in everyday life and I don't think anybody voted for that."

NAM, a large and politically powerful industry group, will likely have Trump's ear in the Oval Office, said Renie Boudreau, an environmental attorney with Ballard Spahr.

And the Trump EPA is going to use every tool available to deregulate as quickly as possible without going through the rulemaking process, she added.

That could include changing EPA guidance to lessen the regulatory burden on companies, lax enforcement of existing rules, budget reductions or executive orders. The incoming Republican Congress could also move to revoke rules finalized in the waning months of the Biden administration through the Congressional Review Act, something Congress used several times under President Trump in 2017, Boudreau said.

"I don't see any reason why they wouldn't use that tactic again as much as possible," she added.

NAM's letter pushed for an executive orders to lift the current pause on liquefied natural gas exports, and ease permitting of land, including federal land, for mining and other environmental extraction projects. » Page 7

Corporate Update / Expert Analysis / Off the Front

Trump

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ees and businesses. Companies had to adjust their expectations and factor in events that created disruptions impacting all levels of their business, including employee onboarding, production, and service delivery. We expect the impacts of the areas outlined above will lead to a significant number of additional uncertainties for both employers and employees that could impact workforce morale and productivity in anticipation of what could come.

Short-term Impacts

Policy Changes and Executive Orders: The previous Trump administration used executive orders, proclamations, and internal policy changes to implement these policies swiftly, causing confusion and making strategic planning difficult. The policy announcements and political nominations already proposed by the

companies can take to mitigate the impact of these shifts in U.S. immigration policy.

Strategic Planning for The Uncertain Future of U.S. Immigration

It is critical for companies to understand not just how their business is affected by changes to immigration policy, but also their compliance obligations under U.S. immigration law and regulations.

U.S. immigration laws govern who can, and who cannot, enter the U.S., reside in the U.S., and work in the U.S. This includes regulations that require employers to verify the employment authorization of every worker they hire. With the incoming administration's increased focus on immigration compliance, here are some strategies to ensure that your organization is prepared:

I-9 and E-Verify Compliance: Employers should examine and update (or create!) their employment authorization verification policies and procedures, including ensuring that anyone responsible

Wage and Hour audits by the U.S. Department of Labor; and even immigration discrimination investigations by the U.S. Department of Justice. An increased focus on immigration compliance means that companies may see a corresponding increase in these sorts of enforcement mechanisms. Companies should examine and update (or create!) policies for handling on-site compliance and enforcement activities and ensure that relevant employees are trained on those processes.

Antidiscrimination Training: With all the talk of immigration restrictions and bans, employers can lose sight of the antidiscrimination requirements that apply to them. The U.S. Immigration and Nationality Act, our principal immigration law, prohibits employers from discriminating against workers on the basis of their citizenship status, immigration status, or national origin, during recruitment, hiring, or termination. The law also prohibits employers from requiring some workers to provide more or different proof of work authorization, regardless of whether they are U.S. or foreign workers. While increased scrutiny and enforcement of immigration regulations may make employers wary of employing foreign workers, it is essential that companies ensure that they, or their employees, do not violate anti-discrimination laws. Companies should examine and update (or create!) an anti-discrimination policy and ensure that any employees involved in recruiting, hiring, onboarding, and termination are aware of and trained on these antidiscrimination obligations. Additionally, state agencies charged with enforcing anti-discrimination laws may increase focus on national origin discrimination as an antidote for perceived overreach by federal agencies; thus, it is imperative for companies to understand their legal obligations and to address concerns about discrimination promptly and effectively.

Rammelt

« Continued from page 5

one app homeowners need to take care of their homes,” Rammelt said in a statement, noting the home services industry is “enormous, yet fragmented.”

“I am excited to help Thumbtack cement its position as the go-to partner for homeowners,” Rammelt told followers on LinkedIn.

Her experience in initial public offerings could be useful if Thumbtack goes down that path. She advised senior SmileDirectClub management on debt and equity financings and led its \$9 billion IPO in 2019.

Rammelt has a law degree from Loyola University in Chicago.

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for recruiting, hiring, and onboarding workers has been trained. While the E-Verify program remains voluntary at the federal level, there is no reason to believe that it will remain that way and, regardless, many states have made use of the program mandatory for employers in those states. Companies should find out whether they are subject to mandatory E-Verify laws in any state where they have even a single employee.

Foreign Worker Population: Employers should take stock of their foreign worker population, both those who are working on employer-sponsored visas and those who maintain their own work authorization. This will help employers assess the potential impact to their workforce of the potential shifts in immigration policy and adjudications practice; and take proactive steps to mitigate the impacts of those changes, such as filing renewals early, identifying lower-risk work visa options, and starting the green card sponsorship process for essential foreign workers.

Immigration Enforcement Readiness: While ICE raids are probably the most visible method of immigration law enforcement, federal agencies engage in many more methods of auditing and enforcement. This includes I-9 audits as well as FDNS site visits used to audit employer compliance with work visa requirements; inquiries from the U.S. Department of State seeking to verify information provided by employees during U.S. visa applications;

incoming administration indicate that the administration will seek to implement their restrictive immigration policy priorities as swiftly as possible after the transition in January 2025.

Travel Bans: Travel bans implemented under the previous Trump administration prevented foreign nationals abroad from entering the U.S. It also deterred foreign nationals legally present in the U.S. from departing, due to the fear of being unable to return. Companies had to plan to ensure employees were not stranded outside the U.S. while expending substantial resources bringing stranded workers back to the U.S. or arranging for legal employment in other countries to mitigate losses.

Increased Scrutiny: Immigration filings faced high scrutiny, with no deference given to previous approvals. Documentary requirements increased and denial rates rose significantly – exceeding 30 percent for some work visa categories.

Long-Term Changes

Employers should expect the administration to take a restrictive approach to immigration. With Republican majorities in Congress, there is also a strong possibility that conservative immigration legislation will be passed. This means the policies and practices that affect employers the most could wind up enshrined in law, limiting the ability of future administrations to eliminate or reverse them. Even so, there are steps

Enforcement

« Continued from page 3

Peizer sold approximately 45,000 shares of Ontrak stock yielding \$900,000. In total, the Indictment estimated that Peizer's two 10b5-1 plans helped him avoid nearly \$12.5 million in losses.

On Feb. 24, 2023, the DOJ filed its indictment against Peizer, charging him with securities fraud under 18 U.S.C. §1348(1); insider trading under 15 U.S.C. §§78j(b), 78ff and 17 C.F.R. §240.10b-5, and civil and criminal forfeiture under 18 U.S.C.

on all counts on June 21, 2024.

Legal Implications & Takeaways Peizer's fact pattern and conviction raises a few interesting questions for practitioners and professionals. First, the 10b5-1 plan at issue in the case was entered into *prior* to the new rule change. Yet the conviction suggests that the concepts underlying the new rules (particularly the formal cooling-off requirement) can be applied retroactively to challenge trades executed under historical 10b5-1 plans.

Second, the Peizer fact pattern raises interesting questions

about new standards for scienter and attempt crimes. Specifically, could Peizer have been charged with attempted insider trading based off his engagement and subsequent rejection of the first broker? The Title 18 securities fraud statute criminalizes “attempts to execute” a scheme to defraud in connection with a security, as well as consummated schemes. While courts have focused on the “clever insider” and their potential abuse of the 10b5-1 system, it is not yet clear what facts would be necessary to demonstrate an attempted bad faith effort to subvert 10b5-1's safeguards.

Third, Peizer's conduct prior to trading raises important com-

pliance questions for companies evaluating 10b5-1 plans. The company itself wasn't charged with violations by the SEC or DOJ, and the government alleged that Peizer violated the company's insider trading policy through his trading.

However, Peizer argued at trial that the company's preclearance of his 10b5-1 trading plans during open trading windows constituted a good faith defense, essentially confirming that he was allowed to trade. In order to reduce risk, companies should consider the rigor with which they evaluate and approve 10b5-1 plans, particularly as to whether the executive or director might be in possession of information. These concerns are heightened in light of the updated rules.

This spring's series of creative convictions under insider trading laws could reflect a new era of enforcement of the enforcement of securities laws. In addition to the DOJ's conviction in *Peizer*, the SEC also obtained a verdict against executive Matthew Panuwat under a novel “shadow trading” theory.

There, Panuwat used confidential information regarding the future acquisition of his then-current employer to purchase options connected to a different company, whose performance was connected to the news. *See* Press Release, Statement on Jury's Verdict in Trial of Matthew Panuwat (April 5, 2024). Together, these two verdicts serve as new fronts on enforcement actions, and reminders to draft insider trading and 10b5-1 policies to avoid similar actions in the future.

Calendar

THURSDAY, DEC. 12

NY State Bar (CLE)

2024 Partnership Conference: Expanding Special Education to Age 22- Where are We Now?
nysba.org/events/2024-partnership-conference-expanding-special-education-to-age-22-where-are-we-now-video-replay/
1.5 CLE credits
Virtual

Assisted Living in New York: The Legal Landscape and Residents' Rights
nysba.org/events/assisted-living-in-new-york-the-legal-landscape-and-residents-rights/
1.5 CLE credits
Virtual

Interstate and International Consequences of a DWI Conviction
nysba.org/events/interstate-and-international-consequences-of-a-dwi-conviction/
1 CLE credit, Virtual

NY City Bar (CLE)

Local Law 97: A Must Know for Solo and Small Firms
12 p.m. - 2:15 p.m.
2.5 CLE credits
Webinar Registration
Link: services.nycbar.org/
EventDetail?EventKey=_WEB121224&mcode=NYLJ
Location: Zoom
Contact: Customer Relations
Department, 212-382-6663 or customerrelations@nycbar.org

Practising Law Institute Hot Topics in Health Care Law 2024
9 a.m. – 5 p.m.
www.pli.edu/programs/hot-topics-in-health-care-law

FRIDAY, DEC. 13

NY State Bar (Non CLE)

Mindful Moments Meditation Series
nysba.org/events/12-13-24-mindful-moments-fall-meditation-series/
Free program, Virtual

NY State Bar (CLE)

2024 Partnership Conference: Building Partnerships to Improve Safety Outcomes for Victims of Technology Abuse
nysba.org/events/2024-partnership-conference-building-partnerships-to-improve-safety-outcomes-for-victims-of-technology-abuse-video-replay/
1.5 CLE credits
Virtual

Crypto Currency Update Enforcement Initiatives, ETF Approval and New Tax Rules
nysba.org/events/crypto-currency-update-enforcement-initiatives-etf-approval-new-tax-rules/
NY STATE BA CLE
1 CLE credit, Virtual

Legal Ethics in the Era of Gen AI: What Every Judge and Lawyer Needs to Know
nysba.org/events/legal-ethics-in-the-era-of-gen-ai-what-every-judge-and-lawyer-needs-to-know/
1 CLE credit, Virtual

NY City Bar

Mindfulness Break
1:15 p.m. - 1:35 p.m.
Webinar Registration Link: services.nycbar.org/EventDetail?EventKey=MWBL121324&mcode=NYLJ
Location: Zoom
Contact: Customer Relations
Department, 212-382-6663 or customerrelations@nycbar.org

Practising Law Institute Building Better Construction Contracts 2024
9 a.m. – 4:30 p.m.
www.pli.edu/programs/building-better-construction-contracts

AI Ethics: How to Achieve Compliance in the New World 2024
1:30 p.m. – 5 p.m.
www.pli.edu/programs/the-ethics-of-electronic-information

MONDAY, DEC. 16

NY State Bar (CLE)

IP Law for the General Practitioner
nysba.org/events/ip-law-for-the-general-practitioner/
6.5 MCLE Credits
Virtual

NY City Bar (CLE)

Client Trust Account Management: Essential Skills Workshop for NY Attorneys
2 p.m. - 5:45 p.m.
4 CLE credits
Webinar Registration
Link: services.nycbar.org/
EventDetail?EventKey=_WEB121624&mcode=NYLJ
Location: Zoom
Contact: Customer Relations
Department, 212-382-6663 or customerrelations@nycbar.org

Practising Law Institute Ethical Issues in Pro Bono and Legal Services Representation 2024
9 a.m. – 11:20 a.m.
www.pli.edu/programs/ethical-issues-in-pro-bono-representation

MONDAY, DEC. 16
TUESDAY, DEC. 17

Practising Law Institute Nuts and Bolts of Corporate Bankruptcy 2024
9 a.m. – 4:45 p.m. (Day 1)
9 a.m. – 3:30 p.m. (Day 2)
www.pli.edu/programs/nuts-and-bolts-of-corporate-bankruptcy

TUESDAY, DEC. 17

NY State Bar (CLE)

Electronic Information and Crimes: Protecting Defendants and Protecting Rights
nysba.org/events/electronic-information-and-crimes-protecting-defendants-and-protecting-rights/
1 CLE credit
Virtual

Practising Law Institute Annual Disclosure Documents 2024: Current Developments

and Best Practices

9 a.m. – 5 p.m.
www.pli.edu/programs/annual-disclosure-documents

WEDNESDAY, DEC. 18

NY State Bar (CLE)

Advanced CPLR Update: Top Ten CPLR Updates All Lawyers Need to Know
1.5 CLE credits
Virtual

NY City Bar (CLE)

Litigating Wrongful Termination Claims in New York
12 p.m. - 1:45 p.m.
CLE credits: New York: 2.0 Skills; New Jersey: 2.1 General; California: 2.0 General; Pennsylvania: 1.5 General; Connecticut: Available to Licensed Attorneys
Webinar Registration Link: services.nycbar.org/
EventDetail?EventKey=_WEB120424&mcode=NYLJ
Location: Zoom
Contact: Customer Relations
Department, 212-382-6663 or customerrelations@nycbar.org

Practising Law Institute Staying Out of Trouble 2024
9 a.m. – 12:30 p.m.
www.pli.edu/programs/staying-out-of-trouble

Fundamentals of Privacy Law 2024
9 a.m. – 5 p.m.
www.pli.edu/programs/fundamentals-of-privacy-law

THURSDAY, DEC. 19

NY State Bar (CLE)

2024 William Howard Taft Lecture: Law in a Time Capsule: Should 1960s Merger Cases Be Affirmed Today?
nysba.org/events/2024-william-howard-taft-lecture-law-in-a-time-capsule-should-the-1960s-merger-cases-be-affirmed-today/
1.5 CLE credits
New York City

NY City Bar

Yoga for Lawyers
7 p.m. - 7:45 p.m.
Webinar Registration Link: services.nycbar.org/EventDetail?EventKey=YOGA121924&mcode=NYLJ
Location: Zoom
Contact: Customer Relations
Department, 212-382-6663 or customerrelations@nycbar.org

FRIDAY, DEC. 20

NY City Bar

Senior Lawyers Chatroom
12 p.m. - 1 p.m.
Webinar Registration Link: services.nycbar.org/EventDetail?EventKey=SEN122024&mcode=NYLJ
Location: Zoom
Contact: Customer Relations
Department, 212-382-6663 or customerrelations@nycbar.org

neys for some time and has “long respected” them.

