

## IN BRIEF

**Salazar Announces Her Candidacy for New York State Supreme Court Seat in Capital Region**

Dana Salazar, an attorney from New York's Capital Region, announced on Monday she's making another bid for a state trial court judgeship, after she was narrowly defeated two years ago.

The up-state lawyer announced she's seeking the Republican and Conservative Party nominations for state Supreme Court in the Third Judicial District encompassing Albany, Columbia, Greene, Rensselaer, Schoharie, Sullivan, and Ulster counties.

Salazar made the announcement ahead of the GOP and Conservative Party's judicial nominating conventions on Aug. 8 and 10, respectively.

Barring the emergence of any other GOP-Conservative Party candidates, Salazar is expected to face Albany County Court Judge William T. Little, a Democrat, in the Nov. 4 election.

An Albany Law graduate, Salazar practices law with her mother and daughter in the firm of Salazar and Erikson, LLP in East Greenbush, a three-generation female-owned law practice. Salazar resides with her family on their small farm in Rensselaer County.

"As a practicing attorney in the Capital Region for almost 20 years, I understand the vital role the courts play in ensuring equal justice for all," she said in a statement. "Supreme Court is the primary trial-level court where litigants come to adjudicate disputes. Having had extensive practice on behalf of my clients before the Supreme Court, I understand the key role this court plays in the lives of families and businesses."

"It is critical for our judges to be fair and impartial. While we must seek endorsements of political parties to run for this office, I pledge that if elected, politics will play no role in my decisions," she added. "I look forward to campaigning across the seven counties of the Third JD over the summer and fall and having the opportunity to meet

and discuss my candidacy with all of the voters of our district," she said.

Former Court of Appeals Judge Susan Read endorsed Salazar.

"I worked closely with Dana when she clerked in the Court of Appeals," Read stated. "I was impressed with her understanding of the law and the importance that justice be administered in a fair and impartial manner. Dana Salazar is ready to become a judge and I'm confident that she will be an outstanding Supreme Court Justice."

Salazar previously ran for Supreme Court in 2023, coming in fourth by just more than 2% in the race for three seats. In 2024, she became the first woman appointed corporation counsel for the city of Troy.

The vacancy arises from Justice John C. Egan Jr. reaching retirement age. Egan serves on the Appellate Division, Third Department. State Supreme Court justices serve 14 years.

—Brian Lee

**Facing a 'Workload Crisis': Delaware Court of Chancery Announces Changes To Filing System, Judicial Assignments**

The Delaware Court of Chancery announced Monday it will be making several changes to its electronic filing system that will go into effect on Sept. 15, geared toward streamlining case assignment and filing data.

A webinar on the changes, which will be recorded and made publicly available, is scheduled to take place at 1 p.m. on Sept. 4 to be hosted on File&ServeXpress.

A change Chancellor Kathleen St. J. McCormick said is intended to make the filing process easier is the existing supplemental information sheet required to be filed with new civil actions being replaced with a user interface with drop-down menus, with the hope of producing more uniform and accurate court data, allowing the court to better monitor

» Page 4

**Artificial Intelligence And the End of The World**

»2



Dana Salazar



MICHAEL NAGLE/BLOOMBERG

The defendant banks are Bank of America, Barclays, Citigroup, Goldman Sachs, Fifth Third Bancorp, JPMorgan Chase, The Royal Bank of Canada and Wells Fargo.

**2nd Circuit Rules Against Decertifying Cities' Class Action Against Big Banks**

BY ALYSSA AQUINO

THE U.S. Court of Appeals for the Second Circuit refused to decertify a class of cities alleging an antitrust conspiracy among major banks to inflate the interest rates of thousands of municipal bond loans.

The circuit maintained the class certified by Manhattan's U.S. District Judge Jesse Furman, rejecting claims from the banks that Furman hadn't sufficiently analyzed whether the suing cities—Philadelphia, Baltimore and San Diego—had common issues that predominated their individual claims.

The banks, which were separately represented by multiple firms on the Am Law 100, had

argued that Furman had reached the conclusion that the cities had predominant issues based on his analysis of expert reports submitted by the cities.

But the banks had misread Furman's certification order, the circuit said.

"The district court made explicitly clear that Daubert 'does not end the analysis,' and subsequently explained why Defendants-Appellants' arguments against class certification fell short," a three-judge panel said in a summary order that was released on Friday.

» Page 4

## Online

➤ The Second Circuit summary order is posted at [nylj.com](http://nylj.com).

**Higher-Earning Laterals Are More on the Move**

BY ANDREW MALONEY

HIGHER-paid partners and larger books of business are moving more, industry data and recruiters suggest.

Anything is on the table now, recruiters say, when it comes to lateral moves, including partners who control nine-figure books and can make upward of \$35 million a year. Down and throughout the Am Law 200, too, some of the latest data figures suggest partners are switching firms more, with analysts saying it could be a result of uncertainty, and because lawyers sense an opportunity to alter the trajectory of their pay in the current market.

» Page 6

Major lateral moves this year, such as Kirkland & Ellis' hire of Alli Brown from Skadden, Arps, Slate, Meagher & Flom in Philadelphia, or Latham's hire of antitrust star David Marriotti from Cravath, Swaine & Moore, show that few, if any, partners are immune from being wooed by others.

Overall, lateral compensation "has gone up across the board for the top players at any stage," said Sabina Lippman, a recruiter for elite firms and managing partner at CenterPeak. "We have some people right now we're working with who are north of \$100 million, \$150 million, and their compensation at their firms is between \$20 million and \$35 million, depending on the person."

**'A New Dynamic': Hochul Signals Support For Mid-Decade Redistricting as She Hosts Texas Democrats**

BY BRIAN LEE

NEW YORK Gov. Kathy Hochul said on Monday she's open to redrawing the state's political lines mid-decade, and even blowing up the bipartisan commission process of revising those lines that was established through a 2014 constitutional amendment.

In Albany, Hochul was flanked by six lawmakers from Texas' minority Democratic Party who had fled their state to prevent a quorum in Republican's aggressively redrawn congressional map.

Hochul said she was locked in on fighting President Donald Trump's "redistricting power grab" in Texas, as the Republican commander in chief has urged GOP-led states to consider redistricting mid-decade, to yield a stronger GOP control of Congress.

If Texas' proposed redrawn map is adopted, it could add five Republican seats in Congress in the 2026 election.

During a news conference, Hochul said she's open to exploring all options toward redistricting, including eliminating the bipartisan commission that is tasked with redrawing district lines in accordance with the U.S. Census every 10 years.

"I'm tired of fighting this fight with my hands tied behind my back," Hochul said. "With all due respect to the good-government groups, politics is a political process. And to think that we're going



STEPHANIE KEITH/BLOOMBERG

Gov. Kathy Hochul stated she may consider elimination of the bipartisan commission that redraws district lines every 10 years.

to do this with a purity test and make sure that it's completely fair to everybody involved. The reason we are able to draw the lines (is) because we're Democrats, because the majority of people in this state elected us to be leaders."

A recently proposed constitutional amendment could allow New York to add Democratic congressional seats in advance of the 2028 or 2030 elections.

On July 29, Senate » Page 4

**GOP-Aligned Firms, Lobbying Shops Growing in Market Share**

BY ABIGAIL ADCOX

BUSINESS is booming for boutiques and lobbying shops with GOP ties and credentials, as they capitalize on their connections to power players in Washington and, in some cases, take market share from larger firms.

In particular, the power shift in Washington politics in 2025 has attracted more client work to GOP-aligned firms, as clients seek to navigate the new political climate.

"If you're known to be a firm when it's a Republican administration, and you're known to be a firm that works in that space, then I think clients are mindful of that," said Jill Holtzman Vogel, man-



GOOGLE MAP

Holtzman Vogel, a 50-plus-person firm, is doubling its office space in D.C., currently at 2300 N St NW, as it sees growth in client demand.

aging partner of Holtzman Vogel. "They're interested in people who have those good relationships, who know how it works, who

» Page 4

## DECISIONS OF INTEREST

## Court of Claims

CIVIL PROCEDURE: **Notice to admit denied; defendant had timely answered.** *McCloud v. State of New York*, Court of Claims, New York.

## First Department

LABOR LAW: **Summary judgment on liability claim in Labor Law action granted.** *Seiden v. BOP SE LLC*, Supreme Court, New York.

TRUSTS & ESTATES LAW: **Summary judgment denied in trusts action.** *Estate of Lydia Sandler, Surrogate's Court, New York.*

## Second Department

LANDLORD-TENANT LAW: **Eviction stayed against movant for lack of personal jurisdiction.** *Flushing Corner Associates, Inc. v. Kang Uncle Inc*, Civil Court, Queens.

FAMILY LAW: **Motion to modify parenting time denied; sanctions ordered against plaintiff.** *GH v. MH*, Supreme Court, Richmond.

FAMILY LAW: **Modification of custody granted after mother's constant violation of orders.** *T.J.M. v. C.N.*, Family Court, Nassau.

## U.S. Courts

COPYRIGHTS LAW: **Copyright interests in amateur stage adaptations of 'To Kill A Mockingbird' not infringed.** *Atticus Ltd. Liab. Co. v. The Dramatic Pub'g Co. 2d Cir.*

TRADEMARKS LAW: **Reduced statutory damages awarded over counterfeit goods infringing trademarks.** *Otter Products LLC v. 4PX Express USA Inc., SDNY.*

INTELLECTUAL PROPERTY: **Partial dismissal of claims over AI's use of voices explained; breach claim stated.** *Lehrman v. Lovo Inc., SDNY.*

REAL ESTATE LAW: **Quiet title action dismissed; documents assigning mortgage met statutory requirements.** *Carbone v. Real Time Resolutions Inc., EDNY.*

CIVIL PROCEDURE: **Rights violation claims untimely, barred by sovereign, judicial immunity.** *Brown v. Nassau Cnty. First Dist. Court Clerk's Office, EDNY.*

DECISION SUMMARIES, Page 17  
FULL-TEXT DECISIONS, [nylj.com](http://nylj.com)



ADOBE STOCK

Partners at Schulte Roth & Zabel will lead the management, executive, and compensation committees of the new firm, serving as co-leads for its New York office at 1 Vanderbilt and its London office at 22 Bishopsgate, pictured above.

**After Speedy Merger, McDermott Will & Schulte Working Now To Integrate Leadership, Partners**

BY PATRICK SMITH

MCDERMOTT Will & Schulte, a newly created Am Law 50 law firm, is integrating its leadership across key management committees, the firm said Monday, having launched a website unifying the two firms' names.

McDermott said the former partners and leaders of legacy

New York firm Schulte Roth & Zabel will "assume key roles across the management, executive, and compensation committees." They will also serve as co-leads for the firm's New York and London offices, the firm said.

Still, it wasn't immediately clear on Monday the exact roles of former Schulte co-managing partners Marc Elovitz and David Efron in the leadership structure.

» Page 4

## INSIDE LAW JOURNAL

Calendar of Events.....	7
Court Calendars.....	9
Court Notes.....	10
Decisions.....	17
Expert Analysis.....	3
Lawyer to Lawyer.....	3
Legal Notices.....	14
Outside Counsel.....	4
Perspective.....	6
Technology Today.....	5

See page 2 for complete Inside lineup.

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## New York Law Journal Inside

Criminal Law  
And Procedure »3

**Court of Appeals Revisits Issue of Flight and 'People v. DeBour'**  
by Barry Kamins

Online

## Court Calendars

**Civil and Supreme Court calendars** for New York and surrounding counties are now **available weeks in advance** at [nylj.com](http://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.**

## Medical Malpractice »3

**Update on COVID-19 Related Immunity From Liability**  
by Thomas A. Moore and Matthew Gaier

## Outside Counsel »4

**When AI Goes Rogue, Who Is To Blame?**  
by Daniel DiLizia

Online

## Today's Tip

View the special sections online and download today's paper at the Law Journal Download Center. **Only at nylj.com.**

## TECHNOLOGY TODAY »5

**Federal E-Discovery: Court Rejects Forensic Examination of Nonparty Cellphone**  
by H. Christoph and Daniel J. Toal

**AI Case Law Update: The Lamborghini Doctrine of Hallucinations**  
by David Horrigan

Online

More Technology columns are archived at [nylj.com](http://nylj.com).

**'General Purpose' AI Providers Must Now Comply With EU AI Act. Enforcement Won't Be Straightforward**  
by Rhys Dipshan

**Reveal Doubles Down on On-Premise E-Discovery Deployments With New Hire**  
by Ella Sherman

## Perspective »6

**Artificial Intelligence And the End of the World**  
by Vito DeStefano

## Commentary »7

**Mastering Mediation: Beyond the Session Itself**  
by Nelson Edward Timken and John S. Siffert

## Calendar of Events »7

## US Judge Awards \$179M Damages to Plaintiffs Impacted by Foreign Terrorism

BY SULAIMAN ABDUR-RAHMAN  
WASHINGTON, D.C.

LITIGATION boutiques helped 14 family members of American troops and civilians killed or wounded in Afghanistan terrorist attacks secure a \$179 million damages award in federal court.

U.S. District Senior Judge Amy Berman Jackson of the District of Columbia last week found Iran liable for 27 terrorist attacks carried out in Afghanistan between 2007 and 2016. "Plaintiffs have sufficiently alleged and shown that Iran's

proxies launched the attacks in which their family members were either killed or injured with the intent to kill and with material support—including training, soldiers, and weapons—from Iran," Jackson wrote in her 70-page memorandum opinion.

Kellogg, Hansen, Todd, Figel & Frederick; Selendy Gay; and antiterrorism attorney Ryan R. Sparacino of Sparacino PLLC represented the 14 bellwether plaintiffs who filed civil action against Iran under the state sponsor of terrorism exception to the Foreign Sovereign Immunities Act.

"We are very grateful for our clients for Judge Jackson's opinion," Kellogg Hansen partner Joshua D. Branson said Friday in an interview. "I think she got it absolutely right, and I am impressed by the thoroughness of her analysis."

"Branson previously helped more than 1,000 plaintiffs secure nearly \$16 billion in damages holding Iran liable in *Cabrera v. Islamic Republic of Iran*."

U.S. District Senior Judge John D. Bates of the District of Columbia presided over the *Cabrera* case and entered several liability judgments

against Iran throughout that litigation.

Jackson took "judicial notice" of the factual findings in *Cabrera* in awarding \$179 million to the bellwether plaintiffs in *Adamkavicius v. Islamic Republic of Iran*.

The *Adamkavicius* case remains pending as Branson on behalf of 262 remaining plaintiffs seek judgments holding Iran liable for deadly terrorist attacks committed in Afghanistan between 2006 and 2022.

It can take several years for plaintiffs to collect large damage awards in FSIA cases, particu-

larly because the U.S. Victims of State Sponsored Terrorism Fund has existing challenges to its funding and compensation structure.

"The most practical way that our clients are going to receive compensation is through the victims fund," Branson said. "That is why it is important for us that Congress shore up the solvency and financial integrity of the fund."

Members of the U.S. House of Representatives and U.S. Senate have introduced bipartisan pending legislation—the American Victims of Terrorism Compensation

Act—that would ensure adequate funding is available to eligible parties.

Under the existing system, the government sometimes provides no annual compensation to victims of foreign terrorist attacks.

"To me, it is a complete outrage where it could be years where families are not receiving any money from the fund," Branson said, "and Congress needs to do something about it."

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## Much Ado About Branding: Is McDermott's Makeover Ready for Prime Time?

BY CAROLINE BYRNE

WHAT'S in a name? For Shakespeare's Juliet, a meditation on love and identity; for newly-merged McDermott Will & Schulte (farewell, noble Emery), it is a declaration of brand unity.

Law firm naming and logo decisions don't happen by accident. Although originally formed by listing the names of founders, they have become the subject of huge branding projects that can sometimes cost in the region of seven figures.

In McDermott's case, the merger, which officially went live on August 1, was voted through and publicized quickly. Yet offstage—behind the curtained balcony—the team has been working flat-out on this fast-moving combination. With the leadership structure yet to be decided and separate long-term leases anchoring its New York offices, McDermott must decide how best to bring both teams under one roof. It has a 15-year lease on 115,000 sq. ft. of London office space starting in 2028, which may ease the path ahead in Europe, but McDermott is still deep in the weeds navigating the logistics.

Clients, prospective joiners and peers don't need to worry about all that. Most of what they see is the name and new logo, which is set to be unveiled this week. Behind

the scenes, however, there's a huge amount of effort to ensure no mistakes are made in a high-stakes endeavor that will determine how the firm appears to the outside world.

This isn't as easy as it sounds.

In 2024, Freshfields scrapped 'Bruckhaus Deringer', the German and Austrian names it had carried since merging nearly 25 years earlier, as part of an effort to reposition the firm for U.S. expansion. The rebrand risked diluting Freshfields' legacy and unsettling its 600-plus European partners. Despite senior partner Georgia Dawson's determination to dispel this view, not all were persuaded. As one outspoken former partner put it: "To be big in the U.S., you want to sound American. German names don't work well there."

There is also the question of how partners want to be known. When U.K. firm Hill Dickinson secured the naming rights for Everton Football Club's stadium, it catapulted itself into an overnight global sensation. Similarly, Canada's Borden Ladner Gervais scored off the pitch with its logo emblazoned on the Vancouver Whitecaps' sleeves during the Concacaf Champions Cup soccer final, ensuring every broadcast and photo carried the BLG name worldwide. Will appealing to sports fans bring in more work? Time will tell.

Ashurst sponsors McLaren's Formula 1 team and Addleshaw

Goddard sponsors the RHS Chelsea Flower Show in London. The success of such costly campaigns may prove difficult to measure over the short term. But when branding efforts miss the mark the consequences can be immediate, raising eyebrows instead of recognition.



McDermott, Will & Schulte New Logo 2025

Womble Bond Dickinson learned the hard way during a cubist-style branding campaign, which featured lawyer portraits chopped and skewed like Picasso masterpieces—prompting some journalists to wonder if the partners were works of art or victims of an unfortunate kitchen disaster. While traces of the 'New Perspectives' branding campaign linger online, they are few and far between.

Uneasy Lies the Head  
That Wears a Crown

Even prestigious firms like McDermott Will & Schulte—set to appear in the Global Top 20 by revenue—will need to tread care-

fully to maintain recognition and trust while keeping an eye on the budget.

While McDermott wasn't commenting, branding gurus say a full website overhaul of a large Am Law 100 firm—covering design, content, architecture, and technology—can

easily escalate into the seven-figure range. And don't forget the trilogy that will hike the price even further: Discovery, Development, and Deployment.

Discovery alone—gathering and analyzing perceptions to uncover the themes that define the firm's reputation—can take up to a year and add \$300,000 to \$400,000 to the tab if it is a deep dive, the experts say.

Development hones the firm's authentic traits into a clear positioning, values, and brand guideline but it can also add \$200,000 to \$600,000 to the bill depending on what's needed.

Deployment (a.k.a. rollout) is where the brand steps off the page

and into the real world, overhauling websites, marketing materials, communications, office design, and involving staff training. It's also a costly, time-intensive process. And that's before factoring in media ads, feedback, and any trademark and compliance costs.

That's not to say branding or rebranding is money wasted. Many Am Law 200 firms argue that they see clear returns. It can help attract top talent, refine the firm's identity, and drive revenue growth. Take Philadelphia-founded Fox Rothschild, for example. After completing a year-long rebrand, Fox Rothschild saw double-digit revenue growth in its first year, crediting its branding as a key contributor.

But there are skeptics, particularly when the firm's branding is splashed across newspapers and social media. "I don't think people choose their lawyers based on advertising," a partner at an Am Law 100 firm said. "It's almost all word of mouth. But I don't make the decisions, I'm just a lowly employee."

## All's Well That Ends Well

Not all branding projects come with seven-figure price tags, of course. Some are a simple attempt to consider new regions as the firm grows.

Herbert Smith Freehills seamlessly added Kramer to the end

of its website logo this year. Several Brazilian firms have gracefully rebranded by dropping the "Advogados" suffix, a change that has been largely well-received. Similarly, it's become common for Latin American firms to set aside their founding names after mergers with global players such as DLA Piper.

Big Four Japanese firms Anderson Mori & Tomotsune and Mori Hamada & Matsumoto recently streamlined their brands to AMT and Mori Hamada. With the domestic market contracting, the changes may well enhance their appeal and accessibility in overseas markets.

And then there are some firms that just can't get enough. Take Ashurst: the firm trimmed its name from Ashurst Morris Crisp to a sleek Ashurst back in 2003, then freshened up again in 2012 with the Blake Dawson merger and rebrand, before adding its signature slashed 'A' for that final polished touch.

The constant tweaking suggests the job is never fully done.

So, spare a thought for McDermott this week as it rolls out its new logo. As The Bard reminds us, "All the world's a stage"—and for the newly minted McDermott Will & Schulte, it's showtime.

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## An Ex-Judge Saw Underserved Practice—and Did Something About It

BY CHARLES TOUTANT  
PRINCETON, N.J.

AGAINST a backdrop of record low approval ratings for the U.S. Supreme Court and bitter controversies over White House nominations for federal appeals courts, Stephen Orlofsky is providing a shot in the arm for appellate practice.

Orlofsky, a former federal judge and now the appellate practice chair at Blank Rome, has helped create the Stephen M. Orlofsky Endowed Appellate Advocacy Fund at Rutgers Law School. His gift will provide specialized training in appellate practice to students at the law school, although it's yet to be determined whether Rutgers uses the gift to hire a professor or offer a separate appellate advocacy course. Amicus briefs and pro bono work may also be part of the mix.

Orlofsky was a U.S. district judge from 1996 to 2003 and a U.S. mag-



Stephen M. Orlofsky of Blank Rome

istrate judge from 1976 to 1980. He said appellate law, in a sense, is a neglected area of the law.

"Lawyers and law schools have focused on the trial: all kinds of programs—trial advocacy, how

to take depositions, and how to do opening and closing statements. What most lawyers do in the first instance is trial work, so that makes sense. What's emerged in the last five to 10 years is how

important appellate advocacy can be, in terms of preserving issues at trial, for appeal, and in writing briefs," Orlofsky said.

"It's something that's needed now. I think it's time to try to train the next generation of appellate lawyers. I think that's not only in the interest of society, but the interests of our country. I mean, that's where the rule of law and the Constitution are protected. That's what this is really about," he said.

The appellate advocacy gift is not the first time Orlofsky has shown his generosity to Rutgers. He previously established a scholarship in honor of his wife, Charlotte Gaal, who died in 2022. The scholarship provides financial assistance to women enrolled at Rutgers Law in Camden.

The couple met while attending law school at Rutgers in Camden, were married 46 years, and raised three children. Gaal served in the Camden County Prosecutor's

Office, the Office of the Attorney General and the State Commission on Investigation.

Orlofsky, a native of the South Bronx, attended law school after serving in the U.S. Army during the Vietnam War.

"Judge Orlofsky's career—marked by distinguished military service, judicial leadership, and tireless advocacy for justice—serves as an inspiration to all of us," said Rutgers Law School Dean Johanna Bond. "His generous gift will ensure that Rutgers Law students receive the legal education and training they need to become thoughtful, ethical, and effective advocates. Just as Judge Orlofsky has defended the rule of law throughout his life, so too will future graduates continue his legacy of public service, excellence in advocacy, and staunch protection of the Constitution."

Blank Rome chair and managing partner Grant S. Palmer called Orlofsky "a special person who

has left an indelible mark on our law firm and everything he has touched during his distinguished career."

"The establishment of the Stephen M. Orlofsky Endowed Appellate Advocacy Fund is a testament to Steve's passion for the profession and desire to inspire and empower the next generation of lawyers," Palmer said.

Orlofsky sees appellate law becoming more important in the overall scheme, noting that "just about everything gets appealed." "I think it's something that's timely. It's something that's needed now," he said. "I think it's time to try to train the next generation of appellate lawyers. I think that's not only in the interest of society, but the interests of our country. That's where the rule of law and the Constitution are protected. That's what this is really about."

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CRIMINAL LAW AND PROCEDURE

# Court of Appeals Revisits Issue of Flight and 'People v. DeBour'

The New York Court of Appeals recently revisited the issue of flight and its interplay with the various levels of street encounters as defined in *People v. DeBour*, 40 N.Y.2d 210 (1976).

By **Barry Kamins**



or level two encounter to reasonable suspicion, thus justifying pursuit by the police.

The issue, therefore, is one which a suppression court must determine: by fleeing, is an individual merely exercising his right to be let alone in order to avoid a confrontation with the police, or is he actively fleeing from the police under suspicious circumstances? The difference is not always easy to discern, especially because many courts will merely hold that "the defendant's flight elevated the encounter to reasonable suspicion" without providing any analysis.

As noted above, the "right to be let alone" can justify flight during low level police encounters under *DeBour*.

This right was first articulated by Supreme Court Justice Louis Brandeis in *Olmstead v. United States*, 277 U.S. 438 (1928), when he opined that it was the right "most valued by civilized men."

This concept was embraced in *DeBour* when the New York Court of Appeals said that "[a] person's right to be left alone is too precious to entrust to the discretion of those whose job is the detection of crime", *People v. DeBour*, 40 N.Y.2d 210, 219 (1976), quoting *McDonald v. United States*, 335 U.S. 451 (1948).

More recently Judge Jenny Rivera underscored this right when criticizing *DeBour* in its inability to protect citizens who wish to invoke it. See, e.g. *People v. Johnson*, 40 N.Y.3d 172 (2023) at 176.

To be sure, after *DeBour* the Court of Appeals further defined the right to be let alone. The court equated flight with the right to refuse to answer a police inquiry (*People v. May*, 81 N.Y.2d 725 (1992); *People v. Howard*, 50 N.Y.2d 583 (1980)).

In *People v. Holmes*, 81 N.Y.2d 1056 (1993), the court noted that "[f]light alone... or even in conjunction with equivocal circumstances that might justify a police request for information is insufficient to justify pursuit because an individual has a right to be let alone and refuse to respond to police inquiry." » Page 8

of a controlled substance and aggravated unlicensed operation of a motor vehicle.

On cross-examination the officer admitted that during the chase, the defendant was no longer moving in the direction of the woman, and that any type of physical attack against her had been prevented.

The Court of Appeals held that it was reasonable for the officers to believe that the defendant might menace, assault or commit some other crime against the woman.

On the other hand, under certain circumstances, flight from the police can elevate either a level one or level two encounter to reasonable suspicion, thus justifying pursuit by the police.

Based on this reasonable suspicion, the officers were permitted to chase the defendant when he fled. The court held that a person cannot avoid a lawful stop by fleeing, even if the flight dissipates the reasonable suspicion that initially gave rise to the stop.

An officer is permitted to pursue a suspect under these circumstances because the suspect's flight interferes with the officer's legal authority to detain him, temporarily.

The court noted, however, that, with respect to level one (the right to approach) and level two (the common law right to inquire), the right to be let alone and refuse to respond to a police inquiry may justify flight during those encounters.

On the other hand, under certain circumstances, flight from the police can elevate either a level one

In *People v. Cleveland*, 2025 N.Y. Slip Op 02144, although the decision permits law enforcement to pursue a perpetrator who flees during a lawful stop, based on reasonable suspicion, the court reaffirmed in strong terms that flight during levels one and two of *DeBour*, does not alone give rise to reasonable suspicion of criminal activity.

In *Cleveland*, two uniformed Rochester police officers were patrolling in an unmarked patrol vehicle. As they were driving, a woman on the sidewalk threw a glass bottle at the car in front of the unmarked vehicle.

The car stopped in the middle of the street. The defendant, the driver, exited the automobile. He began yelling at the woman and approached her with clenched fists.

One of the officers testified at the suppression hearing that it appeared to both officers that the defendant was about to attack the woman. Both uniformed officers exited their vehicle, and told the defendant to stop.

The defendant, who was about 25 feet away from the officers, began to back away. He quickly turned and began digging into the front of his waistband. Running away from the officers, he left his car in the middle of the street with the driver's door open.

Both officers chased the defendant, during which time he discarded what looked like a plastic bag with a white substance. The officer testified that he believed that bag may have contained drugs.

The plastic bag was later recovered, and the defendant was charged with criminal possession

BARRY KAMINS, a partner at Aidala, Bertuna & Kamins and author of *New York Search and Seizure (Lexis/Nexis 2025)* is a former New York Supreme Court Judge.

