

IN BRIEF

Kirkland REIT M&A Partner Jumps to Gibson Dunn

Kirkland & Ellis real estate M&A partner David Perechocky has moved to Gibson, Dunn & Crutcher, the firm announced Tuesday.

Perechocky joined Gibson Dunn's New York office as a partner in the firm's real estate and real estate investment trust (REIT) industry group.

His arrival coincides with heightened demand for the REIT industry group, real estate practice group co-chair Eric Feuerstein said in a press release. "With rising demand for REIT M&A transactions, including take-private deals, and a growing need among investors to access REIT capital markets, David's deep experience managing complex and creative deal structures will be invaluable," Feuerstein said in the release.

In an interview, Perechocky said he'd also observed rising demand in REIT M&A due to changes in the real estate market in valuations and pricing that are prompting clients to deploy dry powder. "I expect it to only pick up even more," he said. "Transactional demand seems to be increasing, and I think it's just going to get even more busy."

Perechocky joined Kirkland as an associate in 2017 and was promoted to partner in the firm's M&A and private equity practices in October 2019, according to Perechocky's LinkedIn profile and Kirkland's website.

On his move to Gibson Dunn, Perechocky said he'd sat across the table from the Gibson Dunn team for years on a variety of deals. "When this opportunity came up, it seemed like a perfect fit," Perechocky said. "They are very active and growing in REITs and real estate M&A and that's exactly what I do, it's a great match. This was an opportunity to help grow that practice."

Perechocky declined to say whether a majority of his clients planned to follow him to Gibson Dunn.

When asked for a comment on Perechocky's departure, a

Facing the Sudden Death of a Longtime Colleague

»6

representative for Kirkland & Ellis said, "We thank David for his contribution to the firm and wish him well."

—Dan Roe

Legal Tech Startup Truth Systems Announces Tool for Preventing AI Misuse in Law Firms

A San Francisco legal tech startup announced Wednesday that it will be launching a new tool to prevent the misuse of artificial intelligence in law firms.

Truth Systems, a company focused on improving legal practitioners' trust in generative AI, is slated to debut an AI agent called Charter at the International Legal Tech Association Conference next week, according to a press release from the company.

Charter is designed to provide real-time enforcement of law firms' internal AI policies, the press release said. The AI agent "sits on top" of any AI platforms used by the firms' employees and blocks users from inputting prompts or text that could potentially violate the firms' guidelines. Charter sends users alerts about potential violations as they occur and records the incident in an audit log that the firm can then review.

"We're both helping firms that already have AI policies in place to iterate on the current set of policies they have so far, but also for the ones who are looking to deploy AI and trying to write policy," Truth Systems co-founder Nam Nguyen told Legaltech News. He said Truth Systems also provides a template of best practices for firms who do not yet have robust AI guidelines.

In addition to flagging potential violations, Charter lets users know if a particular query is better suited for a different platform, making recommendations when there are more appropriate tools at the users' disposal. "We want users to be using the right tools for the right job," Nguyen said.

Truth Systems developed Charter with a boost from a \$1 million pre-seed funding round in June 2025 led by Y Combinator, with The Legal Tech Fund and Pear VC also participating. According to Nguyen, Truth Systems, which was founded in 2023, started developing Charter about a year

» Page 4

Judge Declares Partial Mistrial in Crypto Mixer Money Laundering Case

BY ALYSSA AQUINO

MANHATTAN U.S. District Judge Katherine Polk Failla on Wednesday declared a partial mistrial in the \$1 billion money laundering case against Roman Storm, after jurors remained deadlocked on whether the creator of the Tornado Cash cryptocurrency mixer was guilty of money laundering and sanctions evasion conspiracy charges.

However, the jurors convicted Storm of one count of conspiring to operate an unlicensed money transmitting business, which carries a maximum 5-year prison sentence.

That money transmission conspiracy charge was the least serious charge levied against Storm over his role in developing Tornado

Cash, a platform that allows users to anonymously send cryptocurrency and which U.S. officials have linked to the North Korean hacking outfit, Lazarus Group.

Conspiring to commit money laundering and conspiring to commit sanctions violations—the charges on which the jurors deadlocked—each carry a potential 20-year prison sentence.

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

Waymaker's Brian Klein, one of Storm's attorneys, said his client would continue fighting the case.

"There are serious legal issues with the sole remaining count involving unlicensed money transmission. We will not stop fighting for Roman and expect

» Page 4



Roman Storm's, at left, defense team argued that he shouldn't be criminally liable for developing a code that was abused by others.



Last week, the New York State Office of Cannabis Management admitted an error in the 500-foot proximity rule for dispensaries.

ALEX/ADOBESTOCK

State Senator Proposes Fix to Cannabis Regulators' Mistaken Advisement on School Buffer Zones

BY BRIAN LEE

A NEW YORK lawmaker is proposing a "grandfather" clause to remedy cannabis regulators' misinterpretation of a 500-foot buffer rule between dispensaries and schools, a miscalculation that impacts more than 150 businesses.

State Sen. Luis Sepulveda, D-Bronx, filed legislation on Monday to help the impacted businesses whose cannabis licenses were approved in error by the

Office of Cannabis Management prior to July 28.

On July 29, the OCM announced that, since its inception it had erred in advising applicants that the 500-foot proximity restriction should be measured in a straight line—from the center of the nearest school entry to the middle of the dispensary's main entrance—and that the rule was limited to when the dispensary and school are on the same street or road.

The OCM's updated measurement standard clarified

» Page 4

US Financial Regulatory Enforcement Plummets Under Trump, Report Finds

BY DAN NOVAK

REGULATORY enforcement of the U.S. financial services industry sharply declined in the first half of 2025, reflecting the Trump

New Changes to New York's Landmark Discovery Reforms Take Effect Today

BY BRIAN LEE

THE LATEST changes to New York's five-year-old landmark discovery reforms took effect on Thursday.

The amendments were requested by Gov. Kathy Hochul, who predicts they'll reverse what she said is a trend of criminal cases that have been thrown out on "technicalities."

Hochul, who made discovery changes a centerpiece of her priorities during the six-month budget process, held a news conference in Albany on Wednesday to celebrate the forthcoming "common sense" changes with executive leadership of the District Attorneys Association of the State of New York and other advocates.

The reform requires courts to consider a prosecutor's efforts in their entirety, rather than for "insignificant mistakes," and whether



Gov. Kathy Hochul said the state's discovery requirements once skewed too far against the defense but have since been tilted too far against prosecutors.

any missing evidence prejudiced the defense, Hochul said.

Rensselaer County District Attorney and DAASNY President

Mary Pat Donnelly predicted the "commonsense amendments" would "help minimize technical dismissals and ensure

» Page 6

DECISIONS OF INTEREST

First Department

CRIMINAL LAW: Judgment reversed, conviction vacated; indictment dismissed for lack of probable cause. *People v. Williams*, App. Div.

PERSONAL INJURY: Summary judgment partially granted in personal injury action. *Yun v. Nyssens*, Supreme Court, New York.

MEDICAL MALPRACTICE: Motion to add party in dental malpractice action granted by court. *Ward v. Michael Kodon, D.D.S.*, NYC P.C., Supreme Court, New York.

PERSONAL INJURY: Court finds defendant sufficiently pleaded cause of action for negligence. *A.B. v. Madison Sq. Boys & Girls Club*, Supreme Court, New York.

CIVIL PROCEDURE: Order to vacate judgment denied as defendant failed to argue it was improperly served. *Max Way Med. PC v. Allstate Ins. Co.*, Civil Court, New York.

Second Department

MEDICAL MALPRACTICE: Plaintiff's testimony in medical malpractice trial

not hearsay, court rules. *Cristini v. Feldman*, Supreme Court, Kings.

LANDLORD-TENANT LAW: Motion to dismiss denied; eviction granted for petitioners. *Vendome v. Prima Pasta & Cafe Corp.*, Civil Court, Queens.

U.S. Courts

CIVIL RIGHTS: Plaintiff acted as private citizen, not court's clerk, when cooperating in misconduct probe. *Long v. Byrne*, 2d Cir.

CRIMINAL LAW: Evidence supports conviction for securities, other frauds; no entitlement to new trial. *U.S. v. Hild*, 2d Cir.

CIVIL PROCEDURE: Court explains why job suit plaintiff cannot proceed under pseudonym. *Doe v. Sumitomo Fin. & Leasing Ltd.*, SDNY.

CONTRACTUAL DISPUTES: Amended tortious interference pleadings state existence of valid employment contracts. *St. Joseph's Hosp. Health Ctr. v. Am. Anesthesiology of Syracuse PC*, NDNY.

CIVIL PROCEDURE: Order to vacate judgment denied as defendant failed to argue it was improperly served. *Max Way Med. PC v. Allstate Ins. Co.*, Civil Court, New York.

DECISION SUMMARIES

Page 17

FULL-TEXT DECISIONS, nylj.com

97%

Decrease in financial penalties for competition violations, which include antitrust and corruption offenses.

administration's rapid deregulatory push, according to a study released Tuesday.

Total enforcement actions against financial services firms fell 37% from the final six months of 2024, stated Wolters Kluwer's Regulatory Violations Intelligence Index. Monetary penalties also dropped considerably, falling 32% in the three violation categories tracked—financial, consumer-protection and competition-related offenses, the information services company reported. "We're witnessing a fundamental trans-

» Page 4

Law Firms See 'Surprising' C-Suite Hiring Boost, Amid Increased Mobility, Comp Pressures

BY RYAN HARROFF

AM LAW 200 law firms have hired C-suite leaders rapidly this year, especially this summer, amid more mobility in the jobs, higher workloads for leaders, and more compensation pressures for firms.

Just last month, Am Law 200 law

firms hired or promoted at least 29 C-suite-level executives and directors, according to data shared with Law.com by Steve Nelson, an executive consultant at legal industry advisory firm The McCormick Group.

July was a "particularly busy" month in high-level hires for the legal industry, Nelson said, adding

it was "surprising" to see it over the summer, because in his experience, people in those roles are more likely to move around in September or the beginning of a given year.

Law firms are finding it challenging to keep up with increasing compensation packages of C-suite talent and an increasingly mobile talent pool, Nelson said,

» Page 4

INSIDE LAW JOURNAL

Calendar of Events	7
Corporate Update	5
Court Calendars	9
Court Notes	9
Decisions	17
Expert Analysis	3
Lawyer to Lawyer	3
Legal Notices	14
Outside Counsel	4
Perspective	6

See page 2 for complete Inside lineup.

Give Your Clients a Gift with Real Value.

Grant your clients unlimited access to award-winning legal news coverage with an ALM Gift Subscription.

Get Started
Visit [at.law.com/gift](http://law.com/gift)

NewYorkLawJournal.com

BONDS

Contact us by phone or email at

info@blaikiegroup.com

- Appeals
- Discharge Lien
- Guardian
- Executor
- Lost Instrument

Express Solutions Expressly for Bonding Problems Since 1933

THE
BLAIKIE
GROUP

111 John St., 16th Floor
New York, New York 10038
212-962-BOND 212-267-8440

D. Nicholas Blaikie
Colette M. Blaikie
Fayth Vasseur
Christine Harding

www.blaikiegroup.com

ALM

New York Law Journal Inside

Criminal Law »3

'People v. Mero': Joinder and the New York Court of Appeals by Paul Schechtman

Online

» Court Calendars

Civil and Supreme Court calendars for New York and surrounding counties are now available weeks in advance at [nylj.com](#). Search cases by county, index, judge or party name. Important Part information, including addresses, phone numbers and courtrooms are updated daily. Only at [nylj.com](#).

Secured Transactions »3

Evolution of Family Mediation: 2025 AFCC/ABA Model Standards by Elisa Reiter and Daniel Pollack

Outside Counsel »4

Trump Administration Gives Data Centers A Big Push by E. Gail Suchman and Mark F. Sundback

Online

» Today's Tip

View the special sections online and download today's paper at the Law Journal Download Center. Only at [nylj.com](#).

CORPORATE UPDATE »5

Secured Transactions: Secured Creditors' Rights And Risks Under Article 9 by Barbara M. Goodstein and Adam C. Wolk

FDA Taps HHS Veteran To Serve as Chief Counsel by Michael Gennaro

Online

» More Corporate columns are archived at [nylj.com](#).

Perspective »6

Facing the Sudden Death of a Longtime Colleague by Allan Ripp

NCAA Promotes Top Lawyer Weeks After Settling Mega-Case by Michael Gennaro »7

Calendar of Events »7

Report: Women Scoring Big Paydays, but Men Still Landing Most of the Plum Jobs

BY TRUDY KNOCKLESS AND GREG ANDREWS

WHEN women land Fortune 1000 general counsel posts, the pay they collect is on par with what men earn. But men still are landing the vast majority of the jobs, and progress in narrowing that gap appears to have stalled.

Corporate Counsel, which last week published its annual highest-paid general counsel list, on Tuesday rolled out its rankings of the highest-paid female legal chiefs. Six women cracked the top 20, up from five last year but down from nine in 2023.

"They're bouncing around like pinballs," said Jason Winmill, managing partner for the in-house consultancy Argopoint, noting that the average for the three years is between six and seven.

"So the question becomes: Is that the right number? Corporate America seems very uncertain and uneasy with that question right now," he said. "The public conversation on this topic has grown eerily quiet over the past year."

The 2023 highest-paid list boasted more women in part because it captured the final year of compensation for two of the nation's most prominent female

legal chiefs—Dorian Daley, who retired from Oracle after 30 years with the company, the final 15 as legal chief, and Laura Schumacher, who retired from AbbVie after 10 years as legal chief.

Each year's top 20 includes women who rocketed toward the top of the list as a result of cash and stock sign-on bonuses companies doled out to woo them aboard.

Cracking the 2025 top 20 were Ava Hahn, who received a \$2 million sign-on bonus and a \$1.14 million sign-on stock award when she joined Advanced Micro Devices in January 2024, and Louise Pentland, who received a \$300,000 sign-on bonus and a \$9.75 million sign-on stock award when she took the legal reins of Roku in July 2024. (However, Pentland forfeited nearly all that largesse when she resigned in May after just 10 months to become legal chief of Adobe.)

The only female legal chiefs to land in the top 20 all three years were Apple's Katherine Adams and Goldman Sachs' Kathryn Ruemmler.

Corporate Counsel's rankings, produced in partnership with ALM Intelligence, include all Fortune 1000 legal chiefs who rank among their company's five highest-paid executives—the threshold for disclosure under Securities and Exchange Commission rules.

Among the prominent women

Top 16 Female GC Compensation in 2025		
Name	Company	Total Compensation
Katherine Adams	Apple	\$27,179,257
Kathryn Ruemmler	Goldman Sachs Group	\$17,635,089
Shannon Thyme Klinger	Moderna	\$17,368,701
Ava Hahn	Advanced Micro Devices	\$16,856,579
Dev Stahlkopf	Cisco Systems	\$12,496,860
Louise Pentland	Roku	\$12,399,703
Laureen Seeger	American Express	\$11,270,084
Amy Tu	Target	\$10,533,824
Tonit Calaway	BorgWarner	\$10,197,660
Anne Robinson	IBM	\$9,877,360
Rachel Gonzalez	GE Vernova	\$9,464,243
Christa D'Alimonte	Paramount Global	\$8,919,623
Lindsay Llewellyn	Lyft	\$7,974,793
Brandi Galvin Morandi	Equinix	\$7,759,777
Elizabeth Campbell	Cencora	\$7,669,064
Anne Madden	Honeywell International	\$7,479,478

falling outside the top five—and thus omitted from Corporate Counsel's rankings—are Meta's Jennifer Newstead and JPMorgan Chase's Stacy Friedman.

The rankings for each of the three years include more than 500 legal chiefs. Corporate Counsel's analysis of the data found that median pay for women on the 2025 list was \$2.97 million, a hair

higher than the median for men of \$2.95 million.

Pay has trended up for both men and women over the past three years. The 2023 median was \$2.62 million for women and \$2.52 million for men, and the 2024 median was \$2.71 million for women and \$2.72 million for men.

Less encouraging for those

eager to see more opportunities

open up for women, the analysis found that female representation on the list has been flat—35% in 2023, 36% in 2024 and 35% this year.

Studies of who holds Fortune 500 legal chief posts have found a similar stalling of progress. The executive search and leadership consulting firm SpencerStuart said women held 39% of legal chief posts in 2024, down from 40% in 2023 but a marked improvement from 28% in 2018.

On LinkedIn, Amanda Kimball, an executive recruiter in SpencerStuart's legal, compliance and government affairs practice, lamented the lack of recent progress, writing, "Women continue to be underrepresented among Fortune 500 general counsel, with relatively no change in the percentage over the last four years, highlighting the possible need for better leadership development programs."

It's unclear how the backlash against DEI might affect those percentages in future years. Many companies say they remain committed to diversity but are laying low as President Donald Trump's administration raises the specter of criminal prosecution for companies embracing what Trump calls "illegal DEI."

In a 2023 report, the executive search firm Russell Reynolds Associates said that during tumultuous

times companies are more likely to hire general counsel who have held the job before, based on the belief that they need someone who can "hit the ground running from day one."

The firm said that mindset is why the percentage of Fortune 500 GC hires who were first-timers plunged from 67% before the pandemic to 57% afterward.

"Such a preference, while grounded in practicality, slows down progress toward diversity goals," the report said. "Companies looking solely for seasoned GCs could also overlook qualified talent who are ready to step up into the top job."

Russell Reynolds' report also noted that when companies do hire first-timers, they are more likely to provide the opportunity to a male than a female. Sixty-seven percent of the male Fortune 500 GCs were first-timers, vs. 60% of the females.

"When appointed, female GCs have stronger educational credentials—they are more likely to have Ivy League undergraduate degrees and come from one of the top 10 law schools, compared with male GCs," the report said.

Alvin Bragg votes in 2021, the day he was elected Manhattan district attorney.

Shareholders Upping Pressure on Companies To Disclose Political Activities

BY CHRIS O'MALLEY

A CHANGE in the political climate and new regulatory guidance knocked the wind out of shareholder proposals during the 2025 proxy season—except for those demanding greater corporate disclosure of political contributions.

At least that's based on the outcome of shareholder proposals supported by the Center for Political Accountability that require companies to adopt board oversight and accountability policies for their political spending.

The Washington, D.C.-based group said average shareholder support for such resolutions rose to 41.6% this year, from 26.2% in the 2024 proxy season.

"This year's strong showing is striking given the dramatically changed political environment and the weak results on related issues," according to a blog post the center recently wrote for the Harvard Law School Forum on Corporate



Alvin Bragg votes in 2021, the day he was elected Manhattan district attorney.

Airbus. It called on the company to provide reports on policies and procedures for political giving, along with details on contribution amounts and recipients.

"Political activity can pose increasingly significant risks for companies, including the perception that political contributions—and other forms of activity—are at odds with core company values," the proposal stated.

The proposal garnered 51.4% shareholder support even though Spirit's board called the proposal unnecessary, as company policy since 2019 has prohibited the use of corporate funds to make contributions to candidates for election to federal office.

But as CPA noted in a report last year, companies are often politically active at the state level. They can evade campaign finance regulations—and public scrutiny—through contributions to political organizations operating under Section 527 of the Internal Revenue Code.

by the CPA, 13 went to a vote and five received majority support.

One of those five was a proposal that shareholder activist John Chevedden submitted to Spirit AeroSystems, a maker of fuselages and flight surfaces for Boeing and

These include attorneys general and governors' associations, along with state legislative campaign committees."

"While many corporations publicly support democratic principles, their financial backing of organizations promoting anti-democratic practices reveals a stark contradiction," CPA stated in last year's report.

Consequences include "the erosion of public trust in both democratic institutions and corporate integrity."

Shareholders' push for greater transparency around corporate political activity had a more sweeping impact than the five majority votes might suggest. In seven instances, shareholders withdrew their proposals after reaching agreements with target companies. And a shareholder withdrew an eighth proposal after the target company agreed to implement it.

The success this year of political-giving proposals contrasts

sharply with support for shareholder resolutions involving environmental, social and governance matters.

The number of ESG shareholder resolutions tumbled by about one-third this year after five years of growth.

Average support for ESG resolutions (pro- and anti-) fell to 22.5% this year—the lowest in five years and compares with 35.8% in 2021, according to Morningstar.

One reason for a decrease in proposals was Securities and Exchange Commission guidance issued in February giving companies more leeway to exclude shareholder proposals.

In addition, the Trump administration's threats of litigation against companies making hiring decisions based on race and other non-merit considerations has cooled off advocacy for diversity, equity and inclusion proposals.

Chris O'Malley can be reached at [comalley@alm.com](#).

Arnold & Porter Continues Raiding K&L Gates Amid Big Law Summer Hiring

BY ABIGAIL ADCOX

ARNOLD & PORTER Kaye Scholer has continued raiding K&L Gates' West Coast talent, announcing on Monday that it has hired an eight-partner lateral team in its Seattle and Los Angeles offices. The firm's total lateral catch from K&L Gates is at least 12 partners now.

The Monday hiring was among the latest for Big Law firms in or from Washington, D.C., in what is a busy summer for lateral movement. Barnes & Thornburg; Hogan Lovells; McGuireWoods; Willkie Farr & Gallagher; and Nachawati Law Group also announced new partner additions in D.C., New York, Los Angeles and Seattle.

For Arnold & Porter, the eight additional lawyers from K&L Gates are joining the firm's real estate, labor & employment and complex litigation groups.

Out of the eight, partners Marisa Bocci, Mark Filipini, Ashley Gammell, Daniel Glassman, Ryan Groshong, Kari Larson, Aaron Millstein and Todd Nunn of Arnold & Porter



Marisa Bocci, Mark Filipini, Ashley Gammell, Daniel Glassman, Ryan Groshong, Kari Larson, Aaron Millstein and Todd Nunn of Arnold & Porter

week after Arnold & Porter hired a four-partner group from K&L Gates, opening a Seattle office led by Palavi Mehta Wahi, former head of K&L Gates' Seattle office.

The addition of these talented colleagues strengthens the firm's capabilities in key sectors and positions us to meet increasing demand for sophisticated legal counsel in the Pacific Northwest," said Arnold & Porter co-chair Michael Daneker, in a firm statement. "This multifaceted team is well prepared

to handle clients' dynamic needs in one of the fastest-growing legal markets."

A representative for Arnold & Porter did not comment on whether any associates or counsel were joining the eight-partner group from K&L Gates.

In response to the most recent departures, Julie Anne Halter, K&L Gates' Seattle office managing partner, said that their office will continue being "an industry trailblazer."

The move is the latest group hire in Big Law, which has seen a flurry of group lateral moves in 2025.

Meanwhile, Willkie has hired international arbitration attorney Kristen Young as a partner in Washington, D.C., arriving from Boies Schiller Flexner. Young's practice focuses on international investment treaty and commercial arbitration, with an emphasis on energy, mining and infrastructure disputes.

At McGuireWoods, the firm has hired Bharath Mohan as a partner to its private equity team in New York. Mohan joins from Paul, Weiss, Rifkind, Wharton & Garrison, where he was a senior associate, according to a LinkedIn profile.

Mohan represents private equity and growth equity firms, multinational corporations and strategic buyers and sellers.

In statement, Richard Viola, deputy managing partner of McGuireWoods' corporate practice, said Mohan will expand "the reach" of the firm's private equity team.

For its part, Hogan Lovells announced a new hire in D.C., adding Elizabeth Jungman as a partner in its pharmaceutical and biotechnology team. Jungman was most recently a senior policy adviser at the Office of the Commissioner for

the Food and Drug Administration. She had previously served as chief of staff to the FDA commissioner until earlier this year.