“The firm’s commitment to innovation and its tenacity in achieving successful outcomes on behalf of clients, whether they’re plaintiffs or defendants, aligns closely with the philosophy I held at my own firm,” Liang said.

“In addition to seeking top-tier talent and a strong cultural fit, we are looking for partners who understand trials, are comfortable operating as plaintiffs or defendants, and can develop cases and clients,” Boies Schiller chairman-elect Matthew Schwartz said in a statement. He noted the firm is working to strengthen its cybersecurity and data privacy practices and added, “The lateral partner market is highly competitive, and we want to be the law firm of choice for the relatively narrow subset of attorneys who fit that description.”

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Questions? Tips? Contact our news desk: editorialnylj@alm.com

Boies Schiller

« Continued from page 1

antitrust, intellectual property licensing, artificial intelligence and sports law matters. He is also the director of the Fordham Competition Law Institute and teaches comparative antitrust law at the university. In addition, Keyte is a past chair of the American Bar Association’s Trade, Sports and Professional Associations Committee.

“Joining Boies Schiller, with its reputation for handling cutting-edge litigation, is the perfect way to return to private practice,” Keyte said in a statement Monday. “I’ve been deeply immersed in issues relating to antitrust, economics, and technology for the last decade, and I’m excited to apply that work to complex litigation again.”

Brattle didn’t immediately return a request for comment on his departure. “I left my previous firm to take advantage of a program that allows me to explore other interesting challenges in academics and economics,”

Keyte elaborated in an email to The American Lawyer Monday. “I have a strong hankering to get back to the law, especially in this high-tech environment and with my traditional sports practice,” he said, adding, “I am particularly excited about Boies Schiller because they are deeply experienced and creative litigators handling cutting-edge cases.”

Liang, whose practice focuses on intellectual property, data privacy and cross-border disputes, joined Skadden from LTL Attorneys, a Los Angeles-based commercial litigation boutique he co-founded in 2008. In 2018, he co-founded a startup legal automation firm LegalMation, and served as its chief strategy officer until November 2019. LegalMation raised roughly \$23 million in funding before Liang departed, most recently a \$15 million Series A round in October 2023, per PitchBook Data Inc.

Liang has also held associate roles at Quinn Emanuel Urquhart & Sullivan and Hogan Lovells. He said in a statement he had worked alongside Boies Schiller’s attor-

Deregulation

« Continued from page 5

Biden’s efforts to regulate certain chemicals in manufacturing, including per- and polyfluoroalkyl substances, known as PFAS or “forever chemicals,” are also of particular concern to the manufacturing groups.

“Nowhere has the regulatory onslaught of recent years been clearer than in the suite of regulations that chemical manufacturers continue to face,” the letter stated. The manufacturers suggested

that the U.S. Environmental Protection Agency prioritize PFOA and PFAS, two PFAS chemicals already regulated under Biden, as opposed to other polymerized PFAS, “which are much lower risk chemicals.”

Olson dismissed this stance as a “long-standing industry argument,” and that the chemical makeups of polymerized chemicals make them no less harmful to the environment.

Facing a Trump administration likely to pursue many of the deregulatory efforts outlined in the NAM letter, Olson said the job

of environmental organizations like the NRDC is to choose their fights wisely and identify the most important causes to protect.

“Obviously, if the administration wants to do some good things, that would be a good thing,” he said. “But all indications so far have been that they are looking to pull out all the stops in an effort to really undermine a lot of the public health protections that have been adopted over the last several decades.”

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Expert Analysis

Rule 17(c)

« Continued from page 3

dard to defendants’ Rule 17(c) subpoenas addressed to third parties. That standard poses critical problems for defendants. First, defense counsel often cannot demonstrate the “relevancy” and “admissibility” of the third-party material they seek without first getting access to the material. Second, the “admissibility” standard may prevent defendants from subpoenaing material useful only for impeachment, which is often crucial to a fair adversarial process. Courts that have analyzed the constitutional interests at stake have remarked on the irony that, if the *Nixon* standard is applied to a defendant’s Rule 17(c) subpoenas, a civil defendant in a breach of contract matter has a far broader right to obtain needed documentary evidence than a criminal defendant on trial for her life.

The City Bar Proposal

In an effort to address the problems posed by the *Nixon* standard, and to otherwise clarify and modernize Rule 17 to reflect the realities of modern evidence gathering, by letter dated Feb. 22, 2022 the New York City Bar Association’s White Collar Crime Committee sent the Advisory Committee a proposal to revise the Rule.

The City Bar’s proposal recommends replacing the *Nixon*

tee formed a Rule 17 subcommittee, which has met thirteen times since March 2022. The subcommittee agreed to work on potential revisions that would clarify several procedural issues that have generated disagreement across districts, and, critically, to expand access to third party information beyond that available in districts that strictly apply the *Nixon* standard. The result was a discussion draft of an amended Rule 17, made public in an Oct. 13, 2024 memorandum. The draft amendment, and accompanying draft Committee Note, reflect real progress in addressing some of the most pressing issues for defendants.

First, and most significantly, the draft amendment adds two new provisions to Rule 17, subsections (c)(4) and (5), that each establish a specific “showing required for issuance” that replaces the *Nixon* standard. The required showing varies depending on whether the subpoenaed information is legally “protected,” such as “personal or confidential information about a victim,” or constitutes material that is not legally protected.

For both categories of information, the item sought must be described “with reasonable particularity” and not reasonably available from another source. For protected information, a party must show that the information “is likely to be admissible” as evidence or, if not admissible, likely to cast doubt on an element of a charged

ers including Department of Justice officials, federal public defenders, white-collar defense counsel, a law professor, and the CEO of a victim rights group. Although DOJ previously had not stated any official position, at the public meeting DOJ officials voiced strong concern about making any significant changes to Rule 17.

DOJ officials asserted that the current Rule 17 subpoena issuance standard, which in practice is regularly applied to defendants and very rarely applied to the government, is working effectively. The DOJ representatives expressed concern for recipients of subpoenas who might not know their rights to object, and concern for potential abuse of material obtained through Rule 17(c) subpoenas, citing examples of defendants abusing documentary evidence obtained through regular discovery to harass or intimidate witnesses or victims. Defense counsel forcefully supported the draft’s move away from the *Nixon* standard, while questioning the draft’s proposal of a different issuance standard for “protected” versus “unprotected” information.

At the close of the meeting, the Committee reporter noted that further work needed to be done on how much of the *Nixon* standard should be discarded and how much should be retained, and on the question of whether the rule should expressly address *ex parte* procedure. The meeting concluded with the Chair expressing the view that significant disputed issues should be addressed in the body of the revised Rule rather than in a Committee Note’s. The Chair observed that substantial differences of view remained between the DOJ and the defense bar, but the subcommittee would continue to push forward to balance the competing interests.

Next Steps

As the revision process continues, we submit that, consistent with the City Bar proposal, prior judicial approval via motion should not generally be required to issue a subpoena. Rule 17(c) currently contains a provision for courts to modify or quash a subpoena if compliance is unreasonable or oppressive, and any concern about the abuse of material obtained by subpoena can be addressed through a protective order, which are commonplace in current criminal discovery practice.

Further, concerns about subpoena recipients who may be unaware of their rights to object can be addressed through requiring the inclusion of appropriate language on the face of the subpoena, providing that the recipient may contact the court to seek to modify or quash the request. We also agree with defense practitioners who have argued against a different issuance standard at the outset to obtain “protected” versus “unprotected” materials. The current rule already requires prior judicial authorization for subpoenas seeking sensitive materials, and issuing judges are well situated to balance relevant competing interests at that point; thereafter they can be most efficiently addressed, as they are in civil discovery, through negotiation by the subpoena recipient and when necessary, post-issuance motion practice.

Conclusion

Notwithstanding these suggestions, the subcommittee’s draft revision of Rule 17 represents an important step in the right direction, moving on from the *Nixon* standard to help realize defendants’ constitutional rights to confrontation and due process by enabling them to obtain critical documentary material in the hands of third parties. The Advisory Committee’s thorough and thoughtful process thus far provides reason for hope that a revised rule promising greater fairness is on the horizon.

under 22 NYCRR 1240.13(b) or otherwise put forth any mitigating evidence.

Findings and Conclusion

Based on the misconduct underlying the discipline imposed by the order of the Supreme Judicial Court for Suffolk County of the Commonwealth of Massachusetts entered October 10, 2023, we find that the imposition of reciprocal discipline is warranted and conclude that the respondent should be suspended for a period of six months.

All concur.

DECISIONS WANTED!

The editors of the New York Law Journal are eager to publish court rulings of interest to the bench and bar. E-mail decisions to decisions@alm.com.

First Department

APPELLATE DIVISION CALENDAR FOR THE DECEMBER TERM THURSDAY, DEC. 12

2 P.M.
18/1818(2) People v. Jeremiah Dantzier
23/6558 Spoto v. Matos
23/6106 J., Vikram v. Anupama S.
23/4937 Cabral v. Triangle
24/1641 Pyankaroo v. Renali Realty
23/5630 People v. Angel Cueto
20/1526 People v. Jordan Ruiz
23/5757(2) Finch Property v. Blumenfeld
23/6809 Orellana v. 5541-1274 Fifth Avenue
23/4237(3) Rhodes Associates v. IS Company
24/1147 Barreto v. Board of Managers
21/5911 People v. Tony Clark
23/5378 Dawson v. NYC Housing Authority
24/1943 G., Children
22/5050 People v. Jorge Parra
23/732 Miami Firefighters v. Icahn
23/6794 State Farm v. Able
Chiropractic
23/6038 Bawa v. JJ Operating
22/5475(1) People v. Talik Wallace
26/792N Gaviola v. City of NY
24/5072N Provenance Hotel v. GCKC Provenance

The following cases have been scheduled for pre-argument conference on the dates and at the times indicated:
Renwick, P.J., Manzanet, Kappnick, Webber and Kern, J.J.
MONDAY, DEC. 16
9 A.M.
25178/16 Telesford v. Port Authority of NY
11 A.M.
35817/20 Elliot v. Courtlandt Corners II
TUESDAY, DEC. 17
10 A.M.
311287/19 Silvers v. Silvers
650/5842/23 Broad Street v. Ovadia Design Group
WEDNESDAY, DEC. 18
10:30 A.M.
818001/23 Bourne v. Robinson
FRIDAY, JAN. 3
9 A.M.
152578/18 Malthaghi v. Vargas
12:30 P.M.
160132/21 Fernandez v. Sukhdeep
MONDAY, JAN. 6
9 A.M.
151712/18 Loudon v. Mouaki
11 A.M.
800952/24 Landell v. Vitere
TUESDAY, JAN. 7
9 A.M.
160455/18 Yurman v. Pohl
THURSDAY, JAN 9
9:30 A.M.
655940/23 Crossroads Funding v. Enderle
FRIDAY, JAN. 10
10 A.M.
655627/24 Mugarbi v. Empire Chesapeake
TUESDAY, JAN. 21
3 P.M.
157819/21 Amran Properties v. Watson

MFP Kahn: 1127B (111 Centre)
MMSP-1: 1127B (111 Centre)
IDV Dawson: 1604 (100 Centre)

PART 407R

JUDICIAL MEDIATION

On Rotating Schedule:

13 Silvera: 300 (60 Centre)
13 Adams 300 (60 Centre)

EARLY SETTLEMENT

ESC 1 Vigilante 106(80 Centre)
ESC 2 Wilkenfeld 106 (80 Centre)

SPECIAL REFEREES

60 Centre Street

73R Santiago: Room 354
75R Burzio: Room 240
80R Edelman: Room 562
82R Wolf: Room 501B
83R Sambuco: Room 528
84R Feinberg: Room 641
85R Shamahs: Room 324
88R Lewis-Reisen: Room 324

JHO/SPECIAL REFEREES

80 Centre Street

81R Hewitt: Room 321
87R Burke: Room 328
89R Hoahng: Room 236

SPECIAL REFEREE

71 Thomas Street

77R Bahr: Room 300

Judicial Hearing Officers

Part 91 Hon. C. Ramos

Part 93 Hon. Marin

Part 95 Hon. Edmead

SUPREME COURT

Motion Calendars

Room 130, 9:30 A.M.
60 Centre Street
SUPREME COURT Motion Dispositions from Room 130 60 Centre Street

Calendars in the Motion Submission Part (Room 130) show the index number and caption of each and the disposition thereof as marked on the Room 130 calendars. The calendars in use are a Paper Motions Calendar, E-Filed Motions Calendar, and APB (All Papers By) Calendar setting a date for submission of a missing stipulation or motion paper. With respect to motions filed with Request for Judicial Intervention, counsel in e-filed cases will be notified by e-mail through NYSECF of the Justice to whom the case has been assigned. In paper cases, counsel should sign up for the E-Track service to receive e-mail notification of the assignment and other developments and schedules in their cases. Immediately following is a key that explains the markings used by the Clerk in Room 130.