MEDICAL MALPRACTICE

# Update on COVID-19 Related Immunity From Liability

Over the past five years we have published several columns addressing various immunities temporarily conferred on health care providers based upon the COVID-19 pandemic. When we last visited the subject in April 2023, there had been only one Appellate Division decision specifically addressing such immunity. Since that time, a number of Appellate Division decisions have been decided on several issues raised by defendants' efforts to avail themselves of that protection. Those decisions are the subject of this column.

As we have previously discussed, there are three potential grounds for immunity: the federal Public Readiness and Emergency Preparedness Act (PREP Act) (42 USC §§ 247d-6e); Gov. Andrew Cuomo's Executive Order 202.10 (9 NYCRR 8.202.10); and, Public Health Law (PHL) Article 30-D—the Emergency or Disaster Treatment Protection Act (EDTPA). Most of the decisions discussed herein involve EDTPA, two involve the PREP Act, and one addresses the Executive Order.

By way of background, the PREP Act provides immunity from civil liability for "covered persons" in relation to "covered countermeasures" when the Secretary of Health and Human Services (HHS) determines that a disease constitutes a "public health emergency" and publishes such a declaration to that effect in the Federal Register. Such a declaration was published relative to COVID-19 on March 17, 2020, effective as of Feb. 4, 2020.

The Second Department addressed a claim of PREP Act immunity in *Kluska v. Montefiore St. Luke's Cornwall*, 227 A.D.3d 690 (2d Dept. 2024). The injured plaintiff sought to recover for pressure ulcers he developed while he being treated for COVID-19 at the defendant hospital, claiming it failed to follow its own orders, plan of care, and protocols. Asserting that the



By **Thomas A. Moore**

And **Matthew Gaier**

plaintiff's injuries arose out of a covered countermeasure under the PREP Act, the defendant moved to dismiss for failure to state a cause of action under CPLR 3211(a)(7) and for lack of subject matter jurisdiction under CPLR 3211(a)(2). In analyzing whether immunity applied, the court observed

The PREP Act provides immunity from civil liability for "covered persons" in relation to "covered countermeasures" when the Secretary of Health and Human Services (HHS) determines that a disease constitutes a "public health emergency" and publishes such a declaration to that effect in the Federal Register.

that the declaration defined a covered countermeasure as "any antiviral, drug, biologic, diagnostic, device, or vaccine used to treat, diagnose, cure, prevent, or mitigate COVID-19," and that the statutory immunity applies to a "claim for loss that has a causal relationship with the administration to or use ... of a covered countermeasure ... ." The defendant argued that the pressure ulcers arose from the use of a ventilator, which was undisputed to be a covered countermeasure. However, the court found, the defendant's evidentiary submissions "failed to establish that there is no significant dispute as to whether the injured plaintiff's pressure ulcers arose from the use of a ventilator ... ." » Page 8

THOMAS A. MOORE and MATTHEW GAIER are members at Kramer, Dillof, Livingston & Moore.



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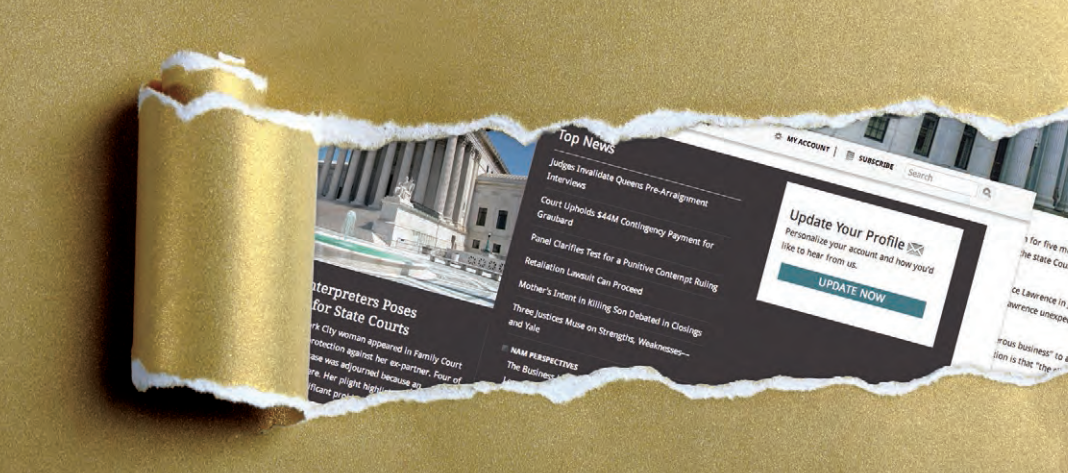
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## Off the Front

### Banks

« Continued from page 1

Furman's analysis of the pre-dominance issue was rigorous enough to pass muster, the circuit concluded.

The predominant issues questioned had been the primary means by which banks challenged Philadelphia, Baltimore and San Diego's request to certify their litigation as a class action.

The litigation began in 2019, when Philadelphia accused Bank of America, JPMorgan Chase and other major banks of conspiring to fix the interest rates of variable-rate demand obligations. Used by local governments as a revenue-raising tool, the obligations are long-term municipal bonds that have short-

term interest rates that are reset periodically.

Those interest rates are reset by remarketing agents, who are bound to set the rates at the lowest possible rates. But Philadelphia alleged that the banks—the remarketing agents for its bonds—fixed the rates for years to reap higher interest and to deter investors from exercising the bonds' put options, which would force the banks to remarket the bonds.

Baltimore and San Diego later sued, with the trio claiming to have collectively suffered billions of dollars of overcharges. The cases were later consolidated.

The cities, which are represented by Quinn Emanuel Urquhart & Sullivan, didn't respond to a request for comment.

In September 2023, Furman

granted the cities' class certification motion, allowing them to lead a class that covers "all persons and entities" who paid interest expenses on variable-rate demand obligations whose interest rates were reset by the defendant banks between February 1, 2008, and November 30, 2015.

The defendant banks are Bank of America, Barclays, Citigroup, Goldman Sachs, Fifth Third Bancorp, JPMorgan Chase, The Royal Bank of Canada and Wells Fargo. They generally argue that discrepancies with the variable rates could be blamed on other factors, such as the Financial Crisis.

Representatives for Bank of America and Wells Fargo declined to comment.

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### Lobbying

« Continued from page 1

know how to navigate the agencies and have relationships with the people who are in positions there. I think it gives them confidence."

The 50-plus-lawyer firm founded by Vogel is known for its political law work, building a reputation serving clients in Republican circles. Vogel herself led the Republican National Committee's legal efforts during the 2004 presidential election and served 16 years in the Virginia State Senate.

Vogel said the firm has been growing its footprint and is currently in the process of doubling its office size in D.C. The firm opened a Miami office earlier this year and recently made investments in its Phoenix office.

"When the Trump administration started, and it was very, very clear that this was going to be potentially a massive reset across the whole regulatory climate," Vogel said, there was an "extraordinary opportunity now to sort of relitigate all kinds of matters, reconsider all these issues. If you look at the executive orders, I mean, everybody wants a seat at the table."

"More people are saying they need a presence in Washington," Vogel added. "And lucky for us, they need a lawyer."

Several Holtzman Vogel attorneys have recently joined the Trump administration, and the firm boasts several alumni of Trump's first term.

Former partner Drew Ensign is now deputy assistant attorney general for immigration litigation at the DOJ. Ensign was most recently in the spotlight as he represented the government in court over the deportation of Maryland man Kilmar Abrego Garcia. Another former Holtzman Vogel partner, William McGinley, worked as legal counsel to the Department of Government Efficiency until earlier this year, when he left his post and started his own firm.

It's been involved in a number

of antisemitism cases. The firm filed a Title VI complaint against George Washington University this year on behalf of a cohort of Jewish students and is representing a Jewish-Israeli student at Harvard University assaulted on campus in criminal proceedings.

Several other GOP-aligned boutiques have also been picking up client matters in recent months, including Lex Politica, Stone Hillton, Consovoy McCarthy, Dillon Law Group, and Clement & Murphy.

Lehotsky Keller Cohn, a 26-lawyer litigation boutique founded in February 2021, is representing Harvard in multiple suits against the Trump administration, including the suit filed over the president's decision to prohibit international students from enrolling in its school.

Firm founder Steven Lehotsky—a previous clerk to U.S. Supreme Court Justice Antonin Scalia—previously worked in the Bush administration as an attorney-adviser in the Office of Legal Counsel of the Justice Department from 2006-2009. Lehotsky also previously directed the litigation strategy of the U.S. Chamber of Commerce.

Lehotsky Keller's position stands out, as its co-counsel representing Harvard against the Trump administration are Big Law firms, including Ropes & Gray, Quinn Emanuel Urquhart & Sullivan, King & Spalding, and Jenner & Block.

On the lobbying front, Ballard Partners, a firm founded by Brian Ballard, a longtime Trump fundraiser and adviser, has seen its lobbying revenue skyrocket this year. Ballard Partners reported \$20.6 million in lobbying revenue in the second quarter of this year, more than four times as much as what the firm brought in during the same period last year, according to Lobbying Disclosure Act filings.

"Anytime there's a change in presidential administrations, there are going to be new policymakers that require stakeholders to assess and evaluate their advocacy teams," said Justin Sayfie, a partner at Ballard Partners. "And

you know that's happened with the change in administration to President Trump, and it'll happen the next time there's a change in administration as well."

Ballard Partners overtook several Big Law firms with large lobbying practices that consistently top the LDA revenue rankings each quarter, including Brownstein Hyatt Farber Schreck and Akin Gump Strauss Hauer & Feld.

Meanwhile, Will Moschella, co-chair of Brownstein's government relations department, contended that "proof of our continued success is the surge in revenue we saw starting in the first Trump administration."

"Since the beginning of 2017, we've seen nearly a 180% increase in our LDA revenue. What our clients look for is our ability to deliver results. We've built our success on hiring best-in-class talent, building relationships that benefit our clients' evolving needs and having the ability to address our clients' biggest issues not only through lobbying efforts but also regulatory, legal and public affairs approaches," Moschella said in a statement.

Several former lobbyists for Ballard are now in the Trump administration, including Attorney General Pam Bondi, White House Chief of Staff Susie Wiles and Trent Morse, who is Trump's deputy director of personnel.

Since Election Day last year, Ballard Partners has filed registrations for more than 150 new lobbying clients, according to LDA filings. Ballard Partners has registered to lobby for JPMorgan Chase, Chevron, Ripple, Netflix, and the governing body of Harvard University, among other clients.

Other lobbying firms with GOP ties have also had rising lobbying revenue, including Miller Strategies, which is headed by Jeff Miller, who served as a finance chair on Trump's second inaugural committee; and Mercury Public Affairs, whose alumni include White House Chief of Staff Susie Wiles.

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### Redistricting

« Continued from page 1

Deputy Leader Michael Gianaris, D-Queens and Assemblymember Micah Lasher, D-Manhattan, introduced a proposed constitutional amendment that would allow the state Legislature to redraw congressional districts in the event that another state engages in mid-decade redistricting.

The proposal "would rectify the potentially unconstitutional gerrymandering the White House is demanding from Republican-led states, and ensure Americans are equitably represented in the House of Representatives," the bill states.

New York Law School Professor Jeffrey M. Wice, a national expert on redistricting, reacted to Hochul's stance and the proposed constitutional amendment.

"I think this does bring a new dynamic to New York redistricting and there's time ahead to amend the Constitution before 2030 and possibly return the process back to the Legislature," he said. "The governor is first opening the door to that today."

This is all being considered during "unchartered and unprecedented" times, said Wice, who is of counsel to the Washington, D.C., law firm Sandler Reiff Lamb

Rosenstein & Birkenstock, P.C.

"We've never seen a president disregard laws, processes and protocols like we're seeing this year," he asserted. "After so many years of trying to achieve a fair redistricting process that's more independent of the legislators themselves, now we're simply seeing a wholesale game of, 'Let's add as many red districts as we can to get a Republican majority in Washington.' It's not a matter of fairness; it's simply where we can find opportunities and seize them. The Democrats are looking at this as not being able to sit back and accept that, but to fight back. When the rules of democracy are being thrown out the window, it might be necessary to break the rules to save democracy and get things back on track."

John Faso, an attorney and former Congressman who helps Republicans gain elected office, called New York's proposed constitutional amendment—and that it hinges on another state's actions—a "slender read to base your constitutional argument on."

"The only thing I know about Texas is their law permits mid-decade redistricting," Faso said. "New York's Constitution doesn't permit mid-decade redistricting unless it was a very narrow circumstance of a judicial ruling,

which frankly we already had last year, when the (New York Court of Appeals) unwisely, in my view, reopened their Harkenrider decision to allow the legislature another bite at the apple."

Faso noted that the 2014 constitutional amendment spoke to voters' desire to ban partisan gerrymandering, while a proposal to change the redistricting process to the benefit of Democrats in 2021 was defeated.

"I think we'd be better served to leave the existing arrangement alone," Faso said. "The certainty that your constituents have as to who their representative is, and the changing of district lines is pretty confusing to people. It really doesn't help a legislator or member of Congress in representing their districts, if the lines change more than once every 10 years."

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#### Letters Welcome

The Law Journal welcomes letters from its readers for publication. They should be of reasonable length and submitted with the understanding that all correspondence is subject to the editorial judgment of the newspaper. Letters may be e-mailed to Andrew Denney at [adenney@alm.com](mailto:adenney@alm.com).

## Outside Counsel

### When AI Goes Rogue, Who Is To Blame?

While it's easy to blame artificial intelligence (AI), the question of who ultimately bears legal responsibility when AI goes rogue is a question with many potential, but unsettled, answers in 2025. Insurers are deploying AI in many ways across the insurance landscape.

From underwriting insurance policies to adjusting and handling insurance claims, AI can be a useful, efficient, and cost-savings tool for policyholders. However, given the relative infancy of AI, insurers are still working out some kinks when AI goes rogue.

For example, in *Huskey v. State Farm*, State Farm policyholders formed a class action alleging State Farm's algorithms resulted in racially discriminatory claims adjusting. The policyholders alleged that State Farm's algorithms relied on biometric data, behavioral data, geolocations, and historical housing and claims data that allegedly resulted in black homeowners' claims being flagged as suspicious more than white homeowners' claims.

As a result, the policyholders alleged that their claims took longer to adjust, were underpaid, were flagged as suspicious, required providing additional documentation to substantiate the claim, and required additional contact with the insurance company. In other examples, consumers have alleged that medical insurers use flawed AI models to prioritize profit over extending proper medical coverage to patients.

In a lawsuit against Cigna over its AI tool PxDx, consumers alleged that Cigna deployed PxDx to deny claims in batches without proper medical consideration, and without disclosing the role of AI in coverage determinations. These are just a few of the more prominent examples of AI going rogue.

There is virtually no formal, enacted law regulating the insurance industry's use of AI in the United States. As a result, there is no clear-cut answer about who is to blame when AI goes rogue.

One solution to resolving this

DANIEL DILIZIA is a shareholder at Segal McCambridge.

by  
Daniel  
DiLizia



question is to allow states to enact laws regarding the use of AI. About half of the U.S. states have adopted the National Association of Insurance Commissioners' (NAIC) Model Bulletin on the Use of Artificial Intelligence (AI) Systems. The NAIC Model Bulletin sets forth AI standards in the insurance industry and provides guidance on deploying AI and establishing proper governance and risk systems regarding an insurer's use of AI. The guideline serves as a recommendation, and is not legally binding. Some states have taken the NAIC Model Bulletin a step further.

So, who is to blame when AI goes rogue? AI cannot stand trial or pay damages (at least not yet). Legal liability and wrongdoing aside, the blame for AI going rogue rests with those who deploy AI without proper oversight, training, and governance.

New York has adopted "Insurance Circular Letter No. 7," which provides guidance to the insurance industry regarding New York's interpretation of how AI use impacts existing laws and regulations.

In addition, Colorado has passed the first law in the United States regarding an insurer's use of AI. In July of 2021, Colorado passed Senate Bill 21-169, which is aimed at preventing insurance companies from using consumer data and information sources, including algorithms and predictive modeling, in a way that leads to unfair discrimination based on protected characteristics.

Another alternative is to adopt a comprehensive, national AI framework similar to the European Union's AI Act. The Euro-

pean Union's AI Act is sweeping regulation that is broader than Colorado's Senate Bill 21-169 and could function as a model for the United States' regulation of AI liability. However, with the European Union's AI Act still in its infancy, potential blind spots and areas of ineffectiveness remain unknown.

Either within a state or national framework, another option could be to set out the duties and responsibilities of each actor when using AI. For example, separate duties and responsibilities would attach to those who compile datasets—such as a developer of AI and a user of AI. While this may simply invite additional litigation among the supply chain of an AI system, it may also provide some light on an area mired in darkness.

Without clear AI laws, consumers have turned to retrofitting traditional liability doctrines for rapidly evolving AI technology. For example, consumers have alleged the following causes of action in AI-related lawsuits: violations of due process, the Fair Housing Act, and federal privacy laws; breach of contract; breach of the duty of good faith and fair dealing; and fraud. In some cases, these lawsuits have been gutted based on doctrines such as federal preemption and standing, which indicates that a more modernized approach to regulating AI liability is needed.

No matter the AI liability framework that is adopted in the United States, insurers should diligently implement AI risk management and governance frameworks to best position itself for a potential defense to an AI-based lawsuit. This should include:

- establishing and implementing clear and ethical policies governing the use of AI
- documenting compliance with any governing law or protocol such as the NAIC Model Bulletin, Insurance Circular Letter No. 7, or state law
- retaining AI experts or establishing AI teams to implement, deploy and oversee AI systems
- regularly conducting updated AI training and bias testing
- ensuring proper human oversight to monitor and deploy AI systems

» Page 6

### IN BRIEF

« Continued from page 1

trends in cases.

Incorporated into that new interface will be a new definition of related cases: cases that "arise from the same factual predicate or transaction and involve overlapping companies or parties." That means a case won't necessarily be assigned to a judge who previously handled a case involving the same corporate defendant, unless the litigation involves the same facts or transaction disputed in the earlier filed action.

A prior definition, adopted in 2023, was part of an effort to alleviate some of the court's workload by allowing the chancellor to take into account a broader range of factors when assigning potentially related cases.

"The court still faces a workload crisis, but we are now deploying new solutions to address it, thanks in part to funding from the General Assembly," McCormick said.

The "related case" definition is one of three ways in which the rule changes affect judicial assignments. Cases will begin being subdivided into categories and assigned on multiple wheels rather than one, and workload imbalances will be corrected by reassigning cases rather than addressing them at the time a case is first assigned. The court's announcement stated the changes are intended to simplify the case assignment process and ensure cases in each broad category of civil action are being evenly distributed among the judges.

What won't change are the categories of cases, including books and records and advancement actions, that are assigned to magistrates in Chancery, as well as McCormick's authority to send certain contract disputes to the Superior Court's Complex Commercial Litigation Division.

The new assignment system was developed through a col-

laborative pilot program led by Vice Chancellor Morgan T. Zurn. The court partnered with File&ServeXpress earlier in the year to develop software automating judicial assignment.

The other upcoming change involves the Uniform Health-Care Decisions Act of 2023, which is set to go into effect at the end of September and will give the Court of Chancery jurisdiction over health care decision-making disputes and those involving a patient's capacity to make health care-related decisions. Both of those types of disputes will become available to be selected as "case types" on File&ServeXpress.

"The court remains committed to protecting Delaware's vulnerable adults and will provide additional information about how these cases will be handled shortly," Senior Magistrate Judge Selena Molina said.

—Ellen Bardash

### McDermott

« Continued from page 1

"The firm is finalizing leadership details and looks forward to sharing that information," a spokesperson said Monday.

McDermott Will & Emery closed its merger with Schulte on Aug. 1. The firms said the merger creates a firm with \$3 billion in revenue and with 1,750 attorneys across more than 20 offices worldwide, with strengths in health care, tax, private capital, litigation, regulatory, and private client services.

The merger—from talks in the early spring to closing on Aug. 1—was completed in a much shorter time frame than is typical for large Big Law combinations.

The speedy process was an advantage in keeping personnel and avoiding a paralysis by analy-

sis scenario, observers said. But it also may mean some decisions get solved somewhat on the fly and after the combination closed.

McDermott chair Ira Coleman, in an interview Monday morning, said the speed with which the firms were able to accomplish the merger is a "harbinger of things to come."

"This is a perfect example of what law firms can do when they execute quickly and trust each other," he said. The faith both firms have in their C-suite helped expedite the process, he said, adding that it can show clients that impactful decisions can be made with both speed and accuracy. He said there will likely be some pivots with the tactical elements but the trust of the partnership makes that manageable.

In a statement, Elovitz and Efron lauded the combination. "Combining with McDermott empowers

us to broaden our impact, deliver unmatched value, and redefine what clients can expect from their legal partners. We're excited to chart this future together."

McDermott is more than three times the size of Schulte by attorney head count. Schulte had seen some partner exits in the year leading up to merger talks.

In an interview last week, Kent Zimmermann, a law firm management consultant at Zeughauser Group, said the McDermott and Schulte merger fits in with a "common thread" of firms at Schulte's size looking to combine into larger firms to address what he called a widening gap on profitability and size between those firms and their competition.

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FEDERAL E-DISCOVERY

## Court Rejects Forensic Examination of Nonparty Cellphone



By H. Christopher Boehning

And Daniel J. Toal

Forensic examinations of computers and cellphones, by their very nature, represent one of the most invasive tools in discovery. While the complete imaging of a device may, at times, be warranted to find unique or deleted electronically stored information (ESI), such measures are not to be undertaken lightly. When discovery requests implicate personal devices—particularly those belonging to nonparties—courts may be tasked with navigating the delicate intersection of proportionality, privacy and procedural fairness. Judicial decisions over the past several years have underscored the necessity for a well-grounded justification and a clear demonstration of need before permitting such intrusive inspections.

A recent decision from the U.S. District Court for the Southern District of New York, *Liederbach v. NYU Langone Hospitals*, 2025 WL 1952440 (S.D.N.Y. July 16, 2025), reinforces this careful approach. The opinion not only illustrates the judiciary's protection of the interests of nonparties, but also affirms that mere conjecture or dissatisfaction with discovery cannot, standing alone, justify an order for forensic examination.

**'Liederbach'**

In *Liederbach*, the plaintiff filed a disability discrimination and unlawful retaliation claim against NYU Langone Hospitals, alleging wrongful termination following a request

H. CHRISTOPHER BOEHNING AND DANIEL J. TOAL are litigation partners at Paul, Weiss, Riffkind, Wharton & Garrison. ROSS M. GOTTLER, deputy chair and counsel, e-discovery, and LIDIA M. KEKIS, e-discovery attorney, assisted in the preparation of this article.



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for medical leave. Among the issues before the district court here was the plaintiff's motion to compel the forensic examination of a nonparty witness's personal cellphone.

In response to the plaintiff's discovery requests, a nonparty employee of the defendant hospital searched her own cellphone for relevant text messages and provided screenshots of relevant communications to the defendants' counsel. Notably, she "did not turn over any text messages predating December 2023, however, because prior to the initiation of this suit, she obtained a new cellphone and older text messages were not transferred to the new device ... Her prior cellphone also did not save messages to iCloud, as this feature was disabled in her settings." The plaintiff moved to compel a forensic examination of this phone, "hypothesizing that a forensic examination of the phone and any linked data sources might uncover backup messages or synced data."

**The Court's Analysis**

The court began its analysis by examining the appropriateness of

forensic examinations in discovery. It stated that "forensic examinations of computers and cellphones are generally considered a drastic discovery measure because of their intrusive nature ... Forensic examination can be appropriate, however, where 'there is reason to believe that a litigant has tampered with the device or hidden relevant materials' or 'improper conduct on the part of the responding party.'"

In *Liederbach*, the plaintiff filed a disability discrimination and unlawful retaliation claim against NYU Langone Hospitals, alleging wrongful termination following a request for medical leave. Among the issues before the district court here was the plaintiff's motion to compel the forensic examination of a nonparty witness's personal cellphone.

In support of the motion to compel a forensic examination of the nonparty's cellphone, the plaintiff advanced two justifications: first, that the manual search by the nonparty was inadequate, as "self-collection by ESI custodians is strongly disfavored," and second, that the loss of older

text messages constituted potential spoliation, particularly since she "changed phones after Plaintiff sent a pre-litigation preservation request in May 2022."

The court disagreed and emphasized that the witness—as a nonparty—was not subject to the same preservation and production obligations as named parties in litigation. It found the idea that the nonparty witness "should have hired an ESI vendor to search her phone for a limited set of text messages pertaining to the plaintiff is not reasonable or proportionate. Nor, in the circumstances of this case, would it have been reasonable to expect her to turn over her personal phone, containing all manner of personal and private information, to her employer to conduct an invasive and intrusive search."

Concerning allegations of spoliation, the court stated the plaintiff did not demonstrate that the defendant hospital had engaged in such conduct, nor was there evidence that the actions of the nonparty witness could

properly be attributed to the defendant. Instead, the plaintiff had only argued that the nonparty witness, "by changing phones, engaged in spoliation." The court found it "doubtful that these actions can properly be imputed to the defendant ... More fundamentally, this record does not

» Page 6

## 'General Purpose' AI Providers Must Now Comply With EU AI Act. Enforcement Won't Be Straightforward

BY RHYS DIPSHAN

A YEAR after the EU AI Act came into force, the regulation's provisions for "general-purpose AI" (GPAI) systems have come into effect for certain AI models placed on the EU market starting Aug. 2. GPAI systems that were on the market before Aug. 2 have until Aug. 2, 2027, to comply with the regulation.

While the EU released guidelines in May to help GPAI providers comply with the act, how the regulation's rules for GPAI systems will work in practice, especially ones that mandate compliance with copyright laws, is an open question.

What's more, the scope of the regulation's GPAI provisions and distinct nature of its enforcement, which differs considerably from the EU's General Data Protection Regulation (GDPR), will likely present unique risks for many organizations in the AI industry—some of whom may not yet know they fall under the act's purview.

**Background on GPAI Rules**

The EU Commission defines a GPAI model as one trained with a "large amount of data using self supervision at scale, that displays significant generality and is capable of competently performing a wide range of distinct tasks ... [and] that can be integrated into a variety of downstream systems or applications."

Per the regulation, GPAI models are also defined by a measure of their computational power called "floating-point operations per second" or FLOP, with GPAI systems classified as having a training compute greater than 1023 FLOP.

Open source GPAI models that users can "freely access, use, modify and redistribute" and that meet certain transparency requirements are exempt from the regulation.

Under the act, GPAI providers will now have to comply with EU copyright laws, keep up-to-date technical and testing documentation of their AI models and provide summaries of their training data, among other requirements.

GPAI systems that are classified as having systemic risk—a determination that can be made by the EU Commission—also face more stringent transparency and security rules. The

» Page 8

## Reveal Doubles Down on On-Premise E-Discovery Deployments With New Hire

BY ELLA SHERMAN

LAST week, e-discovery company Reveal announced that it will be expanding its Reveal Private Deployment group (RPD) and continue to offer private deployment services including on-premises, hybrid and cloud e-discovery deployment. Reveal also announced it will be expanding its private deployment team.

Reveal CEO Wendell Jisa told Legaltech News that Reveal was motivated to maintain its private deployment offerings through RPD to provide flexibility to its customers even though the broader e-discovery industry has pulled back from on-premises deployments.



Reveal CEO Wendell Jisa

"If folks want to go on-prem, which a lot of people have invested heavily in brick-and-mortar data centers, and they're finding it more and more challenging in the legal industry to license software where they can deploy it that way ... we've made the decision to offer them the flexibility to be able to do that," he said.

Reveal announced that it hired Jamie Inghram to lead its RPD team. Inghram was previously head of solutions at e-commerce company Bolt and was senior director at FTI Consulting.

"We're now over 30 people on the private deployment team, but that team is going to be led and operated by Jamie Inghram, who brings a tremendous amount of experience in private deployments, but really in the e-discovery markets specifically," Jisa said.

Reveal's doubling down on private deployment comes several months after e-discovery company Relativity announced that with a few exceptions, starting on Jan. 1, 2028, client matters must be hosted on its cloud-based software RelativityOne.