Barnes & Thornburg also hired a former FDA attorney in D.C. this week, bringing on Seth Mailhot as a partner in its health care and life sciences team. Mailhot was previously an FDA investigator and compliance officer.

At Dallas-based plaintiff's firm Nachawati Law Group, the firm added former Justice Department attorney Michael Kades as a partner to lead an antitrust practice at the firm.

Kades formerly worked in the DOJ's Antitrust Division as a deputy assistant attorney general focused on civil enforcement.

Alongside Kades, the firm's antitrust practice also includes attorney Jeff Dan Herrera, former antitrust bureau chief for the State of New Mexico, and senior attorney Brian Moore, who previously worked for both the Attorney General of New Mexico and the City of Albuquerque, the firm said in a statement.

Abigail Adcox can be reached at [adcox@alm.com](#).

Reach your peers to generate referral business

LAWYER TO LAWYER

Contact Carol Roberston at 212-457-7850 or [crobertson@alm.com](#)

Expert Analysis

CRIMINAL LAW

'People v. Mero': Joinder And the New York Court of Appeals

People v. Mero, 2024 NY Slip Op. 06385, which the New York Court of Appeals decided this past term, addressed a question of joinder and severance suitable for a law school examination.

Edward Mero was tried and convicted of two counts of murder. The first charge stemmed from the Jan. 2013 death of Mero's girlfriend, whose body was found in their apartment after a fire raged through the bedroom.

The proof against Mero consisted of (i) the testimony of a neighbor who had heard a man and woman arguing in the street shortly before the fire; (ii) the testimony of a fire department investigator that the fire's origin was undetermined; (iii) the testimony of several co-workers to whom Mero had boasted he could start a fire and burn down a house and never get caught; and (iv) the testimony of a jailhouse informant that Mero had admitted the crime to him.

The second charge arose from the Dec. 2014 murder of a sex worker. As confirmed by her roommate, on Dec. 3, Mero had a date with the woman, and she was not seen alive after it.

The proof against him consisted of (i) the testimony of a witness who identified Mero as the man he saw the first week of December, walking near a waterline and carrying a very large black backpack; (ii) the testimony of a jogger who discovered the victim's badly bruised body in a shallow grave near the waterline in May 2015; (iii) the testimony of the medical examiner that the victim had died several months before her body was discovered; (iv) the testimony of a co-worker that, while they were working near the waterline, Mero called it a good place to bury a body; and (v) the testimony of two jailhouse informants (one of whom testified as to the first incident) that Mero had admitted killing the victim to them.

Mero's defense to the first charge was that the fire was an

accident—that he had left the apartment at 2:00 a.m. before the fire started to "drive around and clear his head" after a night of drinking. As to the second charge, he claimed that he had left the victim when she began using drugs and knew nothing about her disappearance.

By
Paul
Schechtman



New York's joinder law is this: two offenses are joainable against a defendant if (a) they are based on the same act or criminal transaction; (b) the proof of one offense "would be material and admissible.

Moreover, there were two witnesses—the medical examiner and one of the jailhouse informants—who testified to both murders, so that joinder promoted judicial economy.

sible as evidence in chief upon a trial of the second"; or (c) the offenses are "defined by the same or similar statutory provisions." CPL 200.20(2). Subsection (c), the operable provision in *Mero*, was added to the joinder statute in 1936. New York is one of 26 states that authorize joinder offenses of a similar character.

That does not end the analysis. If joinder is permissible under subsection (c), a court may order the offenses to be tried separately "in the interest of justice and for good cause shown." CPL 200.20(3). That provision is a recognition that joinder under (c) can be prejudicial.

Writing for a five-person majority and affirming a divided Third Department, Judge Caitlin J. Halligan concluded that the two murderers were properly tried together.

» Page 8

PAUL SHECHTMAN teaches Criminal Procedure and Evidence at Yale Law School.

FAMILY LAW

Evolution of Family Mediation: 2025 AFCC/ABA Model Standards

The Association of Family and Conciliation Courts (AFCC) and the American Bar Association (ABA) released updated Model Standards for Family and Divorce Mediation in July, 2025, marking the first comprehensive revision since 2000.

These enhanced standards reflect significant evolution in the field of family mediation, incorporating modern understanding of domestic abuse, technological advances, and improved approaches to child-centered processes.

The changes have substantial implications for both mental health professionals and attorneys working in family mediation.

Background and Development Process

The 2025 Model Standards emerged from a three-year collaborative effort by an interdisciplinary task force comprising representatives from AFCC, the ABA Family Law Section, ABA Dispute Resolution Section, Association for Conflict Resolution (ACR), and Academy of Professional Family Mediators (APFM).

This revision was necessitated by the growth and evolution of family mediation practice over the past 25 years, particularly accelerated by COVID-19's impact on technology use.

The drafting process was notably inclusive, featuring quarterly meetings of the full task force, specialized subcommittees addressing key areas like technology and domestic abuse, and extensive public feedback periods.

Nearly 65 individuals and organizations provided written comments during the formal review period, demonstrating the field's investment in these standards.

Major Structural Changes

Reorganized Framework and Enhanced Clarity

The 2025 standards reorganize content into a more logical, linear format that begins with self-determination, proceeds to



By
Elisa
Reiter
And
Daniel
Pollack

informed decision-making, and then addresses initial education of parties.

This restructuring reflects evolved understanding that distinguishes informed decision-making from self-determination, providing clearer guidance for practitioners.

The standards also introduce three levels of guidance using specific terminology: "may indicate a practice that the mediator can

Mental health professionals must translate their clinical understanding of trauma and cultural factors into mediation-specific interventions and process modifications.

consider adopting but which can be deviated from in the exercise of good professional judgment"; "should indicate that the practice is highly desirable, to be departed from only with very strong reason"; and "shall signal a stronger level of guidance, indicating that the mediator does not have discretion to depart from the practice described."

Expanded Definitions and Contemporary Language: The updated standards adopt more inclusive and precise terminology. Most notably, they replace "domestic violence" with "domestic abuse," and "child abuse" with "child maltreatment," reflecting contemporary understanding of these complex issues.

The definition of domestic abuse encompasses five distinct behavioral categories involving physical force, sexual coercion, economic

control, psychological harm, and coercive control tactics.

Technology Integration and Online Dispute Resolution

Comprehensive Technology Standard: One of the most significant additions is Standard IX on Technology, addressing a critical gap in the 2000 standards. This new standard recognizes technology's transformative impact on mediation practice.

The technology standard requires mediators to:

- Assess participants' technological abilities and obtain informed consent
- Maintain competency through ongoing training and experience
- Implement robust data security measures including end-to-end encryption
- Conduct regular evaluations of technological tools for ethical and practical implications
- Ensure that technology enhances, rather than defines, the mediation process

Online Dispute Resolution (ODR) Considerations: The standards formally define ODR as "the use of technology to facilitate dispute resolution processes that are not conducted face to face," including various digital platforms and communication methods.

This recognition acknowledges the permanent shift toward hybrid and remote mediation models.

Enhanced Domestic Abuse And Safety Provisions

Sophisticated Screening and Assessment: Standard V on Domestic Abuse significantly expands upon the 2000 version, requiring comprehensive screening for all forms of domestic abuse, including coercive control.

Mediators must screen each prospective party separately.

» Page 8

ELISA REITER is a senior attorney with Calabrese Budner. DANIEL POLLACK, MSW, JD is a professor at Yeshiva University's School of Social Work in New York City.

Expert Analysis

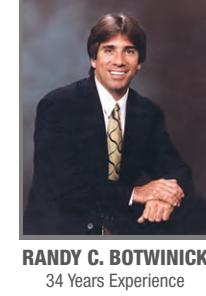
LAWYER TO LAWYER For information contact 212-457-7850

FLORIDA ATTORNEY

LAW OFFICES OF RANDY C. BOTWINICK

Formerly of Pazer, Epstein, Jaffe & Fein

CONCENTRATING IN PERSONAL INJURY



RANDY C. BOTWINICK
34 Years Experience

- Car Accidents
- Slip & Falls
- Maritime
- Wrongful Death



- Defective Products
- Tire & Rollover Cases
- Traumatic Brain Injury
- Construction Accidents

Co-Counsel and
Participation Fees Paid



JAY HALPERN
39 Years Experience

Now associated with Halpern, Santos and Pinkert, we have obtained well over \$100,000,000 in awards for our clients during the last three decades. This combination of attorneys will surely provide the quality representation you seek for your Florida personal injury referrals.

MIAMI 150 Alhambra Circle
Suite 1100, Coral Gables, FL 33134
P 305 895 5700 F 305 445 1169

PALM BEACH 2385 NW Executive Center Drive
Suite 100, Boca Raton, FL 33431
P 561 995 5001 F 561 962 2710

Toll Free:
1-877-FLA-ATTY (352-2889)

From Orlando to Miami... From Tampa to the Keys | www.personalinjurylawyer.ws

GERSOWITZ LIBO & KOREK P.C.

New Jersey Office

Let Us Help With Your NJ Injury Litigation

- Over \$1 Billion Recovered on Behalf of Our Clients
- Michael A. Fruhling, ESQ: Board of Governors for the NJAJ
- Jeff S. Korek, ESQ: New Jersey Bar Member



39 Years Experience

Call 24/7:
866-450-4101
157 Engle Street
Englewood, NJ 07631
LAWYERTIME.COM

THE NEW YORK NO-FAULT ARBITRATION ATTORNEY
TO THE PERSONAL INJURY MEMBERS OF THE BAR

ANDREW J. COSTELLA JR., ESQ.
CONCENTRATING
IN NO-FAULT ARBITRATION
FOR YOUR CLIENTS'
OUTSTANDING
MEDICAL BILLS & LOST WAGE CLAIMS

SUCCESSFULLY HANDLING THOUSANDS OF NO-FAULT CLAIMS
Proud to serve and honored that New York's most prominent personal injury law firms have entrusted us with their no-fault arbitration matters

LAW OFFICES OF ANDREW J COSTELLA JR., ESQ.,
A PROFESSIONAL CORPORATION

600 Old Country Road, Suite 307, Garden City, NY 11530
(516) 747-0377 | arbmail@costellalaw.com



Legal Compass: The World's Best Source of Law Firm Data.

Delve deep into legal insights on Financials, Lateral Moves, Diversity, Office Trends... With proprietary, named data on 250,000+ Firms, Lawyers and Companies!

Request your FREE DEMO today at at.alm.com/LegalCompass

ALM. Intelligence | LEGAL COMPASS

New York Law Journal
Turn your good press
into great marketing!

Order your reprints as published in the New York Law Journal today. Contact us toll free: 877-256-2472 or email: reprints@alm.com

Reprints are designed in collaboration with you. Reprints are available for rankings, individual verdicts, compilations, and more. Our full suite of products are powerful and versatile to meet your business needs, in print and digitally. Let us help you leverage this great press.



ALM REPRINTS
www.almreprints.com

Off the Front

C-Suite

« *Continued from page 1*
which may be leading to some of the uptick in hiring.

Prominent C-suite hiring has moved into August. Just on Tuesday, Husch Blackwell named Erin Banks its chief business development officer, which the firm said was part of its "reimagined leadership structure" announced earlier this year, when Angela Quinn was promoted as its new chief operating officer.

Banks joined the firm in its Dallas office after nearly three years serving as director of business development and practices at Reed Smith, before which she held a similar role at Norton Rose Fulbright for six years.

Before Banks, Husch Blackwell added Katie Ammirante as its senior director of client delivery, working out of the firm's Washington, D.C., office. Ammirante came to the firm from Mayer Brown in July.

Husch Blackwell's chief executive Jamie Lawless said in an email that the firm may add additional senior leadership talent this year.

"This year is all about positioning ourselves to double down on growth," Lawless said. "With Angela leading operations and Erin heading business development, we've created a best-in-class structure to support our attorneys, deepen client relationships, and continue our national expansion. Erin's experience building high-performing teams and guiding large-firm growth perfectly positions us to seize the opportunities ahead."

C-Suite Vacancies

Banks' hiring comes amid an increased demand for C-suite

and director-level hires in the legal industry. Nelson attributed the higher demand to two main causes: too much work and too little pay.

According to Nelson, many law firms have had vacancies in their higher-level staff for some time after making cuts to those areas following the COVID-19 pandemic, which has led to higher workloads for those who remained. Additionally, Nelson said that some firms are paying substantially more than what the market typically offers for leadership and administrative staff, which motivates people to move as well.

"There's always some firm that's breaking the bank in terms of the market, and that makes people feel as though they're being undercompensated," Nelson said.

Salaries for those high-level business leaders are increasing, as firms seek to bring in the best talent, with many executives earning law degrees earning at or above what junior partners make in salary and bonuses. Some firms offer C-suite talent "phantom" shares to bring their compensation in line with partner pay.

When seeking C-suite and director-level talent, Nelson said many firms have a hard time on the compensation front. Firms tend to rely on market research and organizational studies that may not be fully representative of the actual state of the industry, Nelson said.

They also have to avoid offering candidates significantly more than what their current staff makes, which Nelson said can limit their ability to match some of the higher offers from other firms.

For their part, C-suite staff are seeing a clash between old perceptions and modern professional life. It is more common now for C-suite and director-level talent to hop

between firms somewhat regularly, Nelson said, but some firms still see that kind of movement as a red flag that a person may not be worth bringing on.

"HR departments prefer lesser mobility in their candidates," Nelson said, but adding that it is now common to see c-suite and director-level candidates move twice in a three-year period and that "a lot of good people move a lot."

Large and midsized firms have been building out their C-suite and leadership staff in 2025 in addition to filling their existing roles. The advance of artificial intelligence, firms' data collection and profitability efforts have pushed firms to expand their C-suite staff and hire experts for chief technology, chief operations and chief people roles, for instance.

Among those new Am Law 200 hires in July were Linda Sliva, who left her role as chief operating officer at Norris McLaughlin to become midsized New York law firm Morrison Cohen's first-ever chief financial officer. Also in July, Walter Stuart left his CFO position at Fragomen, Del Rey, Bernsen & Loewy for the same role at Epstein, Becker & Green in New York.

Nicolete Garcia joined Baker & Hostetler as director of practice management from her prior role as a business manager at Haynes and Boone. And Michael McHenry took a job as director of research and library services at Jones Day after departing his position as global director of research and knowledge services at Vinson & Elkins in Houston.

At Ryan Harroff can be reached at rharroff@alm.com.

Have a Move to Announce?
E-mail potential "On the Move" items to pkane@alm.com

Crypto

« *Continued from page 1*
him to be fully vindicated," said Klein.

Failla also suggested that there were grounds to continue fighting, saying that the sole count of conviction raised legal issues. She didn't clarify further. That remark came as Failla was evaluating an immediate motion from Assistant U.S. Attorney Ben Arad to remand Storm to federal custody. Storm has been out on a \$2 million bond.

Arad had argued that Storm was a flight risk, saying he had millions of dollars worth of cryptocurrency in reserve and ties to foreign countries. Arad also pointed out that Tornado Cash co-founder Roman Semenov, who was charged alongside Storm in August 2023, has been at large and "has made it impossible to find him or contain him."

Failla quickly denied the motion.

"The stability of the verdict is still in play... he has every incentive to fight than flee," she said. "There's a lot of fighting left in this case."

The partial verdict follows more than 18 hours of deliberations, with the jurors beginning in earnest on July 31. Many of their days were truncated due to personal obligations and a severe storm in New York City.

Storm's trial was closely watched by the cryptocurrency community, with various actors rallying to Storm's side and putting up millions for his legal defense.

His defense team, which also included Keri Curtis Axel of Waymaker and David Patton of Hecker Fink, argued that Storm shouldn't be criminally liable for developing a code that was abused by others and said that Storm's goals—allowing users to conduct otherwise transparent Blockchain-based transactions privately—were laudable and welcomed within the industry.

"This was a project that was developed out in the open... for a very legitimate purpose, to assure people who are engaging in financial transactions on the Blockchain that they could have some financial privacy... and to assure them that no one would steal their money or steal their personal data, or sell it, or god knows what else with their personal information," Patton said during closing arguments on Wednesday.

But federal prosecutor Benjamin Gianforte argued that Tornado Cash operated as "nothing more than a fancy online laundromat" whose main business was "privacy for criminals."

"What do they need to get away with these crimes? A way to make their dirty money look clean, and that's what the defendant helped them do," Gianforte said. "He got rich doing it. He made millions of dollars."

At Alyssa Aquino can be reached at aaquino@alm.com.

licensing authority, that their licenses will not be renewed. That should not be the way for the state to conduct business with individuals in a new industry. It creates uncertainty and distrust."

Any new applicant would have to adhere to the new guidelines, according to the attorney-lawmaker's bill.

Previously, Gov. Kathy Hochul had pledged that existing businesses wouldn't be forced to shutter or bolt from their existing locations as the state scrambled for a legislative remedy.

The state had also, through the OCM and Empire State Development, created a \$15 million relief program to help cover relocation costs and set forth that applicants may receive provisional licenses while they secured new locations. Enactment of Sepulveda's bill could render those offerings moot.

Jeffrey Hoffman, a New York City-based cannabis attorney, said he's helping "lots of clients" impacted by the mistake, and he called Sepulveda's proposal a "good first salvo fire."

"The big question for me is, what does the initial license mean? It needs to be cleaned up," said Hoffman, who hosts the "Ask Me Anything About Cannabis Legalization in New York" talk show each week on LinkedIn.

Hoffman said he would make the grandfathering applicable to anybody who has been before the Cannabis Control Board in any capacity, including stores that are open and applicants waiting to get proximity protection, up to a date chosen.

"It's a good start and it's heading in the right direction," he said. "But the folks who don't like cannabis are going to come out of the woodwork on this and say, 'What are you doing making it easier; we want you to make this harder.' I hope something gets done here, but I think it's going to be harder than some people seem to think it's going to be. But we'll see."

However, Hoffman said he doesn't believe the bill will stave off litigation.

"Lawsuits are already being worked on," he asserted.

On a related note, Hoffman said he's preparing litigation on behalf of a client whom the state gave proximity protection in March. As a consequence, the client made the lease noncontingent and started building the store.

"We did that, they were getting ready to open in June, and at the end of May OCM said, 'Whoops, we gave you proximity protection by mistake.'"

At Brian Lee can be reached at blee@alm.com.

Outside Counsel

Trump Administration Gives Data Centers a Big Push

Information systems have expanded, the electricity needs of data centers have grown exponentially, largely from crypto-mining and artificial intelligence (AI). Data centers operate at high load factors and require dedicated reliable electricity for significant computation and cooling demands.

For the last few years, many data centers constructed in the U.S. have emphasized their use of renewable energy. With the Administration's change of policy regarding wind and solar generation, and its desire to return to fossil-fuel derived electricity, it has prioritized powering data centers with traditional power resources.

On July 23, 2025, the Trump Administration issued an Executive Order for *Accelerating Federal Permitting of Data Center Infrastructure* (EO 14148) ("EO"). The EO defines a "Data Center Project" as "a facility that requires greater than 100 MW of new load dedicated to AI inference, training, simulation, or synthetic data generation."

Simultaneously, the White House issued an action plan for the proliferation of artificial intelligence, entitled *Winning the Race: America's AI Action Plan* (the "Plan"). The EO and Plan discuss streamlining the development of the infrastructure necessary for the expansion of AI systems, primarily data centers and associated energy infrastructure, including transmission lines, natural gas pipelines, substations, natural gas turbines, coal power equipment, nuclear power equipment, geothermal power equipment, and "any other dispatchable baseload energy sources" used to power data centers (collectively, "Qualifying Projects").

Consistent with other actions of this Administration (see, e.g., *Unleashing American Energy* issued on inauguration day (E.O. 14154)), solar and wind energy are omitted from incentives associated with data centers. The recent One

E.GAIL SUCHMAN and MARK F. SUND BACK are partners in the real estate, energy, land use & environmental practice group at Sheppard Mullin.



By
E. Gail
Suchman



And
Mark F.
Sundback

Big Beautiful Bill Act further limits incentives for solar and wind energy development.

While the EO and Plan say nothing about energy storage systems, storage might be considered as needed energy infrastructure for data center development. The EO mentions "backup power supply," which could mean battery storage as well as on-site generators. Potentially, solar and wind energy

The executive order looks toward 'rapid and efficient buildout' of data centers and associated energy infrastructure by easing Federal regulatory burdens.'

resources coupled with energy storage facilities could meet the criteria for dispatchable baseload energy sources under the EO.

Important EO Elements

Funding Sources for Qualifying Projects. The Commerce Department and other Federal agencies must identify available sources of financial support, including loans, loan guarantees, grants, tax incentives and offtake agreements, that may be used to support Qualifying Projects. Funding initiatives representing less than 50 percent of total project costs will not be considered "major Federal actions," limiting the review of such actions under the National Environmental Policy Act ("NEPA").

Consistent with other actions of this Administration (see, e.g., *Unleashing American Energy* issued on inauguration day (E.O. 14154)), solar and wind energy are omitted from incentives associated with data centers. The recent One

E.GAIL SUCHMAN and MARK F. SUND BACK are partners in the real estate, energy, land use & environmental practice group at Sheppard Mullin.

Streamlined Federal Permitting. The EO looks toward "rapid and efficient buildout" of data centers and associated energy infrastructure "by easing Federal regulatory burdens," and designating data center projects as "transparency projects" for expedited review pursuant to the Fixing America's Surface Transportation Act (FAST-41).

Under the EO, the Council on Environmental Quality ("CEQ") must identify existing, and establish new, Categorical Exclusions under NEPA to cover data centers and related energy projects, thereby shortcircuiting environmental review. NEPA's environmental review has already been limited by the D.C. Circuit's *Marin Audubon Society v. FAA*, 121 F. 4th 902 (D.C. Cir. 2024); the CEQ's subsequent removal of the NEPA implementing regulations (90 Fed. Reg. 10610 (February 25, 2025)); and the U.S. Supreme Court's decision in *Seven County Infrastructure Coalition v. Eagle County*, 605 U.S. ___ (2025) (lead agencies are not required to look at a project's upstream and downstream impacts under NEPA).

In addition, the Environmental Protection Agency ("EPA") is directed to find ways to expedite permitting on Federal and non-Federal land under the Clean Air Act, the Clean Water Act, the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"), and the Toxic Substances Control Act, among other relevant environmental laws.

EPA must also develop guidance to expedite CERCLA review if a Qualifying Project is located on a Brownfield or Superfund Site, a positive direction. However, regardless of any reduction in regulatory burden and apart from energy resource needs, the intensive use of water for cooling computing facilities and any attendant thermal generation is significant and must be addressed.

Within 180 days of the date of the EO, the Army Corps of Engineers must review its nationwide permit program issued under Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act of 1899 "to determine whether an activity-specific nation-

» Page 8

IN BRIEF

« *Continued from page 1*
ago, working with law firms to understand their needs.

Nguyen and his co-founder Alex Mac both have backgrounds rooted in tech but were drawn to the legal industry because of its general aversion to adopting AI.

"Our No. 1 goal was, how can we make sure this technology is trusted by everyone?" Nguyen recalled. He said he and Mac asked different companies and professionals, "Who are the most dubious and doubtful people? Who takes the most to win over and convince" when it comes to employing AI, and the answer was "lawyers."

Truth Systems is not the only company developing tech

aimed at facilitating businesses' safe deployment of AI. Other AI governance platforms include Holistic AI and Credo AI.

Nguyen noted that there are plenty of data loss prevention tools on the market that keep users from sharing sensitive information, but argued that Charter is designed to capture more context.