Motion Calendar Key

ADJ—Adjourned to date indicated in Submission Courtroom (Room 130).
ARG—Scheduled for argument for date and part indicated.
SUB (PT #)—Motion was submitted to part noted.
WDN—Motion was withdrawn on calendar call.
SUB/DEF—Motion was submitted on default to part indicated.
APB (All Papers By)—This motion is adjourned to Room 119 on date indicated, only for submission of papers.
SUBM 3—Adjourned to date indicated in Submission Court Room (Room 130) for affirmation or so ordered stipulation.
S—Stipulation.
C—Consent.
C MOTION—Adjourned to Commercial Motion Part Calendar.
FINAL—Adjournment date is final

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
Bellevue Psychiatric Center
Kirby Psychiatric Center
Metropolitan Hospital
Manhattan Psychiatric Center
Bellevue Hospital

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 assignments of Justices for the specific actions. In addition, listed below is information on Judicial Hearing Officers, Mediation, and Special Referees.

IAS PARTS

2 Sattler, J.: 212 (60 Centre)
3 Cohen, J.: 208 (60 Centre)

60 CENTRE STREET

Submissions Part THURSDAY, DEC. 12

Submission
1 400207/04 NYC v. Maul

FRIDAY, DEC. 13

Submission
1 101165/24 Angel v. NYC Dept. of Health And Mental Hygiene

MONDAY, DEC. 16

Submission
1 100709/24 Clark v. Erap / Nysotda
2 100247/24 Kizner v. NYC
3 100734/24 Scott v. Leticia James
NYS Attorney General
4 100913/24 Wright v. Henry

Paperless Judge Part THURSDAY, DEC. 12

155338/24 126 Lessee LLC v. Rjb Contracting Carling Corp.
159146/24 14 White St. Prop. Owner v. Ra Consultants LLC Et Al
157819/23 172 E 4th St. LLC v. Manhattan Pkwy. Apts LLC
85036/24 250 Fifth Ave Lender 1 LLC v. Cosmic Rlty. Partners LLC Et Al
157339/21 325 Mgt. Corp. v. Statuto
155608/18 525 W 23 LLC v. 514 West 24th Owner LLC
652549/24 615 Bldg. Co. v. Keveza
850115/24 973 Amsterdam Ave Funding LLC v. Jo-Al Real Estate, Inc. Et Al
157374/24 Age 1 LLC v. Gwb 179 Rlty. LLC Et Al
655664/24 Akf Inc. v. Foreman
152121/21 Albano v. B'way. 57th/58th Realty
156216/21 Amedeo v. Consol. Rail Corp. And Metro-North RR.
161836/23 Amica Mutual Ins. Co. v. Registre
653842/22 Arius Owner LLC Et Al v. 829 Mad. Ave. LLC Et Al
157647/17 Baki v. NYCTA
161420/18 Batista v. Metro. Transportation
450144/23 Bryant v. Triborough Bridge And Tunnel Auth. Et Al
154780/20 Bull v. Harvey Mendelsohn
161137/23 Cajamarca v. Hudson Yards North Tower Tenant LLC Et Al
158296/21 Campos v. Sutton 58 Hldg. Co. LLC Et Al
655704/24 Cerco Bridge Loans
6 LLC v. P8 Abs-Ee 695 Lex Leaseco
159665/23 Choudhary v. Dorr
158045/22 Christensen v. Brisam West 29 LLC Et Al
850657/23 Ci Notes LLC v. 7th Rlty. Hldgs.
654354/22 De La Verriere v. Elymar Restaurant Corp. Et Al
655524/23 Decree Signs & Graphics Inc. v. Vir Const. Inc. Et Al
159325/23 Dejesus v. Forquignon Jr.
453085/24 Dept. of Education of The City School Dist. of NYC v. Deseta
805337/22 Dia v. Wolf M.F.D.
652152/22 Eastern Effects, Inc. v. 3911 Lemon Ave. Associates
652834/24 Edgeward v. The Board of Directors of 32083 Owners Corp. Et Al
653982/23 Edward Tyler Nahem Fine Art v. Lee
158538/12 Fishman v. Bunty And Jyoti
159842/23 Flores v. New Line Structures & Development LLC Et Al
805353/19 Fulton v. NYU Langone Hosps.
160270/17 Genicoff v. NYC
158817/22 Gilyard v. Santodomingo
153582/23 Great Northern Ins. A/o Marianne Lee v. X-Act Contracting Corp.
154365/19 Guerriev v. Herald Square Owners LLC
155915/20 Hargrove v. Stop I King Gourmet Delic. Inc.
150194/17 Henry v. Cater One NYC
155473/22 Hereford Ins. Co. v. Aag Physical Therapy
153036/24 Hereford Ins. Co. v. Burgess
160369/23 Hertz Vehicles v. Active United Care Physical Therapy
156522/21 Holmes v. Hp Savoy Park II Housing Dev. Fund Co., Inc., As Nominee For New Savoy Park Portfolio, LLC Et Al
157425/23 Hsbc Bank USA v. I. Halpern, Inc.
161319/23 Iannello v. NYC Et Al
160806/24 In The Matter of The Application of Jpmorgan Chase Bank v. The Woodlawn Cemetery Et Al
653565/16 Inbar Group, Inc. v. St. Mark's World Staffing
153343/24 James-Nailor v. 15 West 116 LLC Et Al
652594/24 Jaj Capital LLC v. Resnikoff
850167/24 Jpmorgan Chase Bank v. Smart
805290/20 Judith Suncar As v. Hernandez
153919/22 Kennedy v. Pioneer Works Art Foundation Et Al
654447/24 Liberty Mutual Ins. Co. Et Al v. Virgile
653595/22 Living Real Estate Group v. Douglas Elliman
156907/20 Loja v. 555 Partners L.P.
952001/22 Maldonado v. The NY And Presbyterial Hosp. Et Al
155111/24 Malecaj v. West 70th Owners Corp. Et Al
156142/16 Martin v. NYC
653176/24 McBride v. McCoy
152997/20 McKrell v. O'Keefe
653502/24 Mer69own v. Sharefront Soho
160993/22 Methane Gas Corp. v. Robertson
154148/22 Meza Monge v. Leeding Builders Group LLC Et Al
159414/24 Montgomery v. NYC
Conflicts of Interest Board
154514/22 Moskonas v. NYCTA Authority
653830/21 Motamedy v. Greebel
159473/23 Myers v. NYC Et Al
654051/24 Newmark Retail v. 360 West 55th St.
160194/22 Nieves v. Jacques
159868/22 NYCTL 2021-A Trust v. Raz 555 Hldgs. LLC Et Al
160308/21 Owens v. The Metro. Transportation Auth. Et Al
151055/24 Ozeri v. Shah
651832/18 Paparella v. Liddle & Robinson
652711/22 Patterson Belknap Webb & Tyler Lip v. Marcus & Cinelli Lip Et Al
101710/16 Port Auth. of NY v. Guardian Service Industries
653985/23 Precious Rocks Exports Lip v. Splen Dor, Inc. Et Al
656885/19 Rqz Hotel Fd LLC v. Anguard Ins. Co.

805351/20 River v. Mendez
652037/23 Romano Paving & Contracting Corp. v. J. Coffey Contracting, Inc. Et Al
652542/24 Sachdev v. O'Leary
151525/20 Sanchez v. 21-23 South William St. LLC
850454/23 Santander Bank v. Neuman
653482/23 Scottsdale Ins. Co. v. State Farm Fire & Casualty Co.
160723/22 Selip v. 1095 Ave. of The Americas Condominium Et Al
156668/21 Seneca Ins. Co., Inc. A/o 23 Park Pl. LLC And Murray Pl. Inc. v. 21 Park Pl. NY L.P. Et Al
154051/22 Shapiro v. Marla
158096/21 Sherroff v. Fairfield Industries
156447/20 Spencer v. NYC
655231/24 Spwc v. All Seasons Restoration, Inc.
652192/47d Bank v. Blue Moon Hotel NYC Inc. Et Al
451383/22 The Comm'rs. of The State Ins. Fund v. J & M Flores Corp.
159434/22 The Estate of Juan Ortiz v. Archcare At Terence Cardinal Cooke Health Care Center Et Al
805108/21 Torres v. Andrade
850669/14 U.S. Bank Nat. v. Borgella
105925/08 U.S. Bank Nat. Assoc. v. Carlton
654757/23 U.S. Bank Nat. Assoc. D/b/a U.S. Bank Equipment Finance v. Dbms Consulting, Inc. Et Al
655785/24 Ubs Financial Services Inc. v. Financial Indus. Regulatory Auth., Inc.
157738/23 Watson v. Mary Manning Walsh Nursing Home Et Al.
154821/24 Wesco Ins. Co. v. Nunez Del Rio
651875/23 West Side Marquis LLC v. Sheppard
158183/20 Ziembienski v. NYC Et Al
650513/23 Zweibach v. 2211 Third Ave. Mazal Hldgs. LLC Et Al

FRIDAY, DEC. 13

650458/23 14 Gray Street v. A & Nyla Const. Corp. Et Al
651693/21 1650 B'way. Associates, Inc. v. Sturm
850233/24 175 West 76th St. LLC v. Lichter Real Estate Number One
850151/21 1s Reo Opportunity 1 v. Harlem Premier Residence LLC Et Al
850085/18 21st Mortgage Corp. As v. Lin
160308/24 3175-77 Villa Ave. v. Faye
156905/24 Acevedo v. Fernandez
154934/23 Aeg Restoration Corp v. Dula
656864/17 Ai Int'l Hldgs. v. Weinstein
651087/24 Amerianna Transit Ins. Co. v. Wrigley
154316/21 Andrianna Shamaris, Inc. v. 121 Varick St.
650392/23 Balasnowcz v. Zografakis
157245/22 Barone v. Walt Whitman Mall
190195/21 Barroca v. A.O. Smith Water Prods. Co. Et Al
156217/22 Battery Park City Auth. D/b/a The Hugh L. Carey Battery Park City Auth. v. Pier A Battery Park Associates
653692/24 Big Real Estate Finance II v. Terra Lake Heights
154864/22 Bonmarito v. Greater Hwy. Deliverance Temple, Inc.
158619/20 Breton Castillo v. NYCTA Et Al
155955/23 Carranza-Mariaduen v. Briggs Services
158885/24 Century Indemnity Co. v. Office of The NY Attorney General
157907/23 Cerberus Business Finance Agency v. John Hancock Life And Health Ins. Co. Et Al
652629/24 Cincinnati Terrace Member LLC Et Al v. Tartar Krinsky & Drogin LLC Et Al
850243/24 Citibank v. Noel
100303/13 NYC v. Ej Electric Installations
652887/23 Claver Investor LLC Et Al v. Perl Weisz Et Al
159191/24 Cohen v. 458 Grand B'way. Owners Corp.
452898/23 Comm'rs. of The NYS Ins. Fund v. 2 Ninth Ave. Partners LLC
451679/23 Comm'rs. of The State Ins. Fund v. Manhattan Concrete LLC
155394/24 Cooper Jr. v. A.I. Engineering, Inc. Et Al
154526/20 Daly v. Q-Marquet
154304/24 Daraselia v. 101 W87 Owner LLC Et Al
151210/21 De Novais Santos v. 509 W 34
805455/23 Digangi v. Star Dental Smiles
152270/22 Dilipchand v. Tmg Const. Corp. Et Al
651980/24 Ding v. Frank
158939/24 Doe v. Barker
157903/23 Duncan v. Amscan Inc. Et Al
160527/20 Durso v. Lendlease (us) Const. Lmb Inc. Et Al
654878/22 Endurance Assurance Corp. Et Al v. Zurich American Ins. Co.
155012/24 Feldman v. Shchegol
151822/20 Firemans Fund Ins. v. La Interior Remodeling, Inc.
159165/24 Firestone Art v. Cubesmart L.P. Et Al
655347/23 First Park LLC D/b/a Packwood v. Penn Jersey Paper Co. Et Al
651036/10 Flowers v. 73rd Townhouse LLC
805081/19 Gaddis v. Guy
156142/24 Gates v. Knowledge Exch. Institute
159693/14 Golden Ox Rlty. LLC v. Board of Mgrs.
156520/21 Green v. Structure-Tone
654169/20 Hailey Insulation Corp. v. Turner Const. Co.
656832/21 Halsband v. Glatzer
161067/21 Hamilton v. Hanfymahmoud
653379/24 Harlington Rlty. Co. LLC. Et Al v. Green Healthy Living LLC
155060/24 Hertz Vehicles, LLC, And All of its Affiliates And Subsidiaries, Including But Not Ltd. To The Hertz Corp. And Hertz Co. v. 334 Grand Concourse Medical
652514/21 Iberdrola Energy Projects v. Oaktree Capital Mgt.
157752/24 In The Matter of The Application of Companion Animal Network Inc. v. NYC Dept. of Finance
452615/24 In The Matter of The Application of NY Black Car Operators' Injury Compensation Fund Inc. A/a NY Black Car Fund As Subrogee of Edgar Calle v. L.R.S. Cab Corp.

Disciplinary

« Continued from page 6

any, to the Massachusetts IOLTA Committee, in which he discloses each instance where he either was not able to identify the owner of the undisbursed funds or was unable to locate the owner of the undisbursed funds; and (3) the respondent shall enter an accounting probation agreement with the Office of Bar Counsel, pursuant to which he will provide the Office of Bar Counsel, on a quarterly basis for one year, copies of his compliant reconciliation records, accounting records, and bank statements for all his IOLTA accounts.

The respondent did not notify this Court or a Grievance Committee of the Massachusetts order of discipline, as required by 22 NYCRR 1240.13(d).

The New York Proceeding

By letter dated January 12, 2024, the Grievance Committee was informed of the respondent's discipline in Massachusetts.

By order to show cause dated April 4, 2024, this Court directed the respondent to show cause why an order should not be made and entered pursuant to 22 NYCRR 1240.13 imposing discipline upon him for the misconduct underlying the discipline imposed by the order of the Supreme Judicial Court for Suffolk County of the Commonwealth of Massachusetts entered October 10, 2023. Although the respondent was duly served with the order to show cause dated April 4, 2024, he has neither submitted a response thereto nor requested additional time to do so. Therefore, the respondent waived his ability to assert any applicable defense

653019/22 Rodriguez v. Chubb Ins. Co. A/k/a Chubb Group of Ins. Companies A/k/a Chubb Indemnity Group Et Al
190288/20 Salvaty v. Amchem Prod., Inc.
156724/18 Sciuiletti v. Port Auth. of New
155600/13 Swezy v. Merrill Lynch
158789/21 Vargas v. Moran Automotive & Towing, Inc. Et Al
160327/18 Villanueva v. NYCHA

City Cases

805269/19 Kaufman v. NYU Langone Health System

FRIDAY, DEC. 13

153527/24 Johnson & Johnson Et Al v. Northwell Health Inc.