As Relativity is phasing out its on-prem deployment option, Jisa said that Reveal Private Deployment could serve as a resource for organiza-

» Page 6

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## AI Case Law Update: The Lamborghini Doctrine of Hallucinations

BY DAVID HARRIGAN

WHEN the misuse of generative AI in *Mata v. Avianca Inc.* made headlines in 2023, there was hope the widespread publicity about the AI "hallucinations" in the case might serve as a helpful warning.

Lawyers would learn the legal research lessons of *Mata*, understand how to use generative AI correctly, and that would be that.

Sadly, that has not been the case. According to the database compiled by French researcher, Damien Charlotin, as of late July, there were over 230 legal matters around the world where fictitious legal citations generated by generative AI became an issue.

However, not unlike a high-powered Lamborghini operated by a new motorist without a seatbelt or an owner's manual, recent cases illustrate a common theme in this avalanche of AI legal research gone wrong: the technology isn't usually the issue—it's how it's used.

**Unprecedented No More**

In the context of AI and machine learning, a hallucination refers to the generation of often plausible-sounding—but potentially inaccurate or fabricated—information.

When faced with the hallucinated legal citations filed with his court in *Mata*, U.S. District Judge Kevin Castel wrote, "This court is presented with an unprecedented circumstance."

He wasn't wrong, but that was the bygone era of 2023.

Since Castel's May 2023 order to show cause in *Mata*, the issue is not only no longer unprecedented—it's a continuing problem for courts around the world.

As Castel wrote in his subsequent June 2023 sanctions order in *Mata*, "Technological advances are commonplace, and there is nothing inherently improper about using a reliable artificial intelligence tool for assistance. But existing rules impose a gate-keeping role on attorneys to ensure the accuracy of their filings."

These existing rules, the legal research procedures they taught us in law school, and some generative AI training can go a long way in addressing the problem.

The July 17 sanctions order in *ByoPlanet Int'l, LLC v. Johansson* and related civil actions in the U.S. District Court for the Southern District of Florida highlights one of the more egregious examples of the misuse of generative AI.

» Page 9

DAVID HARRIGAN is Relativity's discovery counsel and legal education director. The recipient of the 2024 Lifetime Achievement Award from the International Legal Technology Association (ILTA), David serves also as adjunct professor of law at the Duquesne University Kline School of Law, and he has been a contributor to Legaltech News for 23 years.

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## Laterals

« Continued from page 1

Jeff Lowe, another recruiter and senior managing partner and market president for Washington, D.C., at CenterPeak, said this year is “a stark contrast to where we were even as recently as five years ago. I think everyone or pretty much everyone at the top has seen you can’t be stagnant in this market because your competitors are being very aggressive and going after the top talent.”

He and Lippman said they’ve worked with partners at the top rung of the compensation and business ladders in years before. But the volume of those kinds of moves has continued to increase, this year and over the last five years, “and it shows no signs of stopping,” Lippman said.

“The folks we’ve placed at what we would call our top clients tend to range between maybe \$20 million and \$80 million [for books of business] generally, but occasionally you’ll find someone lower or higher than that range,” she added. “Those are definitely outliers on the upper end. And occasionally you’ll find someone who’s very attractive to them who is below that range, but is a significant talent play or on a fast upwards trajectory.”

Sometimes they’ll work with a specialist or an up-and-comer who has about a \$5 million book, Lippman said, but they’ll still be in high demand. The highest-paid partners do tend to be in major transactional practices like private equity, public M&A, or funds, though there are some litigation partners at that level, too, she added.

### More Moves, Bigger Books, Higher Pay

It’s not just the top end of the market, either. Lateral moves between mostly Am Law 200 firms increased by 6% between 2023 and 2024, from 4,783 to 5,069,

according to Decipher Investigative Intelligence. That number is also up 17% over the seven-year average, the group said.

Decipher also found that the average compensation for lateral partners it looked into had increased by 6% between 2023 and 2024, to \$1.27 million. That figure is also up 23% over what they call the “post-pandemic” period, 2021-2023.

Average books of business for that group increased even faster: 73% relative to what it was in 2023, up to about \$2.96 million. That increase is also 110% from the 2021-2023 average, the group found.

Decipher analyzed more than 5,000 lateral records in summarizing the trends.

The group is still analyzing data for this year, but Greg Hamman, chief data officer for Decipher, said in an interview that “a lot of the trends we’re seeing are continuing into 2025 so far.”

“From what we can tell, there are a lot of people with large, portable books in the market, more so perhaps than other years, moving as part of groups, moving in larger markets. So, people who’ve been more entrenched at firms than normal,” Hamman added. However, he said the higher numbers may mean some of those partners are also promising more than they can deliver. “People are guaranteeing more business than they can probably bring,” he said.

Indeed, the number of clients projected to stay with partners as they switch platforms between mostly Am Law 200 firms has “steadily decreased” over the last two years, Decipher has said. That number also varies significantly by market and years of experience.

Hamman said other trends are also influencing the disparity between larger books of business seen in the lateral market, but a lower volume of clients for each lateral. “More institutional, high-dollar clients are moving with revenue-generating part-

ners. This could be due to cost, as rates have exploded over the last several years. Or it could be that key relationship partners are moving at a higher rate,” he said.

Some of the movement could also be related to uncertainty, Hamman said. The group noticed a similar pattern in 2019 and 2020, at the start of the pandemic, when people were “freaking out,” Hamman said. “You saw people try to scramble, and try to put themselves in the best position possible to get a new opportunity,” he said.

Top law firms are often using “sweetener” signing bonuses for some laterals, giving even more money, beyond make-whole payments, Law.com reported Aug. 1.

Julie Henson, chief growth officer at Decipher, also noted that some of the partner movement may reflect a lack of confidence in their current firms’ growth. And movement begets other movement, she and Hamman said. Some of these partners could have waited out their firms’ latest merger and realized they don’t like the direction things are heading.

Unlike previous generations of partners who would more than likely have stayed put at their firm when they were in their 40s or 50s, “they don’t have the same philosophy,” Henson said. “They’re trying to cash in at their peak.”

Those laterals could also be looking at lateral partners entering their firms with big salaries and telling themselves they could do better. “So, when a lateral partner or a partner at a firm looks at how much compensation some of these new laterals are bringing in, they look around and compare themselves to that candidate, and they say, ‘I’m way better than that candidate, and that candidate is getting paid 15% to 20% higher than I am,’” Hamman said.

Andrew Maloney can be reached at amaloney@alm.com.

## Perspective

# Artificial Intelligence and The End of the World

BY VITO DESTEFANO

I have been going about the state of New York for many months advocating for the expanded use of AI in the legal profession, with an emphasis on the intersection of AI with the Rules of Professional Conduct and the Rules Governing Judicial Conduct. My confidence in the power and utility of AI is so great that I even developed a course at St. John’s University School of Law entitled “Selected Topics in Law and Technology: AI and Ethics.” The idea for this course began with the notion that with so much attention being given to the misuse of AI by attorneys, and all the ethical pitfalls occasioned by such misuse, one could also reasonably argue that attorneys might someday be ethically required to use AI. I stand by this opinion and continue to believe that AI will be enormously beneficial to litigants, lawyers, and judges.

With so much attention being given to the misuse of AI by attorneys, and all the ethical pitfalls occasioned by such misuse, one could also reasonably argue that attorneys might someday be ethically required to use AI.

Notwithstanding, and for all the actual and potential benefits of AI in the legal profession and beyond—including increasing workplace efficiency and work quality and enhancing “access to justice”—there is also significant danger posed by the use of AI—far more, in fact, than the harms typically commented on, such as hallucinations, biases, sycophancy, and so forth. Rather, the danger I am speaking of might even be called “existential”—not in the dystopian sense so often depicted in popular science fiction—with sentient computers destroying their “inferior” human creators—but in the actual self- and societal destruction that will arise from ceding over to AI the tools, skills, abilities, and drive which have led to every single human achievement that ever was or will be. In short, the use of AI threatens to dull contemplation, critical thinking, and the inclination to struggle with artistic and intellectual ideas—the very essence of creativity, ingenuity, and achievement. (Yes, inspiration is important, but as Picasso once said, “it must find you working.”)

As noted, science fiction has addressed the dangers of technological advancement, and our ever-increasing reliance on it, with its apocalyptic depictions of humanity dominated by silicon overlords. Indeed, this has been a recurring theme in science fiction since the 1960s. Movies like “Westworld,” “2001: A Space Odyssey,” and “The Terminator” are representative of this theme.

Perhaps the best of these science fiction works is “The Matrix,” which portrays a dystopia wherein humanity has succumbed to a synthetic dreamworld engineered by machines, ultimately reducing individuals to mere energy sources. “The Matrix”’s narrative, predating modern AI advancements like neural networks, does point to the importance and superiority of authentic human existence—with all its sufferings, struggles, and hardships—over the mindless surrender to and reliance on a computer-determined unreality. But it does not fully address the sort of slow, insipid destruction

far removed from AI as can be imagined but both have salience to this discussion, given that they help point us to the limitations of AI and to what is actually at stake. The first is Francis Church’s 1897 editorial responding to Virginia O’Hanlon’s question about the existence of Santa Claus, in which he commented that, “The most real things in the world are those that neither children nor men can see. Only faith, fancy, poetry, and love can push aside that curtain and view the supernal beauty and glory beyond.” The invisible world Church refers to eludes quantification and automation, its eternal qualities emerging only through study, contemplation, and prayer—distinctly human endeavors that transcend the computational logic of AI.

Second, Edgar Allan Poe’s “The Philosophy of Composition” illuminates the disciplined artistry behind “The Raven.” Poe deconstructs the creative process, revealing a highly thoughtful interplay of logic and imagination in his wonderfully and carefully crafted choices of rhyme, meter, refrain, and imagery. This synthesis of structured, meticulous planning and creativity underscores a truth that AI can never replicate: the profundity of artistic achievement lies in the arduous, reflective process of its creation.

So, while AI’s proliferation is inevitable, and, as I mentioned, frequently beneficial, we must always keep in mind its deficiencies and dangers. We must remember to engage it as a tool subordinate to human aspiration. AI should augment, not supplant, the painstaking cultivation of knowledge and creativity. To embrace AI otherwise risks displacing the internal growth that arises from grappling with a difficult text, crafting a poem, and contemplating “the supernal beauty and glory beyond.”

Ultimately, the challenge of AI is not, as science fiction depicts, a contest between “man and machine,” but a struggle to preserve all that makes us human. Only by employing AI with care and restraint—with its existential danger always in mind—will we avoid the destruction of our very selves and of our world.

VITO DESTEFANO is the administrative judge for New York’s 10th Judicial District, which includes Nassau and Suffolk counties.

## AI

« Continued from page 4

- managing AI vendors through continued oversight and robust contractual arrangements
- developing risk protocols when an AI system is not properly functioning
- consideration of cyber insurance for “rogue AI scenarios”

ance for “rogue AI scenarios”

So, who is to blame when AI goes rogue? AI cannot stand trial or pay damages (at least not yet). Legal liability and wrongdoing aside, the blame for AI going rogue rests with those who deploy AI without proper oversight, training, and governance, the coders and developers of AI systems, the providers of data that is entered into the AI system, and, increasingly, with regulators

have the unenviable task of trying to keep up with technology that evolves as fast as AI.

However, as more class action litigation challenging insurers’ use of AI ensues, and more states grapple with enacting laws governing AI, the answer to the question “who is to blame when AI goes rogue” will become clearer. But whether this answer can evolve as rapidly as the AI landscape remains to be seen.

## Cellphone

« Continued from page 5

support a finding of spoliation.” The preservation notice previously issued did not identify the nonparty witness as a custodian, so there was no requirement to preserve her device. Additionally, this individual was “not one of the employees whose actions were at issue in this lawsuit.” Based on these findings, the court concluded that sufficient cause to order a forensic examination had not been established and denied the motion to compel.

### Forensic Examinations, Reasonableness and Proportionality

A standard forensic examination involves an individual relinquishing control of their device while a forensic image is created. This process results in the exposure of all ESI on the device—relevant and nonrelevant, personal and busi-

ness-related. Although targeted data retrieval is sometimes possible, a substantial amount of private data may still become accessible through the examination.

In *Liederbach*, the court recognized the intrusive nature of such investigations and highlighted the necessity for applying standards of reasonableness and proportionality, particularly when the subject is a nonparty. The ruling indicates that courts generally will require a strong justification before authorizing forensic examination of nonparty personal devices, especially in the absence of concrete evidence. In this case, speculative assertions were deemed insufficient to support the request.

The decision is consistent with Federal Rule of Civil Procedure 26(b)(1), which instructs courts to balance the likely benefits of discovery against associated burdens and costs. It underscores the principle that discovery procedures should remain reasonable

and proportionate, particularly regarding nonparties.

Practitioners may view this decision as providing guidance for seeking ESI from personal devices, most notably that courts typically will require clear justifications for intrusive searches, along with a demonstration of reasonableness and proportionality. And with respect to nonparty witnesses, requesting parties should be ready to articulate precisely why less intrusive discovery methods are insufficient and why the information cannot be obtained from alternative sources.

Finally, nonparties may see in the *Liederbach* decision some of the potential risks associated with using personal devices for business purposes, especially if relevant data are available only on the device. The ruling, however, offers reassurance that courts can be expected to exercise caution before ordering imaging of personal devices, undertaking careful consideration and balancing interests in each case.

## Reveal

« Continued from page 5

nsions hoping to keep on-premises e-discovery deployment after 2028. “Our competition makes decisions that are in their best interest, that serves their purpose, when we make our decisions, we base our decisions specifically on the needs of our customers and what makes their business stronger,” he said.

“Offering [RPD] will absolutely serve as a resource for customers who no longer have accessibility to on-premise environments.”

A minority of legal teams use on-premise e-discovery and are increasingly moving toward cloud adoption, according to Everlaw’s 2025 E-discovery Innovation Report, which surveyed 299 responses from legal professionals in the Am Law 200, midsize law firms, the public sector, in-house

departments, among other organizations.

Per the survey, a majority of respondents said their e-discovery is deployed via the cloud at 66%, while 20% said hybrid and 15% said on-premises. Additionally, respondents with cloud-based e-discovery deployment doubled from 29% in 2021 to 65% in 2025.

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COMMENTARY

# Mastering Mediation: Beyond the Session Itself

BY NELSON EDWARD TIMKEN AND JOHN S. SIFFERT

Mediation has become an indispensable tool in modern legal practice, offering a pathway to dispute resolution that can be more efficient, cost-effective, and ultimately, more satisfying for clients than traditional litigation. However, successful mediation doesn't simply materialize when parties gather in a room. For lawyers, effective advocacy in mediation begins long before the formal session and extends through every interaction leading up to a potential agreement.

This article delves into the critical, often overlooked, strategic considerations that can significantly influence a mediation's outcome. From the initial stages of scheduling to the nuanced dynamics of pre-mediation conferences and crucial "dos and don'ts" during the process, we'll explore how proactive planning, clear communication, and a collaborative mindset can empower lawyers to best serve their clients' interests and unlock the full potential of mediation.

## Scheduling for Success: Best Practices for Lawyers

The process of mediation often begins long before the actual session, specifically during scheduling. How lawyers approach scheduling can significantly impact the mediator's ability to prepare and the parties' readiness to engage (David A. Hoffman, "Mediation: A Practice Guide for Mediators, Lawyers, and Other Professionals" (MCLE, Inc. 2013); Dwight Golann, *Mediating Legal Disputes* 101-03 (3d ed. 2016); Jeanne Behling, "Getting the most out of a pre-mediation conference," *Advocate Magazine* (Sept. 2024)).

### Dos for Scheduling Mediation

**Be Proactive:** Respond promptly to scheduling inquiries from the court or the mediator. Delays can signal a lack of commitment and slow down the entire process.

**Communicate Availability Broadly:** Provide a range of dates and times that work for you, your client, and any essential third parties (e.g., insurers, experts). The more options you provide, the easier it is to find a mutually agreeable date (John W. Cooley, "Mediation Advocacy" 109-114 (2d ed. 2006); U.S. District Court for the Southern District of New York, *Preparing for Mediation: A Resource for Advocates* 5-6 (Oct. 2023)).

**Coordinate With Your Client Early:** Before suggesting dates, confirm your client's availability and ensure they understand the time commitment required for a mediation session, which can often last a full day.

**Inform the Mediator of Key Deadlines:** If there are impending court deadlines, discovery cutoffs, or other significant dates that might impact the mediation's urgency or strategy, share this information with the mediator.

**Be Flexible:** While you have preferences, approach scheduling with a willingness to compromise. Flexibility demonstrates good faith and a genuine desire to mediate.

**Consider the "Right" Time in the Litigation Lifecycle:** While courts may order early mediation, consider with your client whether sufficient discovery has occurred to allow for a meaningful discussion. If not, communicate this to the court or mediator, perhaps suggesting a later date or a phased approach (Kimberlee K. Kovach, "Mediation: Principles and Practice" 211-13 (6th ed. 2016); Leonard L. Riskin, "Mediator Orientations, Strategies and Techniques," *I.J. Disp. Resol.* 7, 24-26 (1994)).

### Don'ts for Scheduling Mediation

**Delay or Obstruct:** Don't intentionally drag out the schedul-

ing process or offer only dates that you know are unworkable for the other side or the mediator. This creates unnecessary friction and wastes time (Dwight Golann, "Mediating Legal Disputes" 101-03 (3d ed. 2016)).

**Offer Limited Availability:** Don't provide only one or two narrow windows of availability, especially if they are far off in the future. This puts undue pressure on others and complicates the mediator's job.

Some dos and don'ts of mediation that can help empower lawyers to best serve their clients' interests and unlock the full potential of alternative dispute resolution.

### Fail to Consult Your Client:

Never commit to a mediation date without first confirming your client's availability and preparedness. Last-minute cancellations or rescheduling due to client unavailability are disruptive.

**Treat Scheduling as a Strategy:** Don't use scheduling as a means to gain a tactical advantage or to frustrate the opposing party. The goal is to set the stage for resolution, not to win a preliminary skirmish.

**Ignore the Mediator's Preferences (within reason):** While your schedule is important, mediators often have specific days or times they prefer. Accommodating these preferences, where possible, can foster a more collaborative atmosphere.

The process often continues as mediators may conduct pre-mediation conferences, with or without party attendance. Some focus solely on logistics like dates and times. Others use these sessions to gauge the existing settlement discussions and counsel's perspectives on potential resolution points. These pre-mediation opportunities can be invaluable for identifying non-monetary aspects of a dispute and assessing counsel's willingness to collaborate with the mediator. It's a safe environment to learn if one side is overestimating their case's strength without inflaming the conflict.

### Dos and Don'ts for Lawyers at A Pre-Mediation Conference

Lawyers can follow simple rules to best leverage the strategic value of a pre-mediation conference.

#### Dos at a Pre-Mediation Conference

**DO Be Prepared to Discuss Logistics:** Have your client's and your own availability handy for scheduling the mediation. Confirm preferred platforms (in-person, virtual) and any special technical needs.

**DO Be Open About Prior Settlement Discussions:** Be ready to briefly summarize any previous settlement offers or demands. This helps the mediator understand the history and current "gap" between the parties.

**DO Share Your Client's Core Objectives (Including Non-monetary):** Monetary figures are often just one piece of the puzzle. For example, if a party is not only financially motivated, but also deeply concerned about clearing their professional reputation and receiving an apology. What does your client want to achieve beyond just a dollar amount, whether it is an apology, a change in policy, a public statement, or something else that offers closure.

**DO Clearly Articulate Your Perspective on Potential Resolution Points:** Share what you believe are the key issues or areas where a resolution might be found.

**DO Be Willing to Collaborate With the Mediator:** Show openness to the mediator's process and a willingness to work together to find common ground. Be candid and trust the mediator to work efficiently and to safeguard confidence.

**DO Be Realistic:** While representing your client vigorously, be open to the mediator's subtle probes.

#### Don'ts at a Pre-Mediation Conference

**DON'T Advocate:** Avoid launching lengthy legal arguments or trying to convince the mediator of the merits of your case. This is a facilitative, not an adjudicative, process.

**DON'T Be Overly Adversarial:** While you represent your

client's interests, an overly aggressive or hostile demeanor with the mediator can be counterproductive to establishing a collaborative tone for the mediation itself.

**DON'T Withhold Key Information:** While you don't need to lay all your cards on the table, don't purposefully conceal critical non-monetary interests or significant obstacles that the mediator absolutely needs to understand to effectively help.

**DON'T Make Non-Negotiable Demands at This Stage:** While you might have a strong opening position, avoid presenting it as a take-it-or-leave-it offer during the pre-mediation conference. This can prematurely shut down exploration.

**DON'T Inflammate the Conflict:** This is a "safe environment." Avoid accusatory language or revisiting past grievances during this preliminary discussion (Steve Mehta, "Pre-Mediation Moves: What Smart Lawyers Do Before They Log On").

#### What Lawyers Should Do in Mediation

To maximize the chances of successful mediation, lawyers should actively engage in the following practices:

**Prepare Thoroughly:** Understand your client's core interests, not just their stated position. Develop a clear strategy for the session, including opening statements, key talking points, and a range of possible settlement options. Have all relevant documents readily accessible (Hon. Judith Gail Dein, "How to Prepare For A Mediation," *Boston Bar Association Journal* (May 22, 2025)).

**Educate and Prepare Your Client:** Ensure your client fully understands the mediation process, its confidential nature, the mediator's role, and the importance of good-faith negotiation. Discuss their Best Alternative to a Negotiated Agreement (BATNA) and Worst Alternative to a Negotiated Agreement (WATNA) so they can make informed decisions ("Prepare Your Client for Success at Mediation"; Leonard L. Riskin & James E. Westbrook, "Dispute Resolution and Lawyers" 297-99 (3d ed. 2005)).

**Communicate Effectively With the Mediator:** Provide the mediator with a concise and persuasive pre-mediation statement that outlines the case background, key issues, and your client's perspective. Be willing to share additional relevant information privately (ex parte) with the mediator to help them understand nuances and potential roadblocks (Dwight Golann, "Mediating Legal Disputes," 103-05 (3d ed. 2016); U.S. District Court for the S.D.N.Y., *Preparing for Mediation: A Resource for Advocates* 5-6 (Oct. 2023)).

**Listen Actively and Empathize:** Pay close attention to the other side's perspective and underlying interests, not just their demands. Demonstrating empathy, even for an opposing party, can sometimes open doors for creative solutions and build rapport (Christopher W. Moore, "The Mediation Process: Practical Strategies for Resolving Conflict," 164-67 (4th ed. 2014); Anna Krolikowska, "Mediation Communication Strategies: 6 Effective Approaches," *Anna Krolikowska Blog* (July 30, 2024)).

**Be Flexible and Creative:** While advocating for your client's interests, be open to exploring a wide range of solutions, including non-monetary remedies. Think outside the box for win-win outcomes that might address underlying issues or future relationships.

**Focus on Interests, Not Just Positions:** Shift the discussion from what each party "wants" (positions) to why they want it (interests). Identifying shared or compatible interests can lead to innovative solutions.

**Manage Client Expectations Realistically:** Help your client understand the strengths and weaknesses of their case from an objective standpoint. While advocating zealously, ensure your client has a realistic view of potential outcomes in and out of mediation.

**Maintain Professionalism and Respect:** Engage with all parties, including opposing counsel and the mediator, with courtesy and respect. A constructive atmosphere

## Calendar

### TUESDAYS AUG. 5, 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

### TUESDAY, AUG. 5

**NY State Bar (CLE)**  
Basics of Construction Litigation- Practical Skills  
<https://nysba.org/events/basics-of-construction-litigation-practical-skills/>  
1.5 CLE credits; Virtual

**The Lawyer's Exit Blueprint**  
Planning Your Practice and Your Future  
<https://nysba.org/events/the-lawyers-exit-blueprint-planning-your-practice-and-your-future/>  
1 CLE credit; Virtual

### NY City Bar

**Current Issues in International Indigenous Human Rights Throughout the Americas**  
12 p.m. - 2 p.m.  
Webinar Registration Link: <https://services.nycbar.org/EventDetail?EventKey=UN080525&mcode=NYLJ>  
Location: Zoom  
Contact: Customer Relations Department, 212-382-6663 or [customerrelations@nycbar.org](mailto:customerrelations@nycbar.org)

**Practising Law Institute**  
Ethics and Conflicts of Interest in Law Practice 2025  
9 a.m. - 11:10 a.m.  
<https://www.pli.edu/programs/ethics-and-conflicts-of-interest-in-law-practice/>

### WEDNESDAY, AUG. 6

**NY State Bar (CLE)**  
Wrongful Death and 9/11 Victim Compensation Fund Proceedings  
<https://nysba.org/events/wrongful-death-and-9-11-victim-compensation-fund-proceedings/>  
1.5 MCLE Credit  
Virtual

**NY City Bar (CLE)**  
Current Legal Ethical Issues with Professor Stephen Gillers  
12 p.m. - 1:45 pm  
CLE Credit: *New York: 2.0 Ethics; New Jersey: 2.0 Professional Responsibility; California: 2.0 Professional Responsibility; Pennsylvania: 1.5 Professional Responsibility; Connecticut: Available to Licensed Attorneys*  
Webinar Registration Link: <https://services.nycbar.org/EventDetail?EventKey=WEB080625&mcode=NYLJ>  
Location: Zoom  
Contact: Customer Relations Department, 212-382-6663 or [customerrelations@nycbar.org](mailto:customerrelations@nycbar.org)

**NY City Bar (Non CLE)**  
Careers in Insurance Law  
6 p.m. - 7 p.m.  
Webinar Registration Link: <https://services.nycbar.org/EventDetail?EventKey=NL1080625&mcode=NYLJ>  
Location: Zoom  
Contact: Customer Relations Department, 212-382-6663 or [customerrelations@nycbar.org](mailto:customerrelations@nycbar.org)

**Practising Law Institute**  
27th Annual Supreme Court Review: October 2024 Term  
9 a.m. - 4:30 p.m.  
<https://www.pli.edu/programs/supreme-court-review/>

### WEDNESDAY, AUG. 6 FRIDAY AUG. 8

**NY State Bar (CLE)**  
Bridging the Gap  
<https://nysba.org/events/bridging-the-gap-Aug.-2025/>  
16.0 MCLE Credits; Virtual

### 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 pm  
Webinar Registration Link: <https://services.nycbar.org/EventDetail?EventKey=WEB080725&mcode=NYLJ>  
Location: Zoom  
Contact: Customer Relations Department, 212-382-6663 or [customerrelations@nycbar.org](mailto:customerrelations@nycbar.org)

[errelations@nycbar.org](mailto:errelations@nycbar.org)  
**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/>

### FRIDAY AUG. 8

**NY State Bar (CLE)**  
Basics of Limited Liability Companies - Video Replay  
<https://nysba.org/events/basics-of-limited-liability-companies-video-replay/>  
1.5 CLE credits; Virtual

**NY State Bar (Non CLE)**  
Mindful Moments Meditation Series  
<https://nysba.org/events/8-1-25-mindful-moments-meditation-series/>  
Informational program  
Virtual

### MONDAY, AUG. 11

**Practising Law Institute**  
Bridge-the-Gap II: Ethics and Skills for Newly Admitted New York Attorneys 2025  
8:45 a.m. - 5:45 p.m.  
<https://www.pli.edu/programs/bridge-the-gap-ii-ethics-and-skills-for-newly-admitted-new-york-attorneys/>

### TUESDAY, AUG. 12

**NY State Bar (CLE)**  
Basics of Matrimonial Law - Video Replay  
<https://nysba.org/events/basics-of-matrimonial-law-video-replay/>  
1.5 CLE credits; Virtual

### NY State Bar (Non CLE)

10+ MS Word Drafting Tips & Tools Your Firm Should Know About  
<https://nysba.org/events/10-ms-word-drafting-tips-tools-your-firm-should-know-about/>  
Informational program  
Virtual

**NY City Bar**  
vLex Fastcase - General Overview Webinar  
Time: 1 p.m. - 2 p.m.  
Webinar Registration Link: <https://services.nycbar.org/EventDetail?EventKey=FAS081225&mcode=NYLJ>  
Location: Zoom  
Contact: Customer Relations Department, 212-382-6663 or [customerrelations@nycbar.org](mailto:customerrelations@nycbar.org)  
**Careers in Mergers and Acquisitions**  
Time: 6 p.m. - 8 p.m.  
Webinar Registration Link: <https://services.nycbar.org/EventDetail?EventKey=SS081225&mcode=NYLJ>  
Location: Hybrid  
Contact: Customer Relations Department, 212-382-6663 or [customerrelations@nycbar.org](mailto:customerrelations@nycbar.org)