The debut of Charter represents a new expansion for Truth Systems into a law firm clientele. Previously, the company worked mostly with legal tech companies, and its offerings were focused on generative AI outputs.

Truth Systems' first product was Gateway, which helps legal

tech companies identify potential inaccuracies in answers generated by their AI-powered products.

Nguyen said Truth Systems shifted its focus to law firms in order to expand its reach. "The market wasn't big enough, and we wanted to hit how to deploy AI responsibly at its source," he said.

Nguyen said Truth System currently has two Am Law 200 firms as clients, though he declined to name the firms.

—Aleeza Furman

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

Cannabis

« *Continued from page 1*
that the licensee has to measure a straight line from the dispensary entrance to the nearest point on the school property line, regardless of whether the buildings are on the same street.

The mistake impacts 108 operating dispensaries that are mostly in New York City, putting them at risk of not having their licenses renewed, and 44 pending applicants.

Sepulveda's bill would allow the former group of 100-plus existing businesses to carry on at their current locations—even if those locations are later determined to be within 500 feet of a school, but provided the licensee is in good standing and operating in reliance on OCM's previous location assessments.

"I worked with my colleagues in the Senate and the Assembly to legalize cannabis," Sepulveda said in a statement on Tuesday. "Many businesses were started by individuals from communities of color—individuals who invested their money, blood, sweat, and tears to start their cannabis business off the ground. It is inherently unfair that after they invested hundreds of thousands of dollars, to now be told, because of an error by the

regulatory actions, the report added.

"This isn't just a modest adjustment—it's a complete recalibration of the enforcement ecosystem," Ross said.

Across the index's categories, 99 enforcement actions occurred in the first 6 months of 2025, compared to 158 in the previous six-month period.

Financial penalties for competition violations, which include antitrust and corruption offenses, fell 97%, the report stated. That large drop was due to the four-month pause in Foreign Corrupt Practices Act enforcement at the Department of Justice, said Elaine Duffus, a regulatory compliance expert at Wolters Kluwer.

The broad retreat from enforcement leaves the financial industry with much more discretion in its compliance programs, Duffus said. Banks and financial institutions no longer have as much guidance around regulations and best practices, leaving corporate boards to

"come up with the risk appetites around everything," she added.

"The good news is there's not a lot of enforcement," Duffus said. "The bad news is you have to figure out how to do this on your own in many cases."

Ross said corporate compliance programs should stay robust to keep pace with state laws that have been expanding as states have stepped in to fill enforcement gaps left by the federal government, especially in consumer protection.

"History shows us that enforcement pendulums swing," he said. "Those who mistake the current deregulatory regime as the new normal do so at their own peril—especially as states fill the enforcement void."

At Dan Novak can be reached at dnovak@alm.com.

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

ONE SOURCE that includes:

Corporate Update

'Tech Charge': The Tricky Issue of Billing Clients For AI-Generated Work

BY MOLLY G SMITH

ONCE upon a time, law firms billed for photocopying. The cost didn't vanish into general overhead or get quietly absorbed into hourly rates.

Instead, it appeared neatly at the bottom of client invoices, "24p a sheet," as one partner recalled.

But in today's rapidly evolving AI age, the issue of machine-related costs has become vastly more complicated. Specifically, we're talking about the 'tech charge'.

With AI tools often costing firms seven figures annual sums, law firms are grappling with how to pass that cost onto clients, according to insiders.

But it's complicated.

While clients want firms to use AI to speed up legal processes, they still have questions over who is doing the work—humans or machines—particularly complex work. So how firms bill for AI work fairly and appropriately, while maintaining client trust, is coming under sharp focus.

Billing for AI

How AI is billed depends on an array of factors: the nature of the work, the technology used, the firm's arrangement with the AI provider, and the underlying fee structure.

"With fixed-fee arrangements, there's always a conversation with the client before work begins," the partner said. "Whatever technology is used, AI or otherwise, is either agreed upon upfront or factored into the overall price."

But in matters billed by the hour, firms are increasingly taking different approaches.

Rowena Rix, Dentons' head of innovation and AI for U.K., Ireland and Middle East believes that "clients paying hourly rates clearly won't accept firms layering product charges or licence fees on top of their service bills for AI products which are purely targeted at efficiency gains and margin benefits."

"Finding a billing model that reflects the effort and investment that has gone into developing and maintaining legal AI tools, but which is palatable and fair to clients who, after all, were essential to the development process, is a challenge that law firms address through honest dialogue with clients," Rix said.

"AI tools that rely on legal data and knowledge will need to be continuously revised and updated, which is a legitimate cost firms can pass on to clients, provided those clients see commensurate value."

Drawing the Line

When firms bill clients, they must account for whether they're using AI they've purchased, typically tied to ongoing subscription costs, or AI they've developed in-house, which involves higher upfront investment but becomes relatively inexpensive to operate and adapt over time, according to industry insiders.

Some have introduced what insiders describe as a "technology charge"—a standalone line item tacked onto invoices to offset the costs of AI tools or proprietary systems used during a transaction.

Several partners concurred it is most appropriate to use a tech charge when AI

» Page 7

FDA Taps HHS Veteran To Serve as Chief Counsel

BY MICHAEL GENNARO

THE U.S. Food and Drug Administration has appointed Sean Keveren as chief counsel, following his tenure as acting general counsel at the Department of Health and Human Services.

Kenney will serve as the FDA's top legal adviser at a time it's undergoing sweeping changes, includ-



COURTESY PHOTO

ing adopting AI to speed up the review of drugs, unleashing sweeping job cuts and rolling back regulations.

He's been acting GC of HHS for about eight months. Before that, he was deputy general counsel of HHS for nearly six years.

Earlier, he spent 15 years at Justice Department, 13 of them as a trial attorney.

Robert Foster, the FDA's principal deputy general counsel, will take over the role of acting general counsel of HHS.

He will remain FDA chief counsel for food, research and drugs. Foster has deep experience in administrative law and public health litigation and has advised HHS Secretary Robert F. Kennedy Jr. on matters ranging from vaccine regulation to bioethics.

Michael Gennaro can be reached at mgennaro@alm.com.

SECURED TRANSACTIONS

Secured Creditors' Rights And Risks Under Article 9



By **Barbara M. Goodstein**

And **Adam C. Wolk**

As we have discussed in previous columns, when it comes to foreclosing on collateral, secured creditors must be cognizant of the statutory requirements of Article 9 of the Uniform Commercial Code (UCC).

Article 9 has very specific rules governing the foreclosure process and the exercise of remedies. But is compliance with those rules enough to preserve a creditor's rights in its collateral? It seems there is disagreement among courts as to the correct answer.

According to some courts, having the rights of a secured creditor is not enough. That creditor must also proceed to exercise those rights. Other courts believe that inaction will not result in a loss of priority status.

The two approaches have been loosely described as, respectively, "use-it-or-lose-it" and "trace and recapture." The "use-it-or-lose-it" approach requires a secured creditor to take steps to enforce its rights after default, or else have its priority supplanted by the junior creditor. In essence, this theory deems the secured creditor's inaction to be a constructive waiver.

On the other hand, under the "trace and recapture" approach, a secured creditor does not waive its priority simply by inaction after a default occurs.

Instead, if the secured creditor takes no action and the junior creditor attempts to realize the collateral, the junior creditor is entitled to take the collateral but does so subject to the secured creditor's priority interest. The secured creditor may then

choose to "recapture" the funds from the junior creditor.

In the recent case of *Navient Sols., LLC v. BPG Office Partners XIII Iron Hill LLC*, 315 A.3d 1164 (Del. Super. Ct. 2024), the Superior Court of Delaware tackled this split in authority as an issue of first impression in the state, and ultimately held that a secured creditor is not required to act to preserve its priority.

Factual Background

The underlying facts of the case according to the *Navient* decision are as follows.

Navient Solutions, LLC was a tenant at the commercial property known as Iron Hill Corporate Center, in New Castle Delaware. Pursuant to the terms of its Nov. 2012 lease agreement with BPG Office Partners XIII Iron Hill LLC and Office Partners XIII Iron Hill LLC (together, referred to as BPG), the owners of the property, Navient was responsible for maintenance, repair, and replacement of certain building systems.

The lease agreement provided that such costs were to be amortized over the useful life of the systems, and that upon expiration of the lease, BPG would pay Navient an amount equal to the remaining unamortized cost.

In October 2017, BPG granted a mortgage on the property and an assignment of rents to BVFL I LLC (the secured party, also referred to herein as Lender), in connection with a loan from BVFL to BPG.

Two years later, in 2019, Navient installed a cooling tower at the premises, and when its lease expired in Feb. 2020, it vacated the premises and demanded \$503,882.72 from BPG for the unamortized cost of the tower.

BPG failed to pay and Navient filed suit for breach of contract in Dela-

ware Superior Court shortly thereafter. BPG asserted a counterclaim, alleging that Navient had failed to maintain other components of the leased space, but later conceded, prior to trial, that it owed Navient the reimbursement demanded. The case moved to trial to resolve BPG's counterclaim and any potential offset.

A three-day bench trial was held in May 2022, and in April 2023, the court issued its opinion finding for BPG on two asserted breaches, resulting in an offset of \$79,650. The court entered final judgment on May 9, 2023, in favor of Navient in the amount of \$424,172.72, plus interest and attorneys' fees for a total of \$839,034.60, automatically placing a lien on the property owned by BPG.

To execute on its judgment, Navient requested writs of attachment and execution for service on nineteen tenants to garnish the rent owed to BPG. The writs were issued on Sept. 7, 2023, thirteen garnishments were served on Sept. 19, 2023, and two more were served on Nov. 1, 2023.

The court then addressed the preliminary issue of whether the judgment constituted an event of default. In doing so, it relied on two relevant sections of the loan agreement.

Under the loan documents between BPG and Lender, Lender had been granted a mortgage and assignment of rents with respect to the property, but BPG was given a license with respect to the rents, permitting it to collect payments in Lender's place so long as no event of default had occurred.

Upon the occurrence of an event of default, the loan agreement granted Lender discretion in its conduct to protect its rights, providing that Lender "may" [emphasis added]

"take such action" as it deemed necessary to protect and enforce its rights.

The agreement further provided that "all... of the rights, powers, privileges and other remedies available to Lender... under the loan documents or at law or in equity may be exercised by Lender at any time... whether or not Lender shall have commenced any... action for the enforcement of its rights," and that "[n]o delay or omission to exercise any remedy, right or power... by Lender shall impair any such remedy, right or power... or be construed as a waiver thereof."

Although Lender knew about the litigation between Navient and BPG, it had not taken any action at the time the judgment was entered in April 2023. On Sept. 11, 2023 (after the writs of garnishment were issued, but before they were served), Lender sent notice to BPG declaring an event of default due to the judgment.

Lender accelerated the debt, demanded immediate repayment of the loan, and expressly revoked

BPG's license to collect the rents paid by its tenants.

The following day, Lender moved to intervene in the litigation and, once granted, filed a motion to quash the writs on Oct. 3, 2023, asserting that it held a first priority lien on the property and in the rents.

Navient countered Lender's motion, arguing that (i) an event of default had not occurred, (ii) even if a default had occurred, Lender was obligated to enforce its rights prior to the writs being issued,

» Page 8

VerdictSearch

VerdictNews NY

VerdictNews NY

Signs of the Times

Keep up with Verdict & Settlement Trends in Your State

Get exclusive access to news-breaking verdicts including:

- Insightful trends in your jurisdiction
- Detailed briefs
- Top weekly verdicts for your practice area

To get started, visit VerdictSearch.com/verdictnews or contact the VerdictSearch Sales Team at 1-800-445-6823

Build-A-Bear Legal Chief Transition Occurring as Company Experiences Resurgence

BY TRUDY KNOCKLESS

ERIC FENCL, who's been general counsel of Build-A-Bear for 17 years—a span filled with ups and downs—is retiring from the 28-year-old company as it undergoes a resurgence and reports record-breaking sales.

St. Louis-based Build-A-Bear announced on Monday that Fencl is passing the legal reins to Yevgeny Fundler, who will serve as chief legal officer. He's joining from Benson Hill, which uses genetics and



AI to develop healthier, more sustainable foods. Fundler has been there three years and before that spent seven years as GC of American Railcar Industries, four years as GC of the home furnishings company WestPorte Home and a decade at Icahn Enterprises, where he rose to assistant general counsel.

"We are thrilled that Yevgeny has joined our executive team," CEO Sharon Price John said in a statement. "Yevgeny's broad experience with legal, business, corporate governance and finance matters makes him ideal for this position."

John's arrival as CEO in 2013 gave the business a new spark. She shifted the company away from its reliance on shopping malls and opened outposts in the U.S. and overseas that are heavily trafficked by tourists.

The company also ratcheted up its e-commerce experience and broadened its marketing to tap into the nostalgia-driven "kidult" trend. Forty percent of sales now are to teens and adults.

On Monday, the company's stock hit an all-time high of \$50.53, triple what it traded for three years ago. During the depths of the pandemic, the stock had fallen below \$2 a share.

The company on May 29 reported fiscal first quarter results, with revenue rising 11%, to a record \$128 million, and pretax profit surging 31%, to a record \$20 million.

Store count has increased to 604 loca-

» Page 8

ALM.

New York Law Journal

Serving the Bench and Bar Since 1888



Official Publication for the First
And Second Judicial Departments

150 East 42nd Street, Mezzanine Level, New York, N.Y. 10017

Gina Passarella,
Editor-in-Chief of Global Legal Brands

Joe Pavone,
Senior Director of Sales - West, Marketing Solutions

Donald Chalpin,
Global Director of ALM Event Sales & Sponsorships

Andrew Denney,
Bureau Chief

Christine Simmons,
Deputy Bureau Chief

Submissions Editors:
Jade Lopez, Kristie Rearick

Reporters:
Alyssa Aquino, Ryan Harroff,
Brian Lee, Emily Saul

Art Department:
Monika Kozak, Rafal Pytel,
Ryland West, photographer

Decisions:
Jason Ducena, William Thiess

Calendars:
Patricia Kane, editor

Production:
Agnieszka Czuj, Susan Ferguson,
Stephen Warren

Web:
Lora Hollien

Copy Desk:
Sean Gossard

BOARD OF EDITORS

Matthew Biben, Sheila Birnbaum,

Sheila Boston, Mary Eaton,

Robert Giuffra, Taa Grays,

Ruth S. Hochberger,

Patricia M. Hynes, Roberta Kaplan,

Victor A. Kovner, Judith Livingston,

Scott E. Mollen, Carolyn Nussbaum,

Thomas Oliva, David Schulz,

Alan Vinegrad, Dwight Yoo,

Mark C. Zauderer

EDITORS EMERITUS

Floyd Abrams, H. Rodgin Cohen,

Robert B. Fiske Jr., Barry Kamins,

Charles G. Moerdler,

Herbert Rubin

ALM:

212-457-9400

800-888-8300

New York City Newsroom: 212-457-7958

Legal Notices: 866-305-3058

ALM SENIOR MANAGEMENT

Bill Carter, CEO

Richard Green, Chief Commercialization Officer

Mark Okean, Chief Financial Officer

Patrick Fuller, Chief Legal Industry Strategist

Erin Dziekan, Chief People Officer

Patrice Coughlin, Chief of Staff

Jimi Li, Chief Technology Officer

Richard Caruso, SVP, Product, Legal

Josh Gazes, SVP, Operations

Gina Passarella, SVP, Content, Legal

READER'S SERVICES

For subscriptions and to purchase

back issues, call 1-877-256-2472.

For questions regarding reprints

and permissions, call 1-877-257-3382,

e-mail reprints@alm.com,

or visit almreprints.com.

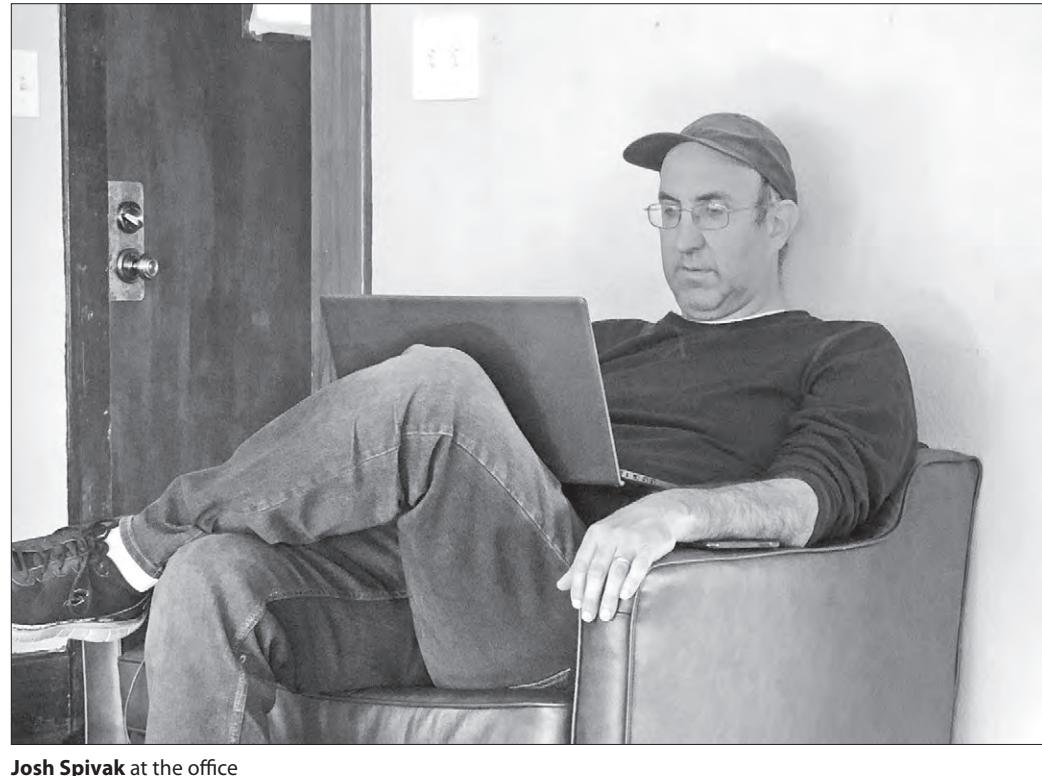
Send decisions of interest to

decisions@alm.com

To access decisions and articles published

in the Law Journal, visit nylj.com.

Perspective



COURTESY PHOTO

Facing the Sudden Death of A Longtime Colleague

BY ALLAN RIPP

Working closely with someone over many years you come to accept their shortcomings as much as you value their particular talents. When they're suddenly gone you wonder how you managed to stay together so long but also how you'll keep going without them.

So it was with my longtime colleague Josh Spivak (a former Law.com contributor) who died in July of an apparent heart attack, one month short of turning 52. Josh wasn't my highest-performing employee, often phoning it in from thousands of miles away. He cleverly avoided certain tedious job functions others had to follow, like submitting monthly activity reports. And yet, he was my most trusted advisor and collaborator, and a key reason for the success of my business. Indispensable? Probably not, but uniquely irreplaceable—absolutely.

Josh started working for me in 2003, introduced by a staffer who is since long gone. A former corporate lawyer (he earned his J.D. from Columbia University) and news junkie with a master's degree in American history and a stint in local politics, Josh was a perfect fit for my media relations practice focused on law firms and legal affairs.

Josh was a polymath who seemed to know something about everything—not just law but baseball, movies, the media, Capitol Hill and presidential politics, the Torah. He also had a "no worries" persona that could handle any client demand under the most stressful conditions and deadlines. He was soon helping with new business prospects and pitching client matters—everything from Supreme Court rulings and prominent new hires (think ex-Justice Department or Congressional officials) to structured finance deals. He also became a black belt in the art of building media lists, one of the prime currencies of our trade.

In 2004 Josh asked if he could relocate to California where his wife was starting a Ph.D. in mathematics at Berkeley. I wasn't yet ready for remote staffing but Josh made it work, keeping New York hours and beyond—he seemed to exist on little sleep. Sent a request for some work product or another, he would either respond "Sure" or just deliver the thing without further instruction. His copy could be sloppy and error-prone but he compensated with warp speed, original insight and topical knowledge. I added the clean-up polish and turns of

phrase. Over time we were like a couple of old songwriters cranking out hit tunes.

He also retained everything and could retrieve a 15-year-old email or remember a lawyer or reporter the rest of us had forgotten—I'm convinced he had a photographic memory. That archival command was invaluable, as was his willingness to assist other members of our small team with a sprawling, multi-part press list or editorial recommendation for some hard-to-place article. That included helping me identify outlets for publishing my own personal writing, a priceless gift. In the past year, he'd been our sherpa in guiding us on generative AI searches. Along with our

I often phoned him just as he was about to be interviewed by Fox News, The New York Times, ABC or a radio station in Maine. But he still managed to turn around whatever I was bugging him for.

clients, we delighted in Josh's "Hi, how's it going?" start to any Zoom meeting, even if his long face was shadowed from poor lighting.

I know I accommodated Josh more than his comrades, including allowing him to once spend seven weeks in Israel—he argued it would be good for us to have someone ahead of the news cycle. And he was right. Years later, no one in our group remembered that Josh was ever out of the country.

But mostly it was his active side hustle as a political commentator. Following from his master's thesis Josh became the nation's—indeed, the world's—leading authority on election recalls. Whenever an elected official anywhere faced a recall—a governor, congressman, senator, judge, mayor or district attorney—Josh was sought out by news outlets around the country for perspective and legal analysis.

He wrote hundreds of articles and authored the definitive treatise on recalls—*From Alexander Hamilton to Gavin Newsom*. Among its nuggets, "The book looks at how the recall played a role in the Constitutional Ratification debates, with Hamilton's leading role in the fight against the recall for U.S. Senators. The recall also was an important part of the William Howard Taft/Theodore Roosevelt split in 1912 that divided the Republican Party." His research uncovered "the shocking finding of whether special elections make a recall more likely" and what recalls "tell us about the increase in bitter partisanship and a preference for a more democratic system." I often phoned him just as he was about to be interviewed by

Fox News, The New York Times, ABC or a radio station in Maine. But he still managed to turn around whatever I was bugging him for. He wrote another book about navigating the healthcare system and also taught courses on recalls at UC Berkeley Law School.

Attending his funeral via Zoom I learned more about Josh's endless capacities. He was a Jewish Ted Lasso, coaching a team of Yeshiva kids on the pitch even though he was ignorant of the game. He edited and indexed a book his wife wrote called *The Rabbinic Struggle with the Contrapositive*, examining a head-spinning aspect of Talmudic logic. He even wrote an extended family history completed just before his death. His two sons expressed deep affection for the primary care he provided them and his total engagement as a dad—the Friday night before he died, Josh had stayed up extra late to help younger son Ezra review his double-portioned Torah reading for an

upcoming anniversary reprisal of his Bar Mitzvah parsha. Meanwhile, Josh's 22 years as a senior member of my PR firm got barely a mention during the service, which was fine by me.

So many moments have occurred in the weeks since his passing—an outlandish client request or a journalist's scold for being included on a press mailing—that I would automatically have shared with Josh as an absurdity only he could appreciate. "Oh, that guy," he'd say when someone was giving us a hard time. Now I'm fielding the post-mortem work emails sent to him, prompting me to stare into space and imagine his succinct response.

Over our two-plus decades together I was accustomed to Josh's recurring black-out periods during Jewish holidays as well as every Shabbat cycle. No matter the duration or whatever he missed he would reliably reappear in good form ready to engage as soon as the secular clock restarted. He never once took a sick day or actual vacation and appeared to spend many hours at a library study carrel near his house in Oakland for quiet.