MONDAY, DEC. 16

158416/18 Cerritos Salgado v. Noble Construction Group
159672/20 Kayani v. Veras-Paulino
159838/19 Lee v. Cisse
153534/21 Melgarjo v. NYC Et Al
155541/18 Palacios v. Lyubovich
450651/20 Peterson v. Alfonsaca Castillo
156195/19 Verna v. Little Richie Bus Service Inc
150244/19 Von Been v. Lian Hldg. Group
152469/22 Wilson v. Siegel

City Cases

154060/15 Rubin v. Napoli Bern Ripka Shkolnic

Part 44

Justice Jeffrey H. Pearlman
60 Centre Street
Phone 646-636-3370
Room 321

THURSDAY, DEC. 12

365379/21 Bruckmann v. Bruckmann

FRIDAY, DEC. 13

452615/24 In The Matter of The Application of NY Black Car Operators' Injury Compensation Fund Inc. A/k/a NY Black Car Fund As Subrogee of Edgar Calle v. L.R.S. Cab Corp.

MONDAY, DEC. 16

321660/23 Goidel v. Goidel
310141/13 Parekh v. Parekh

Motion

321660/23 Goidel v. Goidel
310141/13 Parekh v. Parekh

Part 45

Commercial Div.
Justice Anar Rathod Patel
60 Centre Street
Phone 646-386-3632
Room 428

MONDAY, DEC. 16

650466/24 Lantern Asset Management v. Bravovic

Part 48

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

THURSDAY, DEC. 12

654532/24 White Rock Insurance (sac) Ltd. v. China Const. Bank Corp. Et Al

FRIDAY, DEC. 13

652933/23 Egerton Capital Corp. v. Wh Nagog Gp LLC

652140/23 Jabil Inc. v. Schenker, Inc.

652507/23 Malekan v. Malekan
653179/20 Morgan v. St Mark's World Acquisition

655323/24 New Legend Debt By Meitav Ltd. Partnership v. Cubba

653029/23 Wh Nagog Gp LLC v. Weiss

Motion

652761/24 Penske Media Corp. v. Shutterstock, Inc.

MONDAY, DEC. 16

652051/20 Bangladesh Bank v. Rizal Commercial Banking

653763/22 Caldwell v. Minarik
652334/13 Khan v. Garg

653131/14 Picken v. Schwartz
657263/19 Seaport Mgt. v. Shop Architects

850238/24 Soho Mixed Use LLC v. Zahava Rly. Corp. Et Al

650682/24 White Oak Commercial Finance v. NY And Co Ecomm LLC Et Al

Motion

653763/22 Caldwell v. Minarik
652334/13 Khan v. Garg

653131/14 Picken v. Schwartz
650682/24 White Oak Commercial Finance v. NY And Co Ecomm LLC Et Al

Part 49

Commercial Div.
Justice Margaret A. Chan
60 Centre Street
Phone 646-386-4033
Room 252

THURSDAY, DEC. 12

650401/22 Rsm Us Lip v. Notes

Motion

650401/22 Rsm Us Lip v. Notes

FRIDAY, DEC. 13

150950/20 Suconota v. Twin Sycamore LLC

Part 51

Matrimonial Part
Justice Ariel D. Chesler
60 Centre Street
Phone 646-386-3846
Room 543

THURSDAY, DEC. 12

365002/23 Feldman v. Hasenpusch
365472/21 Gonzalez Otero v. Otero

320593/23 Malerba v. Malerba
320108/24 Sethi v. Shelgaonkar

FRIDAY, DEC. 13

365153/21 Gonzalez De Castillo v. Castillo Diaz

309819/19 Mata v. Mata
365669/23 Sankaramarayanan v. Hakkim

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309819/19 Mata v. Mata
365669/23 Sankaramarayanan v. Hakkim

MONDAY, DEC. 16

309631/19 Ahmed v. Begum
365505/23 De Luca v. De Luca

365344/24 Klier v. Singh
301725/23 Rendon v. Rondon

300243/21 Watson v. Burstein

Motion

309631/19 Ahmed v. Begum
365505/23 De Luca v. De Luca

365344/24 Klier v. Singh
301725/23 Rendon v. Rondon

Part 53

Commercial Div.
Justice Andrew S. Borrok
60 Centre Street
Phone 646-386-3304
Room 238

THURSDAY, DEC. 12

655081/20 Behar v. 1418 Third Ave. LLC

655704/24 Cero Bridge Loans
6 LLC v. PRC Abs-E 695 Lex

Leaseco
651078/23 Flejxjet v. Honeywell Int'l Inc.

654972/22 New Circular Wireless Pcs v. 310 East 55th St. Tenants Corp. Et Al

Motion

651078/23 Flejxjet v. Honeywell Int'l Inc.

654972/22 New Circular Wireless Pcs v. 310 East 55th St. Tenants Corp. Et Al

Part 55

Commercial Div.
Justice Jennifer G. Schecter
60 Centre Street
Phone 646-386-3362
Room 228

THURSDAY, DEC. 12

652629/24 Cincinnati Terrace Member LLC Et Al v. Tartar Krinsky & Drogin LLC Et Al

651036/10 Flowers v. 73rd Townhouse LLC

656935/21 Lydall, Inc. v. Honeywell Int'l Inc.

651234/23 Midway Wind v. Siemens Gamesa Renewable Energy, Inc.

654720/24 U.S. Technologies Communication Corp. D/b/a Netceed v. Altice USA, Inc. F/b/a Neptune Hldg. Us Corp.

FRIDAY, DEC. 13

651690/21 1650 B'way. Associates, Inc. v. Sturm
650277/21 Bsd2 2012 LLC v. H F Z Capital Group LLC
653877/24 Mtf Propco LLC v. Williams

653831/21 Pentagonum Fed. Credit Union v. Popovic
653374/24 Royal Concrete And Masonry Corp. v. Dch Lex Propco Sub Lp Et Al

654068/22 Ssd Investments Ltd. Et Al v. Wilmington Savings Fund Society

Motion

650277/21 Bsd2 2012 LLC v. H F Z Capital Group LLC

653877/24 Mtf Propco LLC v. Williams

653831/21 Pentagonum Fed. Credit Union v. Popovic

MONDAY, DEC. 16

652428/23 Dorilton Capital Mgt. LLC Et Al v. Stilus LLC Et Al

654629/24 Mendon Ventures Banktech Fund I Lp v. Equitus Corp.

654556/21 Mp145 Ws Owner LLC Et Al v. The Pace Companies NY

651297/23 N.Y. Park N. Salem Inc. Et Al v. Barami Const. Corp. Et Al

651498/16 Strategic Funding Source, Inc. v. Jag & Nasha LLC

652799/24 Tpe Art Finance v. Oscar Engelbert Et Al

650841/23 Wwtal Airopco 1 Bermuda Ltd. Et Al v. Xl Specialty Ins. Co.

Motion

652428/23 Dorilton Capital Mgt. LLC Et Al v. Stilus LLC Et Al

651297/23 N.Y. Park N. Salem Inc. Et Al v. Barami Const. Corp. Et Al

Part 54

Commercial Div.
Justice Jennifer G. Schecter
60 Centre Street
Phone 646-386-3362
Room 228

THURSDAY, DEC. 12

157477/23 145-Seven v. Rm Rlty. Hldgs. Corp. Et Al

654446/23 Hikma Pharmaceuticals USA Inc. v. Lloyd's of London Newline Syndicate 1218 Et Al

659157/24 Viola Credit Gl I v. Landa Hldgs., Inc. Et Al

Motion

659157/24 Viola Credit Gl I v. Landa Hldgs., Inc. Et Al

FRIDAY, DEC. 13

653068/22 Arup USA, Inc. v. Potomac Yard Constructors Et Al

654490/24 At&T Services, Inc. v. Broadcom Inc., Et Al

654778/23 Atlantic Specialty Ins. Co. v. Jdm Washington St. LLC A/k/a Jdm 90 Washington St. LLC Et Al

652887/23 Claver Investor LLC Et Al v. Per Weiss Et Al

650367/24 Fora Financial Advance v. 4 Pillar Consulting

652514/21 Iberdrola Energy Projects v. Oaktree Capital Mgt.

654325/22 Institute Homecare Services, Inc. v. Ihs (abc)

603295/07 John Galt Corp. v. Travelers Casualty & Surety

655566/23 Puritan Partners LLC v. Carmell Regen Med Corp. (D/b/a Carmell Therapeutics Corp.) Et Al

654150/24 Twist v. Simply Active Cosmetics, Inc. A Delaware Corp. Et Al

Motion

654490/24 At&T Services, Inc. v. Broadcom Inc., Et Al

654325/22 Institute Homecare Services, Inc. v. Ihs (abc)

MONDAY, DEC. 16

653919/21 Bldg. Concepts, Inc. v. 220 East 26th Street

652063/23 Clover Private Credit Opportunities Origination (Ievered) II v. Sanberg

656220/23 Radio Ingraham v. Villanova Media Inc. Et Al

Part 57

Justice Sabrina Kraus
60 Centre Street
Phone 646-636-3195
Room 218

THURSDAY, DEC. 12

153514/20 Arocho v. Bop Ne LLC

950285/21 B. v. NYC

155694/18 Hudson v. Jewish Home Lifecare

156907/20 Loja v. 555 Partners L.P.

950025/21 M. v. NYC

950735/20 S. v. NYC

FRIDAY, DEC. 13

950367/21 Doe v. Archdiocese of NY

950448/21 Doe v. Archdiocese of NY

950444/21 Doe v. Archdiocese of NY

MONDAY, DEC. 16

950043/21 Palazzola v. Archdiocese of NY Et Al

950731/19 Reeves v. Soderman

156082/22 Rice v. Jt Magen & Co. Inc Et Al

159638/22 Russo v. Tao Group Inc Et Al

157488/20 Smith v. Park Ave. Hosp. ity

155323/20 Stanley v. NY Allied Asphalt Paving Inc Et Al

157293/23 Telesco v. Young Men's Christian Assoc. of Greater NY

150106/23 Thorman v. I Madison Office Fee LLC Et Al

155165/23 Wu v. Wunderkind Corp. D/b/a Wunderkind Technologies

650813/20 Alba Services, Inc. v. Brennan

657109/20 Moses & Singer Lp v. Lagadeau

152858/20 Noka v. Gashi

Motion

657109/20 Moses & Singer Lp v. Lagadeau

FRIDAY, DEC. 13

654633/20 Trinity Centre LLC v. Brooklynworks At 159

Part 60

Commercial Div.
Justice Melissa A. Crane
60 Centre Street
Phone 646-386-3310
Room 331

THURSDAY, DEC. 12

653728/18 1282 St. LLC v. Robert Silman Associates

650813/20 Alba Services, Inc. v. Brennan

657109/20 Moses & Singer Lp v. Lagadeau

152858/20 Noka v. Gashi

Motion

657109/20 Moses & Singer Lp v. Lagadeau

FRIDAY, DEC. 13

650413/19 Aea Middle Market Debt Funding v. Marlette Asset Mgt.

655152/21 Fraiture v. Board of Directors of 44 King St., Inc. Et Al

651585/24 Guggenheim Securities v. Falcon's Beyond Global

655502/24 Saedi v. Coterie Baby, Inc.

654872/24 Sasson v. Bridger Consulting Group, Inc.

FRIDAY, DEC. 13

650413/19 Aea Middle Market Debt Funding v. Marlette Asset Mgt.

655152/21 Fraiture v. Board of Directors of 44 King St., Inc. Et Al

651585/24 Guggenheim Securities v. Falcon's Beyond Global

655502/24 Saedi v. Coterie Baby, Inc.

MONDAY, DEC. 16

651639/20 Adler Holdings II v. Jill Stuart International

655549/23 Steven Gurney-Goldman v. Solit Mgt.

650955/23 Th Holdco LLC v. Rubin

650432 Park Condominium v. 56th And Park (NY) Owner

Motion

655549/23 Steven Gurney-Goldman v. Solit Management

650955/23 Th Holdco LLC v. Rubin

650432 Park Condominium v. 56th And Park (NY) Owner

Court Calendars

Part 61

Commercial Div.
Justice Nancy M. Bannon
60 Centre Street
Phone 646-386-3169
Room 232

THURSDAY, DEC. 12

653842/22 Arius Owner LLC Et Al v. 829 Mad. Ave. LLC Et Al

650706/24 Babs Patrimoine Et Al v. Lacroix

650620/20 Black v. Phoenix Cayman Ltd.

655233/23 Blue Jay Way Hosp.ity LLC Et Al v. Twigg Partners LLC

652152/22 Eastern Effects, Inc. v. 3911 Lemmon Ave. Associates

650909/23 Indian Harbor Ins. Co. v. Schuff Steel Co.

652634/22 Leslie Digital Imaging LLC D/b/a Ldi v. Empower Information Systems, Inc. Et Al

652521/23 Lestingi v. Musano

655584/23 NY Marine And General Ins. Co. v. Millennia Assurance, Inc.