### 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  
**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

### THURSDAY AUG. 14

**NY State Bar (CLE)**  
Optimizing Technology in Your Practice  
<https://nysba.org/events/optimizing-technology-in-your-practice-2/>  
1.5 CLE credits; Virtual

### FRIDAY AUG. 15

**NY State Bar (Non CLE)**  
Polo & Prosecco: A Summer Evening with Women in Law  
<https://nysba.org/events/polo-prosecco-a-summer-evening-with-women-in-law/>  
Old Westbury, Long Island  
**Mindful Moments Meditation Series**  
<https://nysba.org/events/8-1-25-mindful-moments-meditation-series/>  
Informational program  
Virtual

### MONDAY AUG. 18

**NY State Bar (CLE)**  
Public Access vs Confidential Information: What Can Be Kept Secret in Litigation and Why  
<https://nysba.org/events/>

[public-access-vs-confidential-information-what-can-be-kept-secret-in-litigation-and-why/](https://nysba.org/events/public-access-vs-confidential-information-what-can-be-kept-secret-in-litigation-and-why/)  
1 CLE credit  
Virtual

### TUESDAY AUG. 19

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

**Good Lawyering as a Concept: Civility is Key**  
<https://nysba.org/events/good-lawyering-as-a-concept-civility-is-key/>  
1.5 CLE credits  
Virtual

**NY State Bar (Non CLE)**  
Navigating Your Law School Year and the Path Ahead  
<https://nysba.org/events/navigating-your-law-school-year-and-the-path-ahead/>  
Informational program  
Virtual

### WEDNESDAY AUG. 20

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

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

### THURSDAY AUG. 21

**NY State Bar (CLE)**  
A Taxonomy of AI in Legal Practice  
<https://nysba.org/events/a-taxonomy-of-ai-in-legal-practice/>  
1 CLE credit  
**Basics of Criminal Law and Practice - Video Replay**  
<https://nysba.org/events/basics-of-criminal-law-and-practice-video-replay/>  
1.5 CLE credits; Virtual

**NY State Bar (Non CLE)**  
NYSBA Night with the New York Liberty  
<https://nysba.org/events/nysba-night-with-the-new-york-liberty/>  
NY STATE BAR Event  
Barclays Center, Brooklyn

### FRIDAY AUG. 22

**NY State Bar (Non CLE)**  
NYSBA Day at Yankee Stadium  
<https://nysba.org/nysbaday25/>  
Reception is free with ticket purchase  
Bronx  
**Mindful Moments Meditation Series**  
<https://nysba.org/events/8-1-25-mindful-moments-meditation-series/>  
Informational program  
Virtual

### MONDAY, AUG. 25

**NY City Bar**  
vLex Fastcase - Corporate Law Practice with Vincent AI  
Time: 2 p.m. - 3 p.m.  
Webinar Registration Link: <https://services.nycbar.org/EventDetail?EventKey=FAS082525&mcode=NYLJ>  
Location: Zoom  
Contact: Customer Relations Department, 212-382-6663 or [customerrelations@nycbar.org](mailto:customerrelations@nycbar.org)

### TUESDAY, AUG. 26

**NY State Bar (CLE)**  
Basics of Mortgage Foreclosures  
<https://nysba.org/events/basics-of-mortgage-foreclosures/>  
1.5 CLE credits; Virtual

**NY City Bar**  
vLex Fastcase - Efficient Searching Webinar  
Time: 2 p.m. - 3 p.m.  
Webinar Registration Link: <https://services.nycbar.org/EventDetail?EventKey=FAS082525&mcode=NYLJ>  
Location: Zoom  
Contact: Customer Relations Department, 212-382-6663 or [customerrelations@nycbar.org](mailto:customerrelations@nycbar.org)

### WEDNESDAY AUG. 27

**NY State Bar (CLE)**  
Basics of Real Estate Transactions - Video Replay  
<https://nysba.org/events/basics-of-real-estate-transactions-commercial-property-video-replay/>  
1.5 CLE credits; Virtual

NELSON EDWARD TIMKEN has been a court attorney with the New York State Unified Court System for over 24 years. He has served as a court attorney in the Commercial Division of the Supreme Court, in IAS parts of the Supreme Court, in Civil Court, and in Criminal Court. He is also a trained mediator and arbitrator in Small Claims Court and Part 137 Attorney Fee Disputes. JOHN S. SIFFERT, FCIARB, is a partner at Lankler Siffert & Wohl, adjunct professor at NYU Law School, a member of the Judicial Advisory Committee on Evidence Rules, co-author of "Modern Federal Jury Instructions," and a fellow of the American College of Trial Lawyers.

## Expert Analysis / Technology Today

## Flight

« Continued from page 3

On the other hand, the court has made clear that “a defendant’s flight in response to an approach by the police, combined with other specific circumstances indicating that the suspect may be engaged in criminal activity, may give rise to reasonable suspicion, the necessary predicate for police pursuit.” *People v. Sierra*, 83 N.Y.2d 928, 929 (1994).

In *Sierra*, two police officers were in uniform, patrolling in a marked police car in Washington Heights, known to them as a “narcotics supermarket” for New Jersey residents.

They observed a passenger exit a parked vehicle with New Jersey license plates, and walk toward the defendant who was calling out “over here, over here.” The officers

believed that the defendant was directing the individual to a location where he could sell him drugs.

As the officers approached the car, the defendant’s back was to the officers, and he did not see them. The passenger, who initially walked towards the defendant, saw the patrol car, and immediately left the area.

When the defendant looked back, he saw the officers. He reached into his jacket, and continued backing away as one of the officers asked him to come over to the police car. When he was told to stop and remain where he was, he fled.

The court held that the officers had an objective credible reason to approach the defendant under level one of *DeBour* (although the Appellate Division had found that this was a level two encounter).

His flight, in combination with other facts that indicated criminal activity, gave rise to reason-

able suspicion that he was about to commit a drug related crime, thus permitting the officers to pursue him.

The court later explained why flight does not automatically elevate a level two common law inquiry into reasonable suspicion.

The court later explained why flight does not automatically elevate a level two common law inquiry into reasonable suspicion.

In *People v. Moore*, 6 N.Y.3d 496, 570 (2006), the court noted that, in order “to elevate the right of inquiry to the right to forcibly stop and detain, the police must obtain additional information or make additional observations of suspicious conduct sufficient to provide reasonable suspicion of criminal behavior.”

In other words, if running or

walking away from the police were sufficient, in itself, to raise the level of encounter to reasonable suspicion, “the common law right of inquiry would be tantamount to the right to conduct a forcible stop.” That is not the law.

In *Cleveland*, the court clearly

signaled that the factor of flight must be weighed in conjunction with other factors to determine whether or not it escalates the citizen-police encounter.

In the past, appellate courts have engaged in this detailed analysis, although infrequently.

For example, in *People v. Clermont*, 133 A.D.3d 612 (2d Dep’t 2015), two detectives on routine

patrol in an unmarked vehicle were patrolling a neighborhood in Queens known for gang activity.

One detective observed the defendant and another man walking down the street while the defendant made “constant adjustments” to the right side of his waistband.

When the detectives exited their vehicle and one identified himself as a police officer, the defendant ran in the opposite direction.

The detective pursued him, and the defendant threw a firearm from his waistband and threw it to the ground. The defendant was then arrested.

In suppressing the gun, the Appellate Division held that the police only had a common law right to inquire under *DeBour*.

The defendant had a right to refuse to respond to that inquiry, notwithstanding the detective’s experience with gang activities, his awareness that he was in an

area known for gang activity, and his observation that the defendant made “constant adjustments” to the right side of his waistband.

The detective did not have reasonable suspicion based on the foregoing to pursue the defendant.

On the contrary, in *People v. Sainz-Mantilla*, 129 A.D.3d 508 (1st Dep’t 2015), the court held that the defendant did not simply exercise his “right to be left alone” but “actively fled from the police” after the police had him under surveillance while he engaged in a pattern of suspicious behavior including his discarding of a canister.

Going forward, it is thus important for suppression courts to assess flight in conjunction with other factors to determine whether the police encounter has been elevated to one of reasonable suspicion or whether an individual has merely fled to exercise his right to be let alone.

## Update

« Continued from page 3

“(a) the diagnosis or treatment of COVID-19; or (b) the assessment or care of an individual as it relates to COVID-19, when such individual has a confirmed or suspected case of COVID-19.” Thus, if the patient’s care or treatment did not involve COVID-19, it was not a health care service subject to immunity under the second version of EDTPA.

The application of immunity requires satisfaction of three conditions contained in PHL §3082[1], which, as originally drafted, provides for immunity from liability “for any harm or damages alleged to have been sustained as a result of an act or omission in the course of arranging for or providing health care services, if: (a) the health care facility or health care professional is arranging for or providing health care services pursuant to a COVID-19 emergency rule or otherwise in accordance with applicable law; (b) the act or omission occurs in the course of arranging for or providing health care services and the treatment of the individual is impacted by the health care facility’s or health care professional’s decisions or activities in response to or as a result of the COVID-19 outbreak and in support of the state’s directives; and (c) the health care facility or health care professional is arranging for or providing health care services in good faith.” In the second version of the statute, the words “arranging for or” were deleted from this section, such that immunity under that version may be applied only to facilities or professionals that provided the subject health care services.

As discussed in our last column addressing this statute, whether immunity applies generally turns on the requirements of subdivision (b), and specifically whether “the treatment of the individual [was] impacted” by the defendant’s decisions or activities in response to the pandemic. The question is whether that impact need only be on the treatment of the individual generally, without any relation to the claims of malpractice, as the court found in *Crampton v. Garnet Health*, 73 Misc.3d 543 (Sup. Ct., Orange Co. 2021), or whether the impact must be causally related to the claims of liability, as the court found in *Back v. Facey*, 78 Misc.3d 426 (Sup. Ct., St. Lawrence Co. 2023). Some of the subsequent decisions from the Appellate Division have shed some light on this issue.

Before turning to the decisions

determining whether immunity applies, it is pertinent to address the question of whether the repeal of EDTPA, effective April 6, 2021, was retroactive. When we last wrote on this subject, the only Appellate Division decision addressing EDTPA was *Ruth v. Elderwood at Amherst*, 209 A.D.3d 1281 (4th Dept. 2022), which held that the repeal was not retroactive. Since that time, each of the other departments of the Appellate Division have reached the same conclusion. See *Damon v. Cloue Lakes Healthcare & Rehabilitation Center*, 228 A.D.3d 618 (2nd Dept. 2024); *Hasan v. Terrace Acquisitions II*, 224 A.D.3d 475 (1st Dept. 2024); *Whitehead v. Pine Haven Operating*, 222 A.D.3d 104 (3rd Dept. 2023). Therefore, repeal is not a viable argument against immunity unless it is asserted as to claims arising on or after April 6, 2021.

All of the Appellate Division decisions addressing claims of immunity under EDTPA involved motions under CPLR 3211(a)(7). Several of them involved hospital patients or nursing home residents infected with COVID-19.

The Second Department found that immunity applied in *Mera v. New York City Health & Hospitals*, 220 A.D.3d 668 (2nd Dept. 2023), where the plaintiff alleged that the decedent was diagnosed with COVID-19 at the defendant’s hospital on March 27, 2020, she was treated for COVID-19, and she died from COVID-19 on April 5, 2020, and there were no allegations of gross negligence or similar misconduct that would give rise to an exception to the immunity. It reached the same result on similar facts in *Martinez v. New York City Health & Hospitals*, 223 A.D.3d 731 (2nd Dept. 2024). In *Hyman v. Richmond University Medical Center*, 239 A.D.3d 617 (2nd Dept. 2025), where the decedent was treated for COVID-19, among other things, at the defendant hospital from April 1, 2020, until April 9, 2020, and allegedly died a few months later from sepsis, the court found that the hospital’s evidentiary submissions conclusively established its entitlement to immunity.

However, in *Damon*, supra, where the decedent was admitted to the defendant’s nursing home in March 2020, became infected with COVID-19 and died from respiratory distress and hypoxia on April 18, 2020, the Second Department, citing PHL §3082[1] and *Mera*, found that the defendant’s motion should have been denied because its “submissions did not establish that the three requirements for immunity were satisfied.” Similarly, in *Gonnely v. Newburgh Operations*, 236

A.D.3d 866 (2nd Dept. 2025), where the decedent was admitted to the defendant’s facility in January 2020, subsequently became infected with COVID-19, and died from it on June 15, 2020, the court, citing *Damon*, found that “the defendant did not conclusively establish that the conditions for its entitlement to immunity under the EDTPA were satisfied under the circumstances of this case.”

Notably, when discussing the requirements of PHL §3082[1]

Regarding the “impacted” requirement of PHL §3082[1], the court noted that the statute “does not identify any particular aspect of, or the materiality of any aspect of, a patient’s treatment that must be impacted to warrant a finding that the immunity statute is applicable.”

in *Mera*, the Second Department expressly stated that immunity applies (emphasis added):

... as long as three conditions were met: the services were arranged for or provided pursuant to a COVID-19 emergency rule or otherwise in accordance with applicable law; the act or omission was impacted by decisions or activities that were in response to or as a result of the COVID-19 outbreak and in support of the state’s directives; and the services were arranged or provided in good faith.

The court quoted this precise language in finding in *Gonnely* that the defendant had not established its entitlement to immunity. The statement that immunity applies as long as “the act or omission was impacted by decisions or activities that were in response to or as a result of” the pandemic endorses the view the impact must be causally related to the claims of liability.

In *Whitehead*, supra, the Third Department found that immunity applied where the decedent had been a resident of the defendant nursing home from 2017 until she died from COVID-19 in April 2020. In finding that the defendant established that it was entitled immunity, the court cited an affidavit from its director of nursing indicating that the decedent’s care was impacted by the response to COVID-19 in that the decedent’s visitation and dining were restricted, employees who cared for her were screened for COVID, she was examined by an infectious disease doctor and tested for COVID, her vital signs were monitored, she was given medications to treat the effects of COVID, and a Department of Health (DOH) inspection revealed no deficiencies by the facility in the management of COVID. The court found that this satisfied the “impacted”

requirement, that the plaintiff failed to submit evidence refuting those averments, and that the allegations of gross negligence lacked factual specificity.

Similarly, in *Hasan*, supra, where the decedent was a resident of defendant’s nursing home from June 2019, until April 13, 2020, when he was hospitalized and diagnosed with COVID-19, and again from April 21, 2020, until his death on May 6, 2020, the court found that the defendant established that

attempting to go to the bathroom, after which he was examined by two physicians. Several hours later he was screaming in pain and a CT scan was performed, which revealed an intraparenchymal hemorrhage that required surgery and extended hospitalization.

In moving to dismiss under CPLR 3211(a)(7), the defendants submitted affidavits from the defendants describing the impacts of the pandemic on their practices, including increased patient loads, increased staff to patient ratios, reduced time spent with patients, redesignation of patient wards, and shortages of medical supplies and staff. One of the affidavits averred that their efforts to determine how to care for COVID patients, “had ripple effects across every aspect of hospital operations, including the treatment of this particular patient.”

Regarding the “impacted” requirement of PHL §3082[1], the court noted that the statute “does not identify any particular aspect of, or the materiality of any aspect of, a patient’s treatment that must be impacted to warrant a finding that the immunity statute is applicable.” After commenting that “no appellate court has resolved the parties’ true dispute, which is as to what, specifically, the target or object of the impact must be for the immunity statute to apply,” the court found that “[w]hatever the appropriate interpretation ... even employing the interpretation urged by defendants,” they failed to “conclusively establish the immunity statute’s applicability, as written ... .” In reaching that conclusion, the court emphasized that the burden on a movant under CPLR 3211(a)(7) must conclusively establish the defense, and found that the defendants’ evidence did not conclusively establish that their decisions or activities in response to the pandemic impacted on the plaintiff’s treatment.

The court also rejected the defendants’ argument that Executive Order 202.10 provides an independent basis for immunity warranting dismissal, noting that while several courts have addressed the issue, none found that any defendant established entitlement to immunity on that ground “where it had not established entitlement to such immunity under the EDTPA.”

While *Holder* did not resolve the issue of how the “impacted” requirement should be interpreted, the First Department’s subsequent decision in *Jackson v. Bronx Care Health System*, 236 A.D.3d 594 (1st Dept. 2025), provides an indication that it must be causally related to the claims of liability. The plaintiff, who had a history of multiple sele-

rosis and previously tested positive for COVID-19, was admitted to the defendant’s facility on March 20, 2021, with complaints of generalized weakness and inability to walk, and began treatment for COVID. A week later and while still admitted, she fell while she was walking to or in the bathroom.

The plaintiff brought suit for negligence and medical malpractice, alleging that “defendant failed to provide continuous observation of plaintiff, to respond to her call for assistance to walk to the bathroom, and to provide appropriate assistive devices, such as a walker or wheelchair, despite knowing of her MS and her inability to walk.” Since the events that are the subject of the suit occurred in 2021 and before the repeal of EDTPA, this case falls under the second version of the statute. The court found that the defendant established that it provided “health care services” as defined in the second version because she was diagnosed with and treated for COVID-19. However, it found that the defendant failed to satisfy the “impacted” requirement because its evidence “did not demonstrate that the pandemic impacted defendant’s ability to provide plaintiff with a walking device.” In other words, the defendant was required to demonstrate that its decisions or activities in response to the pandemic impacted its treatment of the plaintiff in relation to that claim of liability.

The Appellate Division cases discussed above provide some guidance as to the applicability of federal and state immunity stemming from the COVID-19 pandemic. However, because those decisions all involved motions under 3211(a), they do not necessarily indicate what the results will be on summary judgment. Nevertheless, the signals from the First Department in *Jackson* and the Second Department in *Gonnely* and *Mera* that the “impacted” requirement of EDTPA must be causally related to the claims of liability are of great importance, regardless of the procedural mechanism by which a defendant’s claim of immunity is resolved, which could be in motions under 3211(a) or for summary judgment, or at trial if there are issues of fact.

.....●●.....

1. See Moore & Gaier, COVID-19: Gov. Cuomo’s Executive Order and Other Legal Measures,

NYLJ March 31, 2020, p. 3; See Moore & Gaier, COVID-19 Legal Measures: an Addendum,

NYLJ April 8, 2020, p. 3; See Moore & Gaier, Update on COVID-19 Issues, NYLJ June 1, 2021,

p. 3; See Moore & Gaier, Update on COVID-19 Issues: Court Decisions Regarding Immunity, NYLJ April 4, 2023, p. 3.

## EU AI Act

« Continued from page 5

regulation defines these systems as ones “having a significant impact on the Union market due to their reach, or due to actual or reasonably foreseeable negative effects on public health, safety, public security, fundamental rights, or the society as a whole.”

Recently published EU guidelines, called the Code of Practice, offers advice on how GPAL providers can meet the act’s copyright, security and transparency requirements. While voluntary, those that don’t adhere to the guidance will need to demonstrate and explain to the EU Commission’s AI Office how they comply with the law.

## EU Commissions Takes the Lead

Even before the EU AI Act came into force, it was clear the EU Commission was prioritizing enforcement of the regulation’s GPAL provisions.

“I think that the fact that the EU created an AI office, I think it’s significant ... that is a good signal to people that the concerns they have about AI won’t be kind of thrown in the huge cauldron of other things,”

said Debbie Reynolds, the founder and CEO of data privacy company Debbie Reynolds Consulting.

Giving the EU Commission enforcement power may allow for bolder regulations actions—which, unlike the GDPR, won’t potentially be constrained by the national interests of individual EU member states.

“My sense is that it’s meant that the commission has taken cases that member states might not have taken,” said Jonathan Armstrong, partner at Punter Southall. “For example, some of the cases involving motor manufacturers, I question whether the German federal authorities would have brought those cases, but the commission did because, I guess, it doesn’t have to think about national sensitivities as much, and bluntly, it doesn’t have to think about economic effects as much.”

Empowering the EU Commission may also allow it to combine regulatory investigations under the EU AI Act with other laws under its purview. “I think the other thing we’ll see is this sort of almost [list of offending] organizations that trigger multiple investigations, whether that be under EU content related rules ... [and] we’ll see that from an antitrust environment, we’ll see that from an AI environment.

... And I think this makes it easier for the commission to coordinate that—antitrust plus content plus AI investigation—more holistically,” Armstrong added.

Still, while the act’s enforcement has potential to be more multifaceted and unfettered, don’t expect to see any regulatory actions in the short term. Though the regulation’s GPAL provisions are in effect, the EU’s enforcement powers only kick-in starting Aug. 2, 2026.

Reynolds noted that such a delay is not unusual for EU regulations—it was a feature of the GDPR—though that doesn’t mean GPAL providers should overlook compliance. “I think they’re trying to give people a little leeway in terms of getting their acts together before they enforce, but ... let’s say if [a GPAL provider] has done something bad after Aug. 2, 2025, a regulator could still knock on their door a year later.”

To be sure, not all GPAL providers may know they need to comply with the regulation. The act classifies some “downstream modifiers” of GPAL models as providers themselves in certain instances, such as when a GPAL model is modified with training compute resources greater than a third of the total training compute of the original model.

Such fine print—paired with the

act’s extraterritorial reach—may be lost on some GPAL modifiers, especially those in countries like the U.S. where operate under a far less stringent AI regulatory regime. “I think there’s been one school of thought that thinks all of this stuff only applies to people who are building gen AI, not us, because we’re a downstream provider. And I think all this talk of some moratorium or stop the clock hasn’t helped either, because, I think, corporate America particularly often listens to what it wants to hear,” Armstrong said.

## The Copyright Conundrum

One of the biggest questions with the EU AI Act is how GPAL providers will adhere to the regulation’s copyright provisions.

To align with the EU AI Act, the EU’s voluntary Code of Practices advises providers to implement a copyright policy, comply with IP laws if using web-crawlers to train their AI models, reproduce and extract only “lawful, accessible copyright-protected” content when crawling the internet and implement safeguards to ensure AI models aren’t and can’t be used for copyright infringing practices. In addition, it suggests that providers should have a point of contact

and mechanism in place to address complaints regarding copyright infringements.

While some of these suggestions may be straightforward to implement, in practice, the core of the issue—compliance with copyright laws—may be far more complicated.

It’s not simple, for instance, to rectify an instance where a GPAL model has been trained on a piece of copyrighted content. “If you’ve got, for example, one copyrighted photograph that somebody objects to, but you’ve used three million photographs to train the model, how do you un-train the model on the one photograph and retrain it on the 2.99 million images?” Armstrong said.

Tracing each data point a GPAL model was trained on can also be a steep challenge for GPAL providers looking to clean their models of copyrighted materials. “I would imagine that the models that we access here in the U.S., maybe they’ll suppress certain things in the EU as a result of [the regulation] ... [but] it’s hard to even know how they would do that, because once the data is sucked into these models, the lineage of them, it gets lost. And it’s so much data, that’s hard to even tell,” Reynolds explained.

If GPAL providers can’t rid their models of potentially copyrighted

training data, addressing violations with rights holders may also prove unworkable. “Do you try and reach an accommodation with the rights owners who object, saying, ‘Well, actually, we can’t unravel all this stuff, and our training cost was ‘X’, and we’re going to give you \$10,000 to go away.’ But if you’ve done that with one rights owner ... then another 3 million rights owners come out of the woodwork and ask you for money,” Armstrong said.

Many GPAL models are already trained on data crawled from the internet—the copyright nature of which is often called into question. In fact, a growing number of lawsuits in the U.S. and EU allege that popular gen AI models were trained on copyrighted materials.

To be sure, if a model is trained on data scraped from the internet, it’s not always easy to make a determination of whether such content is protected by copyright. “There’s a rich mine that AI models have been trained on, and it’s not always obvious who owns that data, and equally, a lot of it’s been scraped from websites, from third party sources like chatrooms. I don’t think that’s often been done respecting copyright notices,” Armstrong noted.

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## Technology Today

# Lamborghini

«Continued from page 5

### From COVID to Court

ByoPlanet International has billed itself as “the leading manufacturer of electrostatic sprayers,” encouraging its customers to “embrace the future of disinfection” while experiencing “the power of advanced technology combined with superior craftsmanship to elevate your sanitization standards above the rest.”

With technology developed at the University of Georgia, ByoPlanet helped keep airlines, schools, hospitals, and other indoor spaces safe during the COVID-19 pandemic, according to the Georgia Department of Economic Development, and, according to the company, its cooling technology has been used by Major League Baseball’s Atlanta Braves, New York Mets, and New York Yankees, and several major universities.

However, the company’s experiences in court have not always been as successful.

In litigation in Canada with Pro-mark Electronics, a court ordered substantial sanctions against ByoPlanet and its CEO, Richard O’Shea, and—as the legal battles with Pro-mark continued south of the border in federal court in Florida—ByoPlanet was involved in a sanctions matter again.

This time, the sanctions were against ByoPlanet’s lawyer because of the way he misused generative AI and, the court ruled, misrepresented that use to the court.

### Reputedly Regurgitating Bad Law

Attorney James Martin Paul represented ByoPlanet and O’Shea in the Florida litigation, including state court cases and four matters in the U.S. District Court for the Southern District of Florida. He used hallucinated citations across eight different matters.

The way Paul misused generative AI—and a finding of bad faith—resulted in substantial sanctions, including the dismissal without prejudice of the four federal matters.

For an epigraph to his sanctions order, U.S. District Judge David Leibowitz used a quote from the late U.S. Supreme Court Associate Justice Antonin Scalia on this importance of the ethical obligations of candor and honesty in judicial proceedings.

Leibowitz was making a point with quote. It was an AI hallucination—generated by a July 7, 2025, ChatGPT prompt, “scalia quotes on candor.”

However, as usual, the sanctions in *ByoPlanet* were not sanctions for using generative AI to conduct legal research. Like Castel in *Mata*, Leibowitz was not saying lawyers should not use AI.

“While the use of AI by itself is not inherently suspect, wholesale reliance on AI without further inquiry or diligence by a lawyer is conduct which a court should deter, as lawyers must always conduct a reasonable inquiry,” Leibowitz wrote.

The judge outlined Paul’s use of generative AI in both the state and federal litigation, noting that Paul had “repeatedly regurgitated” hallucinated cases across the matters, even after he was on notice that there were hallucination issues with his AI-generated citations.

Perhaps the most egregious violation? The court noted that, in

response to an order to show cause regarding the use of AI-fabricated case citations, Paul used—you guessed it—fabricated quotations.

Not helping matters, Attorney Paul informed the court that he and his paralegal used ChatGPT in drafting court papers, adding that his paralegal would draft the pleadings and briefs, which he would “tweak,” but not always review.

Rather than reducing any sanctions, Paul’s disclosure of the paralegal’s involvement threw fuel on the fire, with Leibowitz noting that a paralegal drafting submissions to the court without attorney review constituted the unauthorized practice of law.

As a result of these transgressions, Leibowitz dismissed all four matters without prejudice and without leave to amend, ordered Paul to pay opposing counsel’s attorney fees and costs, ordered Paul to attach a copy of the sanctions order to any case he files in the Southern District of Florida for the next two years, and the judge referred him to the Florida Bar for discipline.

### No Bad Faith, But Still Bad

One of the cases Leibowitz cited in *ByoPlanet* was another recent civil action in the Southern District of Florida, *Versant Funding LLC v. Teras Breakbulk Ocean Navigation Enters., LLC*, specifically, a May 20 sanctions order by his Southern District colleague, Chief U.S. Magistrate Judge William Matthewman, a respected authority on discovery law.

In *Verdant Funding*, Timothy Lord, a lawyer appearing pro hac vice, drafted a response that included a hallucinated case citation, and both Lord, an experienced attorney—but inexperienced generative AI user—and local counsel, Joel Bello, signed and filed the response.

Not surprisingly, neither multiple opposing counsel nor Matthewman were able to find the hallucinated case.

Approximately two weeks after opposing counsel’s reply informing them of the mysterious citation, Lord and Bello filed a notice withdrawing the citation, without stating the reason. On the same day, Matthewman issued a paperless order requiring counsel to explain the non-existent citation.