It's hard to accept that the black-out is permanent now. But I know somewhere beyond he is chewing on a pen and writing an article chock full of political history. I expect to be greeted someday in the hereafter with his unmistakable hoarse Brooklyn voice asking, "Hi, how's it going?"

ALLAN RIPP runs a press relations firm in New York.

ALM.

The New York Law Journal
(ISSN 0028-7326) (USPS 383020)
is published daily except Saturdays, Sundays
and legal holidays by ALM,
150 East 42nd Street, Mezzanine Level,
New York, N.Y. 10017. Periodicals postage paid at
New York, N.Y. and at additional mailing offices.

identify mandatory discovery—a recording of a 911 call—before filing a certificate of compliance.

Other changes to the law protect against manipulation of the speedy trial clock, requiring defense attorneys to bring challenges early in the case and confer with prosecutors to resolve any issues, Hochul said.

Additionally, it streamlines protections for sensitive witness information, to protect witnesses and facilitate a culture of witnesses feeling empowered to come forward, Hochul said.

Stadelmaier said the impact of the changes remains to be seen, and he blasted Hochul's depiction of what was occurring.

"The governor continues to disappoint, trotting out victims and tired old tropes about cases getting dismissed on technicalities, which was never the case," he asserted. "The data supports that was never the case."

"Sure, they did get changes," he added. "But the changes are far less substantial than what she wanted in January."

Stadelmaier suggested the governor, on behalf of prosecutors, "basically wanted a full repeal of the statute," and "she didn't get anywhere close to that."

"Certainly the things that she put in place we're going to have to navigate around and work through," he conceded. "They do change the scheme quite a bit in terms of filing deadlines and things like that. But the base of the law hasn't changed at all. Prosecutors are still required to turn over everything that they've got on designated timelines, and they're not able to declare ready until they've ferreted out and turned over all discovery and then provide explanations for the things they haven't gotten. The core duty that they've had since the law was changed in 2019, to exercise due diligence in obtaining and disclosing these materials on timelines has not changed at all."

He said the two biggest changes are defense counsel's 35-day objection period, and the duty to consult with the DAs prior to making objections or for filing a 3030 dismissal motion.

Stadelmaier scoffed at the notion the reforms resulted in "major" criminal cases were being tossed on technicalities. He said the vast majority of those dismissals were misdemeanor cases in New York City.

He explained that this was a result of the New York Police Department not wanting to turn material over to prosecutors on a timely basis for a variety of reasons, most notably because they didn't want to expose their officers to misconduct.

He also suggested that district attorney offices were "triaing their cases," and for minor cases for which evidence wasn't strong—or in Stadelmaier's words "garbage"—prosecutors attempted to either resolve them at arraignment or seek an indictment later down the road.

"When serious cases were dismissed it was because prosecutors abjectly failed to turn things over that were required to be turned over," he said.

With previous amendments in 2020 and 2022, Stadelmaier said it's now time to leave the reforms undisturbed.

"I don't know what appetite the Senate and Assembly are going to have again to go through the battle that they just went through last year," he said. "The defense community, the Alliance to Protect Kalief's Law, the New York State Association of Criminal Defense Law, we're going to be vigilant, because I don't think the push to roll this all the way back to where it was prior to 2019 will ever go away."

@ Brian Lee can be reached at blee@alm.com.

Letters Welcome

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

Make informed strategic decisions.

Win larger verdicts.

Negotiate from strength.

GET STARTED

verdictsearch.com

Access a database of more than 180,000 verdicts and settlements from the nation's leading provider of verdict and settlement research.

Take VerdictSearch.com for a test-drive and see for yourself how powerful, fast and easy to use it is.

NCAA Promotes Top Lawyer Weeks After Settling Mega-Case

BY MICHAEL GENNARO

IN the wake of reaching a \$2.8 billion antitrust settlement that will fundamentally alter the economics of college sports, the NCAA has promoted General Counsel Scott Bearby, a 25-year veteran of the organization, to chief legal officer.

The Indianapolis-based governing body for college sports announced Bearby's new role last week. Bearby has been the NCAA's highest-paid lawyer since the departure of Chief Legal Officer Donald Remy in 2021.

Bearby joined the NCAA in 1999, the year it relocated its headquarters from Overland Park, Kansas, to Indianapolis, and according to his LinkedIn, he's been general counsel since 2013. His compensation totaled \$565,571 in the fiscal year that ended in August 2023, up from \$474,883 a year earlier and \$413,415 two years earlier, according to Internal Revenue Service filings.

The NCAA also announced the promotion of Greg Pottoroff to general counsel. He joined the organization in 2019 after eight years at the Indianapolis-based law firm Ice Miller and most recently was managing director of legal affairs and senior counsel for litigation and development.

Remy had joined the organization as CLO in 2011 and took on the additional role of chief operating officer in 2019. He and the NCAA parted ways in July 2021 after negotiating a separation agreement that paid him \$2.4 million in severance.

Remy's exit came a month after the U.S. Supreme Court unanimously ruled that the NCAA's restrictions on education-related benefits for student-athletes violated federal antitrust laws. It was the latest in a long list of legal setbacks for the organization, including a court ruling in 2014 that NCAA rules barring athletes from earning income from their name, image or likeness was an unreasonable restraint on trade.

U.S. District Senior Judge Claudia Wilken of the Northern District of California approved the \$2.8 bil-



NCAA's National Office in State Park, Indianapolis

lion settlement on June 6, writing that it "reflects compromises that were made in light of those legal precedents."

The pact requires the NCAA and Power 5 conferences to provide Division I athletes between 2016 and 2024 \$2.8 billion in NIL payments over the next decade. It also permits schools to begin sharing revenue with athletes, with the amount capped at \$20.5 million in the upcoming year and increasing about 4% annually.

Legal observers say the deal, while a major move by the NCAA, by no means extricates it from the legal morass that has engulfed it for much of this century.

Marc Edelman, a law professor at CUNY Baruch College, noted that numerous parties have already appealed aspects of the settlement to the Ninth Circuit.

"I do believe there'll be further litigation in the future. If a group of college athletes were to challenge the NCAA salary cap as an illegal restraint of trade under Section I of the Sherman Act, I think far more likely than not, they would ultimately prevail," Edelman said.

"If Google and Apple and Microsoft get together and set the wages of their workers at a capped amount, that clearly is a violation of federal antitrust law. It's really no different when you're dealing with

agreement among all the major colleges that offer college sports in this country."

The NCAA also is facing other high-stakes cases. A year ago, for instance, the Ninth Circuit ruled that college athletes can be considered employees under the National Labor Relations Act, upholding a lower court's denial of the NCAA's motion to dismiss.

One possible outcome of that case would be to obligate the NCAA to pay minimum wage back payments to former athletes, Reed Smith wrote in a note to clients.

The NCAA is also contending with a wave of lawsuits related to athlete eligibility. Several athletes, including Vanderbilt quarterback Diego Pavia, have sought court intervention after being ruled ineligible under complex NCAA rules. Pavia prevailed in his case, but some athletes have lost.

And last week, a federal judge in North Carolina certified a class of more than 12,000 Division I tennis players who are challenging the NCAA's cap on prize money. The plaintiffs argue that limiting athletes to \$10,000 in prize earnings per year constitutes an illegal restraint of trade. A trial could come as early as 2026.

Michael Gennaro can be reached at mgennero@alm.com.

AI Work

Continued from page 5

has been heavily used to fulfill a specific, specialised function. Some added that it would be surprising if a firm added a line breaking down the cost of programs like Harvey and Legora because they are they have become day-to-day tools.

The challenge, partners say, is knowing where to draw the line. When does AI become as routine as a word processor?

"We spent a fortune on Microsoft products and some AI tools are as every day as that now," one partner said.

Several partners drew comparisons to the use of Microsoft Word, which, although it would not have its own line item on a bill, is still funded by the firm's income.

Unlike with Microsoft Word, with AI, a good deal of suspicion and misunderstanding lingers: what of the work is being done by humans, and by robots? Isolating the 'tech charge' in a bill can help respond to this query.

But don't expect to see it every time AI is used.

"In everyday work, like email drafting or internal summarising, you wouldn't expect to see a tech charge," another partner said. "But in larger matters, where there's a specialised or client-facing system involved, you might see a separate charge because that tech isn't considered 'day to day'."

Folding in the Cost

Some firms that are not adding a technology charge to their bills are folding costs into their traditional billing structures, adjusting hourly

rates upward to reflect not just human labour but also the digital horsepower now behind it.

"It's a good justification for increasing the cost of a billable hour," one partner noted. "Firms are investing heavily in technology, and that cost has to be covered somehow".

But, in the opinion of some experts, this 'folding in' mechanism might be short lived.

Is AI Increasing Bills?

Clients are beginning to actively want their legal advisers to use AI to accelerate delivery and enhance accuracy.

According to one partner, many assume that the use of AI will reduce legal bills. But, in reality, while AI may decrease associate hours, it doesn't always lead to smaller bills. Not yet, anyway. This is for a few reasons.

First, firms are having to cover the expense on the tech itself.

And, according to another partner, certain firms now bill for the time of AI specialists. They are experts who may not be lawyers but who operate and fine-tune AI systems.

"You might be paying fewer legal hours," one source explained, "but you could be billed separately for other skilled hours. Either way, the cost is there."

Alternative Fee Arrangements

But the tech charge might only be short-lived, as firms cover initial outlays and foster more trust around the use of AI.

Rix said that a lot of clients are moving towards alternative fee arrangements, "exploring more

innovative ways of pricing work".

"This makes it much easier to introduce discussions around use of technology and process optimisation.

"I expect the move away from billable hours to shift gradually as clients and their trusted law firms agree more effective ways to measure the value of the legal work in the age of AI. I see six minute unit capture more as useful data to understand how the work's being done and how long it takes and to be able to measure the impact of some of these AI tools so we can work out where to spend our money in terms of what we develop, build and buy in that space."

Similarly, a law firm pricing consultant told Law.com that they expect that AI will transform time-based billing. Although he does not think it would or should disappear, for commoditised or high-volume work, the hourly rate has become "commercially and politically untenable".

Molly G Smith can be reached at msmith@alm.com.

Build-A-Bear

Continued from page 5

tions, up 14% from a year earlier. In her statement, Price praised Fencl, saying "he has been an invaluable member of our leadership team during a critical time of transition and evolution for the organization."

Trudy Knockless can be reached at tknockless@alm.com.

Court

Continued from page 3 should not be gravely prejudiced regarding one of the charges by the evidence which is being given upon the other." *Queen v. King*, 1 Q.B. 214.

Some 40 years later, Judge Learned Hand wrote that when distinct crimes are joined, "the jury may use the evidence cumulatively; that is, although so much as would be admissible upon any one of the charges might not have persuaded them of the accused's guilt, the sum of it will convince them as to all." *United States v. Lotsch*, 102 F. 2d 35 (2d Cir. 1939).

And Judge Henry Friendly observed that the rule permit-

ting joinder of distinct offenses of similar character "has not met with the favor of commentators."

United States v. Werner, 620 F.2d 922 (2d Cir. 1980). He cited a leading treatise, which put it bluntly: "such form of joinder is inherently prejudicial with little advantage in terms of convenience." 8 Moore, Federal Practice.

Those comments (and others cited by Rivera in her dissent) are especially apt in *Mero*, where the Third Department found, as to the fire count, that an acquittal "would not have been unreasonable."

A discussion of *Mero* would be incomplete without reference to Wilson's dissent. In it, the chief judge argued that separate charges should not be tried together under CPL 200.20(2)(c), unless

the evidence of one charge would be admissible at the trial of the other under an exception to the *Molineux* rule.

Nor should a reviewing court take comfort in the limiting instructions given to the jurors, which asked them to do what no one could reasonably be expected to do.

Thus, two bank robberies could be joined only if they were "signature crimes," having distinctive modus operandi, so that one would be admissible at the trial of the other under the *Molineux* identity exception.

As the chief judge saw it, judicial economy should never be an adequate reason to try distinct crimes together under subsection (c).

That approach seems flawed. First, judicial resources are scarce, and there are numerous cases in which the gain in efficiency from

joining similar crimes is significant and the prejudice far less than in *Mero*.

Take, for example, a case in which a defendant is charged with two robberies committed months apart (so not part of the same transaction) and the prosecution's key witness is the defendant's alleged accomplice on both. Requiring separate trials

is hard to justify.

The jury's principal task is to assess the credibility of the accomplice, typically after a lengthy cross-examination, and there is no reason to do that twice.

There is a second flaw in the chief judge's approach. Subsection (b) authorizes joinder when the proof of one offense would be "admissible as evidence upon the trial of the second." Given subsection (b), if (c) is limited in the way Wilson proposes, it becomes superfluous.

Wilson responded to this point by showing that there would still be cases which satisfy (b) but not his *Molineux*-limited (c)—e.g., a tax fraud and a murder could be joined under (b), but not (c), where the murder was committed

ted to silence a person bent on revealing the fraud.

Subsection (b) applies because the fraud is the motive for the murder (motive being a *Molineux* exception), but subsection (c) does not apply because the two crimes are defined by different statutory provisions.

That is true but misses the mark. If a *Molineux* limitation is read into (c), then there would be no case that would satisfy (c) but not (b). To be precise, Wilson's (c) would not subsume (b), but his (c) would be subsumed by (b). Surely, in adding (c) to the joinder statute, the legislature expected it to do some superfluous.

All of this is to say that *Mero* is the most interesting criminal procedure case of the term.

Calendar

THURSDAY, AUG. 7

NY State Bar (CLE)
Brazil and U.S. Tariffs - A Special Briefing

<https://nysba.org/events/brazil-and-u-s-tariffs-a-special-briefing/>

1 CLE credit

Virtual

Basics of Guardianship - Video replay

<https://nysba.org/events/basics-of-guardianship-video-replay/>

1.5 CLE credits

Virtual

NY City Bar

COVID and Health Care Fraud: Schemes, Enforcement, Prevention, and Best Practices

12 p.m. - 2:30 p.m.

https://services.nycbar.org/EventDetail?EventKey=_WEB080725&mcode=NYLJ

Location: Zoom

Contact: Customer Relations Department, 212-382-6663 or customerrelations@nycbar.org

customerrelations@nycbar.org
Careers in Mergers and Acquisitions

Time: 6 p.m. - 8 p.m.

<https://services.nycbar.org/EventDetail?EventKey=SS081225&mcode=NYLJ>

Location: Hybrid

Contact: Customer Relations Department, 212-382-6663 or customerrelations@nycbar.org

TUESDAYS AUG. 12, 19, 26

NY State Bar (Non CLE)

Finding Focus: Co-Working Group

<https://nysba.org/events/8-5-25-finding-focus-co-working-group/>

Informational program

Virtual

WEDNESDAY AUG. 13

NY State Bar (CLE)

Basics of Arbitration and Mediation - Video Replay

<https://nysba.org/events/basics-of-arbitration-and-mediation-video-replay/>

1.5 CLE credits

Virtual

Practising Law Institute

The Attorney-Client Privilege and Internal Investigations 2025

2:45 p.m. - 5 p.m.

<https://www.pli.edu/programs/the-attorney-client-privilege-and-internal-investigations-2025>

Building the Legal Function from the Ground Up: Practical Insights for Startup Counsel

<https://nysba.org/events/building-the-legal-function-from-the-ground-up-practical-insights-for-startup-counsel/>

1 CLE credit

Virtual

FRIDAY AUG. 8

NY State Bar (CLE)

Bridging the Gap

<

Corporate Update / Outside Counsel / Expert Analysis

Article

«Continued from page 5

and (iii) if the court determined Lender properly declared a default, the writs should be quashed only to the extent necessary to pay the loan and related expenses, leaving the remaining proceeds to be applied to the judgment.

The court held oral arguments in Nov. 2023 and a second hearing on Jan. 24, 2024.

Case Analysis

The court noted initially that while there were many points of dispute between the parties, Navient did not dispute that Lender had a perfected lien on the rents, its lien was prior to service of the writs of garnishment, the loan documents between BPG and Lender were valid and enforceable, the writs of garnishment were properly issued and served, and they were issued before Lender declared an event of default and accelerated payment of the loans.

The court then addressed the preliminary issue of whether the judgment constituted an event of default. In doing so, it relied on two relevant sections of the loan agreement.

The first one, regarding permitted indebtedness, provided that an event of default occurred if BPG incurred "any indebtedness other than (i) [the loan] and (ii) unsecured trade payables incurred in the ordinary course of business relating to the ownership and operation of the property... paid within sixty (60) days of the date incurred to the extent sufficient cash flow exist[ed] to pay the same."

Recognizing that neither "indebtedness" nor "judgment" was defined in the loan agreement, the court looked to the plain meaning of the terms and decided that a judgment (owing a debt) fell within the plain meaning of "indebtedness."

Furthermore, although the reimbursement owed to Navient may have been paid due to insufficient cash flow it could not qualify as a trade payable since Navient was not a trade creditor.

The second provision, regarding permitted encumbrances, stated that an event of default occurred when a lien was imposed on the property without Lender's prior written consent, unless such lien was "discharged or otherwise removed in accordance with Delaware law within 60 days after the earlier of" (i) BPG first receiving notice of such lien or (ii) the date the lien was filed.

Here, a lien automatically attached upon entry of the judgment, and it had clearly not been satisfied within 60 days.

Nonetheless, Navient argued that Lender had consented to BPG's obligation to reimburse Navient, and thus, had consented to the judgment.

The court acknowledged the appeal of Navient's argument, noting that Lender approved the form of lease, that the lease itself was defined in the loan documents, and that Lender knew of the litigation and was fully aware of its potential outcomes.

However, the court pointed out that even if Navient was correct in its assertion that Lender had initially consented to the judgment and the lien (which the court does not determine), under the loan docu-

ments it had discretion to determine when and how to exercise its rights, and its eventual declaration of default clearly indicated a subsequent lack of consent. Therefore, the court held that an event of default had occurred.

The court next examined whether Lender was required to take remedial steps to enforce its rights against the writs. It first considered garnishments under Delaware law and observed that

Instead, Article 9 leaves it to the agreement of the parties, as supplemented by law other than Article 9, to determine whether a default exists or has been waived.

such conduct shall not constitute a waiver.

Instead, Article 9 leaves it to the agreement of the parties, as supplemented by law other than Article 9, to determine whether a default exists or has been waived.

Thus, the court determined that the "use-it-or-lose-it" theory, which penalizes inaction by the secured creditor, imposes a requirement that is not mandated by Article 9, and as a result, is inconsistent with the UCC.

Furthermore, in the court's view, the "use-it-or-lose-it" approach contradicted the loan agreement, which granted Lender discretion to exercise its rights and remedies and stated that no delay or omission in pursuing any such remedies would be "construed as a waiver."

As the court pointed out, ignoring the terms of the loan agreement to find a waiver would be "against Delaware [public] policy to enforce parties' agreements as they have negotiated them."

and further that a secured party "may reduce a claim to judgment, foreclose, or otherwise enforce the claim..." [emphasis added], although Article 9 requires no such action.

The court went on to note that comment 3 to Section 9-601 specifically states that Article 9 "does not determine whether a secured party's post-default conduct can constitute a waiver of default in the face of an agreement stating that

after default to preserve its priority status over a junior creditor attaching its collateral. Lender retained its prior perfected security interest in the rents, and Navient's writs, while valid, were junior to Lender's rights.

As the court highlighted, the "touchstone" of Article 9 is the "primacy of a prior perfected secured creditor's claim to collateral," and the aim of the UCC is to allow parties to "rely on a clear and predictable set of rules."

The "use-it-or-lose-it" approach leads instead to a lack of predictability in commercial transactions, leaving a secured party to guess whether it took sufficient action to prove that it did not constructively waive its priority status.

The "trace and recapture" approach clearly embodies the policies of the UCC, and the court's decision to follow it is important to the rights of secured creditors in the state of Delaware. But what's also critical here, as pointed out by both the court and the UCC commentary, is the agreement of the parties.

Both Article 9 and the *Navient* case underscore the importance to a secured creditor of the fairly common boilerplate language in loan documents providing that waivers cannot be implied or assumed from conduct but must be expressed and written.

Practitioners should be reminded by this case that such provisions can and will be critical in protecting a prior perfected secured creditor after default.

Conclusion

Ultimately, the court held that a secured party is not required to exercise its rights and remedies

Renew your subscription by phone!
Call the New York Law Journal
at 1-877-256-2472.

Data Centers

«Continued from page 4

wide permit is needed to facilitate Qualifying Projects and to ensure that no Pre-Construction Notification is required for the facility. This is important for the permitting and construction of linear transmission lines in gas, electric and oil industries, which may cross numerous interstate watersheds subject to Federal review.

Finally, the EO states that for a data center project located on Federal land, consultation with the U.S. Fish and Wildlife Service ("USFWS") under Section 7 of the Endangered Species Act shall be a "programmatic consultation to ensure timely and efficient completion of such consultation." The USFWS' proposed revision of the definition of "harm" under the act [90 Fed. Reg. 16105 (April 17, 2025)], will further limit the extent of the consultation.

Siting on Federal Lands. The Departments of Interior, Energy (DOE) and Defense are directed to identify suitable sites on Federal land for development of data

centers and associated power generation infrastructure.

On July 24, 2025, just a day after the EO and Plan, the DOE selected four sites for which the agency will solicit the development of data centers to advance AI use: the Idaho National Laboratory; the Oak Ridge Reservation in Tennessee; the Paducah Gaseous Diffusion Plant in Kentucky; and the Savannah River Site in South Carolina.

Shortly before the DOE announcement, a new Interior Department memorandum was issued requiring "all decisions, actions, consultations, and other undertakings" related to the siting of wind and solar energy facilities on Interior-controlled land be approved personally by the Secretary of Interior, another attempt to further deter the use of renewable energy sources for the operation of data centers. As the authors were completing this article, the Secretary of the Interior also issued Order No. 3437, *Ending Preferential Treatment for Unreliable, Foreign Controlled Energy Sources* (July 29, 2025), requiring staff to identify and move to eliminate any regulations

or guidance designed to facilitate the development of solar and wind energy resources, claiming that such sources are "expensive, unreliable, foreign-controlled intermittent energy sources..."

Grid Reliability. Although not

The Administration's current suite of actions gives non-solar and non-wind resources potential advantages in powering data center growth.

directly addressed in the EO, the Plan discusses the need to "develop a grid to match the pace of AI innovation." The Plan states all existing electrical assets need to be preserved and that "premature decommissioning of critical power generation resources," such as coal generation, should be barred. This may provide additional heft to Administration efforts, already underway, to pressure utilities and state regulators not to retire coal-fired generation.

The Plan also urges exploring new solutions to grid reliability, such as advanced grid management technologies and power line upgrades to increase the amount of

electricity transmitted along existing routes.

It remains questionable as to whether the EO can break the logjam of electric transmission system improvements required by data centers. One problem is that the

definition of "covered components" includes "electrical infrastructure... constructed or otherwise used principally to serve a Data Center Project" (emphasis added). Data centers with on-site generation could find that requests for transmission system improvements that provide power from the grid for less than a majority of the time might not qualify as "principally" for the data center's service, although there may be contrary arguments as well.

Concluding Thoughts

If one views hydrocarbons as having a limited future, the

Administration's policy may represent a decision to monetize and maximize consumption of the U.S. hydrocarbon resource base to gain an advantage in AI by trading off environmental review. However, the EO and Plan neglect the fact that the siting of data centers in certain states may still remain significantly restricted due to state laws and regulations designed to curb air pollution and climate impacts.

Efforts to force continued operation of coal-fired and natural gas-fired plants that state governments have determined should be retired will face assertions of the state's inherent police powers retained under the Tenth Amendment.