152017/23 Peraza v. Revere Capital Advisors LLC Et Al

651214/24 Sifi Networks America LLC Et Al v. Generate Capital

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652629/24 Cincinnati Terrace Member LLC Et Al v. Tartar Krinsky & Drogin LLC Et Al

**Part 62
City Part**
Justice J. Machelle Sweeting
80 Centre Street
Phone 646-386-3274
Room 279

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160944/21 Alli v. NYC Et Al
150179/11 Aquino v. Roy
155174/18 Bautista v. NYC
158619/18 Beltres-Diaz v. NYC
160357/20 Bornschein v. Recca
156224/21 Chaskin v. Heavenly
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155709/22 Cole v. NYC
153376/22 Cortes v. NYC Et Al
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151743/23 Docosta v. NYC Et Al
150982/18 Duran v. NYC Et Al
153778/21 Everton Properties LLC v.
NYC
150260/02 Falik v. NYC
150543/19 Fredericks v. NYC
162162/14 Garcia-Caba v. NYC
150472/21 Generette v. Slate NY Et
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160270/17 Genicoff v. NYC
158705/22 Gordon v. NYC Et Al
159647/18 Graham v. NYC
159466/22 Hooks v. NYC Et Al
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156917/21 Johnson v. NYC Et Al
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158997/21 Konik v. New York City
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155999/20 Makovoz v. NYC
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Owners Corp.
152693/22 Matthew v. NYC Et Al
155382/18 McLaughlin v. NYC
159241/19 Meighan v. NYC
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159070/20 Myers v. NYC
158384/18 Nascimento v. NYC
160896/18 Nedham v. NYC
157951/21 O'Shea v. NYC Et Al
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150540/21 Porter v. 259 Broome
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152511/21 Rios v. NYC Et Al
151053/22 Robinson v. NYC Et Al
157850/21 Rodriguez v. Fgi Corp. Et
Al
155395/17 Rodriguez v. NYC
151900/21 Rose v. NYC Et Al
157124/17 Sacks v. NYC
159901/21 Salce v. NYC
159527/21 Sedeno v. 3599 B'way.
Condominium Et Al
157923/22 Singleton v. NYC Et Al
156919/21 Southwick v. NYC Et Al
153576/21 Taveras v. NYC Et Al
157322/20 Thiaz v. NYC Et Al
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Education of The City School
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150455/22 Gonzalez v. NYCHA Et Al

**Part 73R
Special Referee**
Justice Diego Santiago
60 Centre Street
Room 354
THURSDAY, DEC. 12
151055/21 Feliciano v. NYC

**Part 75R
Special Referee**
Justice Stephen S. Burzio
60 Centre Street
Room 240

**Part 81R
Special Referee**
Justice Lancelot B. Hewitt
80 Centre Street
Phone 646-386-3680
Room 321

**Part 84R
Special Referee**
Justice Jeremy R. Feinberg
60 Centre Street
Phone 646-386-3207
Room 641

**Part 87R
Special Referee**
Justice Joseph P. Burke
80 Centre Street
Phone 646-386-5541
Room 238

**Part 88R
Special Referee**
Justice Deborah E. Edelman
60 Centre Street
Room 158

**Part 89R
Special Refehee**
Justice Sue Ann Hoahng
80 Centre Street
Phone 646-386-3676
Room 236

**71 THOMAS
STREET**

Part 18
Justice Alexander M. Tisch
71 Thomas Street
Phone 646-386-3472
Room 104
THURSDAY, DEC. 12
160806/24 In The Matter of The
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950239/20 Coelho v. Archdiocese of
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950234/20 Dow v. Archdiocese of
NY
157607/24 Lenox Hill Neighborhood
House, Inc. v. NYC
159673/24 Pautetti v. NYC Dept. of
Health And Mental Hygiene
160918/24 Royal Smoked N Vape Inc
v. NYS Dept. of Taxation And
Finance
951324/21 Sanders v. Greater NY
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Part 23
Justice Eric Schumacher
71 Thomas Street
Phone 646-386-3754
Room 304
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152112/21 Albano v. B'way.
5715/8th Retail
952050/23 Anonymous v. NY
Presbyterian Hosp. Et Al
158152/23 Doe v. Paduch M.D.
155218/9/23 Doe v. Paduch M.D.
952119/23 Doe v. Paduch M.D.
952119/23 Doe v. Paduch M.D.
952270/23 Doe v. Paduch M.D.
152013/24 Doe v. Paduch M.D.
952070/23 Doe v. Paduch
952256/23 Dwyer v. Wasser
952360/23 Finnigan v. Paduch M.D.
952015/23 Jane Doe #278 Et Al v.
Hadden
952051/23 John Doe #1 Et Al v.
Paduch

952158/23 John Doe #11; John Doe
#23; John Doe #37; John Doe
#205; John Doe #289; John Doe
#456; John Doe #494; John Doe
#495; Et Al v. Darius A. Paduch;
Et Al
952272/23 John Doe #117 Et Al v.
Darius A. Paduch Et Al
952147/23 John Doe #205 Et Al v.
Darius A. Paduch Et Al
952110/23 John Doe #7; John Doe
#22; John Doe #26; John Doe
#29; John Doe #30; John Doe
#31; John Doe #33; John Doe
#38; John Doe #39; John Doe
#40; John Doe #41; John Doe
#42; John Doe #43; John Doe
#44; John Doe #45; John Doe
#47; John Doe #49; John Doe
#52; Et v. Darius A. Paduch Et Al
952219/23 John Doe #8 Et Al v.
Darius A. Paduch Et Al
952289/23 John Doe #816 Et Al v.
Darius A. Paduch Et Al
952348/23 John Doe #848 Et Al v.
Darius A. Paduch Et Al
952350/23 John Doe #851 Et Al v.
Darius A. Paduch Et Al
952239/23 Kayla Batiz v. David H.
Newman
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150768/18 Pleskun v. Rogova

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153012/24 Feldman v. Shchegol
154302/19 Quiroga v. 277 West 10
Owner

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159800/24 McGruder v. The
Abyssinian Baptist Church in
The NYC, Inc. Et Al
154302/19 Quiroga v. 277 West 10
Owner

Part 29
Justice Leticia M. Ramirez
71 Thomas Street
Phone 646-386-3016
Room 311
THURSDAY, DEC. 12
160723/22 Selip v. 1095 Ave. of The
Americas Condominium Et Al

FRIDAY, DEC. 13
153543/23 Mueller v. Target Corp.
D/b/a Target Stores

Part 36
Justice Verma L. Saunders
71 Thomas Street
Phone 646-386-3733
Room 205
THURSDAY, DEC. 12
655664/24 Akf Inc. v. Foreman
400207/04 NYC v. Maul
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LLC
154365/19 Guerrin v. Herald Square
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654857/24 King v. Parker
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Part 46
Justice Richard Latin
71 Thomas Street
Phone 646-386-3279
Room 210
THURSDAY, DEC. 12
157819/23 172 E 4th St. LLC v.
Manhattan Pkwy. Apts LLC
152160/23 J. v. Queens Center Spe
LLC—3 P.M.
952001/22 Maldonado v. The NY
And Presbyterian Hosp. Et Al
154148/22 Meza Monge v. Leeding
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151525/20 Sanchez v. 21-23 South
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157907/23 Cerberus Business
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151182/20 Firemans Fund Ins. v. La
Interior Remodeling, Inc.
159693/14 Golden Ox Rlty. LLC v.
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150440/23 Rashidi v. Gid Dev.
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151607/16 Rivas v. Seward Park
Housing—10 A.M.
157483/21 S & C Business
Solutions, Inc. v. Lexington
Fresh Farm Inc. Et Al—4 P.M.
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Fresh Farm Inc. Et Al
160636/19 Trela v. As Is

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157483/21 S & C Business
Solutions, Inc. v. Lexington
Fresh Farm Inc. Et Al
158666/23 Calderon Flores v. 498
Seventh—10 A.M.
158427/21 Clarke v. 76 Eleventh
Ave. Prop. Owner LLC Et Al—
12:30 P.M.
603732/07 D & R Global Selections
v. Bodega Olegario Falcon
Pineiro
151338/22 Drabczyk v. Anthem Blue
Cross & Blue Shield LLC—11:30
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155819/19 Dymnet v. Beress
157744/23 Gwardyak v. Colonial
Village Associates—11 A.M.
160799/21 Gwathney v. Macy's
Retail Hldgs.—12 Noon
156995/22 Jackson v. 501 Madison-
Sutton LLC
161541/19 Lindenberg v. Yeshiva
Univ.
156544/22 Lopez v. Hp Acp Housing
Dev. Fund Co., Inc. As Nominee
For Bsp 2247-2253 Acp LLC—11
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152242/22 Lubliner v. Hampton
Hills Associates Et Al
160507/22 Munoz v. 151 Food Corp.
Et Al—10 A.M.
159967/20 NY Marine & General
Ins. Co. Et Al v. Pl. Mechanical
Corp. Et Al—11:30 A.M.
160048/21 Pilon v. Mtgq
Investors—9:30 A.M.
157608/22 Procel v. Bop Se LLC Et
Al—10:30 A.M.
150709/23 Rhagmanan v. Roc-Fifth
Ave. Associates—10:30 A.M.
152242/23 Seneca Ins. Co. Inc.
A/o/o North Ave. East LLC v.
Transpro Us Inc.—10 A.M.

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Part 55
Justice James D'Auguste
71 Thomas Street
Phone 646-386-3289
Room 103
THURSDAY, DEC. 12
150207/11 Bellucia v. Cf 620 Owner
One
159325/23 Dejesus v. Forquignon Jr.
153036/24 Hereford Ins. Co. v.
Burgess
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152642/23 Samrad v. Park East Dev.
Group Et Al
452279/23 NYC v. The Land And
Bldg. Known As 110 9th Ave.
155418/17 Vasquez v. 501 West 41st
St.

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Al
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155108/18 Feeley v. Mb Real Estate
Services LLC
100734/24 Scott v. Leticia James
NYS Attorney General

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Services LLC

Part 58
Justice David B. Cohen
71 Thomas Street
Phone 646-636-3347
Room 305
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653565/16 Inbar Group, Inc. v. St.
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154727/24 Times Square 42 Dev.
LLC v. The New 42nd St. Inc. Et
Al

Part 56
Justice John J. Kelley
71 Thomas Street
Phone 646-386-5281
Room 204
THURSDAY, DEC. 12
150331/19 Cruz v. Trustees of
Columbia
805337/22 Dia v. Wolf M.D.
805339/19 Fulton v. NYU Langone
Hosp.
159434/22 The Estate of Juan Ortiz
v. Archcare At Terence Cardinal
Cooke Health Care Center Et Al

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452912/22 Ashley Candeloro As
Mother And Natural Guardian
of A. Z. An Infant Et Al v. NY
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100303/13 NYC v. Ej Electric
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For Nursing And Rehabilitation

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805100/22 Delucia v. Tang
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805232/21 Patterson v. Northern
Manhattan Nursing Home Inc.
D/b/a Northern Manhattan
Rehabilitation And Nursing
Center Et Al
805163/24 Simonson v. Memorial
Hosp. For Cancer And Allied
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da) Inc. v. Knuettel II
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159875/24 Perry v. Monaco

**111 CENTRE
STREET**

**Part 25
Guardianship**
Justice Ajfa Tingling
111 Centre Street
Phone 646-386-5675
Room 1254

Part 27
Justice Carol Sharpe
111 Centre Street
Phone 646-386-5625
Room 1045

**32
Mortgage Foreclosure
Part**
Justice Francis A. Kahn, III
111 Centre Street
Phone 646-386-5607
Room 1127B
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850306/24250 Fifth Ave Lender I
LLC v. Cosmic Rlty. Partners LLC
Et Al
850115/24973 Amsterdam Ave
Funding LLC v. Jo-Al Real Estate,
Inc. Et Al
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850657/23 Ci Notes LLC v. 7th Rlty.
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Maruru Hldgs.
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Raz 555 Hldgs. LLC Et Al
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Neuman
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850275/21 Wilmington Trust v. 153
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Harlem Premier Residence LLC
Et Al
850085/1821st Mortgage Corp. As v.
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850243/24 Citibank v. Noel
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651786/23 Rly. W. 14th St. Associates
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Vk E-Commerce
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652161/24 Pirs Capital v. 3bd
Network
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Boston Ship Repair

Part 42
Justice Emily Morales-
Miner
111 Centre Street
Phone 646-386-3237
Room 574
THURSDAY, DEC. 12
656858/22 Bethpage Fed. Credit
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651939/18 Jag Rlty. Group v.
Synergy Const. Corp.
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Acacia Network Housing, Inc.
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Mc Const. Consulting Inc.
657059/21 Structure Tone, Inc. v.
Harleysville Preferred Ins.
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Part 47
Justice Paul A. Goetz
111 Centre Street
Phone 646-386-3743
Room 1021
THURSDAY, DEC. 12
160329/21 154 E. 62 LLC v.
Normanus Rlty. LLC

Part 38
Justice Louis L. Nock
111 Centre Street
Phone 646-386-3235
Room 1166
THURSDAY, DEC. 12

159146/24 14 White Street Property
Owner v. Ra Consultants LLC Et Al
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USA Inc. Et Al
656847/22 Liberty Mgt. And Const.
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650963/23 Modern Woodcrafts LLC
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654747/23 Premier 1291 Third LLC
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652037/23 Romano Paving &
Contracting Corp. v. J. Coffey
Contracting, Inc. Et Al
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Selective Way Ins.
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Colorado Associates
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Mr. Z Dim Sum Inc. A/k/a Mr. Z
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Media Group
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Wholly Owned Subsidiary of Us
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Boston Ship Repair

Part 26
Justice Phaedra F. Perry
111 Centre Street
Phone 646-386-3308
Room 684
**Part Integrated
Domestic Violence**
Justice Tandra L. Dawson
100 Centre Street
Phone 646-386-3868
Room 1604
THURSDAY, DEC. 12
365122/24 Dymek v. Dymek

Part 39
Justice Suzanne J. Adams
111 Centre Street
Phone 646-386-3619
Courtroom 623
THURSDAY, DEC. 12
652506/13274 Madison Ave. Co.
LLC v. Caam
151105/18 Asaro v. Ihms
152033/18 Bachrach Group v.
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156952/21 Barrientos v. Club
Deportivo Dominicano, Inc. Et Al
805421/19 Carmona v. Village
Center For Care
156101/18 Chen v. Zeng
805245/19 Cisneros v. Rock
160920/16 Collado v. NYCTA
805267/19 Grey v. NY NYCH&HC
154814/14 Hood v. 107 East 125th
Rlty.
653565/16 Inbar Group, Inc. v. St.
Mark's World Staffing
805269/19 Kaufman v. NYU
Langone Health System
805068/21 M v. Lonner
151744/23 McCalla v. Pedro
151673/20 Mle Inc. v. Rpt Industries
Inc.
152547/18 Newman v. NYCHA
158224/16 Pacelli v. Peter L. Cedenro
157110/15 Perez v. NYC
156275/21 Plummer v. Luttrell

161617/21268 West 12th Owners
Corp. v. Ridley
157359/21325 Mgt. Corp. v. Statuto
153579/23 Aig Prop. Casualty Co. v.
Schad
159115/21 Alorise 801 LLC v. Alareqi
155980/23 B. v. 575-599 West 181
LLC Et Al
154165/24 Borden v. Thom Filicia
154780/20 Buff v. Harvey
Mendelsohn
161137/23 Cajamarca v. Hudson
Yards North Tower Tenant LLC
Et Al
16141/21 Cannon v. Merino
160847/23 Cano v. NYC School
Const. Auth. Et Al
158082/24 Clarke v. Clarke
155260/20 Diaz v. Park Elite Group
LLC
150135/19 Fiore v. Jp Morgan Chase
& Co.
601584/07 Franklin v. Cordero
159479/24 Gale v. Abramowitz
Esquire
153699/22 Gupta v. Rbnb 20 Owner
LLC
157484/22 Haid v. Ab Stable LLC Et
Al
159966/19 Honor v. Gilbane Bldg.
Co.
452994/24 In The Matter of The

807554/24 Sukhlal v. Berkshire Hathaway Specialty
805743/24 Tapia v. American United Transportation Inc. Et Al
806543/24 Upadhyayula v. Uber Technologies
807406/23 Valera Mujica v. Petretti & Associates LLC Et Al

Part 6

Justice Laura G. Douglas
Phone 718-618-1246
Room 811, 9:30 A.M.