Also, on the same day, Lord and Bello filed a response, informing the court that Lord called opposing counsel to apologize, that Lord was willing to personally reimburse opposing counsel for costs involved, that he realized there may be sanctions, and that Lord and Bello would institute procedures to help ensure such failure would not happen again.

As we’ve seen in the previous AI hallucination cases, Matthewman did not blame the technology. “In the court’s view, there is nothing inherently wrong with an attorney properly and competently utilizing AI or any of its subsets to practice law or litigate cases,” Matthewman wrote.

However, he added that the technology was evolving and was prone to provide hallucinated cases, laws, or facts. Thus, the judge wrote, “This is why close and careful attorney supervision, fact-checking, and citation-checking are absolute necessities when utilizing AI or any of its subsets.”

Although Matthewman said Lord’s two-week delay in responding to opposing counsel’s notice of the hallucinated case was “an unnecessarily slow response to

a serious misrepresentation,” he added, “the court finds that Mr. Lord did not purposely attempt to mislead the court.

Nor did he intentionally submit a fake case citation.” In addition, the judge said local counsel Bellow was “certainly less culpable here,” adding that, not unlike Lord, Bello “did not engage in purposeful bad faith misconduct.”

Nevertheless, Matthewman said the lawyers’ conduct was “careless, negligent, and reckless.” In addition to reimbursing opposing counsel’s fees and costs, the judge ordered them to complete a CLE on artificial intelligence with an ethics component, and he fined Lord \$1,000 and Bello \$500.

### Why *ByoPlanet* and *Versant Funding* Matter

As Leibowitz noted in *ByoPlanet*, we lawyers of a certain vintage can remember “a bygone era when dinosaurs ruled the earth.” (That would be the 1990s.) During this “dark, pre-modern age,” a law student “often had to hold a volume of a legal reporter in one’s hands” and use citation services to ensure all cited cases were still good law.

Even with the advent of electronic legal research tools, one still had to check citations. Nothing has changed. You still have to check citations.

As Matthewman noted in *Versant Funding*, quoting U.S. District Judge Xavier Rodriguez (W.D. Tex.), a noted authority on the use of AI in the law, “Attorneys using AI tools without checking on the accuracy of their output are responsible for the consequences of incorporating inaccurate information into their work product.”

Back to that high-powered Lamborghini operated by a new motorist without a seatbelt or an owner’s manual, like generative AI, the motor car provides outstanding power, speed, and performance. There’s nothing wrong with the finely crafted motor car—depending on how you use it.

Likewise, Judges Castel, Leibowitz, Matthewman, and Rodriguez have all noted, there’s nothing wrong with lawyers using AI—depending on how they use it.

Legal guidance such as Federal Rule of Civil Procedure 11(b), comment 8 to ABA Model Rule of Professional Conduct 1.1 and its state counterparts provide the speed limits and seatbelts, and CLEs on the use of AI in the law provide the owner’s manuals. Matthewman and Rodriguez will provide one of those CLEs, joining Judge Allison Goddard, Justice Tanya R. Kennedy, and Dr. Victoria McCloud as they return for the 12th Annual Relativity Fest Judicial Panel on October 8.

Of course, another important takeaway when comparing *ByoPlanet* and *Versant Funding* is that lawyers’ conduct after a hallucination matters.

As Matthewman wrote in *Versant Funding*, the lawyers “did not attempt to minimize their behavior. They did not attempt to cover up their error or obfuscate the issue. They accepted responsibility and apologized. Had they not done so, and had they attempted to cover up their conduct, the Court would be imposing much more serious sanctions in this case.”

When thinking of the roles of the lawyer and the technology, Leibowitz summarized it succinctly in *ByoPlanet*, “Perhaps twenty years from now, AI will be flawless. Whenever that day comes, that flawless brief will only have meaning because the signature at the bottom does.”

# Mediation

«Continued from page 7

is conducive to resolution.

### Be Prepared to Reality-Test: Work with the mediator to thoroughly evaluate the strengths and weaknesses of both your case and the opposing party’s case, including the potential costs and risks of litigation (Beyond Intractability, “Reality Testing”).

### Empower Your Client to Participate: Encourage your client to speak directly when appropriate and comfortable, especially regarding their personal interests or experiences related to the dispute.

### Be Patient and Persistent: Mediation can be a long process with ups and downs. Maintain a positive attitude and remain committed to finding a resolution, even when challenges arise.

### What Lawyers Should NOT Do in Mediation:

To maximize the chances of successful mediation, lawyers should avoid:

### Treating mediation as merely another deposition or discovery session: Don’t interrogate the other side or use the ses-

sion solely to gather information for trial. This adversarial approach hinders open communication and trust.

**Refusing to engage in good faith:** Don’t enter mediation with a fixed “my way or the highway” mentality. Be prepared to listen, explore options, and compromise.

**Underestimating the mediator’s role:** Don’t view the mediator as merely a messenger. They are skilled facilitators who can help bridge gaps and reality-test positions. Engage with them openly.

**Bringing a client who is unprepared or uninformed:** Ensure your client understands the process, the confidentiality rules, and has realistically considered their BATNA and WATNA. A disengaged or surprised client can derail the process.

**Failing to provide the mediator with relevant information (within ethical bounds):** While maintaining client confidentiality, share enough information with the mediator (ex parte if necessary) to give them a full understanding of the case’s strengths, weaknesses, and any emotional drivers.

**Being unwilling to shift positions or consider non-**

**monetary solutions:** Don’t be solely fixated on a monetary outcome. Explore creative solutions that might involve future relationships, apologies, or specific performance that litigation may not offer.

**Focusing solely on past wrongs:** While the facts are important, dwelling excessively on grievances without looking forward to a potential resolution can be counterproductive.

**Conclusion: Elevating Your Mediation Advocacy**

Effective mediation advocacy is an art that extends far beyond the negotiating table. As we’ve explored, success hinges on meticulous preparation, strategic communication, and a clear understanding of the mediator’s role. From proactive scheduling that sets a collaborative tone to leveraging pre-mediation conferences for deeper insight, and crucially, avoiding pitfalls that can undermine the process—each step is an opportunity to strengthen your client’s position. By embracing these best practices, lawyers can transform mediation from a mere procedural step into a powerful pathway for achieving optimal, interest-based resolutions for their clients.

# Court Calendars

## First Department

APPELLATE DIVISION	24/2920N Acevedo v. Citibank (BX 802892/2021)	24/5558(2) Campoverde v. 353-357 Broadway (NY 159066/2018)	25/3678 Eiland v. Adams (NY 10111/2024)
The following cases have been scheduled for pre-argument conference on the dates and at the times indicated.	24/7910 Acevedo v. City of NY (BX 20593/2020)	24/6309 Canales-Diaz v. City of NY (BX 801359/2021)	24/4091 Eiberbe v. 61 W. 62 Owners (NY 150003/2013)
<b>Renwick, P.J., Manzanet, Kapnick, Webber and Kern, J.J.</b>	24/1177 Adago v. Sy (NY 65124/2021)	25/1082 Canara Bank v. MVP Group (NY 654602/2023)	24/7655 Ellis v. City of NY (NY 15766/2021)
<b>TUESDAY, AUG. 5</b>	24/5957N Adler v. Troy (NY 805376/2021)	24/5447N Casu v. NYC Health and Hospitals (BX 806790/2024)	24/3072 Emeagwali v. Department of Education (NY 161422/2019)
<b>12 P.M.</b>	24/2059N Aguilera v. City of NY (BX 801703/2024)	25/6627 Cardenas v. NYC Housing Authority (BX 803413/2021)	24/4653 Emissions Reduction v. M.Cloud Technologies (NY 655897/2023)
652181/17 Olek, Inc. v. Merrick Real Estate	24/6088 Ahsanuddin v. Addo (BX 30571/2017)	25/2464 Carnegie House v. NYS Division of Housing (NY 654861/2024)	25/2633N EPAC Technologies v. Interforum (NY 652032/2021)
<b>THURSDAY, AUG. 7</b>	22/4129 Akande v. City of NY (NY 154724/2020)	24/6897 Casella v. Casella (NY 365119/2020)	24/4742 Eggs v. Barfield Realty Corp (BX 24205/2020)
<b>10 A.M.</b>	24/6665 Alfred v. Brutus (NY 365106/2020)	21/4293 Century First Credit v. Priority Capital (NY 653287/2015)	25/2269 Espinal v. City of NY (NY 157193/2024)
155656/19 Schiff v. Intersystem S&S Corp.	24/4756(2) Ali Baba Hotel v. Prose (NY 150995/2022)	24/2884 Cerda v. Cydonia W71 (NY 161637/2019)	24/7311N Etage Real Estate v. Stern (NY 656322/2019)
490024 Castro v. Manhattan Parking Group	25/2252 Allen v. Kukin (NY 805116/2022)	25/2467 Certain Underwriters at Lloyds v. BASF Corporation (NY 651150/2024)	2017-2821 Etrade Bank v. DelValle (BX 380411/2013)
<b>12 P.M.</b>	24/4536(2)N Alimen v. Kimmel (NY 305326/2018)	24/6303 Chante F. v. Miles-Gustave (NY 450635/2024)	24/6308 Falcao v. Metropolitan Transportation Authority (NY 154962/2018)
35478/20 Fisher v. Triborough Bridge and Tunnel	24/5894 Alonzov v. RP1185 LLC (NY 151861/2020)	24/5245N Charlton v. 92 Pinehurst Avenue (NY 151342/2021)	25/2482 Famula v. Kiewit-Weeks-Massman, A JV (BX 31087/2018)
<b>FRIDAY, AUG. 8</b>	24/7809 Alphansense, Inc. v. Financial Technology (NY 651846/2024)	25/0340 Cheng v. State of NY Division of Housing (NY 155861/2023)	24/4801 Feliciano v. Caban (NY 151251/2024)
<b>10 A.M.</b>	25/1782 AMF Trust Ventures v. i80 Group (NY 653519/2023)	25/1907 Chitigroup Global Markets v. SCIP Capital (NY 651031/2019)	24/6610 Felipe v. City of NY (NY 151388/2021)
30138/18 Pillico v. Keap the Hope	24/5581 Amtrust North America v. Antruse Specialty (NY 650020/2024)	24/2014 City of NY v. Board Collective Bargaining (NY 452449/2022)	24/7129 Fernandez v. Sukhdeep (NY 160132/2021)
<b>1 P.M.</b>	25/1701 Ancart v. Crespo (NY 651303/2023)	24/2324 City of NY v. Eisner (NY 453180/2023)	25/3351 Fifth Partners v. Foley (NY 161105/2021)
155527/24 Commonwealth Land Title v. Sack & Sack	22/2476N Anonymous v. Anonymous (NY 312135/2013)	24/3403 CJS Industries v. Dolce (NY 151385/2019)	24/5778 Fine Creative Media v. Barnes & Noble (NY 651141/2023)
<b>MONDAY, AUG. 11</b>	24/6340 Antonetti v. Academy Studio (BX 26678/2020)	25/0999N Clares v. 600 West 183rd Street Realty (NY 451198/2018)	24/6421 Fiorella v. 345 West 70th Tenants (NY 656664/2019)
651575/13 Becker v. Perla	24/7637 Apex Funding v. Blue Earth Resources (NY 654552/2023)	25/3501 CLNC 2019-FL1 Funding v. Bennett (NY 651851/2023)	24/1648 Fishman v. Fishman (BX 3695/2019)
160122/22 L. M., an Infant v. Chelsea Piers	25/0798 ARCC NYWWPJ001 v. WWP JV (NY 654977/2022)	24/3149 Cypleta Realty v. Conigliaro (NY 160867/2022)	24/5227 Fishman v. Romano (BX 80523/2015)
<b>2 P.M.</b>	25/111 Archdiocese of NY v. Century Indemnity Company (NY 652825/2023)	25/4164 Coast Marine Company v. Holland & Knight LLP (NY 650051/2025)	25/0349 Flejset, LLC v. Honeywell International (NY 651078/2023)
154120/20 Welsh v. 12 East 86th St.	24/4313 Arias v. Brooks Holding (NY 154787/2019)	24/6708 Cochancela v. Sutton Place South (NY 162498/2019)	24/5361 Flores v. California Frost 183 (NY 155372/2019)
<b>THURSDAY, AUG. 14</b>	25/0024N ARK292 v. Archdiocese of NY (NY 950344/2020)	24/7743 Cohen v. Cohen (NY 655036/2022)	24/4338 Flores v. NYC Health & Hospitals (BX 27869/2018)
814844/24 Munroe v. Hempstead	24/6046 Askins v. Santos (NY 100962/2023)	24/7867(5)N Cohn v. RTW Retailers Acquisition (NY 653182/2024)	24/5700 Flores-Grgas v. NYS Office of Children (NY 100007/2024)
<b>MONDAY, AUG. 18</b>	24/0406 Astraea NYNY v. Ganley (NY 650082/2021)	24/7867(5)N Cohn v. RTW Retailers Acquisition (NY 653182/2024)	24/5706 Forster v. Bejani (NY 3663/2009)
156787/22 Marquez v. Animal Care and Control of NYC	24/6562 Attorney General of the State of NY v. Kenny S. (NY 531006/2005)	24/5468N Commonwealth Land v. Sky Abstract (NY 158204/2015)	24/5961 Franco v. 520 Broadway Company (NY 152467/2018)
<b>CALENDAR FOR THE SEPTEMBER TERM</b>	24/6574 Avi and Co. NY v. Certain Underwriters (NY 650374/2021)	24/6151 Contreras v. City of NY (NY 161063/2019)	25/2532 Freedom Care v. NYS Department of Health (NY 161036/2024)
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 argue 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 adversary, not later than 4 P.M. August 7, 2025. This information is essential at that time for consideration in preparation of the Day Calendars for the term. No change of calendar date can be made after the Day Calendars have been prepared.	24/7379 B., Christine v. Antonio G. (BX V27717/2023)	24/4701 Contreras v. Parkash (BX 811899/2022)	24/5961 Franco v. 520 Broadway Company (NY 152467/2018)
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.	24/0349 B., Pamela v. Taile B. (NY V14779/2018)	24/3721 Cooke v. Jean-Baptiste (BX 23471/2016)	24/5961 Franco v. 520 Broadway Company (NY 152467/2018)
Cases are listed in alphabetical order, with civil cases appearing first.	24/4226 B.A. v. H.K. (NY 7606/2013)	24/4574 Corbex, Inc. v. NYC School Construction (BX 809231/2022)	25/2532 Freedom Care v. NYS Department of Health (NY 161036/2024)
<b>Civil Cases</b>	24/6453 Beest v. Avon Products (NY 190069/2023)	25/2172 Coronel v. Marcal Contracting Co. (BX 34145/2020)	24/5331 Friedman v. Garnet Wines (NY 155385/2021)
23/4560 Forster v. Bejani (NY 3663/2009)	25/1695N Badame v. AECOM (NY 152683/2024)	24/1511 Corvas Capital v. Strand Handson Ltd. (NY 651020/2024)	24/4556 Funt v. Andrews (NY 365586/2021)
24/2919 Forster v. Bejani (NY 3663/2009)	24/1715 Bailey v. 2732 Bainbridge Associates (BX 810231/2022)	24/3861 Costanzo v. American Academy of Dramatic Arts (NY 160453/2017)	24/2062 G., Aaliyah (BX 624377/2022)
23/4999 134 Lexington, LLC v. Bhawani Maa (NY 151567/2023)	24/4931N Barger v. Malkin (NY 653772/2023)	24/16053 Cotroneo v. Van Wagner (NY 162038/2015)	25/0918 Gamble v. MTA Bus Company (BX 801074/2024)
24/7825 200 Claremont Avenue v. Estate of Essie Lewis (NY 571374/2023)	23/1915 Barone v. Barone (NY 300812/2019)	25/0001 Couteller v. Mamakos (NY 160767/2017)	24/4757 Garanes v. NYC Department of Education (NY 100425/2023)
24/7333 21st Mortgage Corp. v. Lin (NY 850085/2018)	24/2437 Barons Media v. Shapiro Legal Group (NY 652481/2023)	24/3911 Cruz v. 987 Amsterdam Ave. (NY 159711/2020)	24/4495 Garcia v. 100 Church Fee Owner (NY 158554/2018)
23/0952 239 East 18th Owners v. Wade (NY 161314/2018)	24/2437 Barons Media v. Shapiro Legal Group (NY 652481/2023)	24/6679 Cruz v. Construction Technology (NY 159958/2021)	24/3967 Garcia v. Citymeals-on-Wheels (NY 160938/2016)
24/715 242 Tenth Investors v. GVC 242 Tenth Sponsor (NY 651242/2021)	24/7051 Battin v. Pryor (NY 401139/2013)	24/3742 Cullins v. Ihemaguba (BX 23688/2017)	24/1223 Gates v. NY University (NY 156096/2018)
24/0065 250 E. 63 Realty v. NYS Division of Housing (NY 150562/2023)	25/2493 Baxter v. Gosh (BX 809767/2024)	24/5434 Cummings v. City of NY (BX 802432/2023)	24/14317 Gedula 26 v. Lightstone Acquisitions (NY 653977/2014)
25/2394 27th Street Property Owner v. Karpati (NY 650911/2024)	25/0834 Beals v. Roman Catholic Archdiocese (NY 950159/2019)	24/2157 Cuomo v. Jams, Inc. (NY 652945/2023)	23/5403 Gelwan v. De Ratafia (NY 654252/2016)
25/1830 2814 Morris v. Ortega (BX 804221/2021)	24/5313N Berger v. NYC Transit Authority (NY 157005/2018)	24/7051 Battin v. Pryor (NY 401139/2013)	23/2464(2) Genna v. Klemper (NY 100530/2016)
24/6444 302 W. 87th v. SHS Upper City (NY 160684/2018)	24/3146 Best Work Holdings v. Ma (NY 654826/2022)	25/2493 Baxter v. Gosh (BX 809767/2024)	24/5930 Geostar Inc. v. Bank of Nova Scotia (NY 651187/2024)
24/5822 320 West 87 v. 320 West 87th Street (NY 654793/2023)	24/1759 Best Work Holdings v. Ma (NY 654826/2022)	25/0834 Beals v. Roman Catholic Archdiocese (NY 950159/2019)	24/1882 Giangrande v. Gracie Gardens Owners (NY 160533/2022)
24/4647 382 McDonald v. NYC Industrial Development (NY 161947/2023)	24/6033 Bethpage Federal v. BR 52 LLC (NY 850210/2024)	24/5434 Cummings v. City of NY (BX 802432/2023)	24/1354 Glenmede Trust v. Infinity Q Capital (NY 160830/2022)
24/0963 383 W. Broadway Corp. v. Solomon (NY 152351/2021)	24/6848 Biswas v. Aramis Distributors NY (NY 190004/2023)	24/2157 Cuomo v. Jams, Inc. (NY 652945/2023)	24/2820 Glenmede Trust v. Infinity Q Capital (NY 160830/2022)
24/6313 383 West Broadway v. Tax Commission (NY 266068/2021)	24/6218 Blanca Realty v. NYC Dept of Buildings (NY 154316/2022)	24/5434 Cummings v. City of NY (BX 802432/2023)	24/7380 Globe Storage v. Counsel Financial (NY 651917/2023)
23/6788 413 East 187 Holdings v. NYC Dept of Housing (BX 812423/2022)	25/1844 Blumenfeld v. Smith (NY 651069/2024)	24/2157 Cuomo v. Jams, Inc. (NY 652945/2023)	24/6353 Glover v. Astor Court Owners (NY 16138/2021)
24/4794 417 N Comanche v. Enres II (NY 651541/2024)	24/4110N Board of Managers v. 16EF Apartment (NY 151261/2023)	24/3491 D., Justice (BX D952/2024)	24/5534 GNC v. 1703-518 v. Venari Partners (NY 651347/2022)
25/0007 A. Emmanuel v. Evelyn G. (BX V15416/2021)	25/1066 Board of Managers v. 45 East 22nd St. (NY 652530/2023)	24/6686 D., Luelin (BX N35862/2023)	25/0178 Godfrey-Peters v. Dangelo (BX 800050/2024)
25/1590 A., Ronald v. Tyesha H. (NY P1971/2023)	25/2427 Board of Managers v. 56th and Park (NY 655617/2021)	24/6511 D., Nicole v. Monique L. (NY 06313/2022)	24/4921 Gomes v. Roux (NY 311028/2015)
24/5758 A1 Specialized v. James River Insurance (NY 652944/2022)	24/7412 Board of Managers v. 90 William St. Development (NY 654429/2021)	24/6025 D., Nyla (BX N4202/2022)	

25/0073 Innovative Securities v. OBEX Securities (NY 650685/2023)

24/5715 Inoa v. 79 Ave A Realty (NY 152559/2021)

24/4852 Irizarry v. Zelaya (NY 160011/2021)

24/6358 Iroha Corporation v. Kookmin Best Insurance (NY 650880/2018)

24/6530 Itzhak v. Briarwood Insurance (NY 651193/2024)

24/853N Inquierdo v. Amsterdam Avenue Redevelopment (NY 159051/2018)

25/0511 J., Darren v. Sandra R. (BX 151019/2021)

24/6738 J.C., an infant v. 2078 Arthur (BX 810563/2021)

23/6557 J.N., an infant v. Strong (NY 805083/2015)

24/6301 Jack O'Rourke v. Hammerstein Ballroom (NY 1614227/2019)

24/5785 Jackson v. Consolidated Edison (NY 160870/2020)

24/1845 Jackson v. Law Offices of Peter Sverd (NY 153586/2023)

24/5661 Jane Doe One v. KIPP Academy (BX 70424/2021)

24/4312 Jennings v. City of NY (NY 159776/2017)

24/3754 Jiesheng Group v. New Gold Equities (NY 654487/2023)

24/3868 Johnson v. Northeast Agencies (BX 809872/2023)

24/2579 Jones Law Firm v. J. Swery (NY 653702/2023)

24/6157 Judson Realty v. Judson CRE (NY 159388/2020)

24/5008 Julien Farel, LLC v. Stove Properties (NY 650374/2017)

24/4398 Justicebaker, Inc. v. Abeles (NY 650374/2017)

25/1003 K., Aisha v. Phillip C. (BX 06624/2022)

23/5792 K., Dorell v. Dalece L. (BX 023059/2022)

24/7944 K., Peter v. Faycal T. (NY 16164/2019)

24/7683 K., Peter v. Mayumi M. (NY 15183/2023)

24/2933 Kambia Chios Realty v. Utica First Insurance (BX 803210/2021)

25/3545 Kapius Servicing, Inc. v. Ragtime Gourmet Corp. (NY 65329/2022)

25/0199 Kassal v. Trump Management (NY 161322/2018)

24/578 Katz-Wisnadel v. Lower Manhattan Dialysis (NY 155252/2021)

24/088 Kaufman v. Hirsch (NY 161183/2020)

25/2068 KD - Doe v. MC-Doe (NY 95238/2023)

25/2079 Keenan v. Bloomberg L.P. (NY 155679/2024)

24/6015 Kelemen v. Duplication Services (NY 160226/2017)

24/3066 Kimmelman v. Smith (NY 80150/2019)

24/6929 Kinsey v. Almazan (BX 800526/2023)

24/7538 Knight v. Family Energy (NY 650903/2023)

24/0356(2) Kohli v. Tewari (NY 36529/2021)

24/4765(2) Kohli v. Tewari (NY 36529/2021)

24/6793 Kola v. City of NY (NY 155411/2023)

25/1278 Kozell v. Renali Realty (BX 26198/2020)

25/2005 L., Children (BX 6384/2025)

24/5183 Labby v. Cummings (NY 805428/2017)

25/0463 Lacruise v. Memorial Sloan-Kettering (NY 150195/2019)

24/7215 Lara v. Mount Sinai Hospital (NY 805250/2020)

25/0362(2) Lash v. Modulaire Holdings (NY 655935/2023)

25/0840 Lava Media v. Hart (NY 651035/2023)

24/2963 Law Office of Cyrus Joubin v. Manhattan District Attorney (NY 158168/2023)

25/2994 Lebda v. Touro College School (NY 101271/2024)

24/4818 Lebedev v. Migdal (NY 320246/2020)

25/0542 Lee v. Jay Housing Corporation (NY 656670/2021)

24/4532 Lee v. Lee (NY 365055/2018)

24/4242 Lee v. Montefiore Medical Center (BX 20565/2016)

24/1655N Lee v. Nejal (NY 800296/2021)

25/1461 Lema v. 1148 Corporation (NY 450904/2018)

24/6416 Leon v. Plaza Construction (NY 151025/2020)

24/1225 Leone v. Brown Foreman Corp. (NY 151627/2019)

23/6567N Leslie Digital Imaging v. Empower Information (NY 652634/2022)

24/6130N Leslie J. Garfield & Co. v. Evans (NY 651854/2021)

24/2453 Lewis v. Ganesh (BX 24992/2018)

25/2403 Liberty Mobility v. Port Authority of NY (NY 151814/2024)

24/4927 Lopez v. Rodriguez (NY 158166/2023)

24/3180 Lotrean v. 3M Company (NY 153362/2020)

25/1508 Luftveia v. Services for the Aged (NY 161213/2023)

24/4015 M., Bryanna v. ACS (NY 15510/2023)

24/4399 M., Mayra v. Raoul G. (NY 0500/2023)

24/5109 M., Michelle v. Cantabile J. (BX F17113/2022)

24/5408 M., Peter v. Fezeka G. (BX V14941/2022)

24/1757 M., Portia v. Anteaue A. (NY 1571/2020)

24/6582 M., Rafael v. Kimberly T. (BX V2034/2020)

24/6090 M., Rajah v. Said B. (NY 0676/2022)

25/0436N Ma v. Wang (NY 655044/2022)

24/6639 Macklowe Investment v. MIP 575 Development (NY 656919/2021)

24/1758 Malave v. Kini (NY 805456/2017)

25/0514 Manuella & Fantone v. Liu (NY 450521/2024)

24/5068 Manhattan Organization v. City of NY (NY 151940/2024)

24/1643 Markman v. NY-Presbyterian (BX 20302/2016)

24/6747 Martinez v. Martinez (NY 159286/2021)

24/5955 Mather v. HFZ Kik 30th Street (NY 161223/2019)

20/1220N McCarter & English v. National Collegiate (NY 651444/2018)

24/6476 McGlance-Mungo v. Dag Hammarskjöld Tower (NY 159019/2020)

25/1240 McGregor v. Manhattan Nursing Home (NY 158715/2021)

24/5945 McGuire v. Roman Catholic Bishop (NY 951104/2021)

22/1003 McLeod v. NYC Health & Hospitals (BX 33513/2019)

24/5477N McMillan v. Out-look Safes (NY 657577/2019)

24/5854 Medina v. Medina (BX 810533/2023)

24/4710 Mendez v. City of NY (BX 27362/2020)

25/2963 Metropolitan Partners v. Nerney (NY 650013/2025)

24/4359 Metropolitan Property v. Pentair Residential (NY 153189/2018)

23/0732 Miami Firefighters v. Icahn (NY 657447/2019)

24/1158 Michael Gross Diamonds v. Vaknin (NY 651396/2014)

24/5564 Milchin v. Milchin (NY 305293/2019)

25/2569 Mirza v. College of Mount Saint Vincent (BX 805075/2024)

24/3234 Mitchell v. City of NY (BX 23232/2020)

24/4279 Moghtaderi v. Apis Capital (NY 650287/2020)

# Court Calendars

## COURT NOTES

### NEW YORK STATE COURT OF APPEALS

#### Temporary Waiver of Strict Compliance with certain Provisions of Section 520.3 and 520.6 of the Rules for the Admission of Attorneys and Counselors at Law (22 NYCRR 520.3 and 520.6)

At a session of the Court, held at Court of Appeals Hall in the City of Albany, on the 24th day of July, 2025

Present, HON. ROWAN D. WILSON, Chief Judge, presiding

ORDER:

WHEREAS, the Court of Appeals recognizes that a significant number of J.D. and LL.M. students are experiencing delays obtaining student visas that may impact their ability to appear on campus, in-person by the commencement of the Fall 2025 semester; and

WHEREAS, despite these delays, such students may wish to commence the Fall 2025 semester as scheduled; and

WHEREAS, the Court of Appeals remains fully committed to ensuring compliance with the limitations on distance learning contained in sections 520.3(c)(2), 520.3(c)(3), and 520.6(b)(3)(vii) of the Rules of the Admission of Attorneys and Counselors at Law (22 NYCRR 520.3[c][2], 520.3[c][3], and 520.6[b][3][v], and 520.6[b][3][viii]); and

WHEREAS, the Court of Appeals expects that law schools and law students will make all reasonable and practicable efforts consistent with the delays noted above to comply with the distance learning limitations contained in sections 520.3(c)(2), 520.3(c)(3), and 520.6(b)(3)(vii) of the Rules of the Admission of Attorneys and Counselors at Law (22 NYCRR 520.3[c][2], 520.3[c][3], and 520.6[b][3][v], and 520.6[b][3][viii]); it is

ORDERED that for any J.D. or LL.M. student enrolled during the Fall 2025 semester at a law school approved by the American Bar Association, who has been unable to gain entry to the United States before the commencement of the Fall 2025 semester due to delays in processing the student's visa application, strict compliance with the distance learning limitations contained in sections 520.3(c)(2), 520.3(c)(3), and 520.6(b)(3)(vii) of the Rules of the Admission of Attorneys and Counselors at Law (22 NYCRR 520.3[c][2], 520.3[c][3], and 520.6[b][3][v], and 520.6[b][3][viii]); it is hereby waived to the extent that any J.D. or LL.M. student who is issued a visa on or before October 3, 2025 and who commences in-person instruction within 10 days of the date the visa is issued, may attend classes via distance learning until such date; and it is further

ORDERED that, upon satisfying the rules of this Court in all other respects, and upon an applicant's presentation to the New York Board of Law Examiners proof and a certification establishing that the applicant obtained a visa to enter the United States on or before October 3, 2025, and regularly attended courses in-person, on campus within 10 days of the date the visa was issued, together with a separate certification from the student's law school verifying the same, failure to comply with the above-referenced provisions shall not bar the applicant from sitting for the New York bar examination or from being admitted to the New York bar; and it is further

ORDERED that the above visa deadlines are non-waivable and petitions for individual waivers of these deadlines for visa-related issues will not be considered by the Court.