Moreover, although the Administration's current suite of actions gives non-solar and non-wind resources potential advantages in powering data center growth, the use of solar and wind energy resources to power data centers remains available, and economic, in certain areas. Additionally, the use of geothermal energy, where available, and perhaps small modular nuclear

reactors (if the technology becomes more readily available), coupled with battery or hydrogen storage, may provide clean energy opportunities.

The Administration's new EO includes both geothermal and nuclear energy as acceptable sources of energy for new data centers going forward. Finally, under the Administration's policies, energy-efficient natural gas turbines may also be an acceptable power source, recognizing that the policy pendulum could swing in another direction at a later date.

There are perceived international rivalries concerning data center development. Proponents of the EO and the Plan may link implementation to maintaining national security. In like fashion, the European Union is proposing the "Cloud and AI Development Act," designed to triple Europe's data center capacity within five to seven years. Given this competition, the rules governing AI and electricity consumption will continue to change over time based on both domestic and international pressures.

Mediation

«Continued from page 3

ly and confidentially before seeking informed consent to mediate, and continue monitoring throughout the process.

The standard emphasizes examining the nature and context of abuse rather than relying on categorical labels, helping parties assess whether safeguards and process modifications can effectively address specific concerns.

This nuanced approach recognizes that mediation may be appropriate in some domestic abuse cases with proper modifications, while remaining inappropriate in others.

Mandatory Training Requirements

The standards mandate specific training on identifying domestic abuse dynamics, including coercive control and its impact on parenting, co-parenting, children, and the mediation process.

This training requirement extends to ongoing professional development, ensuring mediators maintain current knowledge.

Barriers to Participation and Process Modification

Comprehensive Accessibility Framework: Standard IV introduces a systematic approach to identifying and addressing barriers to meaningful participation.

These barriers include domestic abuse, child maltreatment, behavioral concerns, substance use, self-representation, language barriers, literacy issues, cultural norms, financial pressure, and technology access challenges.

The standard requires mediators to explore safeguards and process modifications tailored to address specific barriers, moving beyond one-size-fits-all approaches. When barriers cannot be adequately

addressed, mediators must help parties explore alternative dispute resolution processes.

Child-Centered Process Enhancements

Expanded Focus on Children's Voices: Standard X on Child-Centered Process provides more detailed guidance on incorporating children's perspectives while maintaining appropriate boundaries.

The standard requires mediators to inform parties and court-appointed representatives about options for children's input while clarifying that children do not make final decisions about parenting plans.

The standard emphasizes consultation with parties, children's therapists (when permissible), and court-appointed representatives before any child participation, including discussion of benefits, costs, and emotional risks based on the child's age and maturity.

Cultural and Religious Considerations

The updated standards require training on the impact of culture and religion on parenting philosophy and mediation processes, reflecting the increasingly diverse populations served by family mediators.

Expanded Termination Grounds

Comprehensive Termination Standard: Standard XI provides detailed guidance on when mediators should suspend or terminate mediation, expanding beyond safety concerns to include situations where parties use mediation inappropriately, withhold necessary information, or are about to enter unconscionable agreements.

This expanded framework provides clearer guidance for ethical decision-making in challenging situations.

Enhanced Training and Professional Competence Requirements

Comprehensive Competency Framework

Standard XII significantly expands training requirements, mandating knowledge and skills across eleven comprehensive areas including mediation process and ethics, jurisdictional family law, child development impacts, age-appropriate child interviews, domestic abuse assessment, financial divorce issues, power disparity management, parent-child contact dynamics, cultural competency,

opportunities for mental health professionals with relevant clinical backgrounds.

However, the requirement to avoid providing therapy during mediation requires clear boundary management between clinical and mediation roles.

Cultural Competency and Trauma-Informed Practice: The standards' emphasis on cultural responsiveness and trauma-informed approaches to domestic abuse aligns with contemporary mental health practice.

For mental health professionals, the standards create opportunities to leverage clinical expertise in trauma, child development, and cultural competency while requiring expanded knowledge in legal and financial areas.

online mediation skills, and responsible technology use.

Ongoing Professional Development: The standards emphasize continuous improvement through continuing education, peer consultation, and regular self-assessment. Mediators must inform participants about their relevant training, education, and experience, promoting transparency and informed consumer choice.

Implications for Mental Health Professionals

Enhanced Clinical Skills Requirements: Mental health professionals entering family mediation must now demonstrate competency beyond traditional legal skills, particularly in areas like child development, domestic abuse dynamics, and technology use.

The financial literacy requirements align well with family law practice but require mediation-specific application.

The enhanced confidentiality and privilege provisions require

mental health professionals must translate their clinical understanding of trauma and cultural factors into mediation-specific interventions and process modifications.

Implications for Attorneys

Expanded Legal Knowledge Requirements: Attorney-mediators must now demonstrate competency beyond traditional legal skills, particularly in areas like child development, domestic abuse dynamics, and technology use.

The financial literacy requirements align well with family law practice but require mediation-specific application.

The enhanced confidentiality and privilege provisions require

attorneys to navigate complex intersections between mediation confidentiality and legal professional responsibility rules, particularly regarding mandatory reporting and subpoena responses.

Ethical Considerations and Role Boundaries: Attorney-mediators must carefully manage the tension between their legal training's adversarial approach and mediation's collaborative framework.

The prohibition on providing legal advice during mediation requires clear communication about role limitations while ensuring parties understand their need for independent legal counsel.

The conflict of interest provisions require heightened sensitivity to potential ethical violations, particularly when attorney-mediators have prior relationships with parties or their counsel.

Conclusion

The 2025 AFCC/ABA Model Standards for Family and Divorce Mediation represent a significant evolution in professional practice standards, reflecting 25 years of field development and contemporary understanding of family dynamics, technology, and ethical practice.

These changes create both opportunities and challenges for mental health professionals and attorneys working in family mediation.

For mental health professionals, the standards create opportunities to leverage clinical expertise in trauma, child development, and cultural competency while requiring

expanded knowledge in legal and financial areas.

The emphasis on process modification and accessibility aligns well with therapeutic training in individualized treatment approaches.

For attorneys, the standards require broader competency beyond traditional legal knowledge while creating clearer ethical guidelines for navigating dual professional identities.

The enhanced training requirements may present challenges but ultimately strengthen the profession's credibility and effectiveness.

Both professional groups must invest in comprehensive training and ongoing professional development to meet these enhanced standards.

The collaborative development process and broad professional endorsement suggest these standards will become influential in shaping mediation practice, court programs, and professional credentialing.

Ultimately, these revised standards advance the field's commitment to safe, effective, and accessible family mediation services.

By addressing contemporary challenges like technology integration, domestic abuse sophistication, and cultural responsiveness, the standards position family mediation to better serve diverse families navigating complex disputes.

The success of implementation will depend on professionals' commitment to meeting these enhanced competency requirements and the field's continued evolution in response to changing family needs.

LITIGATION SUPPORT SERVICES

To advertise Litigation Support Services and to receive advertising information,

please contact: **Shawn Phillips**

Phone:

Court Calendars

First Department

APPELLATE DIVISION

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

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

THURSDAY, AUG. 7

10 A.M.
155656/19 Schiff v. Intersystem S&S Corp.

4900/24 Castro v. Manhattan Parking Group

12 P.M.
35478/20 Fisher v. Triborough Bridge and Tunnel

FRIDAY, AUG. 8

10 A.M.
30138/18 Pillico v. Keap the Hope

1 P.M.
155327/24 Commonwealth Land Title v. Sack & Sack

MONDAY, AUG. 11

10 A.M.
651575/13 Becker v. Perla

12 P.M.
160122/22 L. M., an Infant v. Chelsea Piers

2 P.M.
154120/20 Welsh v. 12 East 86th St.

THURSDAY, AUG. 14

10 A.M.
814844/24 Munroe v. Hempstead

MONDAY, AUG. 18

12 P.M.
15678/22 Marquez v. Animal Care and Control of NYC

CALENDAR FOR THE SEPTEMBER TERM

The September 2025 Term will commence September 2, 2025.

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

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

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

Civil Cases

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

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

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

24/7825/200 Claremont Avenue v. Estate of Elsie Lewis (NY 5713/2023)

24/7333/21st Mortgage Corp. v. Lin (NY 850085/2018)

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

24/6715/242 Tenth Investors v. GVC 242 Tenth Sponsor (NY 6512/2021)

24/0065/250 E. 63 Realty v. NYS Division of Housing (NY 150562/2023)

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

25/1830/214 Morris v. Ortega (BX 8042/2021)

24/6444/302 W. 87th v. SHA Upper City (NY 160684/2018)

24/5822/230 West 87th v. 320 West 87th Street (NY 654732/2023)

24/6473/382 McDonald v. NYC Industrial Development (NY 161947/2023)

24/0363/383 W. Broadway Corp. v. Solomon (NY 152351/2021)

24/6313/383 West Broadway v. Tax Commission (NY 266068/2021)

23/678/413 East 187 Holdings v. NYC Dept. of Housing (BX 8124/2022)

24/679/417 N. Comanche v. Enrees II (NY 651541/2024)

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

24/804/470 4th Avenue Fee v. Wesco Insurance (NY 651184/2020)

24/5101/538 Morgan Realty v. Law Office of Aihong You (NY 153836/2023)

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

24/1900/53d & 3rd NYC v. Advanced Contracting (NY 656164/2019)

24/5436/670 River Realty v. NYS Division of Housing (NY 151041/2024)

24/5445/221 Borrower v. Premier Digital (NY 652213/2023)

25/0277/902 Associates v. Union Square 902 (NY 150605/2020)

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

25/1590/A., Ronald v. Tyessa H. (NY P197/2023)

24/5758/A1 Specialized v. James River Insurance (NY 652944/2022)

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

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

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

24/7790/ Abramovage v. Deutsche Bank Securities (NY 159917/2022)

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

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

24/7910/ Acevedo v. City of NY (BX 20593/2020)

24/1177/ Adago v. Sy (NY 6512/2021)

24/5957/ Adler v. Troy (NY 805376/2021)

24/2059/ Aguilera v. City of NY (BX 30571/2024)

24/6084/ Ahsanuddin v. Addo (BX 30571/2017)

22/4129/ Akande v. City of NY (NY 15474/2020)

24/6665/ Alfred v. Brutus (NY 365106/2020)

24/4756/2 (2) Ali Baba Hotel v. Prose (NY 150993/2022)

25/2252/ Allen v. Kukin (NY 805116/2022)

24/4536/2 (2) Allmen v. Kimmel (NY 305326/2018)

24/5894/ Alonso v. RP1185 LLC (NY 151861/2020)

24/7809/ Aphasense, Inc. v. Financial Technology (NY 651846/2024)

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

24/5581/ Amtrust North America v. Insurance Specialty (NY 650200/2024)

25/1701/ Ancart v. Crespo (NY 651303/2023)

22/2476/ Anonymous v. Anonymous (NY 312135/2013)

24/6340/ Antonetti v. Academy Studio (BX 26678/2020)

24/7637/ Apex Funding v. Blue Earth Resources (NY 654552/2023)

25/0798/ ARCY NWPP/001 v. WWP JV (NY 654977/2022)

25/3111/ Archdiocese of NY v. Century Indemnity Company (NY 652825/2023)

24/4313/ Arias v. Brooks Holdings (NY 154787/2019)

25/0244/ ARK29 v. Archdiocese of NY (NY 950344/2020)

24/6046/ Askins v. Santos (NY 109964/2023)

24/4046/ Astraea NYNN v. Ganley (NY 650802/2021)

24/6562/ Attorney General of the State of NY v. Kenny S. (NY 531006/2005)

24/6574/ Avi and Co. v. Certain Underwriters (NY 650374/2021)

24/3263/ Avison Young-NY v. 459 W 53 Street (NY 653521/2022)

24/6292/ B., Christian (NY 65193/2022)

24/7379/ B., Christine v. Antonio G. (BX 27171/2023)

24/0349/ B., Pamela v. Taile B. (NY 114797/2018)

24/4226/ B.A. v. H.K. (NY 76049/2023)

24/6543/ Bacsin v. Avon Products (NY 190692/2023)

25/1695/ Bademe v. AECOM (NY 152683/2024)

24/4711/ Bailey v. 2732 Bainbridge Associates (BX 810231/2022)

24/3145/ Bank NY Mellon v. Kim (NY 650276/2022)

24/4931/ Barger v. Malkin (NY 653772/2023)

23/1915/ Barone v. Barone (NY 300812/2019)

24/2437/ Barons Media v. Shapiro Legal Group (NY 652481/2023)

24/2962/ Barrett v. Manhattan Detention Complex (NY 158949/2018)

24/7051/ Battin v. Pryor (NY 401139/2013)

25/2493/ Baxter v. Gosh (BX 809767/2024)

25/0834/ Beals v. Roman Catholic Archdiocese (NY 950159/2019)

24/5313/ Berger v. NYC Transit Authority (NY 157005/2023)

24/3146/ Best Work Holdings v. Ma (NY 654826/2022)

24/1759/ Best Work Holdings v. Ma (NY 654826/2022)

24/6033/ Bethpage Federal v. BR 52 LLC (NY 850210/2024)

24/6839/ Bey v. City of NY (NY 153420/2024)

25/2914/ BH 336 Partners v. Sentinel Real Estate (NY 653867/2023)

23/6096/ Bianculli v. City of NY Office Labor Relations (NY 160234/2022)

24/6848/ Biswas v. Aramis Distributors NY (NY 190040/2023)

24/3203/ Black v. City of NY (BX 26000/2019)

24/5218/ Blanca Realty v. NYC Dept of Buildings (NY 154316/2022)

25/1844/ Blumenfeld v. Smith (NY 651069/2024)

24/4110/ Board of Managers v. 16E Apartment (NY 151261/2023)

25/1066/ Board of Managers v. 45 East 22nd St. (NY 652530/2023)

25/2927/ Board of Managers v. 56th and Park (NY 65567/2021)

24/7412/ Board of Managers v. 90 William St. Development (NY 654249/2021)

24/7901/ Board of Managers v. Park Park Associates (NY 655959/2021)

25/4427/ Bodenbach v. 5178 Holdings (NY 152916/2024)

24/4856/ Boliaq v. Reilly (NY 153941/2016)

24/3517/ Bonilla v. BPP St Owner (NY 160246/2019)

24/5008 Julien Farel, LLC v. Stove Properties (NY 65312/2019)	21/3777(2) Napoli v. Bern (NY 159576/2014)
24/4398 Justicebacker, Inc. v. Abeles (NY 650374/2021)	24/6864 Naranore v. Mount Sinai Health (NY 152989/2020)
25/1003 K., Aisha v. Phillip C. (BX 06624/2022)	24/4524 National Community v. Midtown Coalition (NY 652675/2021)
23/5792 K., Dorell v. Dalee L. (BX 02305/2022)	25/0941 Nationstar Mortgage v. O'Connor (BX 35397/2013)
24/794 K., Hind v. Faycal T. (NY V61642/2022)	24/5483(2)N Newrez v. Morton (NY 85098/2017)
24/7683 K., Peter v. Mayumi M. (NY V5183/2023)	24/4782 Ng v. Figueroa (NY 155032/2018)
24/2333 Kamibia Chios Realty v. Utica First Insurance (BX 80320/2021)	24/6575 Norguard Insurance v. 140 W. 28 Owner (NY 154822/2020)
25/3345 Kapitus Servicing, Inc. v. Raging Gourmet Corp. (NY 653579/2022)	24/6457 NRD GP v. McCarthy (NY 654694/2022)
25/1019 Kassal v. Trump Management (NY 161322/2018)	25/1288 Nitru v. W.W. Preservation (NY 158358/2021)
24/3574 Katz-Wisnudel v. Lower Manhattan Dialysis (NY 155252/2021)	24/4306 Nunez v. Turo, Inc. (BX 81044/2021)
24/3083 Kaufman v. Hirsch (NY 161183/2020)	25/1856 NY Life Insurance v. Hancock Life Insurance (NY 655745/2023)
24/3260 KD-1 Doe v. Mc-Doe (NY 952138/2023)	24/2398 Taxi Workers v. NYC Taxi (NY 154424/2023)
25/2079 Keenan v. Bloomberg L.P. (NY 155679/2024)	25/2195 NYC Transit Authority v. Local 100 (NY 452726/2024)
24/6015 Kelemen v. Duplication Services (NY 160226/2017)	25/7323 NYS Division of Housing v. Zara Realty (NY 450245/2019)
24/3061 Kimmelman v. Smith (NY 805150/2019)	24/4036 NYS Unified Court v. NYS Public Employment (NY 161972/2023)
24/6329 Kiregy v. Almazan (BX 800526/2023)	24/5841 Ocasio v. Achabbar (BX 805753/2022)
24/7338 Knight v. Family Energy (NY 650903/2023)	24/6937 Ochoa v. C.I. Lobster Corp. (BX 815200/2022)
24/0356(2) Kohli v. Tewari (NY 365297/2021)	24/5784 Odnorolov v. Weiner (NY 805588/2018)
24/4765(2) Kohli v. Tewari (NY 365297/2021)	24/5853 Olsan Frome Wolosky LLP v. Kastenbaum (NY 656174/2023)
24/6793 Kola v. City of NY (NY 155411/2023)	24/5046 O'Rear v. Kashanco International (NY 159816/2020)
25/1279 Kozeli v. Renali Realty (BX 261982/2020)	25/0543 Ortiz v. City of NY (BX 21877/2019)
25/2005 L., Children (BX N6348/2025)	24/5020 Ovalle v. Church Street Construction (BX 30590/2019)
24/5183 Labby v. Cummings (NY 805428/2017)	24/7483 Owen v. Johnson (NY 365421/2020)
25/463 Lacruce v. Memorial Sloan-Kettering (NY 150195/2019)	25/3052 Owens v. Metropolitan Transportation Authority (NY 160308/2021)
24/7215 Lara v. Mount Sinai Hospital (NY 805250/2020)	24/5348 Owens v. New Empire Corp. (NY 654796/2023)
25/0362(2) Lash v. Modulaire Holdings (NY 655935/2023)	24/7851 P., Corby v. Deandra H. (BX V3526/2021)
25/0840 Lava Media v. Hart (NY 651053/2023)	24/2022 P/B, Children (BX N52727/2022)
24/2963 Law Office of Cyrus Joubin v. Manhattan District Attorney (NY 151816/2023)	24/4585 PS, Marcato Elevator v. Scotsdale Insurance (NY 655259/2019)
25/2994 Lebda v. Touro College School (NY 101271/2024)	25/2621 Pacheco v. Catholic Guardian Services (NY 159163/2022)
24/818 Lebedev v. Migdal (NY 32046/2020)	24/7332 Pacheco v. Georgetown Eleventh (NY 157529/2017)
25/0542 Lee v. Jay Housing Corporation (NY 656670/2021)	24/5816 Padilla v. 3521 Dekalb Avenue (BX 31286/2017)
24/4532 Lee v. Lee (NY 365055/2018)	24/4715 Palero v. Romero (BX 305093/2015)
24/4242 Lee v. Montefiore Medical Center (BX 20565/2016)	25/0652 Pander v. Guildnet, Inc. (NY 160162/2017)
24/1665 Lee v. Nejat (NY 800296/2011)	25/2624 Panos v. Panos (NY 365148/2021)
25/1461 Lema v. 1148 Corporation (NY 450904/2018)	24/6401 Parker Colit Administration v. One West Bank (NY 150652/2024)
24/6416 Leon v. Plaza Construction (NY 151025/2020)	24/6242 Philippe NYC 1 v. Office of Administrative Trials (NY 152622/2024)
24/1225 Leon v. Brown Forman Corp. (NY 151627/2019)	25/1703 Rouse v. Ahmed (BX 811894/2021)
23/65677 Leslie Digital Imaging v. Empower Information (NY 652634/2022)	24/3849 RSD857, LLC v. Wright (NY 158125/2022)
24/6130 Leslie J. Garfield & Co. v. Evans (NY 651854/2021)	25/0147 Rubenstein Public Relations v. Fleet Financial (NY 654299/2022)
24/2453 Lewis v. Ganesh (BX 24992/2018)	24/4741 Pichardo v. The George Units (NY 152229/2021)
25/2403 Liberty Mobility v. Port Authority of NY (NY 151814/2024)	24/6417 Pilapata v. Hudson 888 Owner (NY 152726/2020)
24/4927 Lopez v. Rodriguez (NY 151816/2023)	24/4141 Pizzarotti LLC v. MDB Development (NY 650809/2019)
24/3189 Lotrean v. 3M Company (NY 153361/2020)	24/5253 N Pothch v. Citibank (NY 653971/2022)
25/1508 Lutifeva v. Services for the Aged (NY 161213/2023)	24/5790 Plumbers Local Union v. NYC Department of Buildings (NY 160520/2022)
24/4015 M., Bryanna v. ACS (NY V510/2023)	24/2030 S., Anfant v. City of NY (NY BX 27844/2020)
24/3499 M., Mayra v. Raoul G. (NY 0500/2023)	24/2360 S., Antonio v. Rita S. (NY V8911/2020)
24/5109 M., Michelle v. Cantabile J. (BX F17113/2022)	24/5095 Structure Tone v. Selective Way Insurance (NY 656694/2020)
24/5408 M., Peter v. Fekete G. (BX V14941/2021)	25/0283 S., Jeremy v. Frasely P. (BX V20763/2023)
24/7157 M., Portia v. Antaeus A. (NY V7517/2020)	24/4578 S., Tabitha v. Kyle G. (NY 07498/2023)
24/6582 M., Rafael v. Kimberly T. (BX V2034/2020)	24/7217 M., Prager Metz CPAS v. Goldstein (NY 651768/2023)
24/6090 M., Rajah v. Said B. (NY 06767/2022)	24/4546 Prete v. JJ Hoyt LLC (NY 161724/2019)
25/0435 M., Ma Wang (NY 655044/2022)	24/6207 PROF-2023-S Legal v. West Corp (BX 26380/2019)
24/6439 Macklowe Investment v. MIP 57th Development (NY 656919/2021)	24/5241 Quinn v. Emanuel Urquhart & Sullivan v. Desktop Metal (NY 652274/2025)
24/1643 Markman v. NY-Presbyterian (BX 2030/2026)	24/5371 Petrucci v. A. Jerome Realty (BX 2051/2019)
24/6747 Martinez v. Martinez (NY 159286/2021)	24/5588 Quezada v. 3850 Broadway Holdings (NY 151965/2018)
24/9553 Mather v. HFZ Kik 30th Street (NY 161223/2019)	24/4805 Quezada v. City of NY (NY 158013/2016)
20/1200 McCarter & English v. National Collegiate (NY 654144/2018)	24/6733 Pascles v. Pax Ventures (NY 653319/2019)
24/6476 McGraw-McGraw v. Dag Hammarskjold Tower (NY 159019/2020)	24/5277 Pascles v. Pax Ventures (NY 653319/2019)
25/1240 McGregor v. Manhattan Nursing Home (NY 158715/2021)	24/5371 Petrov v. Aerco International (NY 190324/2020)
24/5945 McGuire v. Roman Catholic Bishop (NY 951104/2021)	24/6524 Philippe NYC 1 v. Office of Administrative Trials (NY 152622/2024)
22/1003 McLeod v. NYC Health & Hospitals (CS 3333/2019)	25/1703 Rouse v. Ahmed (BX 811894/2021)
24/5477 McMillan v. Out-Look Safety (NY 657577/2020)	24/4141 Pizzarotti LLC v. Wright (NY 158125/2022)
24/5854 Medina v. Medina (BX 810353/2023)	25/0147 Rubenstein Public Relations v. Fleet Financial (NY 654299/2022)
24/4710 Mendez v. City of NY (BX 2736/2020)	24/4741 Pichardo v. The George Units (NY 152229/2021)
25/2965 Metropolitan Partners v. Nerry (NY 650013/2025)	24/6417 Pilapata v. Hudson 888 Owner (NY 152726/2020)
24/4359 Metropolitan Property v. Pentair Residential (NY 153189/2018)	24/4141 Pizzarotti LLC v. MDB Development (NY 650809/2019)
23/0732 Miami Firefighters v. Icahn (NY 657447/2019)	24/5253 N Pothch v. Citibank (NY 653971/2022)
24/1158 Michael Gross Diamonds v. Vaknin (NY 651396/2014)	24/5790 Plumbers Local Union v. NYC Department of Buildings (NY 160520/2022)
24/5561 Milchin v. Milchin (NY 305293/2019)	24/2030 S., Anfant v. City of NY (NY BX 27844/2020)
25/2569 Mirza v. College of Mount Saint Vincent (BX 805075/2024)	24/2360 S., Antonio v. Rita S. (NY V8911/2020)
24/3234 Mitchell v. City of NY (BX 2323/2020)	24/5095 Structure Tone v. Selective Way Insurance (NY 656694/2020)
24/2479 Moghtaderi v. Apis Capital (NY 652827/2020)	25/0283 S., Jeremy v. Frasely P. (BX V20763/2023)
24/5224 Moises-Ortiz v. FDB Acquisition (NY 152869/2017)	24/4578 S., Tabitha v. Kyle G. (NY 07498/2023)
25/3017 Molina v. Chatham Towers, Inc. (NY 156785/2021)	24/7216 M., Prager Metz CPAS v. Goldstein (NY 651768/2023)
24/5265 Molina v. Mount Sinai Morningside (NY 805314/2021)	24/4546 Prete v. JJ Hoyt LLC (NY 161724/2019)
24/5803 Molner v. Molner (NY 301261/2012)	24/6207 PROF-2023-S Legal v. West Corp (BX 26380/2019)
25/0799 Molner v. Molner (NY 301261/2012)	24/5241 Quinn v. Emanuel Urquhart & Sullivan v. Desktop Metal (NY 652274/2025)
24/2789 Moore v. Greystone Properties (NY 154133/2017)	24/5371 Petrucci v. A. Jerome Realty (BX 2051/2019)
24/0318N Morales v. 58-66 East Fordham (BX 25194/2020)	24/5588 Quezada v. 3850 Broadway Holdings (NY 151965/2018)
24/6114 Mt. Hawley Insurance v. Michelle Kuo Corp. (NY 656474/2021)	24/4805 Quezada v. City of NY (NY 158013/2016)
24/2525 Mute v. City University of NY (BX 818230/2023)	24/6733 Pascles v. Pax Ventures (NY 653319/2019)
24/6168 Mueller v. Seed Invest Technology (NY 653225/2023)	24/5277 Pascles v. Pax Ventures (NY 653319/2019)
23/6574 Mujaj v. Devash LLC (NY 151529/2018)	24/5371 Petrucci v. A. Jerome Realty (BX 2051/2019)
25/3118 Municipal Credit Union v. Thomas (BX 802289/2022)	24/5588 Quezada v. 3850 Broadway Holdings (NY 151965/2018)
24/2218 Murillo v. Downtown NYC Owner (NY 152211/2017)	24/4805 Quezada v. City of NY (NY 158013/2016)
24/0146N Muroff v. Heerdt (NY 805358/2017)	24/6733 Pascles v. Pax Ventures (NY 653319/2019)
23/5881 Mustafaj v. City of NY (BX 80023/2022)	24/5277 Pascles v. Pax Ventures (NY 653319/2019)
24/5149 Myklebust v. Consolidated Edison (NY 652679/2023)	24/5371 Petrucci v. A. Jerome Realty (BX 2051/2019)
23/6298 Myrtle Point v. B3 Ridgewood Holdings (NY 652689/2023)	24/5588 Quezada v. 3850 Broadway Holdings (NY 151965/2018)
23/6326 N47 Associates v. Jemsco Realty (NY 159215/2020)	24/4805 Quezada v. City of NY (NY 158013/2016)
23/6215 Napoli v. Bern (NY 159576/2014)	24/6733 Pascles v. Pax Ventures (NY 653319/2019)