Part 7

Justice Wilma Guzman
Phone 718-618-1288
Room 624, 9:30 A.M.
THURSDAY, DEC. 12

812789/23 Giannakos v. Seamless Auto LLC Et Al
800089/24 Paulino v. Franco Food Corp. D/b/a Associated Supermarket Et Al
808745/24 Portes v. Wavecrest Mgt. Group LLC Et Al
806229/24 Rosa v. Capellan

FRIDAY, DEC. 13

809736/24 Monte v. Rao
805566/24 Kantilla Ortiz v. 10-10 44th LLC
810542/24 Pilon v. Drapper
33277/20 Timoleon v. Edwin Gould Residence
812807/24 Viruet v. Vidal

Part 8

Justice Blanka Perez
Phone 718-618-1205
Room 704, 9:30 A.M.
THURSDAY, DEC. 12

810293/21 Bencosme v. 1683 Unico
813874/22 Camacho v. P & J Bivona LLC Et Al
809521/23 Feliciano v. 1064-1068 Ward LLC Et Al
22589/13 Hernandez v. Sanchez
33276/18 Lacerra v. NY Spine & Sport

26181/17 McNeil v. Chambers Heights
810552/24 Paz v. Ventura
802453/24 Rodriguez v. Mardenli
814775/24 Romo v. Manning
34314/18 Smith Jr v. Tyler's Dimes LLC

809290/23 Wallace v. Con Ed Co. of NY Et Al
31444/20 Zhang v. O2 Bbq Corp D/b/a O2 K-Bbq

Part 9 (LPM)

Justice Myrna Socorro
Phone 718-618-1625
Room 402, 9:30 A.M.
THURSDAY, DEC. 12

811769/22 Acevedo v. Triton Construction Company
814863/21 Bokum v. The Trustees of Columbia Univ. in NYC
22870/19 Brown v. Bronxcare Health System
808192/22 Carlos Echevarria Acaro v. Spencer Group NY Inc. Et Al
811602/23 Chiappone v. NYC Et Al
22705/18 Deacon v. NYC
805888/23 Dejesus v. NYC Et Al
817894/24 Derrick Craig v. NYC Et Al

35587/20 Dusbabon v. NYC
818239/22 Gilley v. NYC Et Al
33929/20 Haynesworth v. NYCTA
808118/24 Hogue v. NYC Et Al
813975/24 In The Matter of The Claim of Daniel Connolly v. NYC Et Al
23898/18 Jimenez v. NYC
801396/23 Loran v. NYC Et Al
810572/23 Molina v. NYC Et Al
804099/23 Moody v. NYC Et Al
802315/24 Muhammad v. NYC Et Al
817563/24 Parra v. NYC Et Al
809558/23 Paul v. NYC Et Al
815291/23 Rodriguez Corina v. Flushing Point Prop. LLC Et Al
814437/23 Ramsey v. NYC Et Al
803004/23 Richardson v. NYCTA Et Al

80883/23 Robinson v. NYC Et Al
808934/21 Shocrycgram v. NYC Et Al

807871/23 Tariq v. The NYCTA Et Al
24456/19 Traore v. NYCTA

FRIDAY, DEC. 13

23196/17 Acevedo v. Con Ed Co.
801751/22 Alvarado Barcenas v. West 30th St. LLC Et Al
31653/17 Arce v. Lincoln Spencer Apts.
23131/18 Arredondo v. Wasserstein Enterprises L.L.C.
814320/22 Bedoya v. 35-28 Rity.
802025/21 Bishop v. Waterbridge Court Square
27902/19 Bowen v. Hp Westchester Mews Housing

816826/22 Castro v. Wd Yorktown
811596/23 Colon v. Vasquez
806843/22 Crawford v. 26 West 39th LLC Et Al
817577/21 De La Cruz v. B'way. 85th LLC Et Al
29069/20 Donnery v. Skansa USA Inc Et Al

23137/20 Echavarria v. Jewish Theological
803258/21 Estrella v. NYC
811183/21 Flores v. 183 B'way. Owner LLC Et Al
804428/24 Footman v. Int'l Leadership Charter High School Et Al

26312/19 Garcia Barillas v. 355 Efst 149 St. Corp.
806567/21 Guilcapí Congacha v. Gc Capital Group LLC
31191/20 Hoyos Torres v. A.A.D. Const. Corp.
33238/19 James v. Sth Housing Dev. Fund
31720/17 Kelly v. Pergament Mall of Staten

25386/19 King v. Nyack Solar
815152/22 Lema Guaminga v. A & A Restoration, Inc. Guai
30428/17 Lopez v. Lendiaece (us) Const.

22803/14 Manfredonia v. 750 Astor
26159/20 Paulian Flores v. Tiffany And Co. U.S.
20313/19 Quintanilla v. Bldg Beacon Bronx
20923/18 Valdez v. McGee Plaza Housing

25589/18 Vlad v. Tj 104 Restaurant Corp.
26994/18 Williams v. Vno Bruckner Plaza LLC

Part 13 (MV)

Justice Patsy Gouldborne
Phone 718-618-1236
Room 706, 9:30 A.M.
THURSDAY, DEC. 12

814723/23 Aviles Bermeo v. Rojas
809043/21 Bah v. Adom Rental Transportation Inc Et Al
810879/21 Barrie v. Goh
801604/21 Boateng v. Aiken
809830/21 Bon v. Yerry
815085/22 Ceneus v. Rodriguez
818789/22 Ceverino v. Diaz
807124/21 Chappelle v. Nejasmic
35648/20 Chowdhury v. Spyro N. George

25467/18 Dacosta v. Rodney
21785/20 Dejesus v. Humayun
33738/13 Delacruz v. Hanning
806535/22 Diaz v. Rodriguez Garcia
818146/22 Duncan v. Tbbk Direct Leasing

808419/22 Durrant v. Wright
816769/22 Elwan v. Sumbagonzalez
806854/22 Farmer v. Manigat
28597/20 Figueroe v. American Quality Cleaning Corp
31159/18 Grant v. Reyes
25903/20 Hickman v. Jj Matthews Inc.

20118/19 Hyde v. Dacosta
811079/22 Jalloh v. Prestige Cars
Repair LLC Et Al
35303/19 Javier v. Sajid
800502/21 Jorgie v. Manchester Dairy Farm Corp.

30302/20 Keane v. Tri-Lane Transport LLC
31088/19 King v. Kaleem
816248/21 King-Small v. Gilbert
813949/21 Lewis v. Jj Mathews, Inc. Et Al

814044/21 McCrae v. American United Transportation Inc. Et Al
25716/18 Mejia v. Torres
33164/18 Mojica-Ciprian v. Nat. General Ins.
32269/19 Montero v. Vazquez Rodriguez

35271/20 Moore v. Gave
31848/18 Nyabingi v. Torralba
807339/21 Olan v. Zapata Estevez
26178/20 Ouedrago v. Rodriguez
818244/22 Pena v. Martes
810172/22 Perez v. Penula Cab Corp. Et Al

809649/22 Ramirez v. Selegzi
27338/18 Ramos v. Saar
22212/15 Robinson v. Richardson
802282/22 Robles v. Lumbar Supply Delivery Co. Et Al

809102/22 Rodriguez v. Munoz
27887/20 Ruiz v. Burgess
817574/21 Sanchez v. Bono
801873/21 Sasso v. Casa Bldg. Materials, Inc. Et Al
31265/20 Shaw v. Maha
813355/21 Stackhouse v. Keavey
24269/19 Steele v. Allen

806018/21 Thomas v. Agape Luxury Corp.
28609/18 Uddin v. Walter
808641/22 V. v. Frazier
35206/19 Wang v. Garrido
21647/18 Ward v. Jenkins
27267/20 Welch v. Milien
21556/20 Williams v. Germany
22723/19 Yusuf v. Rodriguez
815937/22 Zakaria v. Johnson-Dah

Part 12

Justice Kim A. Wilson
Phone 718-618-1396
Room 414, 9:30 A.M.

Part 14 (MV)
Justice John A. Howard
Phone 718-618-1244
Room 708, 9:30 A.M.
THURSDAY, DEC. 12

804473/22 Alvarez v. Benitez
814832/23 Alvarez v. Puaspincay
814344/22 Aponte-Rijo v. Catholic Charities Community Services LLC
814864/21 Awawdeh v. Joan Auto Repair Parts Corp. Et Al

808351/24 Bakayoko v. Polanco
34337/20 Bess v. Doumbouya
811458/23 Brito v. Singh
802525/22 Casilla v. Cedano
805478/21 Cedano v. Jauregui
801684/22 Cruz v. Moran
25728/20 Delacruz-Garcia v. Mueller

817679/21 Doyle v. Ibrahim
34534/18 Eanes v. Montulli
24248/20 Fields v. Transcom Leasing Corp.
802356/23 Figueroe v. Benitez
816190/23 Gibson v. Nurberdiyev
812314/23 Guilford v. American United Transportation Inc. Et Al

809655/22 Jerez Baez v. Calderon
818269/22 Leone v. J&I Int'l
815695/21 M v. Madura
304467/19 M. v. Madura
815455/21 McLean v. Cabrera
817567/22 Moharam v. Torrella
807087/21 Ortiz v. Pena

816319/21 Ortiz-Santana v. Ryder Transportation Services Inc. Et Al
806515/24 Pedabag v. Nunez
810301/23 Pena v. Tlforce Freight, Inc. Et Al

20134/20 Peralta v. Polo
812919/21 Quintero Arroyo v. NY Cross Docking LLC Et Al
811438/23 Rivera v. Malic
800989/23 Rosenda v. Doe
816252/21 Santos Cuello v. Moss
23418/19 Slater v. Mallett
27126/19 V. v. Satti
806094/23 Vizcaya v. Popa

812587/21 Washington v. Lopez
817194/22 Washington v. Cimeneria Jr.
816908/21 Williams v. Mta Bus Co. Et Al

Part 15 (MV)
Justice Ben R. Barbato
Phone 718-618-1395
Room 702, 9:30 A.M.
THURSDAY, DEC. 12

32523/19 Bigay v. Cortijo
806066/22 Gurung v. Villanueva

Part 16
Justice Robert T. Johnson
Part 18
Justice Wanda Y. Negrón
Phone 718-618-1203
Room 622, 9:30 A.M.
THURSDAY, DEC. 12

38353/24 Cruz v. Nunez-Cruz
803028/24 Ellis v. Edie-Ellis
808145/23 Hasani Shabaj v. Shabaj
806006/23 Luciano v. Luciano
820234/23 Sugrim v. Sugrim
810976/23 Sullana v. Chowdhury

FRIDAY, DEC. 13
42031/21 Taslim And v. Gaffer
27300/20 Velez v. Lara Medina

Part 19A
Justice Alicia Gerez
Phone 718-618-1377
Room 600, 9:30 A.M.
THURSDAY, DEC. 12

807708/21 Christy v. Montefiore Medical Center Et Al
809233/24 Joseph Guy Vallone v. The NY And Presbyterian Hosp. D/b/a New-Presbyterian
Westchester A/k/a New York-Presbyterian Lawrence Hosp. Et Al

808955/22 Vega Chavez v. NYCI&HC Corp.
Part 20
Justice Veronica G. Hummel
Phone 718-618-1240
Room 703, 9:30 A.M.
THURSDAY, DEC. 12

800345/23 A. v. Acuna
817321/24 Bayron v. 806 E 170 St. St.(bbln.)
807223/23 Rengifo Mestanza v. 200 East 20th LLC Et Al

801313/23 Ferreira v. Charlotte Bailey Associates LLC Et Al
813697/22 Ramos v. NYCTA Et Al
24635/20 Richard v. 1550 Rity.
31942/20 Simmons v. Pioneer Home Care, Inc.
803498/21 Strom v. Piriar Inc. D/b/a La Herdura

Part 21
Justice Ashlee Crawford
Phone 718-618-1435
Room 401, 9:30 A.M.
FRIDAY, DEC. 13

812044/22 Board of Mgrs. of The Shorehaven Condominium v. Byrd
30386/19 Castro v. Archstone Builders LLC
32960/20 Clemente v. Iel Nevins St. Housing

2802/20 Espinosa v. Steel Tone Const. Inc.
23354/20 Fernandez Reyes v. Hoffman St. Dev. LLC
31852/19 Goncalves v. NYC
27046/20 Jimenez Ortiz v. Habitat For Humanity Almat
28095/19 Morales v. Rose Drug Store Inc.