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24/3492 Ramos v. City of NY (BX 70349/2021)

24/6470 Ramos v. Ford Foundation (NY 159885/2017)

24/3512 Reclaim the Records v. City of NY (NY 156906/2023)

24/7649 RedHill Biopharma v. Kukbo Co. (NY 653200/2022)

24/7814 Reeves v. Foundation for the Child Victims (NY 150731/2019)

24/3926 Reyes v. 45 & 47 Wadsworth Ave. (BX 27196/2016)

24/6152 Reyes v. Benton (NY 152207/2022)

24/5783 Richardson v. City of NY (NY 453990/2021)

24/6051 Riederer v. Schulmann Properties (NY 158576/2019)

25/0250 Riley v. Memorial Sloan Kettering (NY 150397/2020)

25/0697 Rivera v. Shipright v. Bruckner (BX 813506/2022)

24/3358 Rivera v. Site 2 DSA Owner (NY 159502/2020)

24/6063 Robinson v. Delgado (NY 156003/2019)

25/0490 Robinson v. Hiatt (NY 151639/2024)

25/2579 Roche v. Hochfelder (NY 654502/2023)

24/6646 Rodriguez v. 167 LLC (BX 304790/2014)

24/0829 Rodriguez v. 167 LLC (BX 304790/2014)

25/0127 Rodriguez v. FGI Corporation (NY 157850/2021)

24/3534 Rondón v. 328 W. 44 Street (NY 152899/2018)

24/3632 Rosario v. Gentry Tenants (NY 155290/2015)

24/0961 Rose Group Park v. Third Church Christ (NY 651390/2015)

24/4525 Rosenblum v. Treitler (NY 651477/2015)

25/0394 Roth v. Board of Managers (NY 154315/2022)

25/1703 Roue v. Ahmed (BX 811894/2021)

24/3849 RSD857, LLC v. Wright (NY 158125/2022)

25/0147 Rubenstein Public Relations v. Fleet Financial (NY 654299/2022)

24/6451 Russell v. Lenox Hill Hospital (NY 154970/2019)

25/140N S. G., an infant v. NYC Health & Hospitals (NY 805036/2021)

24/3494N S. M., an infant v. City of NY (BX 27844/2020)

24/2360 S., Antonio v. Rita S. (NY 158911/2020)

25/0283 S., Jeremy v. Frasley P. (BX 27063/2023)

24/6089 R., Zion (NY N4449/2023)

24/7651 Rahab v. Taormina (NY 365553/2023)

24/2786N Raistone Purchasing v. London Luxury (NY 651488/2023)

24/5962 Ramirez v. 255 W. 108th Street Corp. (NY 154692/2013)

24/7721 Ramirez v. 79-05/079 Jackson Heights (BX 804908/2021)

24/5469 Ramirez v. Teixeira Bakery (NY 450691/2019)

24/5876 Sapini v. Ferrara (NY 150940/2024)

24/4833 Saquicela-Villa v. City of NY (BX 806091/2023)

24/5240 Schneck v. NYS Department of Health (NY 152012/2024)

25/1700 Scott & Scott v. Kaplan LLP (NY 655731/2024)

23/6617 Scottdale Insurance v. City of NY (NY 654673/2019)

24/7807 Sendible Trading v. Pétroleos de Venezuela (NY 650617/2024)

25/0252 Serhan LLC v. Federico (NY 65241/2022)

24/5921N Servan v. ES Builders Group (BX 24461/2020)

24/2656 Severini v. NYC Department of Environmental Conservation (NY 158496/2023)

23/3576 Shah v. 20 East 64th (NY 156305/2015)

24/4460N Shanghai Yongrun Investment v. Kashi Gangxi (NY 156328/2020)

24/1470N Sherman v. Zampella (NY 655176/2021)

24/4506 Shuford v. City of NY (NY 155440/2021)

24/4713 Simeone v. City of NY (NY 154763/2016)

24/6867N Sire Spirits v. Beam Suntory (NY 650799/2023)

24/6063 SKMF VYSE Management v. Niblack (BX 801022/2023)

24/6496 Smith v. Caban (NY 150554/2024)

24/2131 Smith v. Global Contact (NY 156087/2019)

24/3342 Solano v. American United Transportation (BX 25172/2020)

24/2801 Soils v. City of NY (NY 150552/2015)

24/5568(2) Solomon v. 360 E. 72d Street (NY 652944/2024)

25/0221 Southern Israel v. Orgenesis (NY 655243/2023)

24/6571 Speechio v. Starbucks Corporation (NY 161323/2018)

25/0152 Spence v. Brosnan Risk Consultants (NY 651698/2023)

24/5969 Spring Scaffolding v. Krall (NY 159748/2023)

25/1077 Stafford v. Nacson (NY 159911/2022)

24/1245 Stallard v. NYC Police Department (NY 160695/2022)

24/4790 Starr Indemnity v. Monte Carlo (NY 651045/2013)

25/2634 State Division of Human Rights v. Metrovireless 167 (BX 809843/2024)

24/4074 State of NY v. Juan P. (BX 42000/2021)

24/4578 S., Tabitha v. Kyle G. (NY 07498/2023)

24/6063 S.A.C., Children (BX N30871/2023)

24/7639N Sabr Chemicals v. Northeast Chemicals (NY 650608/2019)

24/5978 Samsung Electronics v. MPEG LA (NY 656312/2022)

24/7203 Sanchez v. 1562 Thierot Ave (BX 808455/2021)

24/6548 Sanchez v. NYS Medical Practice (BX 816317/2023)

24/0365 Stile v. C-Air Customhouse (NY 656575/2020)

24/2471N Strasser v. Strasser (NY 500072/2013)

24/5909 Structure Tone v. Selective Way Insurance (NY 656694/2020)

23/6718 Styuvsant Town v. NYS Division of Housing (NY 154094/2021)

24/6591 Suarez v. City of NY (BX 2629/2020)

25/0123 Szalkiewicz v. Liu (NY 150713/2024)

24/5456 Szczesiak v. Ery Tenant (NY 151012/2020)

24/047 T. Eric v. Jermaine R. (BX 023058/2022)

24/6198 T. Raudy v. Alejandro E. (BX V7262/2020)

24/7224 Tartell v. Klein (NY 653837/2024)

24/6233N Taveras v. Tuck-it-Away Associates (NY 159848/2022)

24/4929N Taxi Tours v. Go NY Tours (NY 653012/2019)

24/6284 TD Bank v. A.H. Dental (NY 161295/2021)

24/6785 Telefort v. Port Authority of NY (BX 25178/2016)

24/473 Thomas v. Concourse Rehabilitation (BX 814415/2022)

24/5138N Thompson v. Thompson (NY 313421/2011)

25/1750 Thor 138 N. v. Goldberg Weprin Finkel (NY 652448/2018)

24/4087 Thorobird Grand v. M. Melnick & Co. (BX 816972/2022)

24/2784 Tilipman v. Korban (NY 652434/2023)

25/3423 Tishman v. Himmel & Meringoff (NY 156708/2020)

24/5889 Torres v. Lenscrafters, Inc. (NY 152840/2017)

24/7246N TRB Acquisitions v. Yedid (NY 651160/2021)

24/6055 Trinity Centre v. Subway Real Estate (NY 654220/2021)

24/2903 Trzuskot v. Johnson (NY 101474/2019)

24/2179 Twersky v. Yeshiva University (NY 95011/2019)

24/6097 U.S. Bank v. Tiburico (BX 32237/2017)

24/017 U.S. Bank National Association v. 687 King LLC (BX 803235/2021)

24/5899 United Legwear v. All in the Cards (NY 652523/2022)

24/2444 Uno a Brokeage v. Inshur, Inc. (NY 652251/2023)

23/2266 Urban v. Zipper (NY 153041/2021)

24/5459 URP Maiden Lane v. Valley National (NY 655242/2023)

25/1206 US Bank Trust NA v. Santiago (BX 380966/2010)

24/5680 V., Gloria v. Karen P. (BX G1406/2022)

24/3449N Valley National Bank v. 252 W. 31 St. Corp. (NY 850269/2021)

24/2985N Vasquez v. Bronx Lebanon Hospital (BX 24567/2020)

24/3308 Vazquez v. NYS Office of Children (NY 157860/2020)

25/1942 Venegas v. CPC Norfolk Senior (NY 157300/2021)

24/3889 Verma v. Department of Education City of NY (NY 156602/2019)

25/0724 Viohl v. Chelsea W26 (NY 158722/2022)

25/1616N Voorham v. Hicks-Voorham (NY 365492/2022)

24/5796 W., Children (BX N26239/2022)

25/1203 W., Duanyi v. Duanyi (NY 01750/2021)

24/6584 W., Gail v. Jasmine C. (NY V36177/2016)

24/43762 W., Mary v. Robert W. (NY 09589/2022)

24/6918 Wachtel v. Alan Joel Communications (BX 20196/2019)

24/2494 Wadsworth Associates v. NYS Division of Housing (NY 160054/2023)

24/4465 Waldowsky v. 15 Hudson Yards (NY 156741/2019)

25/0747 WarnerMedia Direct v. Paramount Global (NY 651001/2023)

24/6740 Watson v. Intercounty Paving (NY 157377/2014)

24/7915N Wayman v. CPE Housing Development (BX 25691/2020)

24/5405 Wells v. Atlantic Garage (NY 154918/2018)

24/5953 Wells Fargo Bank v. Hayden (NY 100036/2009)

24/6155 Westside Marquis v. Maldonado (NY 1571225/2023)

25/0660 Wheeler v. Linden Plaza Preservation (NY 150079/2017)

24/6287 White v. Turitz (NY 80570/2020)

24/6990 People v. Elvin Pacha aka Elvin Fernandez (NY 73890/2023)

24/18-2631 People v. Emmet Allen, Sr. (BX 407/2017)

23/4252 Wilmington Savings v. Brown (NY 157963/2020)

24/3959 Wilmington Savings Fund v. Scaffidi (BX 35032/2013)

24/3274 Wilmington Trust v. EkkeCo NewCo (NY 850051/2023)

24/1732 Windermere Properties v. City (NY 161016/2022)

24/0351 Yakule v. NYC Taxi & Limousine (NY 161865/2023)

24/4816 Yakule v. NYC Taxi & Limousine (NY 154689/2023)

24/4733 Yang v. Griffin (NY 15620/2024)

24/5299 Yang v. Knights Genesis Group (NY 651118/2021)

25/2809 Yolanda Management v. Microgoal, Inc. (NY 650956/2024)

24/2488 Your Vet 1 v. Eastman, Cooke & Associates (NY 157678/2023)

24/3654 ZDG, LLC v. 310 Group (NY 656537/2016)

25/1341 Zepa Industries v. 401 West Property (NY 651243/2024)

24/7791 Ziff v. Lombardo (NY 952010/2023)

24/3895N Zimmerman v. 410-57 Corporation (NY 653569/2020)

**Criminal Cases**

21/2941 People v. Aaron Cedres (BX 2244/2018)

2018-4488 People v. Abdullahi Shuai (NY 14401/17)

22/3494 People v. Aditya Vemulapati (NY 1772/2020)

24/5016 People v. Akim Massie (NY 70566/2024)

24/1808 People v. Albert Holguin (NY 73095/2023)

24/0208 People v. Alexis Flores (BX 71282/2022)

18/3103 People v. Alfred McCrae (NY 306/17)

22/5545 People v. Alfredo Colon (BX 71622/2022)

24/4352 People v. Ali Hijazi (BX 71849/2023)

23/1479 People v. Alvin Brown (BX 924/1984)

22/5204 People v. Alvin Brown (NY 1396/1984)

24/3756 People v. Amadou Diallo (BX 72743/2022)

24/2499 People v. Amaury Balbi (NY 998/2020)

20/3313 People v. Amy Hartsgrove (NY 1399/2019)

23/2690 People v. Andre Morris (BX 2392/2019)

23/2655 People v. Andre Morris (BX 7072/2021)

23/5751 People v. Andre Seda (BX 464/2020)

24/2409 People v. Angel Dejesus (BX 71262/2021)

24/0204 People v. Angel Rodriguez (BX 71764/2022)

2018-4623 People v. Angel Soto (NY 2752/2017)

2018-1757 People v. Anonymous (NY 3127/2015)

22/2111 People v. Anthony Arriaga (BX 2529/2003)

23/6436 People v. Anthony Balaguer (NY 73167/2022)

23/6439 People v. Anthony Balaguer (NY 2129/2019)

23/1200 People v. Anthony Gonzalez (NY 70256/2022)

24/5031 People v. Anthony Rosavong (BX 72973/2023)

24/2900 People v. Anthony Vega (BX 71806/2023)

23/5150 People v. Antoine Brown (BX 73312/2022)

22/1503 People v. Antoine Gee (NY 910/2019)

23/4515 People v. Antonio Martinez (BX 3944/2008)

23/3920 People v. Antonio Rodriguez (BX 74220/2022)

22/4242 People v. Armando Cruz (BX 434/2020)

24/6132 People v. Arthur Hernandez (BX 2157/2014)

2018-2352 People v. Ashleigh Wade (BX 3441/15)

24/4468 People v. Audwin Dubose Jr. (NY 72378/2023)

22/2304 People v. Augusto Scott (NY 1138/2021)

24/3726 People v. Bahiyud Gant (NY 73055/2022)

24/0551 People v. Barron Spruill (BX 70861/2021)

21/3431 People v. Barron Williams (BX 1461/2019)

19/5343 People v. Brahimia Djalo (BX 2589/2016)

22/2962 People v. Brandon Holley (NY 2286/2018)

22/4743 People v. Brandon Smith (BX 256/2021)

20/1447 People v. Brandon Smith (BX 357/2019)

20/0997 People v. Brian Gutierrez (BX 1865/2019)

23/5567 People v. Calvin Peterkin (BX 487/2020)

23/2138 People v. Carl Moultrie (NY 928/2020)

23/6131 People v. Carlos Gonzalez (BX 487/2020)

21/2475 People v. Carlos Guzman (BX 70447/2020)

22/5592 People v. Chad Hooks (NY 2631/2017)

22/5068 People v. Charles Johnson (NY 1254/2018)

24/3400 People v. Charles Casillas (BX 73076/2022)

22/5518 People v. Chevanie Gordon (BX 73839/2022)

24/1981 People v. Choncey Chance (NY 72384/2023)

17/2377 People v. Christian Jachero (NY 3736/2015)

22/5406 People v. Christian Saunders (NY 2169/2021)

23/3935 People v. Christopher Harrison (BX 71316/2022)

23/2035 People v. Christopher Maldonado (BX 73259/2022)

2019-5145 People v. Claudio Rivera (NY 2745/2017)

22/3053 People v. Corey Kay (NY 70217/2021)

21/2877 People v. Creig Bleyden (BX 2175/2019)

19/4665 People v. Cristian Combes-Moreno (NY 68/2019)

22/0401 People v. Daevon Jones (BX 1120/2019)

20/0300 People v. Daniel Newell (NY 1778/2018)

22/3393 People v. Daquan D. (BX 70736/2022)

23/0695 People v. Dashin Simmons (BX 1210/2021)

22/1402 People v. David Taylor (NY 879/2021)

24/0219 People v. David Young (BX 423/2021)

23/5574 People v. Davon Best Kelly (BX 70088/2023)

23/5813 People v. Derek Johnson (BX 4710/1988)

20/1196 People v. Derrick Harris (BX 2099/2019)

19/4645 People v. Diane Hunt (NY 2907/2017)

24/0206 People v. Douglas Williams (BX 71328/2021)

22/0046 People v. Duntrell Calderon (NY 3507/2019)

2018-2398 People v. Dwight Furet (NY 1523/20

- 24/3834 People v. Pharaoh Holmes (BX 74216/2022)
- 23/0631 People v. Phillip Pine (NY 1073/2021)
- 21/3101 People v. Precila Smith (BX 279/2020)
- 21/2052 People v. Prince Bryan (NY 1378/2016)
- 20/1855 People v. Quaran Rich (NY 4524/2018)
- 24/3393 People v. Rafael Carrasquillo (BX 72787/2022)
- 2019-3902 People v. Rafael Fontanez (NY 1051/18)
- 20/2178 People v. Rafael Jimenez (NY 6992/2019)
- 22/4430 People v. Rafael Silva (NY 1609/2020)
- 2018-4467 People v. Rahim Ali (NY 2017/2016)
- 19/4061 People v. Raymond Clarida (BX 2858/2017)
- 23/0410 People v. Reginald Banks (NY 1022/2021)
- 18/4169 People v. Reynaldo Andino (NY 1029/2017)
- 23/0213 People v. Reynaldo Peguero (BX 1058/2019)
- 19/3855 People v. Richard Johnson (NY 1115/2018)
- 2019-3864 People v. Ricky Moore (NY 5652/2014)
- 24/4020 People v. Roberson Ortiz (BX 71607/2024)
- 23/6318 People v. Robert Louis (NY 2923/2017)
- 24/1633 People v. Robert Valgean (NY 70718/2021)
- 2018-563 People v. Robin Rosser (BX 634/2014)
- 24/1086 People v. Rodney Sanders (NY 73907/2023)
- 24/5490 People v. Romeo Carrion (NY 74593/2023)
- 24/6067 People v. Roniel Dotel (BX 71998/2023)
- 2019-3571 People v. Ronny Rocha (BX 2088/2014)
- 23/5557 People v. Ruben Flores (BX 73421/2023)
- 23/0959 People v. Samuel Ortega (BX 70140/2022)
- 23/1544 People v. Saquan Jackson (BX 159/2021)
- 24/0558 People v. Sergio Quinones (BX 71728/2023)
- 23/0505 People v. Shakim Lassiter (BX 344/2021)
- 2019-5884 People v. Shaguana Carter (NY 1593/17)
- 23/3512 People v. Shaquille Dinkins (NY 74869/2022)
- 23/6305 People v. Shariff McBryde (BX 72898/2022)
- 18/4233 People v. Sharonda Hart (NY 1314/16)
- 23/0939 People v. Shawn Batista (BX 459/2021)
- 23/1046 People v. Souleymane Diaby (NY 2047/2021)
- 23/6477 People v. Stanley Lafleur (NY 75601/2022)
- 21/3608 People v. Stephen Jackson (BX 1047/1983)
- 24/3780 People v. Sterling Wade (BX 71531/2023)
- 24/4665 People v. Steve Darbasie (NY 70819/2023)
- 24/4952 People v. Steven Hernandez (BX 70372/2023)
- 24/1428 People v. Steven McEnaney (NY 70297/2022)
- 2015-2278 People v. Steven Walters (BX 3713/2014)
- 24/2029 People v. Syndou Cisse (NY 70546/2023)
- 24/0822 People v. Syndou Cisse (BX 71052/2023)
- 2019-4036 People v. Tara McDonald (NY 2025/14)
- 24/5626 People v. Tariq Gaudibourne (BX 70800/2024)
- 23/6482 People v. Tawana Dobson (NY 70910/2022)
- 23/0933 People v. Tayquan Wilson (BX 225/2021)
- 23/0169 People v. Thomas Nicholas (NY 71672/2022)
- 22/5269 People v. Tony Manley (NY 3214/2019)
- 24/0609 People v. Travin Hillaire (NY 71235/2023)
- 24/4364 People v. Travis Glasgow (NY 74204/2023)
- 24/3853 People v. Travis Rodriguez (BX 584/2021)
- 22/3391 People v. Trevon Small (NY 70051/2022)
- 23/0306 People v. Trump Corporation (NY 1473/2021)
- 24/4029 People v. Tyesheek Ruffin (NY 74066/2023)
- 24/4037 People v. Tyesheek Ruffin (NY 72749/2023)
- 22/1938 People v. Umar Ali (NY 1167/2018)
- 22/2027 People v. Unique Woodfin (BX 1239/2016)
- 22/4342 People v. Vadim Shilman (BX 72654/2022)
- 2018-1099 People v. Walter Xicay (NY 2840/2016)
- 22/3361 People v. Wilfredo Gonzalez (NY 2/2021)
- 24/7294 People v. William Blackman (NY 71752/2024)
- 2019-1433 People v. William Caruth (BX 300/2016)
- 22/3915 People v. William Hooks (NY 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 Louissant (BX 633/2019)
- 24/6239 People v. Zion Holley (BX 71116/2024)
- 19/4979 People v. David Rivera (NY 3635/2016)

# COURT NOTES

for a 14-year appointment as United States Bankruptcy Judge for the Eastern District of New York. There are two vacancies in the Eastern District of New York, one in Brooklyn and one in Central Islip. Applicants should identify in their cover letter whether they wish to be considered for Brooklyn, Central Islip, or both. The selection process will be confidential and competitive. Applicants will be considered without regard to race, color, religion, sex, national origin, age, sexual orientation, or disability.

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

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

Basic qualifications for consideration include:

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

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

Completed application packages must be in the format required by the Second Circuit and received no later than August 7, 2025.

## 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.

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

## SUPREME COURT Motion Dispositions from Room 130 60 Centre Street

Calendars in the Motion Submission Part (Room 130) show the index number and caption of each and the disposition thereof as marked on the Room 130 calendars. The calendars in use are a Paper Motions Calendar, E-Filed Motions Calendar, and APB (All Papers By) Calendar setting a date for submission of a missing stipulation or motion paper. With respect to motions filed with Request for Judicial Intervention, counsel in e-filed cases will be notified by e-mail through NYSCEF 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.

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 to article VI, § 28(c) of the New York State Constitution and section 211 of the Judiciary Law, upon consultation with the Administrative Board of the Courts, and with the approval of the Court of Appeals of the State of New York, I hereby amend, effective July 7, 2025, sections 24.6(g), (n) and 25.18 of the Rules of the Chief Judge, by adding the underlined material and removing the [bracketed] material, to read as follows:

### PART 24. TIME AND LEAVE

#### Section 24.6. Other Leaves With Pay

(g) Conferences. Four days' leave per annum without charge to an employee's leave credits may be allowed to attend conferences of recognized professional organizations. Such conferences must be directly related to the employee's profession [of] or professional duties. This leave is subject to the prior approval of the administrative authority and to the staffing needs of the court or agency.

(n) The Chief Administrator of the Courts or [his or his] their designee may grant leaves with pay for reasons not itemized in this Part.

### PART 25. CAREER SERVICE

#### Section 25.18. Establishment of a Continuing Eligible List

The Chief Administrator of the Courts may establish a continuing eligible list for any class of positions for which [inadequate numbers of qualified persons are found available for recruitment or appointment] such lists are appropriate. The Chief Administrator may only establish continuing eligible lists for any class of positions filed through open competitive examination. Names of eligibles shall be inserted in such list from time to time as applicants are tested and found qualified in examinations held at such intervals as may be prescribed by the Chief Administrator. Such successive examinations shall, so far as practicable, be constructed and rated so as to be equivalent tests of the merit and fitness of candidates. The name of any candidate who passes any such examination and who is otherwise qualified shall be placed on the continuing eligible list in the rank corresponding to his or her final rating on such examination. The period of eligibility of successful candidates for certification and appointment from such continuing eligible list, as a result of any such examination, shall be fixed by the Chief Administrator but, except as a list may reach an announced terminal date, such period shall not be less than one year; nor shall such period of eligibility exceed four years, except as provided in section 25.17 of this Part. Subject to such conditions and limitations as the Chief Administrator may prescribe, a candidate may take more than one such examination; provided, however, that no such candidate shall be certified simultaneously with more than one rank on the continuing eligible list. With respect to any candidate who applies for and is granted additional credit in any such examination as a disabled or nondisabled veteran, and for the limited purpose of granting such additional credit, the eligible list shall be deemed to be established on the date on which his or her name is added thereto.

Chief Judge of the State of New York

## FIRST DEPARTMENT APPELLATE TERM

### Filing Dates for the September Term

The September 2025 Term of the Court will begin on Sept. 2, 2025.

The last dates for filing for that term are as follows: The Clerk's Return, Record on Appeal, Appendices, Notice of Argument and Appellant's Briefs must be filed on or before July 8, 2025.

Respondent's Briefs must filed on or before July 31, 2025.

Reply Briefs, if any, must be filed on or before August 8, 2025.