Court Calendars

COURT NOTES

Continued from page 9

U.S. DISTRICT COURT EASTERN DISTRICT

Criminal Justice Act Committee Is Accepting Applications

Deadline is Sept. 8

The Criminal Justice Act Committee of the United States District Court for the Eastern District of New York is accepting new applications for appointment, and applications for reappointment, to the panel of attorneys under the Criminal Justice Act of 1964, through September 8, 2025. The Court encourages highly qualified and experienced criminal defense attorneys who reflect the diversity of the community to apply for membership on the CJA Panel for the District. Assignments to the Panel will be for a three-year period, beginning January 1, 2026. Applicants must be admitted and in good standing to practice in the Eastern District of New York.

Applications may be submitted for assignment to the Brooklyn or Central Islip panels, or both. The Committee is also seeking applications from practitioners whose experience is uniquely suited to handling petitions for post-conviction relief.

All application forms, instructions, and submission information are available on the Court's website at: <https://www.nyscourts.gov/criminal-justice-act-info>

New applications and applications for reappointment, along with all supporting documents, must be submitted in one flattened PDF file, no later than September 8, 2025, by electronic submission via the Court's website.

Please contact the Clerk of Court at 718-613-2270 if you experience difficulty uploading an application.

ADMINISTRATIVE ORDER OF THE CHIEF JUDGE OF THE STATE OF NEW YORK

Pursuant

24/7294 People v. William Blackman (NY 71752/2024)
2019-1433 People v. William Caruth (BX 300/2016)
22/3915 People v. William Hooks (NY 5588/1997)
21/0134 People v. William Prieto (NY 2123/2019)
22/0583 People v. William Rivera (NY 447/2019)
23/1682 People v. Willie Santos (BX 67/2021)
22/4459 People v. Xavier Rivera (BX 631/2021)
22/4656 People v. Zachary Louisant (BX 633/2019)
24/6239 People v. Zion Holley (BX 7111/2024)
19/4979 People v. David Rivera (NY 3635/2016)

APPELLATE TERM

60 Centre Street
Room 401

10 A.M.

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

New York County

SUPREME COURT

Ex-Parte Motion Part And Special Term Part

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 specified actions. In addition, listed below is information on Judicial Hearing Officers, Mediation, and Special Reference.

IAS PARTS

1 Silvera: 300 (60 Centre)
2 Satter: 212 (60 Centre)
3 Cohen: J. 208 (60 Centre)
4 Kim: 308 (80 Centre)
5 King: 320 (80 Centre)
6 King: 351 (60 Centre)
7 Lebovits: 345 (60 Centre)
8 Kotler: 278 (80 Centre)
9 Capitini: 355 (60 Centre)
11 Frank: 412 (60 Centre)
12 Stroth: 328 (80 Centre)
13 Schumacher: 304 (71 Thomas)
14 Bluth: 432 (60 Centre)
15 Johnson: 116 (60 Centre)
17 Hager: 335 (60 Centre)
18 Tisch: 104 (71 Thomas)
19 Sokoloff: 540 (60 Centre)
20 Kaplan: 422 (60 Centre)
21 Tsai: 280 (80 Centre)
22 Chin: 136 (80 Centre)
23 Schumacher: 304 (71 Thomas)
24 Katz: 325 (60 Centre)
25 Marcus: 1254 (111 Centre)
26 James: T. 438 (60 Centre)
27 Dominguez: 289 (80 Centre)
28 Tingling: 543 (60 Centre)
29 Ramirez: 311 (71 Thomas)
30 McMahon: Virtual (60 Centre)
32 Kahn: 1127B (111 Centre)
33 Rosado: 442 (60 Centre)
34 Ramirez: 341 (60 Centre)
35 Perry-Bond: 684 (111 Centre)
36 Saunders: 205 (71 Thomas)
37 Engoron: 418 (60 Centre)
38 Crawford: 1166 (111 Centre)
39 Clynes: 232 (60 Centre)
41 Moyne: 327 (80 Centre)
42 Morales-Minera: 574 (111 Centre)
43 Reed: 222 (60 Centre)
44 Pearlman: 321 (60 Centre)
45 Patel: 428 (60 Centre)
46 Latin: 210 (71 Thomas)
47 Goetz: 1021 (111 Centre)
48 Masley: 242 (60 Centre)
49 Chan: 252 (60 Centre)
50 Sweeting: 279 (80 Centre)
51 Headley: 122 (80 Centre)
52 Sharp: 1045 (111 Centre)
53 Borrok: 238 (60 Centre)
54 Scheeter: 228 (60 Centre)
55 d'Auguste: 103 (71 Thomas)
56 Kelley: 204 (71 Thomas)
57 Kraus: 218 (60 Centre)
58 Cohen: D. 305 (71 Thomas)
60 Crane: 248 (60 Centre)
61 Bannon: 230 (60 Centre)
59 James: D. 331 (60 Centre)
62 Chesler: 1127A (111 Centre)
65 Reo: 307 (80 Centre)
MF Kahn: 1127B (111 Centre)
MMSP: 1127B (111 Centre)
IDV Dawson: 1609 (100 Centre)

PART 40TR 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 REFEREEES

60 Centre Street

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

JHO/SPECIAL REFEREEES

80 Centre Street

81R Hewitt: Room 321
87R Burke: Room 238
89R Hoaing: Room 236

SPECIAL REFEREE

71 Thomas Street

Judicial Hearing Officers
Part 91 Hon. C. Ramos
Part 93 Hon. Marin

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

SUPREME COURT Motion Dispositions from Room 130 60 Centre Street

Caledars 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 NYSCF 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—Adjudged to date indicated in Submission Courtroom (Room 130).

ARG—Scheduled for argument for date and part indicated.

SUB (PT #)—Motion was submitted to be 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.

SUB—Adjourned to date indicated in Submission Court Room (Room 130) for affirmation or so ordered stipulation.

S—Stipulation.
C—Consent.

C MOTION—Adjudged to Commercial Motion Part Calendar.

FINAL—Adjournment date is final

60 CENTRE STREET

Submissions Part

THURSDAY, AUGUST 7

Submission

1 10057/25 Buffet v. NYC Office of Collective Bargaining

2 10064/25 Gonzalez, Jr. v. N.Y.C. Dept. of Health and Mental Hygiene

3 10021/25 Kizner v. NYC

FRIDAY, AUGUST 8

Submission

1 100460/25 Mazza v. NY Post

2 100501/25 Scott v. NYCHA

3 10112/24 Siomkos v. Trinh

4 10073/25 The Lunchbox Corp. v. Dept. of Health & Mental Hygiene

MONDAY, AUGUST 11

Submission

1 100280/25 Diaz, H. v. Hallard

2 100667/25 Lavergne v. NYC Dept. of Health and Mental Hygiene

3 100357/25 Marino v. Board of Education of The City School Dist. of NYC

4 100357/25 Marino v. Board of Education of The City School Dist. of NYC

5 100717/25 Pilarinos v. N.Y.C. Dept. of Health and Mental Hygiene

6 100718/25 Porras v. N.Y.C. Dept. of Health and Mental Hygiene

7 10074/25 Toure v. N.Y.C. Dept. of Health and Mental Hygiene

MONDAY, AUGUST 11

Submission

1 100280/25 Buffet v. NYC Office of Collective Bargaining

2 10064/25 Gonzalez, Jr. v. N.Y.C. Dept. of Health and Mental Hygiene

3 10021/25 Kizner v. NYC

FRIDAY, AUGUST 8

Submission

1 100460/25 Mazza v. NY Post

2 100501/25 Scott v. NYCHA

3 10112/24 Siomkos v. Trinh

4 10073/25 The Lunchbox Corp. v. Dept. of Health & Mental Hygiene

MONDAY, AUGUST 11

Submission

1 100280/25 Buffet v. NYC Office of Collective Bargaining

2 10064/25 Gonzalez, Jr. v. N.Y.C. Dept. of Health and Mental Hygiene

3 10021/25 Kizner v. NYC

FRIDAY, AUGUST 8

Submission

1 100460/25 Mazza v. NY Post

2 100501/25 Scott v. NYCHA

3 10112/24 Siomkos v. Trinh

4 10073/25 The Lunchbox Corp. v. Dept. of Health & Mental Hygiene

MONDAY, AUGUST 11

Submission

1 100280/25 Buffet v. NYC Office of Collective Bargaining

2 10064/25 Gonzalez, Jr. v. N.Y.C. Dept. of Health and Mental Hygiene

3 10021/25 Kizner v. NYC

FRIDAY, AUGUST 8

Submission

1 100460/25 Mazza v. NY Post

2 100501/25 Scott v. NYCHA

3 10112/24 Siomkos v. Trinh

4 10073/25 The Lunchbox Corp. v. Dept. of Health & Mental Hygiene

MONDAY, AUGUST 11

Submission

1 100280/25 Buffet v. NYC Office of Collective Bargaining

2 10064/25 Gonzalez, Jr. v. N.Y.C. Dept. of Health and Mental Hygiene

3 10021/25 Kizner v. NYC

FRIDAY, AUGUST 8

Submission

1 100460/25 Mazza v. NY Post

2 100501/25 Scott v. NYCHA

3 10112/24 Siomkos v. Trinh

4 10073/25 The Lunchbox Corp. v. Dept. of Health & Mental Hygiene

MONDAY, AUGUST 11

Submission

1 100280/25 Buffet v. NYC Office of Collective Bargaining

2 10064/25 Gonzalez, Jr. v. N.Y.C. Dept. of Health and Mental Hygiene

3 10021/25 Kizner v. NYC

FRIDAY, AUGUST 8

Submission

1 100460/25 Mazza v. NY Post

2 100501/25 Scott v. NYCHA

3 10112/24 Siomkos v. Trinh

4 10073/25 The Lunchbox Corp. v. Dept. of Health & Mental Hygiene

MONDAY, AUGUST 11

Submission

1 100280/25 Buffet v. NYC Office of Collective Bargaining

2 10064/25 Gonzalez, Jr. v. N.Y.C. Dept. of Health and Mental Hygiene

3 10021/25 Kizner v. NYC

FRIDAY, AUGUST 8

Submission

160175/18 Morris v. Chatha
654191/18 Piol v. Dawson
656988/20 Postigione v. Nat.
General Ins.
157980/20 Ravelo v. Rxr 32 Old Slip
Owner
15744/17 Rodriguez v. Riverside
Center Sits 5
16087/19 Romero v. Nunez
654472/18 Stamoulis v. Everest
Bbn, Inc.
153101/20 Szczesniak v. Ery Tenant
LLC
158958/19 Taveras v. Courier Car
Rental, Inc.
155443/20 Uddin v. Evans
156669/21 Velazquez-Sierra v.
Magnificent Urban Restoration
Ltd. Et Al
154983/22 Walker v. Ati Logistics,
Inc. Et Al
101777/16 Wang v. Chen
65240/10 Wyse v. Amtrust North
America, Inc.

City Cases

159647/19 Andriola v. Schindler
Elevator Corp.
65240/10 Wyse v. Amtrust North
America, Inc.

Part 44

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

THURSDAY, AUGUST 7

100537/25 Buffer v. NYC Office of
Collective Bargaining
100644/25 Gonzalez Jr. v. N.Y.C.
Dept. of Health and Mental
Hygiene
32345/25 Islam v. Hossain Hoque

FRIDAY, AUGUST 8

365527/22 Rover v. Rover
100739/25 The Lunchbox Corp.
v. Dept. of Health & Mental
Hygiene

Motion

365527/22 Rover v. Rover

MONDAY, AUGUST 11

159136/25 Clark v. Clark Smith
Vallazor Llp P/f/a Smith Vallazor
Lip

365811/23 Dalesandro v.
Dalesandro

365491/21 Eckhard v. Choue

100667/25 Lavergne v. NYC Dept. of
Health and Mental Hygiene
100813/25 McLaurin v. Nsa 201s
Owner

100717/25 Pilarinos v. N.Y.C. Dept. of
Health and Mental Hygiene

100718/25 Forras v. N.Y.C. Dept. of
Health and Mental Hygiene

365005/22 Schweitzer v. Yutis

100812/25 Summers v. NYCHA
100744/25 Tours v. N.Y.C. Dept. of

Health and Mental Hygiene
315586/14 Zhang v. Yan

Motion

159136/25 Clark v. Clark Smith
Vallazor Llp P/f/a Smith Vallazor
Lip

365811/23 Dalesandro v.
Dalesandro

365491/21 Eckhard v. Choue

100667/25 Lavergne v. NYC Dept. of
Health and Mental Hygiene
100813/25 McLaurin v. Nsa 201s
Owner

100717/25 Pilarinos v. N.Y.C. Dept. of
Health and Mental Hygiene

100718/25 Forras v. N.Y.C. Dept. of
Health and Mental Hygiene

365005/22 Schweitzer v. Yutis

100812/25 Summers v. NYCHA
100744/25 Tours v. N.Y.C. Dept. of

Health and Mental Hygiene
315586/14 Zhang v. Yan

Part 45**Commercial Div.**

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

THURSDAY, AUGUST 7

650509/25 Fund For The NYC, Inc.
v. Regional Alliance For Small
Contractors Et Al

654435/15bkl Int'l v. Deutsche
Bank Nat. Trust

650166/25 Kane v. Northwell
Health, Inc.

156537/24 Lendingclub Bank v.
Mergen Inc. Et Al

154460/24 Cebrook Hldgs. v. Tks
Bklyn. Center Hldg.

651100/25 Oppenheimer & Co. Inc.
v. Hong Kong Yu Jia Int'l Tech.
Co. Ltd.

FRIDAY, AUGUST 8

653034/24 Ninety-Five Madison
Company v. Kinder Rty.
Associates Et Al

MONDAY, AUGUST 11

653571/25 Laufer v. Bam Prop. Dev.
LLC

656224/20 Mammoet USA North,
Inc. v. NY Wheel Owner LLC

656661/20 NY Wheel Owner LLC v.
Mammoet Hldg. B.V.

Part 48**Commercial Div.**

Justice Andrea Masley
60 Centre Street

Phone 646-386-3265

Room 242**THURSDAY, AUGUST 7**

654311/25 Home Dynamix LLC Et Al
v. Gittelman

653336/24 Lulokai Pan Americas v.
Phoenicia Investments LLC

651460/24 Noh v. Yezep

653130/24 Phoenixia Investments

LLC v. Litaco Panamericas

650418/23 The Gammon Collection

Inc. Et Al v. Athena Art Finance
Corp.

FRIDAY, AUGUST 8

653261/24 Alimed I v. Hansson

655083/24 Benvia Hldgs. v. Next
Frontier Hldgs. Inc. Et Al

652513/20 Bernstein-Deitcher v.
Gurvitz

653309/25 Broadhaven Securities v.
AvisorTarget LLC

650103/14 Certain Underwriters At
v. NI Industries, Inc.

656000/24 Curatola D.D.S. v.
Volchonok D.D.S.

651450/21 Dienst v. Paik

654004/25 Legum Summit Co. Ltd. Et
Al v. Ywa-Amsterdam LLC Et Al

652078/22 Riptide Autonomous
Solutions v. Bae Systems

Information and Electronic
Systems Integration Inc.

652041/24 Shanghai Zhongda

Wincome Co., Ltd. v. 250 W

Investments Inc. Et Al

656187/23 US Medical Glove Co.
LLC v. Resurgent

Motion

652513/20 Bernstein-Deitcher v.
Gurvitz

650104/14 Certain Underwriters At
v. NI Industries, Inc.

656000/24 Curatola D.D.S. v.
Volchonok D.D.S.

654004/25 Legum Summit Co. Ltd. Et
Al v. Ywa-Amsterdam LLC Et Al

652078/22 Riptide Autonomous
Solutions v. Bae Systems

Information and Electronic
Systems Integration Inc.

MONDAY, AUGUST 11

655890/23A Gal v. Nat. Air

Cargo Group, Inc.

654450/23 Bank of Baroda v. Mvp

Group Int'l, Inc. Et Al

655902/20 Feinstein Iron Works,
Inc. v. Ocp LLC

659795/24 H2 Network Inc. v. T

Atzea

11536/10 Total Asset Recovery v.
Metlife, Inc.

Part 49
Commercial Div.
Justice Margaret A. Chan
60 Centre Street
Phone 646-386-4033
Room 252

Part 53
Commercial Div.
Justice Andrew S. Borrok
60 Centre Street
Phone 646-386-3304
Room 238

THURSDAY, AUGUST 7

652329/25 Riots Inc. v. Urban
Herd Media

652456/18 Bazap NYC West 46 St

Group LLC v. Asa Properties Inc.

654959/21 Camelot Event Driven

Fund v. Morgan Stanley & Co.

LLC Et Al

151344/22 City of Taylor Police And

Fire Retirement System v. Sea

Ltd. Et Al

158131/24 Dk Const. One Corp v.

Rebel Hotel LLC Et Al

151947/23 Inton Courtland Bronx

Ny v. Wenger Esq.

152554/24 Perrier v. Hywin Hldgs.

Ltd. Et Al

153371/25 Waam Yieldco LLC v.

Frank

Motion

151344/22 City of Taylor Police And

Fire Retirement System v. Sea

Ltd. Et Al

158131/24 Dk Const. One Corp v.

Rebel Hotel LLC Et Al

151947/23 Inton Courtland Bronx

Ny v. Wenger Esq.

152554/24 Perrier v. Hywin Hldgs.

Ltd. Et Al

153371/25 Waam Yieldco LLC v.

Frank

Part 44

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

THURSDAY, AUGUST 7

100537/25 Buffer v. NYC Office of
Collective Bargaining

100644/25 Gonzalez Jr. v. N.Y.C.

Dept. of Health and Mental
Hygiene

32345/25 Islam v. Hossain Hoque

FRIDAY, AUGUST 8

365527/22 Rover v. Rover

100739/25 The Lunchbox Corp.
v. Dept. of Health & Mental
Hygiene

32345/25 Islam v. Hossain Hoque

Motion

365527/22 Rover v. Rover

MONDAY, AUGUST 11

159136/25 Clark v. Clark Smith
Vallazor Llp P/f/a Smith Vallazor
Lip

365811/23 Dalesandro v.
Dalesandro

365491/21 Eckhard v. Choue

100667/25 Lavergne v. NYC Dept. of
Health and Mental Hygiene
100813/25 McLaurin v. Nsa 201s
Owner

100717/25 Pilarinos v. N.Y.C. Dept. of
Health and Mental Hygiene

100718/25 Forras v. N.Y.C. Dept. of
Health and Mental Hygiene

365005/22 Schweitzer v. Yutis

100524/25 Marquez De La Rosa v. NYC Dept. of Health And Mental Hygiene
450919/25 People of The State of NY v. Vargas
157192/25 Vancor Luxottica Retail North America Inc. Et Al

Motion

156463/25 First Funds v. Reliant Mobile Mechanics Services LLC Et Al
158693/25 Lin Sing Assoc. Inc. v. Cai
100524/25 Marquez De La Rosa v. NYC Dept. of Health And Mental Hygiene
450919/25 People of The State of NY v. Vargas
157192/25 Vancor Luxottica Retail North America Inc. Et Al

FRIDAY, AUGUST 8

152789/25 Berkov v. Tappan Zee High School Et Al

MONDAY, AUGUST 11

154985/25 Transport Workers Union Local 106 Et Al v. Metro. NYCTA Et Al
451942/13 Walton v. Ecumenical Community

Part 46

Justice Richard Latin
71 Thomas Street
Phone 646-386-3279
Room 210

THURSDAY, AUGUST 7

155835/23 Dominguez v. Spk/lewis Construction
155819/19 Dyment v. Beress
151083/23 Fuentes v. City Side Medical Clinic—2:15 P.M.
151767/24 Keith A. Nicholson v. Isabella Geriatric Center, Inc.
152135/22 Menendez v. Trinity Centre LLC Et Al
153419/23 Remache v. Trinity Hudson Hdgs.