24461/20 Mori Servan v. Es Builders Group LLC
813111/22 NYCTL 2021-A Trust And The Bank of NY Mellon v. Johnny Dee & Sons Rity.
21009/18 O'Bryant v. Tepitzky
32242/18 Parkchester South v. Emilio Delgado

33180/19 Ramos v. Van Dorn Hldgs. LLC
26363/20 Roriguez Ordaz v. Rester USA LP

FRIDAY, DEC. 13
801359/21 Canales-Diaz v. NYC
807182/21 Colon Martinez v. White Plains Senior Housing Owner
26129/17 Henry v. West 25th St. Housing

Part 30
Justice Erik L. Gray
Phone 718-618-1320
Room 602, 9:30 A.M.
THURSDAY, DEC. 12

810434/23 Betances v. Pwb Mgt. Corp. Et Al
810829/22 Cabrera v. Macombs 1504
801171/24 Camejo Mendoza v. Voda Rity. LLC Et Al

804324/24 Castro v. Verizon NY Inc.
807485/24 Cox v. Cox
806305/21 Delgado v. Dorchester Tower Associates
803338/21 Garcia v. 42 Broad St. West Owner LLC Et Al

812702/23 Garcia v. Ys 440w57 Owner LLC
804677/22 Huaman v. 280 W 155th St. Owner

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810434/23 Betances v. Pwb Mgt. Corp. Et Al
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812702/23 Garcia v. Ys 440w57 Owner LLC
804677/22 Huaman v. 280 W 155th St. Owner

FRIDAY, DEC. 13
801359/21 Canales-Diaz v. NYC
807182/21 Colon Martinez v. White Plains Senior Housing

516156/24 Pryce-Ross v. 580-585 Rly. LLC.
509264/24 Rodriguez v. 1-10 Bush Terminal Owner
512435/24 Ruano v. Uk Gjikoka Et Al
514731/24 Sagesse v. Chireno
509066/24 Santiago v. 1515 1517 St. Johns Pl., Housing Dev. Fund Co., Inc. Et Al
512337/24 Segura Cuevas v. Bush
516719/24 Shahaf v. Ladolce
511512/24 Silva v. Brp Dev. Corp.
533141/23 Springer v. Interfaith Medical Center Et Al
501454/24 Taimour v. Costco Wholesale Corp. Et Al
515350/24 The Sea Gate Assoc. v. Cg Spl Engineering
527337/23 Tucker v. Borrome
514405/24 White v. Barrington
531107/23 Y v. Ukunc

MONDAY, DEC. 16

507550/24 Aikens v. Harris Water Main & Sewer Contractors, Inc. Et Al
502203/24 Al-Sayed v. Augustin
534692/23 Anderson-Davenport v. Strancker
510613/24 Aizer v. Rent A Sixt Et Al
515940/24 Baal v. Becker-Paramount Fee
503619/24 Balthazar v. Duwhite
501191/24 Brewster v. Wright
535988/23 Bull v. Ava Service Corp Et Al
523663/24 Cfg Merchant Solutions v. Icc Mgt & Consulting, Inc. Et Al

524608/24 Cfg Merchant Solutions v. Music City Gyros 4 LLC
517923/24 Chapman v. Mdmppza LLC Et Al
503373/24 Cornell v. Procidia Const. Corp. Et Al
503357/21 D & W Design, Inc. v. 360 Johnson
506922/24 Diaz v. 2864 Atlantic Rly. LLC Et Al
510225/24 Emerald Group Hldgs. LLC v. Plan B Hosp.ity Consulting
522067/24 Exotic Design & Wire LLC v. Peleus Ins. Co.
563/23 Felix v. Travieso
512929/24 Ferguson v. 830 Flatbush Rly.
521010/22 Ferrer v. Rehman
511187/24 Garcia v. Fuchs
500285/24 Global Merchant Cash Inc. D/b/a Wall St. Funding v. Brian K Clark D/b/a Brian Clark Custom Carpentry Et Al
532651/23 Gonzalez v. Bowl 360, Inc. Et Al

519719/24 Green Note Capital Partners Spv LLC v. Carmel Medical Investments LLC Et Al
530401/23 Guamuch Gomez v. 428 East 46 Llc
518911/24 Guerrero Ordonez v. Robinson
513434/24 Haywood v. Lux Credit Consultants LLC Et Al
506218/24 Hernandez Mora v. Certified Lumber Corp. Et Al
516163/24 Hfh Capital LLC v. General Plumbing Services Co. Et Al

501813/24 Highland Hill Capital LLC v. Lorenzo Appliances & Air Repairs Inc. D/b/a Lorenzo Air Repair Et Al
510347/24 Holguin v. Aviles
531894/23 Homex Funding Corp. v. Muhammad
531147/22 Jaffee v. Jaffee
520768/23 Jean v. Ali
537085/22 Johnson v. Munoz Engineering
515402/24 K.M. An Infant By His Mother And Natural Guardian Shanaya Farmer And Shanaya Farmer v. NYCHA

503534/24 Khamidulina v. Young
512041/24 Keshiva of Brighton Et Al
510717/24 Khokhar v. Blanco Rosario
513071/24 Knopfler v. 424 Bedford Associates
504937/23 Leah Roebbling v. Klencner
535294/23 Lindabury v. Aranoff
513801/24 Marin v. Gluck
53668/23 McGarrell v. Smalls
519636/24 Pavia Swift v. Jpmorgan Chase Bank
500478/24 Phagoo v. NYCHA
514599/24 Polanco v. Zuege
503556/24 Quitaisaca v. Uly 570 LLC Et Al
532946/23 Rifath v. Wheels 4 You Et Al

533431/23 Rodriguez v. Pusaria Homes LLC Et Al
529464/23 Rogut v. Coss Osoria
523942/20 Rosales v. 800 Snediker Rly.
519839/24 Sanders v. Toledo
508824/24 Sands Capital v. Eberhardt
514953/20 Schwartz v. Hub Int'l Group Northeast, Inc.
516622/22 Sepulveda v. Ronit Rly.
515552/24 Silas v. Pontifes
525880/19 Smith-Shalom v. Wiggins
519870/24 Soto-Diaz v. Ther
508150/23 Taitt v. Guarinio Funeral Home of Canarsie, Inc.
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531162/24 Td Bank v. Do All Home Improvement Inc. Et Al
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522216/24 Whyte v. Scientific Compactor Corp. Et Al
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Part ADR-COMM

Justice Richard Montelione
360 Adams Street
Phone 718-500-4012
Courtroom 574

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Commercial Division Part 6
Justice Lawrence Knipel
360 Adams Street
Phone 347-296-1630
Room 774
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508335/24 American Express Nat. Bank v. Cruzado
533703/23 American Express Nat. Bank v. Hunter
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Commercial Division Part 8
Justice Leon Ruchelsman
360 Adams Street
Phone 347-296-1604
Room 276
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510627/23 Salcedo v. McFarland
529404/24 Sandhaus v. Geico Ins. Co.
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Motion
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513594/23 Arriechi Rodriguez v. 333 Park Slope Condos LLC Et Al
516692/20 Bernier v. Flores
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5980/14 Bruckshof v. Aiken
531766/23 Buckmire v. Uddin
532939/22 Bucknor v. Cong Khal Zichron Shmuel Zvi D'Kruia Et Al
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509467/21 Campbell v. Feliz
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513941/21 Chavez-Lopez v. Fein-Fisher
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518646/19 Cotto v. Mahmood
517021/22 Cruz v. Florence Polizzotto
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517171/22 Delgado v. Gold Tillary Rlty. LLC
521751/18 Digangi v. NYU Langone Hosps.
505584/21 Douglas v. Ave. I Service Station, Inc. Et Al
518406/09 Dymersky v. Potash
508655/19 Dziemiszewicz v. 685 First City Co.
509702/21 Espinoza v. 793-801 Bedford Rlty. LLC Et Al
511456/22 Felix v. McDonald's Corp. Et Al
529750/22 Florez Bravo v. Food Bazaar Supermarket Et Al
510276/21 Gamaleldin v. Bourweiss
504999/21 Goman v. Club Med Roi Soleil Et Al
523818/22 Guerra v. Alam
516732/21 Guisao v. Chester St. LLC Et Al
523266/22 Hode v. Aaron Ishay
526493/23 Jackson v. Hinson
531124/23 Jay v. B-Towers LLC Et Al
509134/24 Johnson v. Spa Castle Inc. Et Al
524380/18 Kadatska v. Voronova
53376/23 Klebanov v. Fnmn Creamery Corp. Et Al
516905/17 Kleyman v. Mount Sinai Hosp.
531971/21 Kordakci v. Ivanhoe Rlty. Corp. Et Al
527992/21 Krol v. Congregation Yotzer Lev Dsatar Inc.
512254/22 Leahy v. Keir
510114/19 Lintonp v. Big Apple Livery Leasing LLC
501518/22 Lopez Jimenez v. Universal Steel Fabricators, Inc. Et Al
508213/21 Louissaint v. NYCHA Et Al
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526254/21 Morales Paniagua v. Bop 101 Lincoln Ave. LLC Et Al
521084/19 Morales v. Dajse
531673/21 Muhammedova v. Bio Beauty Studio Inc.
528005/23 Munassar v. Shalamberidze
524951/19 Neiman v. NYC NYCH&HC Et Al
507265/23 Nunez v. Granville Payne Condominium
523992/20 Ortiz v. Yei Transportation Corp. Et Al

536521/22 Pacheco Guajala v. Jds Const. Group LLC Et Al
535966/22 Patterson-Singh v. Luong
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503887/20 Pimentel v. 3139 Prop. Management Inc
504191/24 Portillo v. The Lispenard Condominium Et Al
531878/21 Rocha v. Caravana
513041/20 Rzepka v. Ilke Corp. Et Al
522110/19 Sanchez Batista v. A/va Service Corp.
532967/22 Shapiro v. Sharipov
513917/24 Sosa v. NYCHA Et Al
508009/21 Sostre v. Mameshe E LLC
515480/22 Stevenson v. R 2 Logistics LLC Et Al
533101/22 Stone v. Khan
522433/21 Tobo v. 2862-2874 Fulton St. LLC Et Al
529616/23 Torres v. Act Vi Denizen Hldgs. LLC Et Al
522457/21 Touloupov v. 2000 Ocean Properties LLC Et Al
511953/23 Toxanbayev v. Stewart
519616/23 Tsabadze v. Atlas Delivery LLC Et Al
535884/22 Tzita v. 627 N&N LLC
501913/20 Union Mutual Fire Ins. Co. v. 424 Bklyn. Rlty. Corp. Et Al
509762/24 Uraikova v. Campbell II
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536253/23 Vernet v. Njm Ins. Co. Et Al
520844/22 White v. NYCTA Et Al
503779/20 Williams v. Dharmasena
533134/22 Yuelles v. Parks
507095/21 Zeldovich v. Golden Kolos Corp. Et Al

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537876/2280-82 Adelphi St. Condominium v. 80-82 Adelphi St. LLC
517369/20 Acceptance Indemnity Ins. Co. A/s/o Sonia Noel v. Genet Plumbing And Heating Corp. Et Al
524573/21 Anglin v. Hameed
512428/24 Berger v. The Board of Directors of Pkwy. Gardens Owners, Inc. Et Al
520076/23 Bogaty v. 543 11th St. LLC
525547/22 Bookfinders Corp. v. Liquid Fba Gold LLC Et Al
511053/14 Cameron v. Four Seasons Nursing
505071/23 Charles v. Sambit Materials
523867/22 Charles v. 836 Crown LLC
525336/21 Choi v. Tariq
501739/24 Correa v. Quincy-Greene Associates L.P. Et Al
507192/17 Cruz v. Rahman
503031/24 Davi v. Herrick
515463/23 Donaldson v. Chaumea
518562/23 Durall v. Throop Court Ltd. Partnership Et Al
528809/21 Figueroa-Laboy v. Jacob Miller LLC Et Al
525552/21 Friedland v. 10 East 29th St. Associates LLC Et Al
525504/21 Graham v. Uber Technologies, Inc. Et Al
507928/22 Greaves v. Rajesh
512667/22 Haley v. Uber Technologies, Inc. Et Al
513856/22 Hawkins v. Li
535113/22 Just v. Amazon Logistics, Inc. Et Al
507711/22 Katz v. Brigham
520669/23 Knesees Island of Sea-Gate v. United Talmudical Academy of Boro Park, Inc.
519635/23 Knopfler v. Mercedes Benz USA
506986/23 Lin v. Horowitz
505308/23 Lopushina v. Lincoln Shore Owners, Inc. Et Al
501340/23 Mascoll v. Sisko Transportation Inc. Et Al
525292/18 McFee v. Midwood Ambulance & Oxygen
511237/21 McKenzie v. 1525 Myrtle LLC Et Al
506895/23 Moquillaza-Collachahua v. Make The Road NY
529691/23 Myrtle Owner v. Sandford Rlty. LLC
522692/17 Nasan v. Musa
503276/24 Nunez v. Fastrac Trucking Services Corp Et Al
509698/21 Otanew v. 582 Throop Homeowners Assoc., Inc.
510375/24 Pastrana Pilego v. For Soccer Ventures LLC Et Al
511944/21 Payne v. Damus
506530/22 Pimentel v. Singh
519083/24 Oypay v. Wav Transportation Group
511280/18 Rahman v. Maude
532260/22 Rodriguez Valdez v. St. Mary's Episcopal Church Et Al
511653/20 Rosario v. Djoudle Diallo
529724/21 Santos v. Principle Merchants Leasing
520887/18 Silber v. Crystal Bay Imports
506753/20 Skyers v. Tully Const. Co Inc Et Al
530460/23 Stich v. Spanakos
501502/20 Styplukowski v. 248-250 Bedford Nyc
529922/22 Talcus v. Larose
505511/19 Terry v. Lion Gate Agami Cab LLC Et Al
520951/22 Vangelous LLC v. Jwt Rlty. Corp. Et Al
521621/19 Velasquez v. Aksit
508564/21 Westminster v. His Ny2, Inc. Et Al
501493/23 Wiggins v. Rivera
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507532/21 Alejandro v. NYCH&HC Corp.
514068/21 Compton v. Sattar
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528634/22203 Ave. U Rlty. LLC v. 786 Paradise Associates Inc. Et Al
501185/21 Abrams v. NYC Et Al
523063/21 Alba v. Gilbane Residential Const.
532593/23 Anderson Jr. v. Islam
533155/21 Basilio Perez De Leon v. Pv Hldg. Corp. Et Al
510409/21 Beylina v. Institute For Community Living
514401/20 Bianca Rodriguez And Martitza Lugo v. Huaraca
527666/22 Boothe v. Xavier
525058/22 Cabrera Jr. v. Frank Brunckhorst Co., LLC. Et Al
508352/23 Charles v. Bracci Lumber & Hardware Inc. Et Al
521234/16 Ciaramello v. Bushwick Hldgs. Group LLC
520491/23 Diaz Milano v. Chowdhury
514364/19 Duran v. 701 Seventh Prop. Owner LLC
521881/20 Francois v. Uber Technologies, Inc. Et Al
508429/20 Galdamez v. Maple 49th Ave. Owner II
505407/23 Ganiev v. Yedid
503903/19 Gikher v. Fu
505367/22 Gooding v. Bermuda Rlty. No. 2 LLC
525715/21 Gooding v. Wyllie
506999/22 Guerrero v. Vp North Nj Emerald LLC Et Al
501138/20 Hunter v. The Brookdale Hosp. Medical Center
518533/18 Julien v. Chao
504418/24 Karaca v. 1 Madison Office Fee LLC Et Al
503060/24 Ks Infant By His Mother And Natural Guardian Kashwari Williams v. Kirkwood Apts. LLC Et Al
520044/19 Kuznetsova v. 141 Livingston Owner
534614/22 Lamothe v. Fws Morales Hillside Ave. Inc. Et Al
513007/22 Lasluisa v. Jrm Const. Mgt.
534135/23 Legrand v. Rainbow Nail & Hair Salon Inc.
511731/24 Ludy v. Anemos Et Al
53526/23 Lugo Jr. v. Gonzalez-Sabater
503881/22 Lundy v. Romero