# 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 Offices, Mediation, and Special Referees.

## IAS PARTS

1 Silvera: 300 (60 Centre)

- 2 Sattler: 212 (60 Centre)
- 3 Cohen, J.: 208 (60 Centre)
- 4 Kim: 308 (80 Centre)
- 5 Kingo: 320 (80 Centre)
- 6 King: 351 (60 Centre)
- 7 Lebovits: 345 (60 Centre)
- 8 Koller: 278 (80 Centre)
- 9 Capitri: 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 Hagler: 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 Ramseur: 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 Schecter: 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: 232 (60 Centre)
- 59 James, D.: 331 (60 Centre)
- 62 Chesler: 1127A (111 Centre)
- 65 Reo: 307 (80 Centre)
- MFPKahn: 1127B (111 Centre)
- MMSP-1: 1127B (111 Centre)
- IDV Dawson: 1604 (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 REFEREES 60 Centre Street

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

### JHO/SPECIAL REFEREES 80 Centre Street

- 81R Hewitt: Room 321
- 87R Burke: Room 238
- 89R Hoahng: Room 236

### SPECIAL REFEREE 71 Thomas Street

- Part 91 Hon. C. Ramos
- Part 93 Hon. Marin

### SPECIAL REFEREE 71 Thomas Street

- Part 91 Hon. C. Ramos
- Part 93 Hon. Marin

### SPECIAL REFEREE 71 Thomas Street

- Part 91 Hon. C. Ramos
- Part 93 Hon. Marin

### SPECIAL REFEREE 71 Thomas Street

- Part 91 Hon. C. Ramos
- Part 93 Hon. Marin

### SPECIAL REFEREE 71 Thomas Street

- Part 91 Hon. C. Ramos
- Part 93 Hon. Marin

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- Part 91 Hon. C. Ramos
- Part 93 Hon. Marin

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- Part 91 Hon. C. Ramos
- Part 93 Hon. Marin

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- Part 91 Hon. C. Ramos
- Part 93 Hon. Marin

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- Part 93 Hon. Marin

### SPECIAL REFEREE 71 Thomas Street

- Part 91 Hon. C. Ramos
- Part 93 Hon. Marin

- 158316/25 Azzara v. NYC Dept. of Health And Mental Hygiene
- 157412/21 Bach v. Columbia Univ. Et Al
- 951043/21 Baez v. Roman Catholic Archdiocese of NY Et Al
- 951348/21 Benoit v. Roman Catholic Archdiocese of NY Et Al
- 156127/24 Board of Mgrs. of Saga House Condominium v. Hanna Jesionowska Practice L.L.C. Et Al
- 155779/23 Board of Mgrs. of The Inkwelt Condominium v. 520 West 45th St. Owner
- 154584/25 Bradshaw v. NYCTA Et Al
- 154473/17 Braendgaard v. Kssny Inc.
- 154821/25 Break Point Public Affairs Inc. Et Al. Sun
- 156225/25 Breslin v. Northwell Healthcare, Inc. Et Al
- 157141/25 Brun v. Tardy
- 654959/21 Camelot Event Fund v. Morgan Stanley & Co. L.L.C. Et Al
- 156065/22 Cianfrone v. 590 Madison Ave.
- 452682/24 Comm'rs. of The State Ins. Fund v. Marquez Concrete Consts. LLC
- 161959/24 Corrigiano v. NYC Et Al
- 161270/19 Coronado v. Vorea Const.
- 653704/25 Customers Bank v. Ramot Capital LLC
- 157602/23 D'Amrosio v. Rxr Hb Owner
- 154379/22 Diallo v. NYCTA Et Al
- 156791/25 Diaz v. NYCTA Et Al
- 152937/20 Diaz v. NYCTA Et Al
- 154777/25 Div. Prop. Mgt. Et Al v. Pavan
- 161068/20 Donzelli v. B'way. Const. Group LLC Et Al
- 152088/23 E. v. NYC Et Al
- 950915/21 Ferrie v. Roman Catholic Archdiocese NY Et Al
- 950672/21 Foley v. Roman Catholic Archdiocese of NY Et Al
- 951275/21 Gaillard v. Roman Catholic Archdiocese of NY Et Al
- 950871/21 Galick v. Roman Catholic Archdiocese of NY Et Al
- 951268/21 Genco v. Roman Catholic Archdiocese of NY Et Al
- 805450/17 Germsen v. Hubbard
- 951384/21 Gonzalez v. Roman Catholic Archdiocese NY Et Al
- 951269/21 Grady v. Roman Catholic Archdiocese of NY Et Al
- 151699/22 Grey v. Lic Dev. Owner
- 652944/25 Gruber v. Reif
- 652399/25 Hainan Hengxing Juyuan Investment Joint Venture (Ltd. Partnership) v. Tscz 2007 509 W 34 Gp
- 653747/23 He v. Bmw of North America
- 651123/25 Hirdt v. Elias Sports Bureau Inc. Et Al
- 850199/23 Hny Club Suites Owners Assoc. Inc., By And Through Its Board of Directors v. Cook
- 156942/25 In The Matter of Musovic Rlty. Corp. v. NYC
- 190274/22 Jacqueline Woodson v. A.W. Chesterton Co. Et Al
- 157192/20 Kearns v. Ra Engineering Inc.
- 653409/22 King Steel Iron Work Corp. v. Xenon Const. Corp. Et Al
- 950805/21 Lewis Jr. v. Roman Catholic Archdiocese of NY Et Al
- 652513/25 Li v. The Line Dc Fund LLC Et Al
- 190127/23 Linde v. Charles B. Chrystal Co., Inc Et Al
- 950719/20 Loiola v. Roman Catholic Archdiocese of NY Et Al
- 152296/15 Solomon Capital LLC v. Aqs Capital Group
- 153488/25 Synchrony Bank v. Deguy Outai
- 151359/25 The Board of Mgrs. of The 420 West 23rd St. Condominium v. Miller
- 152044/24 The Cincinnati Ins. Co. v. Cottam Heating & Air Conditioning, Inc.
- 154248/20 Torres v. 351 Canal St.
- 652379/25 Trust Bank v. Fludd
- 850248/22 U.S. Bank Nat. Assoc. v. Steo
- 850032/25 U.S. Bank Trust Co. v. Tientcheu Schwartz Ltd Liability Co Et Al
- 153413/24 Unitrin Safeguard Ins. Co. v. Guiracocha Zavala
- 152487/20 Wander v. 40 X Owner LLC
- 155664/22 Webb v. Eic Associates Inc. Et Al
- 652939/24 Whitehall Properties II v. Cohen
- 952133/23 Wong v. Eason
- 951429/21 Yu v. Roman Catholic Archdiocese of NY Et Al
- 153565/25 Zibrosky v. Abr Amboy Road LLC Et Al
- 653986/25 Afk Inc. v. Doneraki Gulfgate, Inc. Et Al
- 158325/25 Akaras v. NYC Et Al
- 805005/25 Albajardi v. Girardi Md
- 155811/25 Almonte v. Walker
- 654476/24 American Transit Ins. Co. v. Lopez
- 654478/24 American Transit Ins. Co. v. Ocasio
- 654498/24 American Transit Ins. Co. v. Van Lindt
- 158356/23 Amerling v. Zingone Bros., Inc. Et Al
- 155222/25 Anonymous v. Dubitsky
- 156212/25 Bjw Rlty. LLC Et Al v. NYC Comm. on Human Rights Et Al
- 160615/24 Board of Mgrs. of Washington Court Condominium v. Carl
- 152906/25 Bklyn. B. Co. Group v. NYC Et Al
- 805050/22 Cady v. Varma M.D.
- 115106/04 Casas v. Con Ed
- 653409/22 King Steel Iron Work Corp. v. Xenon Const. Corp. Et Al
- 950805/21 Lewis Jr. v. Roman Catholic Archdiocese of NY Et Al
- 652513/25 Li v. The Line Dc Fund LLC Et Al
- 190127/23 Linde v. Charles B. Chrystal Co., Inc Et Al
- 950719/20 Loiola v. Roman Catholic Archdiocese of NY Et Al
- 152296/15 Solomon Capital LLC v. Aqs Capital Group
- 153488/25 Synchrony Bank v. Deguy Outai
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- 152044/24 The Cincinnati Ins. Co. v. Cottam Heating & Air Conditioning, Inc.
- 154248/20 Torres v. 351 Canal St.
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- 850032/25 U.S. Bank Trust Co. v. Tientcheu Schwartz Ltd Liability Co Et Al
- 153413/24 Unitrin Safeguard Ins. Co. v. Guiracocha Zavala
- 152487/20 Wander v. 40 X Owner LLC
- 155664/22 Webb v. Eic





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#### CITATIONS NY

**PROBATE CITATION** — File No. 2025-1769 — SURROGATE'S COURT — CITATION — THE PEOPLE OF THE STATE OF NEW YORK, By the Grace of God Free and Independent — To: Public Administrator of New York County, Felice Dresner, Perez-Pena, Renee, Holden, Simone Zucker, being the decedent's paternal first cousins, or if deceased, their issue, to their heirs at law, next of kin and distributees whose names and places of residence are unknown and if they died subsequent to the decedent herein, to their executors, administrators, legatees, devisees, assignees and successors in interest whose names and places of residence are unknown and to all other heirs at law, next of kin and distributees of Sylvia Andree Dresner, the decedent herein, whose names and places of residence are unknown and cannot, after diligent inquiry, be ascertained. An amended petition having been duly filed by Mark D. Lehrman, who is domiciled at 300 West 108th Street, Apt. 4A, New York, NY 10025. YOU ARE HEREBY CITED TO SHOW CAUSE before the Surrogate's Court, New York County, at 31 Chambers Street, New York, New York, on September 15, 2025 at 9:30 o'clock in the FORENOON of that day, why a decree should not be made in the estate of Sylvia Andree Dresner lately domiciled at 90 Riverside Drive, Apt. 16-E, New York, New York 10024, United States admitting to probate a Will dated September 27, 2012 a copy of which is attached, as the Will of Sylvia Andree Dresner deceased, relating to real and personal property, and directing that [x] Letters Testamentary issue to: Mark D. Lehrman [ ] Letters of Trusteeship issue to: [ ] Letters of Administration c.t.a. issue to: [ ] State of New York (relief requested): To dispense with the filing of a bond pursuant to Article SIX (E) of the Will. \*To all parties: No in person appearances shall be made at the return date. If you wish to object to this matter, you may do so in writing in accordance with the annexed New York County Surrogate's Court Notice to Cited Parties. Dated, Attested and Sealed July 18, 2025 HON. RITA MELLA, Surrogate. Diana Sanabria, Chief Clerk Barbara E. Shiers, Esq. - Frankfurt Kurmit Klein & Selz, P.C. Firm (212) 826-5526 Telephone 28 Liberty Street, 35th Floor, New York, New York 10005 Address: 28 Liberty Street, New York, NY 10005 Email (optional) NOTE: This citation is served upon you as required by law. You are not required to appear. If you fail to appear it will be assumed you do not object to the relief requested. You have a right to have an attorney appear for you. NOTICE TO CITED PARTIES You have been served with a citation for a matter that is scheduled to be heard at a New York County Surrogate's Court calendar. The citation that you have received contains a return date. Please do not appear in the courthouse on that date. The following choices are available to you: If you do not object to the relief requested, you do not need to contact the court or do anything else. If you do object to the relief sought on the citation, you or your lawyer must send a document to the court signed by you or your lawyer indicating that: 1. You object to the relief or you are requesting discovery; OR 2. You are requesting the opportunity to appear in person or by using Skype for Business or by telephone conference; OR 3. You are requesting an adjournment to consult with or retain counsel. Your written response must be received by the court three (3) business days before the return date and must include either an email address or telephone number, or both, where you or your lawyer can be reached during business hours. Your communication to the court may be sent by email to: Probate\_General@nycourts.gov or by mail addressed to the Probate Department of this court at the address listed above or you may bring it in person to the court. The attorney for the petitioner must be copied in your communication. If your written communication to the court indicates that you would like to proceed as described in choice number 1 above, your case may be referred to a court attorney-referee for a conference. The case will be adjourned to a future date, if you request the opportunity to appear in person or by electronic means or to consult or retain counsel (choices number 2 and 3). If you do not contact the court by the date on the citation, the record will reflect that you do not object to the relief requested. If an attorney plans to appear on your behalf, he or she must file a Notice of Appearance. This Notice may be filed by delivering it in person to the Probate Department of this court or mailing it ad-

#### CITATIONS NY

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

#### LIQUOR LICENSES

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

**NOTICE IS HEREBY GIVEN** that an On-Premise Restaurant Full Liquor License, NYS Application ID: NA-0340-25-122131 has been applied for by 520 Henny LLC d/b/a The Starling serving beer, wine, cider and liquor to be sold at retail for on premises consumption in a restaurant with one additional bar, for the premises located at 520 8th Avenue New York NY 10018. 12307 jy29-Tu au5

**NOTICE IS HEREBY GIVEN** that an On-Premise Restaurant Full Liquor License, NYS Application ID: CL-25-1029131 has been applied for by Boni Restaurant LLC serving beer, wine, cider and liquor to be sold at retail for on premises consumption in a restaurant, for the premises located at 238 Mott St. Store 4 and 5 New York NY 10012-5761. 12308 jy29-Tu au5

**NOTICE IS HEREBY GIVEN** that an On-Premises Food & Beverage Business Wine License, NYS Application ID NA-0267-25-221086 has been applied for by 470 Broome Cafe LLC d/b/a 470 Broome St to sell beer, wine and cider at retail in an on-premises Food & Beverage Business-Wine establishment. For on premise consumption under the ABC law at 55 1/2 Green Street New York NY 10013-5309. 12309 jy29-Tu au5

#### LIMITED LIABILITY ENTITIES

**JOSEPH PHAM NURSE PRACTITIONER IN ACUTE CARE NY PLLC.** Filed with SSNY on 05/07/2025. Office location: Nassau County. SSNY designated as agent for process and shall mail to: 46 BARNES ST, LONG BEACH, NY 11561. Purpose: NP IN ACUTE CARE 11092 jy1-Tu au5

**TALK TIME SPEECH LANGUAGE PATHOLOGY PLLC.** Filed with SSNY on 03/10/2025. Office location: Nassau County. SSNY designated as agent for process and shall mail to: 16 FOREST ROW, GREAT NECK, NY 11023. Purpose: SPEECH LANGUAGE PATHOLOGYjy1 11094 jy1-Tu au5

**TALK TIME SPEECH LANGUAGE PATHOLOGY PLLC.** Filed with SSNY on 03/10/2025. Office location: Nassau County. SSNY designated as agent for process and shall mail to: 16 FOREST ROW, GREAT NECK, NY 11023. Purpose: SPEECH LANGUAGE PATHOLOGY 11087 jy1-Tu au5

**AN Anesthesia PLLC, Art. of Org.** filed w/ Secy of State NY (SSNY) 7/18/25. Office location: Nassau Co. SSNY design. agent of LLC upon whom process may be served & shall mail process to 811 Wilson St, Valley Stream, NY 11581. Purpose: Medicine. 12026 jy22-Tu au26

**STILL WATERS NP IN PSYCHIATRY PLLC, a Prof. LLC.** Arts. of Org. filed with the SSNY on 07/21/2025. Office loc: Nassau County. SSNY has been designated as agent upon whom process against it may be served. SSNY shall mail process to: The PLLC, 838 Pepperidge Rd, Westbury, NY 11590. Purpose: To Practice The Profession Of Nurse Practitioner in Psychiatry. 12022 jy22-Tu au26

**NOTICE OF FORMATION** Of Thera Rehab Physical and Occupational Therapy, PLLC. Arts of Org filed with Secy. of State of NY (SSNY) on 6/20/2025. Office location: NY County. SSNY designated as agent upon whom process may be served and shall mail copy of process against PLLC to 207 E 57th St, #31A, NY, NY 10022. P/B/A: 115 W 30th St, Ste 502B, NY, NY 10001. Purpose: any lawful act. 11983 Jy29 T S02

#### LIMITED LIABILITY ENTITIES

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

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

**LENA LI GUO NURSE PRACTITIONER IN ADULT HEALTH PLLC.** Filed with SSNY on 03/26/2025. Office location: Nassau County. SSNY designated as agent for process and shall mail to: 20 STRATHMORE RD, GREAT NECK, NY 11023. Purpose: NP IN ADULT HEALTH 12317 jy29-Tu s2

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

**REGIONAL PODIATRY CONSULTANT PLLC.** Filed with SSNY on 05/28/2025. Office location: Nassau County. SSNY designated as agent for process and shall mail to: 608 PRESCOTT PL, VALLEY STREAM, NY 11581. Purpose: PODIATRY 12336 jy29-Tu s2

**NOTICE OF FORMATION OF THE PRIVATE FUND BOUTIQUE PLLC.** Arts of Org filed with Secy. of State of NY (SSNY) on 7/23/2025. Office location: NY County. SSNY designated as agent upon whom process may be served and shall mail copy of process against LLC to Kelly Kosciuszka, The Chrysler Building, 405 Lexington Ave, 26th Fl, New York, NY 10174. Purpose: any lawful act. 12521 Au05 T S09

**NOTICE OF FORMATION OF THE TOWNSEND LAW FIRM PLLC.** Arts of Org filed with Secy. of State of NY (SSNY) on 5/27/2025. Office location: NY County. SSNY designated as agent upon whom process may be served and shall mail copy of process against PLLC to 1350 Ave of The Americas, Fl 2 #1068, New York, NY 10019. Purpose: any lawful act. 10235 Jy01 T Au05

**NOTICE OF FORMATION OF WEST ATLANTIC LAW FIRM PLLC.** Arts of Org filed with Secy. of State of NY (SSNY) on 5/8/2025. Office location: NY County. SSNY designated as agent upon whom process may be served and shall mail copy of process against PLLC to 104 West 40th St, Ste 400, New York, NY 10018. Purpose: any lawful act. 9585 Jy01 T Au05

**NOTICE OF FORMATION** of Upwards Mental Health Counseling NYC, PLLC. Arts of Org filed with Secy. of State of NY (SSNY) on 5/16/2025. Office location: NY County. SSNY designated as agent upon whom process may be served and shall mail copy of process against PLLC to 435 Central Park West, Apt 2C, New York, NY 10025. Purpose: any lawful act. 11361 Jy08 T Au12

**NOTICE OF FORMATION** of Manhattan Licensed Clinical Social Work PLLC. Arts of Org filed with Secy. of State of NY (SSNY) on 5/16/2025. Office location: NY County. SSNY designated as agent upon whom process may be served and shall mail copy of process against PLLC to 22 East 36th St, Apt 6A, New York, NY 10016. P/B/A: 280 Madison Ave, Ste 311, New York, NY 10016. Purpose: any lawful act. 11747 Jy22 T Au26

**NOTICE OF FORMATION** of SAIGAL PSYCHOLOGY, PLLC. Arts of Org filed with Secy. of State of NY (SSNY) on 4/14/2025. Office location: NY County. SSNY designated as agent upon whom process may be served and shall mail copy of process against PLLC to Mailbox 437, UPS Store, 108 1st Ave, New York, NY 10009. Purpose: any lawful act. 12156 Jy29 T S02

**NOTICE OF QUALIFICATION OF BURNHAM & GOROKHOV, PLLC.** Application for Authority filed with Secy. of State of NY (SSNY) on 6/2/2025. Office loc: NY County. PLLC formed in VA on 1/14/2006. SSNY designated as agent upon whom process may be served and shall mail copy of process against PLLC to 1634 I St NW, Ste 575, Washington, DC 20006. PLLC address in VA: 1765 Duke St, Alexandria, VA 22314. Cert. of PLLC filed with Secy of State of VA loc: 1300 E Main St, Richmond, VA 23219. Purpose: any lawful act or activity. 12278 Jy29 T S02

#### LIMITED LIABILITY ENTITIES

**CARAVELLO MEDICAL WELLNESS NY PLLC Art. Of Org.** Filed Sec. of State of NY 7/16/2025. Off. Loc.: Nassau Co. SSNY designated as agent upon whom process may be served & shall mail proc.: The LLC, 1834 Doria Lane South, Bellmore, NY 11710, USA. Purpose: Profession of Medicine. 12127 jy29-Tu s2

#### LIMITED LIABILITY ENTITIES

**CMAX BRANDS LLC.** Arts. of Org. filed with the SSNY on 07/28/25. Office: Nassau County. SSNY designated as agent of the LLC upon whom process against it may be served. SSNY shall mail copy of process to the LLC, 10 Cutter Mill Road, Suite 406, Great Neck, NY 11021. Purpose: Any lawful purpose. 12572 au5-Tu s9

**LP Equity Holdings LLC Art. of Org.** filed with the SSNY on 06/24/2025. Office: New York County. SSNY designated as agent of the LLC upon whom process against it may be served. SSNY shall mail copy of process to the LLC, 840 West End Ave, #5C, New York, NY 10025. Purpose: Any lawful purpose. 11661 Jy15 T Au19

**AVIHRD LLC.** Filed with SSNY on 06/17/2025. Office: New York County. SSNY designated as agent for process & shall mail to: 299 PARK AVE 16TH FLR, NEW YORK, NY 10171. Purpose: Any Lawf. 11678 jy15-Tu au19

**DAPXT, LLC.** Arts. of Org. filed with the SSNY on 06/26/2025. Office loc: NY County. SSNY has been designated as agent upon whom process against the LLC may be served. SSNY shall mail process to: The LLC, 519 East 72nd Street, Ste 103, NY, NY 10021. Purpose: Any Lawful Purpose. 11681 jy15-Tu au19

**JURGEN HOLDINGS LLC.** Arts. of Org. filed with the SSNY on 04/17/25. Office: New York County. SSNY designated as agent of the LLC upon whom process against it may be served. SSNY shall mail copy of process to the LLC, 130 W 82nd St, Apt 3R, New York, NY 10024. Registered Agent address: c/o Nicholas Jurgen Sackman, 175 Kelbourne Ave, Sleepy Hollow, NY 10591. Purpose: Any lawful purpose. 11513 jy15-Tu au19

**LA-TI-DA 1 LLC.** Arts. of Org. filed with the SSNY on 06/27/25. Office: Nassau County. SSNY designated as agent of the LLC upon whom process against it may be served. SSNY shall mail copy of process to the LLC, c/o Lassar & Cowhey LLP, 730 Third Avenue, 11th Floor, New York, NY 10017. Purpose: Any lawful purpose. 11514 jy15-Tu au19

**LA-TI-DA 2 LLC.** Arts. of Org. filed with the SSNY on 06/27/25. Office: Nassau County. SSNY designated as agent of the LLC upon whom process against it may be served. SSNY shall mail copy of process to the LLC, c/o Lassar & Cowhey LLP, 730 Third Avenue, 11th Floor, New York, NY 10017. Purpose: Any lawful purpose. 11515 jy15-Tu au19

**LOLLIPOP LEAGUE, LLC.** Filed with SSNY on 07/23/2025. Office: New York County. SSNY designated as agent for process & shall mail to: 201 EAST 80TH ST, 14C, NEW YORK, NY 10075. Purpose: Any Lawful 12312 jy29-Tu s2

**NOTICE OF FORMATION** of J.C. POND LLC Arts. of Org. filed with Secy. of State of NY (SSNY) on 07/22/25. Office location: Nassau County. Princ. office of LLC: c/o Eckel Development, 176 Cove Rd., Oyster Bay Cove, NY 11771. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to the LLC at the addr. of its princ. office. Purpose: Any lawful activity. 12295 Jul29 tu Sep12

**NOTICE OF FORMATION** of JEB Creations LLC. Arts of Org filed with Secy. of State of NY (SSNY) on 3/24/2025. Office location: Nassau County. SSNY designated as agent upon whom process may be served and shall mail copy of process against LLC to R/A: Business Filings Incorporated, 187 Wolf Rd, Ste 101, Albany, NY 12205. Purpose: any lawful act. 11411 Jy08 T Au12

#### LIMITED LIABILITY ENTITIES

**505-2T GREENWICH STREET LLC.** Filed with SSNY on 05/07/2025. Office: Nassau County. SSNY designated as agent for process & shall mail to: 1581 FRANKLIN AVE, MINEOLA, NY 11501. Purpose: Any Lawful 11091 jy1-Tu au5

**ANCHOR STONE PROPERTIES LLC.** Filed with SSNY on 05/02/2025. Office: Nassau County. SSNY designated as agent for process & shall mail to: 1581 FRANKLIN AVE, MINEOLA, NY 11501. Purpose: Any Lawful 11090 jy1-Tu au5

**A Notice of Formation** of 139 Sheridan Holding LLC, Art. of Org. filed Secy. of State of NY (SSNY) on 5/27/2025. Office location: New York County. SSNY Designated as agent of LLC upon whom process against it may be served. SSNY shall mail copy of process to: The LLC, 86 Elizabeth St, 5th FL, New York, NY 10013. Purpose: any lawful activity. 10799 jy1-Tu au5

**EKOKO PAULINE SKIN LLC.** Filed with SSNY on 05/22/2025. Office: New York County. SSNY designated as agent for process & shall mail to: 1224 PACIFIC ST, APT #1B, BROOKLYN, NY 11216. Purpose: Any Lawful 11105 jy1-Tu au5

**EMOR EQUITY LLC.** Filed with SSNY on 06/13/2025. Office: Nassau County. SSNY designated as agent for process & shall mail to: C/O COHEN & FRANKEL, LLP, EAST 44TH ST, #1800, NEW YORK, NY 10017. Purpose: Any Lawful 11100 jy1-Tu au5

**MPAD 4 LLC.** Filed with SSNY on 05/02/2025. Office: New York County. SSNY designated as agent for process & shall mail to: C/O COHEN & FRANKEL, LLP, 11 EAST 44TH ST, #1800, NEW YORK, NY 10017. Purpose: Any Lawful 11099 jy1-Tu au5

**MUNTER KOENIG STRATEGY GROUP LLC** filed Arts. of Org. with the Secy of State of NY (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 and shall mail process to: The LLC, 35 Hillary Ln, Westbury, NY 11590. Purpose: any lawful act 11110 jy1-Tu au5

**OKAKSET PARTNERS LLC.** Filed with SSNY on 06/18/2025. Office: New York County. SSNY designated as agent for process & shall mail to: 767 FIFTH AVE FLR 12, NEW YORK, NY 10153. Purpose: Any Lawful 11104 jy1-Tu au5

**PROUD GROUP LLC.** Filed with SSNY on 06/05/2025. Office: Nassau County. SSNY designated as agent for process & shall mail to: 67A CUTLERMILL RD, GREAT NECK, NY 11021. Purpose: Any Lawful 11088 jy1-Tu au5

**SGIA LLC.** Filed with SSNY on 04/02/2025. Office: Nassau County. SSNY designated as agent for process & shall mail to: 42 SANDY LANE, MASSAPEQUA, NY 11758. Purpose: Any Lawful 11089 jy1-Tu au5

**WHITMAN 65 LLC.** Filed with SSNY on 06/17/2025. Office: New York County. SSNY designated as agent for process & shall mail to: 60 HORATIO ST, NEW YORK, NY 10014. Purpose: Any Lawful 11102 jy1-Tu au5

**181 7TH AVE LLC.** Filed with SSNY on 07/15/2025. Office: New York County. SSNY designated as agent for process & shall mail to: 181 7TH AVE, STE 14A, NEW YORK, NY 10011. Purpose: Any Lawful 12011 jy22-Tu au26

**275 HILLSIDE LLC.** Filed with SSNY on 05/14/2025. Office: Nassau County. SSNY designated as agent for process & shall mail to: 275 HILLSIDE AVE, STE 2W, WILLISTON PARK, NY 11596. Purpose: Any Lawful 12014 jy22-Tu au26

**4143 HARTS ROAD, LLC.** Arts of Org. filed with the SSNY on 07/11/2025. Office loc: Nassau County. SSNY has been designated as agent upon whom process against the LLC may be served. SSNY shall mail process to: S&V Realty Partnership C/O J. Stanco & Associates LLC, 91 Oyster Bay Rd, East Norwich, NY 11732. Purpose: Any Lawful Purpose. 11990 jy22-Tu au26

**RYBROOK LLC.** Filed with SSNY on 06/25/2025. Office: Nassau County. SSNY designated as agent for process & shall mail to: 2611 GRAND AVENUE, BALDWIN, NY 11510. Purpose: Any Lawful 12004 jy22-Tu au26

#### LIMITED LIABILITY ENTITIES

**CLEVELAND 1 PROPERTIES LLC.** Arts. of Org. filed with the SSNY on 07/16/2025. Office loc: Nassau County. SSNY has been designated as agent upon whom process against the LLC may be served. SSNY shall mail process to: The LLC, 75 Lawrence Ave, Inwood, NY 11096. Reg Agent: Audeno Vacchio, 111 Grant Ave, East Rockaway, NY 11518. Purpose: Any Lawful Purpose. 12001 jy22-Tu au26

**CTHR33 LLC.** Arts. of Org. filed with the SSNY on 07/18/2025. Office loc: Nassau County. SSNY has been designated as agent upon whom process against the LLC may be served. SSNY shall mail process to: The LLC, 1962 Julian Lane, Merrick, NY 11566. Purpose: Any Lawful Purpose. 11992 jy22-Tu au26

**EAST COAST IMPERIAL LLC.** Arts. of Org. filed with the SSNY on 07/15/2025. Office loc: Nassau County. SSNY has been designated as agent upon whom process against the LLC may be served. SSNY shall mail process to: The LLC, 124 Dubois Ave, Ste 2, Valley Stream, NY 11581. Reg Agent: Jayson Robinson, 124 Dubois Ave, Ste 2, Valley Stream, NY 11581. Purpose: Any Lawful Purpose. 11989 jy22-Tu au26

**EVERERISE GROUP LLC.** Arts. of Org. filed with the SSNY on 07/17/2025. Office loc: Nassau County. SSNY has been designated as agent upon whom process against the LLC may be served. SSNY shall mail process to: Wen Biao Li, 26 Oaks Hunt Rd, Great Neck, NY 11020. Purpose: Any Lawful Purpose. 11991 jy22-Tu au26

**FRESHNOW, LLC.** Art. of Org. filed with SSNY 10-25-2023. Office Location: NY County. SSNY designated as agent of the LLC for service of process. SSNY shall mail a copy of any process to: c/o Leech Fishman Robinson Brog PLLC, Attn: Leonard B. Nathanson, Esq., 875 Third Ave., 9TH FL, NY, NY 10022. Purpose: Any lawful act or activity. 11993 jy22-Tu au26

**IKE CREATIVE LLC.** Filed with SSNY on 01/03/2025. Office: New York County. SSNY designated as agent for process & shall mail to: 105 E 38TH ST, APT 7C, NEW YORK, NY 10016. Purpose: Any Lawful 12009 jy22-Tu au26