Motion

155835/23 Dominguez v. Spk/lewis Construction
155819/19 Dyment v. Beress

FRIDAY, AUGUST 8

157890/21 Devitoria v. Chase Manhattan Bank Et Al—10 A.M.

MONDAY, AUGUST 11

151365/23 Bausa v. Nobody Told Me LLC, Et Al—9:30 A.M.

158666/22 Calderon Flores v. 498 Seventh—10:30 A.M.

151316/23 Comt v. The Related Companies—11 A.M.

150855/23 Cutler v. Gladden Properties LLC, Et Al—10:30 A.M.

45129/24 De Mercedes v. NYC Et Al—10 A.M.

152135/22 Menendez v. Trinity Centre LLC Et Al—10:30 A.M.

154354/22 Mitchiner v. Synthesis Inc.—11:30 A.M.

157125/21 Pacheco v. J. T. Magen & Co. Et Al—2:15 P.M.

157224/23 Seneca Ins. Co., Inc. A/S/o North Ave. East LLC v. Transpo Us Inc.—10 A.M.

153523/21 Singh v. 735 Ave. Of The Americas LLC Et Al—2:15 P.M.

153052/23 Soriano v. Central Properties Owner LLC Et Al—12 Noon

Part 55

Justice James D'Auguste
71 Thomas Street
Phone 646-386-3289
Room 103

THURSDAY, AUGUST 7

162487/23 Acosta v. Fedex Corp. Et Al
153033/24 Barton v. Shulsky Properties, Inc., D/b/a 59 Bleeker Rly. LLC Et Al
162094/23 Burke v. Fed. Express Corp. Et Al

160082/23 Campitello v. NYC Et Al
155609/20 De Fernandez v. NYC Et Al

161608/23 De Leon v. Ronad Hldg. Corp. Et Al

15178/23 Edem Hospit Group v. Newco Family LLC Et Al

15257/24 Fernandez v. Lakite Contracting, Inc. Et Al

952539/23 G. v. Cahill Jr.

156443/24 Galvez v. Metro.

Transportation Auth. Et Al

155857/23 Henderson v. Mta NYCTA

15203/23 Jackson, Metro.

Transportation Auth. Et Al

160954/23 Jimenez v. McK

Contracting Inc. Et Al

651374/23 Jones v. Cac Industries Inc.

158018/23 Martinez v. Vega Real

153898/24 Michael v. Nordstrom, Inc.

155753/23 Ortiz Espinoza v. 762 10th Ave.

155134/23 Pesantes Alvarez v. Madison

154764/24 Pierre v. NYC Et Al

151691/24 Rosario v. Felicia Tanning (west 52) Ltd. C/o Atias Enterprises, Inc. Et Al

16146/23 Ross v. 44 Victory LLC

161877/23 Secaira v. NYC Et Al

152044/24 The Cincinnati Ins. Co.

v. Cottam Heating & Air Conditioning.

162528/23 Vazquez Jara v.

Omnibus Const. Inc. Et Al

100752/24 Virginia Pope v. Stephan Orel Attorney

FRIDAY, AUGUST 8

451813/25 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 Wellington Cruz Baez v. Tilden Transportation Inc.

155224/25 Moya v. NYC Et Al

100051/25 Scott v. NYCHA

451183/25 NY Et Al v. 147 Ny, Inc. Et Al

MONDAY, AUGUST 11

155523/25521 E 83 St Corp v. NYC Et Al

155557/25 In The Matter of The Application of Carlos Moreno v. NYC Et Al

100357/25 Marino v. Board of Education of The City School Dist. of NYC

653616/25 The NYCTA v. Subway Surface Supervisors Assoc.

Part 58

Justice David B. Cohen
71 Thomas Street
Phone 646-636-3347
Room 305

THURSDAY, AUGUST 7

156219/19 Adzemovic v. 330 Madison Con. LLC

157152/24 Campbell v. Mtp 3300 B'way, Corp. Et Al

654525/16 Gelwan v. Deratifa

151835/21 Lewis v. Jumel Terrace Rty. Et Al

FRIDAY, AUGUST 8

154121/25 Jarrett v. Simon & Schuster

Part 56

Justice John J. Kelley
71 Thomas Street
Phone 646-386-5281
Room 204

THURSDAY, AUGUST 7

805303/23 Bernard v. Graham M.D.

100303/13 NYC v. Ej Electric

Installations

805289/19 Goldstein v. Hanspal M.D.

150377/21 Itzowitch v. Bernstein

805388/23 Kaushal v. Delmonte

805214/21 Torres v. Advantage Care Physicians NY Et Al

FRIDAY, AUGUST 8

101365/19 Baird v. James Boorin

80516/24 Maxwell v. Terence Cardinal Cooke Healthcare Center
16117/20 Michael Krisher v. Al Hernandez

MONDAY, AUGUST 11

805416/21 Bulai v. Sippel M.D.
805373/24 Cooke v. Sherman M.D.
805165/25 Henshaw v. The Trustees of Columbia Univ. in NYC Et Al
154771/18 James Y. Chung v. As Administrator of the Estate of Priscilla Nagler v. Little West 12th St Rty. Et Ano.

80510/22 Richman v. Lamont M.D.

805013/22 Zhaligova v. Yes Dental

111 CENTRE STREET**Part 25****Guardianship**

Justice Ilana J. Marcus
111 Centre Street
Phone 646-386-5675
Room 1254

Part 35

Justice Phaedra F. Perry
111 Centre Street
Phone 646-386-3016
Room 684

THURSDAY, AUGUST 7

100212/25 Kizner v. NYC
155384/25 Moreno v. Canali U.S.A. Inc.
100298/25 Smithson v. The Board of Directors of The 1270 Fifth Ave. Co-Op., Inc.

FRIDAY, AUGUST 8

155629/23 Domiguez v. Spk/lewis Construction
155819/19 Dyment v. Beress

MONDAY, AUGUST 11

154985/25 Transport Workers Union Local 106 Et Al v. Metro. NYCTA Et Al
451942/13 Walton v. Ecumenical Community

Part 46

Justice Richard Latin
71 Thomas Street
Phone 646-386-3279
Room 210

THURSDAY, AUGUST 7

100212/25 Kizner v. NYC
155384/25 Moreno v. Canali U.S.A. Inc.
100298/25 Smithson v. The Board of Directors of The 1270 Fifth Ave. Co-Op., Inc.

FRIDAY, AUGUST 8

155629/23 Domiguez v. Spk/lewis Construction
155819/19 Dyment v. Beress

MONDAY, AUGUST 11

154985/25 Transport Workers Union Local 106 Et Al v. Metro. NYCTA Et Al
451942/13 Walton v. Ecumenical Community

Part 46

Justice Richard Latin
71 Thomas Street
Phone 646-386-3279
Room 210

THURSDAY, AUGUST 7

100212/25 Kizner v. NYC
155384/25 Moreno v. Canali U.S.A. Inc.
100298/25 Smithson v. The Board of Directors of The 1270 Fifth Ave. Co-Op., Inc.

FRIDAY, AUGUST 8

155629/23 Domiguez v. Spk/lewis Construction
155819/19 Dyment v. Beress

MONDAY, AUGUST 11

154985/25 Transport Workers Union Local 106 Et Al v. Metro. NYCTA Et Al
451942/13 Walton v. Ecumenical Community

Part 46

Justice Richard Latin
71 Thomas Street
Phone 646-386-3279
Room 210

THURSDAY, AUGUST 7

100212/25 Kizner v. NYC
155384/25 Moreno v. Canali U.S.A. Inc.
100298/25 Smithson v. The Board of Directors of The 1270 Fifth Ave. Co-Op., Inc.

FRIDAY, AUGUST 8

155629/23 Domiguez v. Spk/lewis Construction
155819/19 Dyment v. Beress

MONDAY, AUGUST 11

154985/25 Transport Workers Union Local 106 Et Al v. Metro. NYCTA Et Al
451942/13 Walton v. Ecumenical Community

Part 46

Justice Richard Latin
71 Thomas Street
Phone 646-386-3279
Room 210

THURSDAY, AUGUST 7

100212/25 Kizner v. NYC
155384/25 Moreno v. Canali U.S.A. Inc.
100298/25 Smithson v. The Board of Directors of The 1270 Fifth Ave. Co-Op., Inc.

FRIDAY, AUGUST 8

155629/23 Domiguez v. Spk/lewis Construction
155819/19 Dyment v.

CLASSIFIED ADVERTISING

LAWJOBS.COM

When results matter

#1 Global Legal Job Site

Ranked by Alexa

Contact: Carol Robertson

Phone: 212.457.7850

Email: crobertson@alm.com

FOUNDATIONS

THE ANNUAL RETURN OF Stanley Shalom Zielony Foundation For the fiscal year ended AUGUST 31, 2024 is available at its principal office located at C/O BIZ-68 SOUTH SERVICE ROAD, MELVILLE, New York, New York 11747 for inspection during regular business hours by any citizen who requests it within 180 days hereof. Principal Manager of the Foundation is KEITH M. BLITZER. 11979 au7

LICOR LICENSES

NOTICE IS HEREBY given that an application # NA-0240-24-123456 has been applied for by the undersigned to sell wine, beer, and cider at retail under the Alcoholic Beverage Control Law at 54 Orchard St New York, New York 10002 for on-premises consumption. Name: B.H. Enterprises Inc. DBA GATHER 12630 Aug 7th Aug 14

LIMITED LIABILITY ENTITIES

Kristina White Consulting LLC, Articles of Organization filed with the Secretary of State of New York (SSNY) on 7/22/25. Office location: New York County. SSNY has been designated as agent of the LLC upon whom process against it may be served. SSNY shall mail a copy of process to: Kristina White Consulting LLC, 239 East 79th Street 5M, NY, NY 10075. Purpose: any lawful act or activity. 12637 Au7 Th S11

56 EAST 66TH STREET RESIDENCE LLC, Articles of Org. filed with NY Sec. of State (SSNY) 9/11/2019. Office in NY Co. SSNY design. agent of LLC whom process may be served. SSNY shall mail a copy of process to: Shahriar Sedgh, Esq., c/o Sedgh & Zuckerman, PLLC, 370 Lexington Ave., Ste. 800, NY, NY 10017. Purpose: Any lawful purpose. 11485 jy10-Th au14

QUE PRESTIGE PROPERTIES, LLC, Arts. of Org. filed with the SSNY on 07/08/2025. Office loc: Westchester County. SSNY has been designated as agent upon whom process against the LLC may be served. SSNY shall mail a copy of process to: The LLC, 40 Rummage Ave., Yonkers, NY 10701. Purpose: Any lawful act. 12657 Au7 Th S11

CK & PS HOLDING LLC, Arts. of Org. filed with the SSNY on 07/08/25. Office location: New York County. SSNY designated as agent upon whom process may be served and shall mail copy of process against LLC to 303 East 76th St, Apt. 9, New York, NY 10021. Purpose: any lawful purpose. 11806 jy17-Th au21

NOTICE OF FORMATION of Riccio Chiropractic Wellness PLLC, Arts. of Org. filed with Secy. of State of NY (SSNY) on 2/18/2025. Office location: NY County. SSNY designated as agent upon whom process may be served and shall mail copy of process against LLC to 303 Main Street, Port Washington, NY 10003. Purpose: Any lawful purpose. 11809 jy17-Th au21

CORATO, LLC, Arts. of Org. filed with the SSNY on 07/08/25. Office: Nassau County. SSNY designated as agent of the LLC upon whom process against it may be served. SSNY shall mail a copy of process to: The LLC, 106 Haig Road, Valley Stream, NY 11581. Purpose: General. 11873 jy17-Th au21

DEANTHIS HOSPITALITY GROUP LLC, Filed 6/12/25. Office: NY Co. SSNY design. as agent for process & shall mail to: 228 Park Ave S #2516, NY, NY 10003. Registered Agent: United States Corporation Agents, Inc., 7014 13th Ave, Ste 202, Brooklyn, NY 11228. Purpose: General. 11877 jy17-Th au21

YOGI.THEOT LLC, Filed 5/31/25. Office: NY Co. SSNY design. as agent for process & shall mail to: 228 Park Ave S #2516, NY, NY 10003. Registered Agent: United States Corporation Agents, Inc., 7014 13th Ave, Ste 202, Brooklyn, NY 11228. Purpose: General. 11887 jy17-Th au21

FREEPATH CONSTRUCTION LLC, Filed 3/13/25. Office: NY Co. SSNY design. as agent for process & shall mail to: Robert Freeman, 240 E 76th St, Apt 2F, NY, NY 10022. Purpose: to practice the profession of Physical Therapy, Occupational Therapy, Speech-Language Pathology and Dietetics-Nutrition. 11897 jy17-Th au21

22 FLOWER ST LLC, Filed with SSNY on 06/27/2025. Office: Nassau County. SSNY designated as agent for process & shall mail to: 12 AVE B, PORT WASHINGTON, NY 11050. Purpose: Any Lawful 11284 jy3-Th au7

NOTICE OF FORMATION of Harbor Psychiatry, PLLC, Arts. of Org. filed with Secy. of State of NY (SSNY) on 4/22/2025. Office location: Nassau County. SSNY designated as agent upon whom process may be served and shall mail copy of process against PLLC to 418 Broadway, Suite R, Albany, NY 12207. Purpose: any lawful act. 12108 jy24 Th Au28

NOTICE OF FORMATION of Zur Mental Health Counseling PLLC, Arts. of Org. filed with Secy. of State of NY (SSNY) on 4/4/2025. Office location: Nassau County. SSNY designated as agent upon whom process against it may be served. SSNY shall mail a copy of process to the LLC, 1515 Research Avenue, Bronx, NY 10465. Purpose: Any lawful act. 11823 jy17-Th au21

NOTICE OF FORMATION of HOHL BODY FITNESS LLC, Arts. of Org. filed with Secy. of State of NY (SSNY) on 6/23/2025. Office location: NY County. SSNY designated as agent upon whom process may be served and shall mail copy of process against LLC to 301 E 47th St, New York, NY 10017. R/A: US Corp. Agents, Inc., 7014 13th Ave, #202, Brooklyn, NY 11228. Purpose: any lawful act. 11292 jy03 Th Au07

NOTICE OF FORMATION of Elsa Pereira Group LLC, Arts. of Org. filed with Secy. of State of NY (SSNY) on 4/16/2025. Office location: NY County. SSNY designated as agent upon whom process may be served and shall mail copy of process against LLC to 201 Allen St, Unit 10010, New York, NY 10020. R/A: US Corp. Agents, Inc., 7014 13th Ave, #202, Brooklyn, NY 11228. Purpose: any lawful act. 11841 jy31 Th S04

LAKEVILLE AMBULANCE LLC, Arts. of Org. filed with the SSNY on 06/20/25. Office: Nassau County. SSNY designated as agent of the LLC upon whom process against it may be served. SSNY shall mail a copy of process to the LLC, c/o Tuch & Cohen LLP, 1025 Old Country Road, Suite 411, Westbury, NY 11590. Purpose: Any lawful purpose. 11504 jy10-Th au14

NOTICE OF FORMATION of PATHWAY PRO CAREERS LLC, Arts. of Org. filed with Secy. of State of NY (SSNY) on 6/12/2025. Office location: NY County. SSNY designated as agent upon whom process may be served and shall mail copy of process against LLC to 20 W 64th St, 28th, New York, NY 10023. Purpose: any lawful act. 11217 jy03 Th Au07

LIMITED LIABILITY ENTITIES

NOTICE OF FORMATION OF TREE OF LIFE NP IN PSYCHIATRY - HEALTH PLLC, Arts. of Org. filed with Secy. of State of NY (SSNY) on 3/20/2025. Office location: BX County. SSNY designated as agent upon whom process may be served and shall mail copy of process against PLLC to 2 Fordham Hill Oval, #17B, Bronx, NY 10463. Purpose: Any lawful act. 12453 jy31 Th S04

A&J DEVELOPMENT PROPERTIES LLC, Filed 1/23/25. Office: NY Co. SSNY design. as agent for process & shall mail to: 201 E 65th St, NY, NY 10065. Purpose: Medicine. 11865 jy17-Th au21

SARA MAC CORKINDALE NURSE PRACTITIONER IN ACUTE CARE PLLC, Filed with SSNY on 06/25/2025. Office location: Nassau County. SSNY designated as agent for process and shall mail to: 328 RIVIERA DR S, MASSAPEQUA, NY 11758. Purpose: General. 11863 jy17-Th au21

ALMA MODE NY LLC, Filed 5/16/25. Office: NY Co. SSNY design. as agent for process & shall mail to: 1295 Chisholm St #2, Bronx, NY 10459. Registered Agent: United States Corporation Agents, Inc., 7014 13th Ave, #202, Brooklyn, NY 11228. Purpose: General. 11860 jy17-Th au21

SCHUMANN LAW LLC, Filed 3/3/25. Office: NY Co. SSNY design. as agent for process & shall mail to: Schumann Burghart Lip, 1 Penn Plz, 44th Fl, NY, NY 10119. Purpose: Law. 11833 jy17-Th au21

SS CERTIFIED PUBLIC ACCOUNTING PLLC, Filed with SSNY on 02/28/2025. Office location: New York County. SSNY designated as agent for process and shall mail to: 55 FIFTH AVE, STE 901, NEW YORK, NY 10017. Purpose: CERTIFIED PUBLIC ACCOUNTANCY. 11856 jy17-Th au21

NOTICE OF FORMATION of Riccio Chiropractic Wellness PLLC, Arts. of Org. filed with Secy. of State of NY (SSNY) on 2/18/2025. Office location: NY County. SSNY designated as agent upon whom process may be served and shall mail copy of process against LLC to 303 Main Street, Port Washington, NY 10003. Purpose: Any lawful purpose. 11809 jy17-Th au21

REAL-TIME PERSPECTIVES LLC, Filed 6/17/25. Office: NY Co. SSNY design. as agent for process & shall mail to: Barbara Rapaport, 200 W 67th St 21e, NY, NY 10023. Purpose: General. 11884 jy17-Th au21

SINCLAIR STRATEGIC LLC, Filed 6/12/25. Office: NY Co. SSNY design. as agent for process & shall mail to: Sinclair Cabco, 67 Wall St, Apt 15d, NY, NY 10005. Purpose: General. 11886 jy17-Th au21

CK & PS HOLDING LLC, Arts. of Org. filed with the SSNY on 07/08/25. Office: NY Co. SSNY design. as agent for process & shall mail to: Sophia P. James, 58 W 12th St Apt 4f, NY, NY 10011. Purpose: any lawful act. 12041 jy24-Th au21

REAL-TIME PERSPECTIVES LLC, Filed 6/17/25. Office: NY Co. SSNY design. as agent for process & shall mail to: Sophia James Interiors LLC, Filed 6/25/25. Office: NY Co. SSNY design. as agent for process & shall mail to: Sophia P. James, 58 W 12th St Apt 4f, NY, NY 10011. Purpose: any lawful act. 12038 jy24-Th au21

LAST JOINT IN THE WORLD PRODUCTIONS LLC, Filed Arts. of Org. with the Secy. of State of NY (SSNY) on 5/16/2025. Office: NY County. SSNY has been designated as agent of the LLC upon whom process against it may be served. SSNY shall mail a copy of process to the LLC, 106 Haig Road, Valley Stream, NY 11581. Purpose: Any lawful purpose. 11857 jy17-Th au21

TERRY TOTO LLC, Filed 6/22/25. Office: NY Co. SSNY design. as agent for process & shall mail to: 229 Park Ave S #2516, NY, NY 10003. Registered Agent: United States Corporation Agents, Inc., 7014 13th Ave, Ste 202, Brooklyn, NY 11228. Purpose: General. 11871 jy17-Th au21

YOGI.THEOT LLC, Filed 5/31/25. Office: NY Co. SSNY design. as agent for process & shall mail to: 228 Park Ave S #2516, NY, NY 10003. Registered Agent: United States Corporation Agents, Inc., 7014 13th Ave, Ste 202, Brooklyn, NY 11228. Purpose: General. 11887 jy17-Th au21

DEANTHIS HOSPITALITY GROUP LLC, Filed 6/12/25. Office: NY Co. SSNY design. as agent for process & shall mail to: Cip Reinhardt Savic Foley, 120 Liberty St, 27th Fl, NY, NY 10281. Purpose: General. 11877 jy17-Th au21

YOGI.THEOT LLC, Filed 5/31/25. Office: NY Co. SSNY design. as agent for process & shall mail to: Robert Freeman, 240 E 76th St, Apt 2F, NY, NY 10022. Purpose: General. 11887 jy17-Th au21

EVANGELIA 501 GC, LLC, Filed with SSNY on 06/17/2025. Office: Nassau County. SSNY designated as agent for process & shall mail to: 49 LOCUST ST, MANHASSET, NY 11030. Purpose: Any Lawful Purpose. 11290 jy24-Th au21

SLACK TIDE MARINA LLC, Arts. of Org. filed with the SSNY on 07/22/2025. Office: Nassau County. SSNY has been designated as agent upon whom process against the LLC may be served. SSNY shall mail a copy of process to the LLC, 353 Long Beach Road, South Hempstead, NY 11550. Purpose: Any lawful purpose. 11291 jy24-Th au21

SELVA AZUL LLC, Filed Arts. of Org. with the SSNY on 5/22/2025. Office: Nassau County. SSNY has been designated as agent of the LLC upon whom process against it may be served. SSNY shall mail a copy of process to the LLC, 3546 Riverside Dr, Oceanside, NY 11572. Purpose: Any lawful purpose. 11294 jy24-Th au21

YOGI.THEOT LLC, Filed 5/31/25. Office: NY Co. SSNY design. as agent for process & shall mail to: 228 Park Ave S #2516, NY, NY 10003. Registered Agent: United States Corporation Agents, Inc., 7014 13th Ave, Ste 202, Brooklyn, NY 11228. Purpose: General. 11887 jy17-Th au21

NOTICE OF FORMATION of AUTOHEIMER LLC, Arts. of Org. filed with Secy. of State of NY (SSNY) on 6/11/2025. Office location: NY County. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail a copy of process to the LLC, 97-24 89TH ST, OZONE PARK, NY 11416. Purpose: Any lawful activities. 11877 jy17-Th au21

NOTICE OF FORMATION of Zur Mental Health Counseling PLLC, Arts. of Org. filed with Secy. of State of NY (SSNY) on 4/4/2025. Office location: Nassau County. SSNY designated as agent upon whom process against it may be served. SSNY shall mail a copy of process to the LLC, 1515 Research Avenue, Bronx, NY 10465. Purpose: Any lawful act. 11823 jy17-Th au21

NOTICE OF FORMATION of HOHL BODY FITNESS LLC, Arts. of Org. filed with Secy. of State of NY (SSNY) on 6/23/2025. Office location: NY County. SSNY designated as agent upon whom process may be served and shall mail copy of process against LLC to 301 E 47th St, New York, NY 10017. R/A: US Corp. Agents, Inc., 7014 13th Ave, #202, Brooklyn, NY 11228. Purpose: any lawful act. 11292 jy03 Th Au07