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535771/22 M.D.A An Infant By His Father Natural Guardian Maxene Alexandre v. Ali
515816/21 M.G. v. Dicko
511825/22 Manwaring v. 458 East 51st St. Partners Et Al
536259/22 McEvoy v. Moische
524151/22 McManara v. Jean Dimola Irrevocable Trust Dated 27/07/ With Dominick Tesoriero As Trustee And Joseph Demola
534938/22 Mixcoat-Hernandez v. Heavea
500224/23 Murray v. Brookhead
516073/21 Myrie Wilson v. Cohen
500547/23 Nazmoon S. Sigillo v. Ra Sadot Properties LLC Et Al
503967/20 Nidam v. Kids of Courage, Inc.
502541/20 Oriental v. Moore
506356/14 Palma v. Tuyl
534266/23 Rezk v. Pena
535150/22 Rosario v. T85 Trading
508276/24 Salter v. Wal-Mart Stores East
515412/21 Schiano v. NY Presbyterian Bklyn. Methodist Hosp.
518200/19 Senatore v. Continental Towers Condominium
503719/21 Sosa v. Sjl 2735 East 13th St. LLC Et Al
536673/22 Stackhouse v. American United Transportation, Inc. Et Al
513728/15 Sulker v. 221 Linden Prop.
521290/20 Thompson v. The NYCTA Et Al
529315/21 Thousand v. Gibbs-Famosa
519177/23 Toribio Toribio v. Hertz Vehicles LLC Et Al
504480/22 Torres v. Amadiz
513013/24 Urena v. Aguilar
503545/24 Voronchikina v. Feldkufs
537639/23 Wilfrance v. Mazard
515025/22 Z. v. The Arab American Assoc. of New York, Inc.
507132/23 Zambrano v. Valero

Foreclosure Res Part 1
360 Adams Street Phone 347-296-1104 Courtroom 756
Foreclosure Res Part 2
Justice Mark Partnow 360 Adams Street Phone 347-296-1656 Courtroom 441
MONDAY, DEC. 16
16081/11 Meadowwood At Gateway v. Meadows

Foreclosure Part Conf. A
360 Adams Street Phone 347-401-9124 Courtroom 361
Part 2
Justice Aaron D. Maslow 320 Jay Street Phone 347-296-1082 Courtroom 18.36
THURSDAY, DEC. 12
514230/23855 Dekalb Ave. LLC v. 855 Dekalb LLC Et Al
516039/18 Bursee v. Cps Fee Co. LLC
29400/06 Pacific Carlton Dev. v. 752 Pacific
12578/14 Paukman v. Uvaydova
522216/23 Rival Funding v. Primrose Logistics
530888/23 Workman v. Elite Learners, Inc.

Motion
514230/23855 Dekalb Ave. LLC v. 855 Dekalb LLC Et Al
516039/18 Bursee v. Cps Fee Co. LLC
29400/06 Pacific Carlton Dev. v. 752 Pacific
12578/14 Paukman v. Uvaydova
522216/23 Rival Funding v. Primrose Logistics
530888/23 Workman v. Elite Learners, Inc.

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513612/21350 Oakford St. Inc. Et Al v. Old Republic Nat. Title Ins. Co.
516039/18 Bursee v. Cps Fee Co. LLC
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514230/23855 Dekalb Ave. LLC v. 855 Dekalb LLC Et Al
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522216/23 Rival Funding v. Primrose Logistics
530888/23 Workman v. Elite Learners, Inc.

Part 5G
Justice Jeffrey S. Sunshine 360 Adams Street Phone 347-296-1654 Courtroom 941, 9:30 A.M.
MONDAY, DEC. 16
51168/23 McNeil v. Thomas
Motion
51168/23 McNeil v. Thomas

Part 5J
Justice Theresa Cicotto 360 Adams Street Phone 347-296-1632 Courtroom 961
THURSDAY, DEC. 12
551443/22 Carnella v. Carnella
550899/21 Dowling v. Dowling
551966/23 Dudaie Wagenheim v. Wagenheim
550079/23 Mitchell-George v. George

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550899/21 Dowling v. Dowling
551966/23 Dudaie Wagenheim v. Wagenheim
Motion
551443/22 Carnella v. Carnella
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552557/22 Welch-Stucker v. Stucker

FRIDAY, DEC. 13
550966/23 Aly v. Beshir
MONDAY, DEC. 16
553054/22 Chen v. Gao
552540/20 Ephraim v. Ephraim
550827/20 Latimore v. Latimore
552324/23 Mohammad v. Mohammad
551102/22 Sutton v. Sutton

Conference
552540/20 Ephraim v. Ephraim
550827/20 Latimore v. Latimore
552324/23 Mohammad v. Mohammad
551102/22 Sutton v. Sutton
Part 5K
Justice Debra Silber 360 Adams Street Phone 347-296-1102 Courtroom 524, 9:30 A.M.

Part 5L
Justice Lorna J. McAllister 360 Adams Street Phone 347-296-1572 Courtroom 362, 9:30 A.M.
THURSDAY, DEC. 12
551719/23 Barda-Viera v. Viera
50891/21 Hussain v. Alrewi
550823/23 Saya v. Scott Saya
53253/19 Smith v. Lehman
552557/22 Welch-Stucker v. Stucker

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551719/23 Barda-Viera v. Viera
50891/21 Hussain v. Alrewi
550823/23 Saya v. Scott Saya
53253/19 Smith v. Lehman
Motion
551719/23 Barda-Viera v. Viera
50891/21 Hussain v. Alrewi
550823/23 Saya v. Scott Saya
53253/19 Smith v. Lehman

Part 10
Justice Lorna J. McAllister 360 Adams Street Phone 347-296-1572 Courtroom 362, 9:30 A.M.
THURSDAY, DEC. 12
551719/23 Barda-Viera v. Viera
50891/21 Hussain v. Alrewi
550823/23 Saya v. Scott Saya
53253/19 Smith v. Lehman
552557/22 Welch-Stucker v. Stucker

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552537/23 Fabre v. Fabre
550473/20 Haber v. Haber
552178/21 Zelenka v. Hertz
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552537/23 Fabre v. Fabre
550473/20 Haber v. Haber
552178/21 Zelenka v. Hertz

MONDAY, DEC. 16
553194/21 Dowling v. Dowling
54679/19 Fanfair v. Fanfair
53843/19 Infante v. Veintimilla
Part 11
Justice Dolores J. Thomas 360 Adams Street Phone 347-401-9211 Room 924, 9:30 A.M.
THURSDAY, DEC. 12
504423/21597 E 3 Mgt. Corp v. Pnc Bank As Successor in Interest To Nat. City Bank Et Al
521738/24 Adpma v. Us Millpack & Manufacturing Corp.
508405/22 Agams v. Shore View Acquisition I
506719/24 Asrorov v. Zhang
516998/24 Awawdeh v. Empire Pump & Motor Nyl LLC Et Al
510783/21 Bah v. Helfrich
532663/23 Bazile v. Transfer Station Services, Inc. Et Al
527343/22 Brown v. Mohamed
520642/24 Burgess Mee Lp v. Zahmoul
517517/21 Carmel v. 319 3rd St. Rlty. LLC Et Al
523527/23 Cfg Merchant Solutions v. Beyondoffice Hldg. LLC Et Al
504623/24 Charles v. Empire Charter Service, Inc. Et Al
520522/23 Charles v. Stat Transport, Inc. Et Al
519385/24 Cheng v. Ngo
521947/21 Cocco v. NYCTA Et Al
521401/23 Coleman v. Bklyn. Citrus, Inc. Et Al
531127/22 Coolidge Capital LLC v. Jp One LLC D/b/a Jp One LLC Et Al
505409/23 Cygnet Systems v. Acupuncture Rnd Pcs. Et Al
510458/23 Delmas v. Rjs Express Inc. Et Al
506390/20 Farley v. Thapar
507876/23 Gayle v. Lakouetene
517376/23 Global Merchant Cash Inc. D/b/a Wall St. Funding v. Bobbitt Auto Inc D/b/a Bobbitt Auto Et Al
507503/23 Guillaume v. Humpbreds
500379/20 Halstead v. Deutsche Bank
523844/23 Ibe v. Behan
526363/24 In The Matter of The Petition of J.G. Wentworth Originations V. Athene Annuity & Life Co. Et Al
535579/23 Laval v. American Transit Ins. Co.
516632/23 Martin-Jones v. American United Transportation Et Al
523589/24 Melnick v. Medly Health, Inc.
519740/23 Newland v. Wnu LLC
988/24 Phillip v. Dowling
514447/23 Pierre v. Berrios
525009/24 Pollack v. Waghsh
502290/22 Rattan v. Uddin
519078/20 Robinson v. Browne-Mixon
500913/20 Saadia v. Nat. Society of Hebrew
521738/23 Scott v. Arafat
525855/24 Sutton v. Birnack
516959/24 Tchumburidze v. Sheraliev
512713/24 Vanater v. Con Ed
537870/23 Yoon v. Sunset Home Assoc., Inc. Et Al

Part 8
360 Adams Street Courtroom 756
Part 9
Justice Debra Silber 360 Adams Street Phone 347-296-1102 Courtroom 524, 9:30 A.M.
THURSDAY, DEC. 12
Motion
503468/22 Faneus v. Nypd Et Al
524275/24 So v. NYCTA Et Al

Part 5T
Justice Dolores J. Thomas 360 Adams Street Phone 347-401-9211 Room 924, 9:30 A.M.
Part 7
360 Adams Street Phone 347-401-9477 Courtroom 456, 9:30 A.M.
THURSDAY, DEC. 12
Motion
503468/22 Faneus v. Nypd Et Al
524275/24 So v. NYCTA Et Al

Part 8
360 Adams Street Courtroom 756
Part 9
Justice Debra Silber 360 Adams Street Phone 347-296-1102 Courtroom 524, 9:30 A.M.
THURSDAY, DEC. 12
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509148/19 Alexander v. 15-19 Wyckoff St. Rlty.
524159/24 American Transit Ins. Co. v. Modern Bklyn. Medical Pc
521623/24 Cfg Merchant Solutions v. The Texas State Alternative-Home School Et Al
509770/24 Citibank, N.A. As Trustee For The Registered Holders of Wells Fargo Commercial Mortgage Securities, Inc. Multifamily Mortgage Pass-Through Certificates, Series 2018-SB48, By And Through Its Special Servicer, Lrr Partners, LLC v. 162 Stuyvesant Rlty. LLC Et Al
500178/16 Corneo v. Rose Castle Corp. D/b/a Rose Corp.
503622/21 Danzy v. Singh
503162/18 Desantis v. Reuther Trucking Corp.
528483/23 Fel Hldgs. v. Encyc Co.
511602/19 Feth Allah v. Pride Transportation
512531/24 Fiji Funding v. Steve Clark Drywall Inc Et Al
533013/23 Fintegra LLC v. Pf Milligan LLC D/b/a P/Lc Milligan Et Al
534317/23 Gettys v. Karim
526532/21 Hernandez v. Abdurakhmanov
506979/24 In The Matter of The Application of Chana Brachfeld For A Judgment Under Article 78 of The Civil Practice Law And Rules Et Al v. Niblack
528473/23 In The Matter of The Application of Kissel Assets LLC. For A Judgment Under Article 78 of The Civil Practice Law And Rules v. Niblack
523991/24 In The Matter of The Application of Progressive Advanced Ins. Co. v. Rose

Part 5F
Justice Rachel Amy Adams 360 Adams Street Phone 347-296-1636 Courtroom 929, 9:30 A.M.
THURSDAY, DEC. 12
50776/21 Bankhalter v. Bankhalter
550419/20 Gonzales v. Gonzales
550517/24 Greenfield v. Zaida
552608/22 Lewis v. Lewis
51763/19 Mosleh v. Heimed
550705/23 Strieder v. Karamitrou
550248/21 Suede v. Suede

Conference
50776/21 Bankhalter v. Bankhalter
550517/2

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