NOTICE OF FORMATION of Elsa Pereira Group LLC, Arts. of Org. filed with Secy. of State of NY (SSNY) on 4/16/2025. Office location: NY County. SSNY designated as agent upon whom process may be served and shall mail copy of process against LLC to 201 Allen St, Unit 10010, New York, NY 10020. R/A: US Corp. Agents, Inc., 7014 13th Ave, #202, Brooklyn, NY 11228. Purpose: any lawful act. 11841 jy31 Th S04

NOTICE OF FORMATION of DELTAFOXTROT LLC, Arts. of Org. filed with Secy. of State of NY (SSNY) on 6/4/2025. Office location: NY County. SSNY designated as agent upon whom process may be served and shall mail copy of process against LLC to 201 Allen St, Unit 10010, New York, NY 10020. R/A: US Corp. Agents, Inc., 7014 13th Ave, #202, Brooklyn, NY 11228. Purpose: any lawful act. 11281 jy31 Th S04

NOTICE OF FORMATION of BX Bookworks LLC, Arts. of Org. filed with Secy. of State of NY (SSNY) on 6/17/2025. Office location: BX County. SSNY designated as agent upon whom process may be served and shall mail copy of process against LLC to 330 E 75th St Apt 35B, New York, NY 10021. Registered agent address c/o Gadi Benhamo, 330 E 75th St Apt 35B, New York, NY 10021. Purpose: Any lawful purpose. 11281 jy31 Th S04

NOTICE OF FORMATION of Elsa Pereira Group LLC, Arts. of Org. filed with Secy. of State of NY (SSNY) on 4/16/2025. Office location: NY County. SSNY designated as agent upon whom process may be served and shall mail copy of process against LLC to 201 Allen St, Unit 10010, New York, NY 10020. R/A: US Corp. Agents, Inc., 7014 13th Ave, #202, Brooklyn, NY 11228. Purpose: any lawful act. 11281 jy31 Th S04

NOTICE OF FORMATION of DELTAFOXTROT LLC, Arts. of Org. filed with Secy. of State of NY (SSNY) on 6/4/2025. Office location: NY County. SSNY designated as agent upon whom process may be served and shall mail copy of process against LLC to 201 Allen St, Unit 10010, New York, NY 10020. R/A: US Corp. Agents, Inc., 7014 13th Ave, #202, Brooklyn, NY 11228. Purpose: any lawful act. 11281 jy31 Th S04

NOTICE OF FORMATION of BX Bookworks LLC, Arts. of Org. filed with Secy. of State of NY (SSNY) on 6/17/2025. Office location: BX County. SSNY designated as agent upon whom process may be served and shall mail copy of process against LLC to 330 E 75th St Apt 35B, New York, NY 10021. Registered agent address c/o Gadi Benhamo, 330 E 75th St Apt 35B, New York, NY 10021. Purpose: Any lawful purpose. 11281 jy31 Th S04

NOTICE OF FORMATION of BX Bookworks LLC, Arts. of Org. filed with Secy. of State of NY (SSNY) on 6/17/2025. Office location: BX County. SSNY designated as agent upon whom process may be served and shall mail copy of process against LLC to 330 E 75th St Apt 35B, New York, NY 10021. Registered agent address c/o Gadi Benhamo, 330 E 75th St Apt 35B, New York, NY 10021. Purpose: Any lawful purpose. 11281 jy31 Th S04

NOTICE OF FORMATION of BX Bookworks LLC, Arts. of Org. filed with Secy. of State of NY (SSNY) on 6/17/2025. Office location: BX County. SSNY designated as agent upon whom process may be served and shall mail copy of process against LLC to 330 E 75th St Apt 35B, New York, NY 10021. Registered agent address c/o Gadi Benhamo, 330 E 75th

SALES**NOTICE OF PUBLIC SALE OF A COOPERATIVE APARTMENT**

PLEASE TAKE NOTICE: by virtue of default under Loan Security Agreement, and other Security Documents executed to CitiBank, N.A., c/o Cenlar, FSB with an address of 425 Phillips Boulevard, Ewing, New Jersey and a phone number of (800) 223-6527, as lender, the Auctioneer, will sell at public auction, with reserve, on September 3, 2025, located at the New York County Courthouse, Outside Portico, 60 Centre Street, New York, NY 10007 commencing at 1:30 p.m., 311 shares of the capital stock of 95 Park Terrace East Owners, Inc. (a Cooperative Housing Corporation), issued in the name of Paul Deasy, and all right, title and interest in a Proprietary Lease to Apt. 1D, located at 95 Park Terrace East, New York, NY 10034. The Debtor(s) are entitled to an accounting of the unpaid indebtedness secured by the above-referenced Shares of Stock and Proprietary Lease at no cost to the Debtor(s), which may be requested by calling Roach & Lin, PC, at (516) 938-3100. Sale held to enforce rights of CitiBank, N.A., as Lender, who reserves the right to bid. Ten percent (10%) Bank/Certified check payable to the Escrowee, Roach & Lin, PC, as attorneys for CitiBank, N.A. Balance due at closing within thirty (30) days. The Cooperative Apartments will be sold "AS IS", and possession is to be obtained by the purchaser(s). Dated: September 3, 2025 ROACH & LIN, P.C. (ESCRWEE) Attorneys for CitiBank, N.A. 6851 Jericho Turnpike, Suite 185 Syosset, NY 11791 12229 au7-Th au21

NOTICE OF PUBLIC SALE OF A COOPERATIVE APARTMENT

PLEASE TAKE NOTICE: by virtue of default under Loan Security Agreements, and other Security Documents, which was given to Capital One, N.A. and is now currently held by UMB Bank, National Association, not in its individual capacity but solely as Legal Title Trustee for TOCU Title Trust 2018-3, Joseph Casella will sell at public auction, with reserve outside on the portico at 60 Centre Street, New York, NY 10007, on August 26, 2025 at 10:00 AM Twenty-Six (26) shares of the capital stock of Seward Park Housing Corporation (A Cooperative Housing Corporation), issued in the name of Bob Weiss, and all right, title and interest in a Proprietary Lease to 417 Grand Street, Apartment D1803, New York, New York 10002. Sale held to enforce rights of Seward Park Housing Corporation, as Secured Creditor, who reserves the right to bid Ten percent (10%) Bank/Certified check payable to Sheldon May & Associates, P.C. Balance due at closing within thirty (30) days. The Cooperative Apartments will be sold "AS IS", and possession is to be obtained by the purchaser(s) and subject to Co Op Approval.

Dated: 8/1/2025 Sheldon May & Associates, P.C. Attorneys for Plaintiff 255 Merrick Road Rockville Centre, New York 11570 Telephone: (516) 763-3200 Filed 39990 11986 jy31-Th au14

NOTICE OF SALE

SUPREME COURT BRONX COUNTY U.S. BANK N.A. AS TRUSTEE, ON BEHALF OF THE HOLDERS, OF THE J.P. MORGAN MORTGAGE ACQUISITION TRUST 2006-WMC4 ASSET BACKED PASS-THROUGH CERTIFICATES, SERIES 2006-WMC4, Plaintiff against GLORIA E. BLUMENTHAL, et al Defendant(s) Attorney for Plaintiff(s) Fein Such & Crane, LLP, 28 East Main Street, Suite 1800, Rochester, NY 14614. Pursuant to a Judgment of Foreclosure and Sale entered June 12, 2017, I will sell at public auction to the highest bidder at the Bronx County Courthouse, Courtroom 711 at 851 Grand Concourse, Bronx, New York on September 8, 2025 at 2:15 PM. Premises known as 2724 Yates Avenue, Bronx, NY 10469, Block 4522 Lot 10. All that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situated, lying and being in the Borough of Bronx, in the County of Bronx, City and State of New York. Approximate Amount of Judgment is \$837,119.45 plus interest, fees, and costs. Premises will be sold subject to provisions of filed Judgment Index No 381946/10. The foreclosure sale will be conducted in accordance with 12th Judicial District's Covid-19 Policies and the Bronx County foreclosure auction rules. The Referee shall enforce any rules in place regarding facial coverings and social distancing. Scott H. Siller, Esq., Referee File # SPSJN018 12360 au7-Th au28

LIMITED LIABILITY ENTITIES

NOTICE OF FORMATION of Domestic Registered Limited Partnership Cravath, Swaine & Moore (London) LLP 1. The name of the Registered Limited Partnership is Cravath, Swaine & Moore (London) LLP (the "Partnership") 2. The registration for status of the Partnership as a Registered Limited Liability Partnership was filed on May 30, 2025. 3. The address of the principal office of the Partnership is Two Manhattan West, 375 Ninth Avenue, New York, NY 10001 4. The Secretary of State is designated as agent of the Registered Limited Liability Partnership upon whom process against it may be served. The address to which the Secretary of State shall forward copies of any process against it or served upon it is Cravath, Swaine & Moore LLP, Two Manhattan West, 375 Ninth Avenue, New York, NY 10001, Attention: Presiding Partner. 5. The purpose of the business of the Partnership is the practice of law. 11360 jy3-Th au7

LIMITED LIABILITY ENTITIES

NOTICE of Qual of 213-215 MI-NEOLA BOULEVARD, LLC. Authority filed with the SSNY on 07/21/2025. Office loc: Nassau County, NY 11501. SSNY is designated as agent upon whom process against the LLC may be served. SSNY shall mail process to: Attn: Philip Rosenthal, Manager, The LLC, 142 Mineola Boulevard, Mineola, NY 11501. Address required to be maintained in FL: Benjamin R. Dishowitz, Esq., 1177 SE 3rd Ave, Fort Lauderdale, FL 33316. Cert of Formation filed with FL Dept. of State, 500 South Bronough St., Tallahassee, FL 32314. Purpose: Any lawful activities. 12097 jy24-Th au28

NOTICE OF FORMATION of SPRING STREET HOTEL LLC. Arts. of Org. filed with Secy. of State of NY (SSNY) on 07/07/2025. Office location: New York County, LLC formed in Delaware (DE) on 07/16/2025. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: National Registered Agents, Inc., 28 Liberty St., New York, NY 10001. Address required to be maintained in DE: 1209 Orange St., Wilmington, DE 19901. Arts of Org. filed with the DE Secy. of State, 401 Federal St., Dover, DE 19901. Purpose: Any lawful activities. 12663 au7-Th s11

NOTICE OF FORMATION of 89 BLOCKS HOLDINGS LLC. Authority filed with Secy. of State of NY (SSNY) on 07/22/2025. Office location: New York County, LLC formed in Delaware (DE) on 07/05/2023. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 15260 Ventura Blvd., Ste. 11D, Sherman Oaks, CA 91403. Address required to be maintained in CA: 15260 Ventura Blvd., Ste. 620, Sherman Oaks, CA 91403. Arts of Org. filed with Shirley N. Weber, DE Secy. of State, 401 Federal St., Dover, DE 19901. Purpose: Any lawful activities. 12647 au7-Th s11

NOTICE OF FORMATION of INCH BERODAG, LLC. Authority filed with Secy. of State of NY (SSNY) on 07/22/2025. Office location: New York County, LLC formed in Delaware (DE) on 07/05/2023. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: SPRING STREET HOTEL LLC, 447 BROADWAY, 2ND FL, 406, NEW YORK, NY 10013. Name and address of the registered agent upon whom process may be served: REGISTERED AGENT SOLUTIONS, INC., 99 WASHINGTON AVE, STE. 700, ALBANY, NY 12260. Purpose: Any lawful activities. 12670 au7-Th s11

NOTICE OF FORMATION of SPOTMED, LLC. Authority filed with Secy. of State of NY (SSNY) on 07/01/2025. Office location: New York County, LLC formed in Delaware (DE) on 06/30/2025. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 15260 Ventura Blvd., Ste. 11D, Sherman Oaks, CA 91403. Arts of Org. filed with Shirley N. Weber, DE Secy. of State, 401 Federal St., Dover, DE 19901. Purpose: Any lawful activities. 12652 au7-Th s11

NOTICE OF FORMATION of SPOTMED, LLC. Authority filed with Secy. of State of NY (SSNY) on 07/01/2025. Office location: New York County, LLC formed in Delaware (DE) on 06/30/2025. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 15260 Ventura Blvd., Ste. 11D, Sherman Oaks, CA 91403. Arts of Org. filed with Shirley N. Weber, DE Secy. of State, 401 Federal St., Dover, DE 19901. Purpose: Any lawful activities. 12648 au7-Th s11

NOTICE OF FORMATION of Kickin Chicken Wooster Rooster LLC. Authority filed with Secy. of State of NY (SSNY) on 07/11/2025. Office location: New York County, LLC formed in Delaware (DE) on 07/14/2021. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: c/o Paracorp Incorporated, 2804 Gateway Oaks Dr, #100, Sacramento, CA 95833. Address required to be maintained in DE: 1013 Centre Rd., Ste. 403S, Wilmington, DE 19805. Arts of Org. filed with the DE Secy. of State, 401 Federal St., Ste. 4, Dover, DE 19901. Purpose: Any lawful activities. 12646 au7-Th s11

NOTICE OF FORMATION of R.B. PR (USA) LLC. Authority filed with Secy. of State of NY (SSNY) on 07/24/2025. Office location: New York County, LLC formed in Delaware (DE) on 07/14/2025. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: c/o Paracorp Incorporated, 2140 S. Dupont Hwy, Camden, DE 19934. Arts of Org. filed with the DE Secy. of State, 401 Federal St., Ste. 4, Dover, DE 19901. Purpose: Any lawful activities. 12650 au7-Th s11

NOTICE OF FORMATION of R.B. PR (USA) LLC. Authority filed with Secy. of State of NY (SSNY) on 07/24/2025. Office location: New York County, LLC formed in Delaware (DE) on 07/14/2025. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: c/o Paracorp Incorporated, 2140 S. Dupont Hwy, Camden, DE 19934. Arts of Org. filed with the DE Secy. of State, 401 Federal St., Ste. 4, Dover, DE 19901. Purpose: Any lawful activities. 12654 au7-Th s11

NOTICE OF FORMATION of MINK PADEL LLC. Authority filed with Secy. of State of NY (SSNY) on 07/07/2025. Office location: New York County, LLC formed in Delaware (DE) on 07/03/2025. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 244 Fifth Ave., STE #1800, New York, NY 10011. Address required to be maintained in DE: c/o Resident Agents Inc., 8th Floor, 11616 San Vicente Bl., Ste. 220, Los Angeles, CA 90049. Address required to be maintained in DE: Registered Agents Inc., 8th Floor, 11616 San Vicente Bl., Ste. 220, Los Angeles, CA 90049. Address required to be maintained in DE: c/o Resident Agents Inc., 8th Floor, 11616 San Vicente Bl., Ste. 220, Los Angeles, CA 90049. Arts of Org. filed with the DE Secy. of State, 401 Federal St., Ste. 4, Dover, DE 19901. Purpose: Any lawful activities. 12665 au7-Th s11

NOTICE OF FORMATION of MINK PADEL LLC. Authority filed with Secy. of State of NY (SSNY) on 07/07/2025. Office location: New York County, LLC formed in Delaware (DE) on 07/03/2025. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 244 Fifth Ave., STE #1800, New York, NY 10011. Address required to be maintained in DE: c/o Resident Agents Inc., 8th Floor, 11616 San Vicente Bl., Ste. 220, Los Angeles, CA 90049. Arts of Org. filed with the DE Secy. of State, 401 Federal St., Ste. 4, Dover, DE 19901. Purpose: Any lawful activities. 12666 au7-Th s11

NOTICE OF FORMATION of ONECHRONOS INFORMATION SERVICES LLC. Authority filed with Secy. of State of NY (SSNY) on 07/22/2025. Office location: New York County, LLC formed in Delaware (DE) on 07/23/2025. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 13 W. Main St. PO Box 953, Felton, DE 19943, also the address required to be maintained in DE. Arts of Org. filed with the DE Secy. of State, 401 Federal St., Ste. 4, Dover, DE 19901. Purpose: Any lawful activities. 12666 au7-Th s11

NOTICE OF FORMATION of ONECHRONOS MARKETS DCM LLC. Authority filed with Secy. of State of NY (SSNY) on 07/23/2025. Office location: New York County, LLC formed in Delaware (DE) on 07/23/2025. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 13 W. Main St. PO Box 953, Felton, DE 19943. Arts of Org. filed with the DE Secy. of State, 401 Federal St., Ste. 4, Dover, DE 19901. Purpose: Any lawful activities. 11838 jy17-Th au21

NOTICE OF FORMATION of WIN Sports Group, LLC. Authority filed with Secy. of State of NY (SSNY) on 06/04/2025. Office location: New York County, LLC formed in Delaware (DE) on 06/27/2025. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: c/o eResidentAgent, Inc., 1 Rockefeller Plaza, Ste. 1204, New York, NY 10020, also the registered agent upon whom process may be served. SSNY shall mail process to: 381 Park Avenue South, Ste. 721, New York, NY 10016. Address required to be maintained in DE: 8th Floor, 11616 San Vicente Bl., Ste. 220, Los Angeles, CA 90049. Arts of Org. filed with the DE Secy. of State, 401 Federal St., Ste. 4, Dover, DE 19901. Purpose: Any lawful activities. 11849 jy17-Th au21

NOTICE OF FORMATION of WIN Sports Group, LLC. Authority filed with Secy. of State of NY (SSNY) on 06/04/2025. Office location: New York County, LLC formed in Delaware (DE) on 06/27/2025. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 381 Park Avenue South, Ste. 721, New York, NY 10016. Address required to be maintained in DE: 8th Floor, 11616 San Vicente Bl., Ste. 220, Los Angeles, CA 90049. Arts of Org. filed with the DE Secy. of State, 401 Federal St., Ste. 4, Dover, DE 19901. Purpose: Any lawful activities. 11849 jy17-Th au21

NOTICE OF FORMATION of COGENGY GLOBAL INC., 122 E 42ND ST, 18TH FL, NEW YORK, NY 10016. Address required to be maintained in AZ: 9929 New Burton Rd., Ste. 201, Dover, DE 19904. Arts of Org. filed with the DE Secy. of State, 401 Federal St., Ste. 4, Dover, DE 19901. Purpose: Any lawful activities. 12667 au7-Th s11

NOTICE OF FORMATION of COGENGY GLOBAL INC., 122 E 42ND ST, 18TH FL, NEW YORK, NY 10016. Address required to be maintained in AZ: 9929 New Burton Rd., Ste. 201, Dover, DE 19904. Arts of Org. filed with the DE Secy. of State, 401 Federal St., Ste. 4, Dover, DE 19901. Purpose: Any lawful activities. 12667 au7-Th s11

NOTICE OF FORMATION of ITAN U.S. HOLDINGS LLC. Filed with SSNY on 04/01/2025. Formed in DE on 03/26/2025. Office loc: New York County, LLC formed in NJ on 07/07/2025. SSNY is designated as agent for process & shall mail to: 250 E 54TH ST, ATTN: MICHAEL ELEGEBEDE, NEW YORK, NY 10022. DE SOS: 401 Federal St #4, Dover, DE 19901. Purpose: Any lawful activities. 12034 jy24-Th au28

NOTICE OF FORMATION of DOMAIN SPACE LLC. Filed: 6/18/25. Office: NY Co. Org. in DE, 06/16/2025. SSNY designates as agent upon whom process against the LLC may be served. SSNY shall mail process to: 225 Varick St, 12th Fl, NY, NY 10014. Foreign add: c/o Incorporating Services Ltd., 3500 W. Dupont Hwy, Dover, DE 19901. Arts of Org. filed with NJ Dept. of Treasury, 125 W. State St., Trenton, NJ 08608. Purpose: Any lawful Purpose. 11824 jy17-Th au21

NOTICE OF FORMATION of ITAN U.S. HOLDINGS LLC. Filed with SSNY on 04/01/2025. Formed in DE on 03/26/2025. Office loc: New York County, LLC formed in NJ on 07/07/2025. SSNY is designated as agent for process & shall mail to: 250 E 54TH ST, ATTN: MICHAEL ELEGEBEDE, NEW YORK, NY 10022. DE SOS: 401 Federal St #4, Dover, DE 19901. Purpose: Any lawful activities. 12034 jy24-Th au28

NOTICE OF FORMATION of NEXT CHAPTER 505 LLC. Filed with SSNY on 07/03/2025. Formed in DE on 06/09/2025. Office: New York County, LLC formed in NY on 07/03/2025. SSNY is designated as agent for process & shall mail to: 99 WASHINGTON ST, STE 306, NEW YORK, NY 10038. DE SOS: 401 Federal St #4, Dover, DE 19901. Purpose: Any lawful activities. 12035 jy24-Th au28

NOTICE OF FORMATION of 247 MAIN STREET LLC. Filed with SSNY on 06/26/2025. Formed in DE on 06/25/2025. Office: New York County, LLC formed in NY on 07/02/2025. SSNY is designated as agent upon whom process against the LLC may be served. SSNY shall mail process to: Attn: Philip Rosenthal, Manager, The LLC, 142 Mineola Boulevard, Mineola, NY 11501. Address required to be maintained in FL: Benjamin R. Dishowitz, Esq., 1177 SE 3rd Ave, Fort Lauderdale, FL 33316. Cert of Formation filed with FL Dept. of State, 500 South Bronough St., Tallahassee, FL 32314. Purpose: Any lawful Purpose. 12035 jy24-Th au28

NOTICE OF FORMATION of 247 MAIN STREET LLC. Filed with SSNY on 06/26/2025. Formed in DE on 06/25/2025. Office: New York County, LLC formed in NY on 07/02/2025. SSNY is designated as agent upon whom process against the LLC may be served. SSNY shall mail process to: Attn: Philip Rosenthal, Manager, The LLC, 142 Mineola Boulevard, Mineola, NY 11501. Address required to be maintained in FL: Benjamin R. Dishowitz, Esq., 1177 SE 3rd Ave, Fort Lauderdale, FL 33316. Cert of Formation filed with FL Dept. of State, 500 South Bronough St., Tallahassee, FL 32314. Purpose: Any lawful Purpose. 12035 jy24-Th au28

NOTICE OF FORMATION of 247 MAIN STREET LLC. Filed with SSNY on 06/26/2025. Formed in DE on 06/25/2025. Office: New York County, LLC formed in NY on 07/02/2025. SSNY is designated as agent upon whom process against the LLC may be served. SSNY shall mail process to: Attn: Philip Rosenthal, Manager, The LLC, 142 Mineola Boulevard, Mineola, NY 11501. Address required to be maintained in FL: Benjamin R. Dishowitz, Esq., 1177 SE 3rd Ave, Fort Lauderdale, FL 33316. Cert of Formation filed with FL Dept. of State, 500 South Bronough St., Tallahassee, FL 32314. Purpose: Any lawful Purpose. 12035 jy24-Th au28

NOTICE OF FORMATION of 247 MAIN STREET LLC. Filed with SSNY on 06/26/2025. Formed in DE on 06/25/2025. Office: New York County, LLC formed in NY on 07/02/2025. SSNY is designated as agent upon whom process against the LLC may be served. SSNY shall mail process to: Attn: Philip Rosenthal, Manager, The LLC, 142 Mineola Boulevard, Mineola, NY 11501. Address required to be maintained in FL: Benjamin R. Dishowitz, Esq., 1177 SE 3rd Ave, Fort Lauderdale, FL 33316. Cert of Formation filed with FL Dept. of State, 500 South Bronough St., Tallahassee, FL 32314. Purpose: Any lawful Purpose. 12035 jy24-Th au28