**J&S 188 REALTY LLC.** Arts. of Org. filed with the SSNY on 09/19/2023. Office loc: Nassau County. SSNY has been designated as agent upon whom process against the LLC may be served. SSNY shall mail process to: The LLC, 250 Lenox Place, Franklin Square, NY 11010. Purpose: Any Lawful Purpose. 11988 jy22-Tu au26

**KASSET LLC.** Filed with SSNY on 07/16/2025. Office: New York County. SSNY designated as agent for process & shall mail to: 50 WEST 47TH ST, STE 3F, NEW YORK, NY 10036. Purpose: Any Lawful 12010 jy22-Tu au26

**KRISTEN MARINO, BCBA, LBA, LLC.** Arts. of Org. filed with the SSNY on 09/11/24. Office: New York County. SSNY designated as agent of the LLC upon whom process against it may be served. SSNY shall mail process to: The LLC, 250 Lenox Place, Franklin Square, NY 11010. Purpose: Any Lawful Purpose. 11956 jy22-Tu au26

**MARIA MEEK WELLNESS AND SPA LLC.** Filed with SSNY on 07/14/2025. Office: Nassau County. SSNY designated as agent for process & shall mail to: 56 BEECHWOOD ST, FARMINGDALE, NY 11735. Purpose: Any Lawful 12006 jy22-Tu au26

**PORTICO 200, LLC.** Filed with SSNY on 07/15/2025. Office: Nassau County. SSNY designated as agent for process & shall mail to: 248 DOGWOOD LN, MANHASSET, NY 11030. Purpose: Any Lawful 12013 jy22-Tu au26

**THE SPARKLE EDIT LLC.** Filed with SSNY on 06/20/2025. Office: Nassau County. SSNY designated as agent for process & shall mail to: 27 FLORAL PKWY, FLORAL PARK, NY 11001. Purpose: Any Lawful 12015 jy22-Tu au26

**TNL LLC.** Filed with SSNY on 11/10/2017. Office: Nassau County. SSNY designated as agent for process & shall mail to: 524 ADVENT STREET, WESTBURY, NY 11590. Purpose: Any Lawful 12005 jy22-Tu au26

**WIMBLEDON DW LLC.** Filed with SSNY on 07/15/2025. Office: Nassau County. SSNY designated as agent for process & shall mail to: 20 WIMBLEDON DR, ROSLYN, NY 11576. Purpose: Any Lawful 12008 jy22-Tu au26

#### LIMITED LIABILITY ENTITIES

**AUHOF ADVISORY LLC.** Art. Of Org. Filed Sec. of State of NY 7/22/2025. Off. Loc.: New York Co. SSNY designated as agent upon whom process may be served & shall mail proc.: c/o Philipp Schnabl, 110 Bleecker Street, Apt 25A, New York, NY 10012, USA. Purpose: Any lawful purpose. 12297 jy29-Tu au26

**PENINSULA PROPERTIES, LLC.** Art. Of Org. Filed Sec. of State of NY 7/28/2006. Off. Loc.: Bronx Co. SSNY designated as agent upon whom process may be served & shall mail proc.: 227 East 235 Street, Bronx, NY 10470, USA. Purpose: Any lawful purpose. 12298 jy29-Tu au26

**152 EAST END AVE LLC.** Filed with SSNY on 07/15/2025. Office: Nassau County. SSNY designated as agent for process & shall mail to: 28 LIBERTY ST, NEW YORK, NY 10005. Purpose: Any Lawful 12316 jy29-Tu s2

**2500 BOSTON ROAD LLC.** Filed with SSNY on 07/23/2025. Office: Bronx County. SSNY designated as agent for process & shall mail to: 732 COMMERCE ST, THORNWOOD, NY 10594. Purpose: Any Lawful 12327 jy29-Tu s2

**2736 KINGSBRIDGE TERRACE LLC.** Filed with SSNY on 08/02/2024. Office: Bronx County. SSNY designated as agent for process & shall mail to: 2736 KINGSBRIDGE TERRACE, BRONX, NY 10463. Purpose: Any Lawful 12333 jy29-Tu s2

**32ND AVENUE PROPERTIES LLC.** Filed with SSNY on 05/15/2025. Office: Nassau County. SSNY designated as agent for process & shall mail to: 11 LATTINGTOWN RIDGE CT, LOCUST VALLEY, NY 11560. Purpose: Any Lawful 12321 jy29-Tu s2

**885 MM MIDDTOWN LLC.** Filed with SSNY on 05/29/2025. Office: New York County. SSNY designated as agent for process & shall mail to: 122 EAST 42ND ST, STE 2100, NEW YORK, NY 10168. Purpose: Any Lawful 12351 jy29-Tu s2

**CROSSOVER TIXX LLC.** Arts. of Org. filed with the SSNY on 07/18/25. Office: Nassau County. SSNY designated as agent of the LLC upon whom process against it may be served. SSNY shall mail copy of process to the LLC, 377 Buckingham Road, Cedarhurst, NY 11516. Purpose: Any lawful purpose. 12119 jy29-Tu s2

**EAST 115TH REALTY LLC.** Filed with SSNY on 06/12/2025. Office: Bronx County. SSNY designated as agent for process & shall mail to: 115 EAST 115TH RD, BRONX, NY 1046

LIMITED LIABILITY ENTITIES

MATCHAFUL TRIBECA L.L.C. Filed with SSNY on 06/16/2025. Office: New York County. SSNY designated as agent for process & shall mail to: 350 GREENWICH ST, NEW YORK, NY 10013. Purpose: Any Lawful. jy29-Tu s2 12314

MET 3076 LLC Articles of Org. filed NY Sec. of State (SSNY) 6/25/25. Office in NY Co. SSNY desig. agent of LLC whom process may be served. SSNY shall mail process to c/o Kaplan Fox & Kilsheimer LLP, 800 Third Ave., 38 th Fl, NY 10022. Attn: Jason P. Reska, Esq., which is also the principal business location. Purpose: Any lawful purpose. 12365 jy29-Tu s2

MMM6 2025 MANAGEMENT, LLC. Filed with SSNY on 03/06/2025. Office: Nassau County. SSNY designated as agent for process & shall mail to: 1700 JERICHO TPKE, NEW HYDE PARK, NY 11040. Purpose: Any Lawful act. jy29-Tu s2

M&T 55 LLC. Filed with SSNY on 01/28/2025. Office: New York County. SSNY designated as agent for process & shall mail to: 351 WEST 37TH ST, NEW YORK, NY 10018. Purpose: Any Lawful. jy29-Tu s2 12349

PINE HILL PARTNERS L.L.C., Arts. of Org. filed with the SSNY on 07/25/2025. Office: Nassau County. SSNY has been designated as agent upon whom process against the LLC may be served. SSNY shall mail process to: John Shaw, 27 8th Street, Hicksville, NY 11801. Purpose: Any Lawful Purpose. 12350 jy29-Tu s2

SERPICO LEGACY, LLC. Arts. of Org. filed with the SSNY on 07/02/25. Office: Nassau County. SSNY designated as agent of the LLC upon whom process against it may be served. SSNY shall mail copy of process to the LLC, 2722 Wilson Avenue, Bellmore, NY 11710. Purpose: Any lawful purpose. 12118 jy29-Tu s2

SFK FL, LLC. Filed with SSNY on 07/16/2025. Office: Nassau County. SSNY designated as agent for process & shall mail to: 60 CUTTER MILL ROAD, STE 100C, GREAT NECK, NY 11021. Purpose: Any Lawful. jy29-Tu s2 12338

SOUTHGATE FLOWERS LLC. Filed with SSNY on 02/02/2025. Office: Nassau County. SSNY designated as agent for process & shall mail to: 785 SOUTHGATE DR, VALLEY STREAM, NY 11581. Purpose: Any Lawful. 12315 jy29-Tu s2

SR 148 MADISON LLC. Arts. of Org. filed with the SSNY on 07/25/2025. Office loc: Nassau County. SSNY has been designated as agent upon whom process against the LLC may be served. SSNY shall mail process to: The LLC, 149 Dubois Ave, Valley Stream, NY 11581. Purpose: Any Lawful Purpose. 12303 jy29-Tu s2

TB DESIGN WORKS LLC. Filed with SSNY on 06/02/2025. Office: New York County. SSNY designated as agent for process & shall mail to: 150 PARK AVE., 410A, NEW YORK, NY 10128. Purpose: Any Lawful. 12313 jy29-Tu s2

THE GLUTEN FREE TREAT SHOP LLC. Arts. of Org. filed with the SSNY on 07/24/2025. Office loc: Nassau County. SSNY has been designated as agent upon whom process against the LLC may be served. SSNY shall mail process to: Jenna Vanacore, 518B Broadway, Massapequa, NY 11758. Purpose: Any Lawful Purpose. 12302 jy29-Tu s2

TP MANAGEMENT RESOURCES LLC. Arts. of Org. filed with the SSNY on 07/25/2025. Office loc: Nassau County. SSNY has been designated as agent upon whom process against the LLC may be served. SSNY shall mail process to: Toni Penn, 22 Athem Drive, Glen Cove, NY 11542. Purpose: Any Lawful Purpose. 12301 jy29-Tu s2

WAHL DEVELOPMENT LLC. Arts. of Org. filed with the SSNY on 04/14/17. Office: Nassau County. SSNY designated as agent of the LLC upon whom process against it may be served. SSNY shall mail copy of process to the LLC, 146 North Central Avenue, Valley Stream, NY 11580. Purpose: Any lawful purpose. 12115 jy29-Tu s2

WHEELHOUSE MANAGEMENT LLC. Arts. of Org. filed with the SSNY on 07/16/2025. Office: Nassau County. SSNY designated as agent of the LLC upon whom process against it may be served. SSNY shall mail copy of process to the LLC, c/o Gary A. Horn, Esq., 626 RXR Plaza, Uniondale, NY 11556. Purpose: Any lawful purpose. 12120 jy29-Tu s2

67 HAZEL REALTY LLC Arts. of Org. filed with SSNY on 6/11/2025. Off. Loc.: NASSAU Co. SSNY desig. as agt. upon whom process may be served. SSNY shall mail process to: The LLC, 3 Barbara Lane, Glen Cove, NY 11542. General Purposes 11393 jy8-Tu au12

Rechler Football Holdings LLC filed w/ SSNY 7/18/25. Off. in Nassau Co. Process served to SSNY - desig. as agt. of LLC & mailed to the LLC, 85 S. Service Rd, Plainville, NY 11803. Any lawful purpose. 12088 Jul29 tu Sept2

13HEMLOCKROAD, LLC. Filed with SSNY on 05/15/2025. Office: New York County. SSNY designated as agent for process & shall mail to: 288 THYICUS RD, NORTH SALEM, NY 10560. Purpose: Any Lawful. 11677 jy15-Tu au19

NOTICE OF FORMATION OF GIAN NEW YORK LLC. Arts of Org filed with Secy. of State of NY (SSNY) on 6/16/2025. Office location: NY County. SSNY designated as agent upon whom process may be served and shall mail copy of process against LLC to 201 East 66th Street, New York, NY 10065. Purpose: any lawful act. 12165 Jy29 T S02

LIMITED LIABILITY ENTITIES

NOTICE OF FORMATION OF KIRKWOOD HOUSE SENIOR HOUSING GP LLC Arts. of Org. filed with Secy. of State of NY (SSNY) on 7/9/25. Office location: NY County. SSNY designated agent upon whom process may served and shall mail copy of process against LLC to 88 Lexington Ave., 505, NY, NY, 10016. Any Lawful act. 12563 Au05 T S09

NOTICE OF FORMATION OF EVOLUCIONADA CONSULTING, LLC. Arts of Org filed with Secy. of State of NY (SSNY) on 5/16/2023. Office location: NY County. SSNY designated as agent upon whom process may be served and shall mail copy of process against LLC to 518 W 181st St, #152, New York, NY 10033. Purpose: any lawful act. 9949 Au05 T S09

NOTICE OF FORMATION OF JAM331E81 LLC. Arts of Org filed with Secy. of State of NY (SSNY) on 7/15/2025. Office location: NY County. SSNY designated as agent upon whom process may be served and shall mail copy of process against LLC to c/o Jared Pinchasick Esq, 477 Madison Ave, 6th Fl, New York, NY 10022. Purpose: any lawful act. 12522 Au05 T S09

NOTICE OF FORMATION OF MANHATTAN LIGHTING REPAIR LLC. Arts of Org filed with Secy. of State of NY (SSNY) on 7/30/2025. Office location: NY County. SSNY designated as agent upon whom process may be served and shall mail copy of process against LLC to 1216 Broadway, 2/F, #31, New York, NY 10001. Purpose: any lawful act. 12556 Au05 T S09

NOTICE OF FORMATION OF MOMENTUM ADVISORS JOK, LLC. Arts of Org filed with Secy. of State of NY (SSNY) on 7/16/2025. Office location: NY County. SSNY designated as agent upon whom process may be served and shall mail copy of process against LLC to 200 Corporate Blvd, #100, New York, NY 10069. Purpose: any lawful act. 12556 Au05 T S09

NOTICE OF FORMATION OF Studio 550 LLC. Arts of Org filed with Secy. of State of NY (SSNY) on 5/20/2025. Office location: NY County. SSNY designated as agent upon whom process may be served and shall mail copy of process against LLC to 550 W 149th St, Apt 2R, New York, NY 10031. Purpose: any lawful act. 12326 Au05 T S09

NOTICE OF FORMATION OF Vauteon Group LLC. Arts of Org filed with Secy. of State of NY (SSNY) on 6/21/2025. Office location: NY County. SSNY designated as agent upon whom process may be served and shall mail copy of process against LLC to 167 Madison Ave, Ste 205 #1048, New York, NY 10016. Purpose: any lawful act. 11897 Au05 T S09

NOTICE OF FORMATION OF WEISSBERGER PRODUCTIONS LLC. Arts of Org filed with Secy. of State of NY (SSNY) on 7/3/2025. Office location: NY County. SSNY designated as agent upon whom process may be served and shall mail copy of process against LLC to 45 East 72nd St, New York, NY 10021. Purpose: any lawful act. 12559 Au05 T S09

NOTICE OF FORMATION OF KIRKWOOD HOUSE SENIOR HOUSING CLASS B, LLC Arts. of Org. filed with Secy. of State of NY (SSNY) on 07/21/25. Office location: NY County. Princ. office of LLC: 116 E. 27th St., 11th Fl., NY, NY 10016. SSNY designated as agent of LLC upon whom process against the LLC may be served. SSNY shall mail process to: Corporation Service Co., 80 State St., Albany, NY 12207. Purpose: Any lawful activity. 12274 Jul29 tu Sept2

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

NOTICE OF FORMATION OF KIRKWOOD HOUSE SENIOR HOUSING CLASS A, LLC Arts. of Org. filed with Secy. of State of NY (SSNY) on 07/21/25. Office location: NY County. Princ. office of LLC: 30 Hudson Yards, 72nd Fl., NY, NY 10001. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: Corporation Service Co., 80 State St., Albany, NY 12207. Purpose: Any lawful activity. 12273 Jul29 tu Sept2

NOTICE OF FORMATION OF 385 BLANK PAGE LLC. Arts of Org filed with SSNY on 04/02/2025. Office: New York Co. SSNY designated as agent for process and shall mail copy to LLC at 704 13th Ave, #202, Bklyn, NY 11228. Purpose: any lawful act. 11644 Jy15 T Au19

DS BLOOM STONY LLC. Filed with SSNY on 07/09/2025. Office: Nassau County. SSNY designated as agent for process & shall mail to: 102 WAYNE ST, JERICHO, NY 11753. Purpose: Any Lawful. 11674 jy15-Tu au19

EASTCHESTER 52 LLC. Filed with SSNY on 06/25/2025. Office: Nassau County. SSNY designated as agent for process & shall mail to: 16 MIDDLE NECK RD, STE 280, GREAT NECK, NY 11021. Purpose: Any Lawful. 11673 jy15-Tu au19

THIRD CITY REALTY HOLDINGS LLC. Filed with SSNY on 07/21/2025. Office: Nassau County. SSNY designated as agent for process & shall mail to: 150 GREAT NECK RD, STE 304, GREAT NECK, NY 11021. Purpose: Any Lawful. 12324 jy29-Tu s2

LIMITED LIABILITY ENTITIES

NOTICE OF FORMATION OF KIRKWOOD HOUSE SENIOR HOUSING GP LLC Arts. of Org. filed with Secy. of State of NY (SSNY) on 07/21/25. Office location: NY County. Princ. office of LLC: 30 Hudson Yards, 72nd Fl., NY, NY 10001. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: Corporation Service Co., 80 State St., Albany, NY 12207. Purpose: Any lawful activity. 12275 Jul29 tu Sept2

NOTICE OF FORMATION OF KIRKWOOD SENIOR HOUSING DEVELOPER, LLC Arts. of Org. filed with Secy. of State of NY (SSNY) on 07/21/25. Office location: NY County. Princ. office of LLC: 30 Hudson Yards, 72nd Fl., NY, NY 10001. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: Corporation Service Co., 80 State St., Albany, NY 12207. Purpose: Any lawful activity. 12276 Jul29 tu Sept2

NOTICE OF FORMATION OF RBEC1, LLC Arts. of Org. filed with Secy. of State of NY (SSNY) on 07/22/25. Office location: NY County. Princ. office of LLC: 30 Hudson Yards, 72nd Fl., NY, NY 10001. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: Corporation Service Co., 80 State St., Albany, NY 12207. Purpose: Any lawful activity. 12286 Jul29 tu Sept2

NOTICE OF FORMATION OF RBP1, LLC Arts. of Org. filed with Secy. of State of NY (SSNY) on 07/22/25. Office location: NY County. Princ. office of LLC: 30 Hudson Yards, 72nd Fl., NY, NY 10001. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: Corporation Service Co., 80 State St., Albany, NY 12207. Purpose: Any lawful activity. 12293 Jul29 tu Sept2

NOTICE OF FORMATION OF RIMAYA WOOSTER LLC Arts. of Org. filed with Secy. of State of NY (SSNY) on 07/21/25. Office location: NY County. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: Corporation Service Co., 80 State St., Albany, NY 12207. Purpose: Any lawful activity. 12289 Jul29 tu Sept2

NOTICE OF FORMATION OF ULTRA WORLD POD-CAST LLC Arts of Org. filed with Secy. of State of NY (SSNY) on 07/17/25. Office location: NY County. Princ. office of LLC: 49 W. 27th St., 9th Fl., NY, NY 10001. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: Corporation Service Co., 80 State St., Albany, NY 12207-2543. Purpose: Any lawful activity. 11081 jy1-Tu au5

NOTICE OF FORMATION OF TWO DRAGONS PRODUCTIONS, LLC. Arts. of Org. filed with Secy. of State of NY (SSNY) on 06/17/2025. Office location: New York County. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: Corporation Service Co. (CSC), 80 State St., Albany, NY 12207-2543. DE addr. of LLC: c/o CSC, 251 Little Falls Dr., Wilmington, DE 19808. Cert. of Form filed with Secy. of State, John G. Townsend Bldg., 401 Federal St., Ste. 4, Dover, DE 19901. Purpose: Any lawful activities. 12265 Jul29 tu Sept2

NOTICE OF FORMATION OF TWO DRAGONS PRODUCTIONS, LLC. Arts. of Org. filed with Secy. of State of NY (SSNY) on 06/17/2025. Office location: New York County. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: Corporation Service Co. (CSC), 80 State St., Albany, NY 12207-2543. DE addr. of LLC: c/o CSC, 251 Little Falls Dr., Wilmington, DE 19808. Cert. of Form filed with Secy. of State, John G. Townsend Bldg., 401 Federal St., Ste. 4, Dover, DE 19901. Purpose: Any lawful activities. 12265 Jul29 tu Sept2

NOTICE OF FORMATION OF Uwabidei Brands LLC. Arts of Org. filed with Secy. of State of NY (SSNY) on 3/12/2025. Office location: BX County. SSNY designated as agent upon whom process may be served and shall mail copy of process against LLC to 568 Broadway, #1039, Bronx, NY 10463. Purpose: any lawful act. 8204 Jy01 T Au05

NOTICE OF FORMATION OF Leslie M. Faerstein LLC. Arts of Org. filed with Secy. of State of NY (SSNY) on 6/20/2025. Office location: NY County. SSNY designated as agent upon whom process may be served and shall mail copy of process against LLC to 237 East 20 St, Ste 4AB, New York, NY 10003. R/A: US Corp Agents, Inc. 7014 13th Ave, #202, BK, NY 11228. Purpose: any lawful act. 12128 Jy08 T Au12

NOTICE OF FORMATION OF AHK CONSULTING GROUP LLC Arts of Org. filed with Secy. of State of NY (SSNY) on 2/21/2025. Office location: Nassau County. SSNY designated as agent upon whom process may be served and shall mail copy of process against LLC to 300 Bailey Ave, Apt 2, Bronx, NY 10463. Purpose: any lawful act. 11974 Jy22 T Au26

NOTICE OF FORMATION OF MODISH PURSUIT LLC. Arts of Org. filed with Secy. of State of NY (SSNY) on 2/24/2025. Office location: NY County. SSNY designated as agent upon whom process may be served and shall mail copy of process against LLC to 37 West 57th St, 3rd and 4th Fl, New York, NY 10019. Purpose: any lawful act. 12270 Jy29 T S02

NOTICE OF FORMATION OF Prosper Legal Management LLC. Arts of Org. filed with Secy. of State of NY (SSNY) on 6/30/2025. Office location: NY County. SSNY designated as agent upon whom process may be served and shall mail copy of process against LLC to 57 West 57th St, 3rd and 4th Fl, New York, NY 10019. Purpose: any lawful act. 12270 Jy29 T S02

NOTICE OF FORMATION OF MONK HOOPER 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 700 Columbus Ave Unit 20078, NY, NY 10025. R/A: US Corp Agents, Inc. 7014 13th Ave, #202, BK, NY 11228. Purpose: any lawful act. 11482 Jy15 T Au19

NOTICE OF FORMATION OF BENDICION BAKER 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 4115 51st St, A23, Woodside, NY 11377. Purpose: any lawful act. 11662 Jy15 T Au19

LIMITED LIABILITY ENTITIES

NOTICE OF FORMATION OF PRESENT DAY DEVELOPMENT LLC. Arts of Org. filed with Secy. of State of NY (SSNY) on 1/22/2025. Office location: NY County. SSNY designated as agent upon whom process may be served and shall mail copy of process against LLC to 307 W 38th St, 16th Fl, PMB 334, New York, NY 10018. Purpose: any lawful act. 11473 Jy15 T Au19

NOTICE OF FORMATION OF MADDY GREEN ASSOCIATES LLC. Arts of Org. filed with Secy. of State of NY (SSNY) on 7/1/25. Office location: NY County. SSNY designated as agent upon whom process may be served and shall mail copy of process against LLC to 5 E. 22nd St., 14th Fl, New York, NY 10010. Purpose: any lawful act. 11696 jy15-Tu au19

NOTICE OF FORMATION OF CAPT NYC LLC. Arts. of Org. filed with Secy. of State of NY (SSNY) on 06/12/2025. Office location: Nassau County. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: The Company, 35 Fox Run, Roslyn Hts., NY 11577. Attn: Dan Kossey. Purpose: any lawful activities. 11083 jy1-Tu au5

NOTICE OF FORMATION OF CENTRAL-MATTI-TUCK LLC. Arts. of Org. filed with Secy. of State of NY (SSNY) on 06/16/2025. Office location: Nassau County. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: Corporation Service Co. (CSC), 80 State St., Albany, NY 12207-2543. DE addr. of LLC: c/o CSC, 251 Little Falls Dr., Wilmington, DE 19808. Cert. of Form filed with Secy. of State, John G. Townsend Bldg., 401 Federal St., Ste. 4, Dover, DE 19901. Purpose: Any lawful activity. 12268 Jul29 tu Sept2

NOTICE OF FORMATION OF THE Treasury LLC. Arts of Org. filed with Secy. of State of NY (SSNY) on 06/17/2025. Office location: Nassau County. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: Corporation Service Co. (CSC), 80 State St., Albany, NY 12207-2543. DE addr. of LLC: c/o CSC, 251 Little Falls Dr., Wilmington, DE 19808. Cert. of Form filed with Secy. of State, John G. Townsend Bldg., 401 Federal St., Ste. 4, Dover, DE 19901. Purpose: Any lawful activities. 12265 Jul29 tu Sept2

NOTICE OF FORMATION OF TWO DRAGONS PRODUCTIONS, LLC. Arts. of Org. filed with Secy. of State of NY (SSNY) on 06/17/2025. Office location: New York County. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: Corporation Service Co. (CSC), 80 State St., Albany, NY 12207-2543. DE addr. of LLC: c/o CSC, 251 Little Falls Dr., Wilmington, DE 19808. Cert. of Form filed with Secy. of State, John G. Townsend Bldg., 401 Federal St., Ste. 4, Dover, DE 19901. Purpose: Any lawful activities. 12265 Jul29 tu Sept2

NOTICE OF FORMATION OF ANDY'S ONE LOVE SKY JUICE & JAM CAN AUTHENTIC FOOD LLC. Arts of Org. filed with Secy. of State of NY (SSNY) on 6/13/2025. Office location: BX County. SSNY designated as agent upon whom process may be served and shall mail copy of process against LLC to 218 Bush St, Apt 71, Bronx, NY 10457. Purpose: any lawful act. 11071 Jy22 T Au26

NOTICE OF FORMATION OF Joy Five LLC Arts of Org. filed with SSNY on 05/15/2025. Off. Loc: Westchester Cty. SSNY design. as agent of the LLC upon whom process against it may be served. SSNY shall mail process to: Corporation Service Co., 80 State St., Albany, NY 12207-2543. Cert. of Form. filed with WA Secy. of State, Legislative Bldg., 416 Sid Snyder Ave, SW, Olympia, WA 98501. Purpose: Any lawful activity. 12294 Jul29 tu Sept2

NOTICE OF FORMATION OF Little Lantern LLC. Arts of Org. filed with Secy. of State of NY (SSNY) on 5/22/2025. Office location: NY County. SSNY designated as agent upon whom process may be served and shall mail copy of process against LLC to 22 East 36th St, Apt 6A, New York, NY 10016. Purpose: any lawful act. 10927 Jy22 T Au26

NOTICE OF FORMATION OF MATTER SPACE SOLUTIONS LLC. Arts of Org. filed with Secy. of State of NY (SSNY) on 6/25/2025. Office location: NY County. SSNY designated as agent upon whom process may be served and shall mail copy of process against LLC to 630 Fort Washington, Apt 3B, New York, NY 10040. Purpose: any lawful act. 11974 Jy22 T Au26

NOTICE OF FORMATION OF DAVID A BERLYNE PLLC. Arts of Org. filed with Secy. of State of NY (SSNY) on 7/24/2025. Office location: NY County. SSNY designated as agent upon whom process may be served and shall mail copy of process against LLC to 442 West 57th St, 11th Fl, New York, NY 10019. Purpose: legal services. 12564 Au05 T S09

NOTICE OF FORMATION OF Francois Executive Partners LLC. Arts of Org. filed with Secy. of State of NY (SSNY) on 6/13/2025. Office location: NY County. SSNY designated as agent upon whom process may be served and shall mail copy of process against LLC to 57 West 57th St, 3rd and 4th Fl, New York, NY 10019. Purpose: any lawful act. 12270 Jy29 T S02

NOTICE OF FORMATION OF Prosper Legal Management LLC. Arts of Org. filed with Secy. of State of NY (SSNY) on 6/30/2025. Office location: NY County. SSNY designated as agent upon whom process may be served and shall mail copy of process against LLC to 57 West 57th St, 3rd and 4th Fl, New York, NY 10019. Purpose: any lawful act. 12270 Jy29 T S02

Application for Authority of APG Six LLC filed with the Secy. of State of NY (SSNY) on 7/3/2025. Formed in DE on 7/1/2025. Office loc.: NY County. SSNY is designated as agent of LLC upon whom process against it may be served. The address SSNY shall mail copy of process to Anthony Rossabi, 110 Riverside Dr, Apt. 11C, New York, NY 10024. The office address required to be maintained in DE is 614 N. DuPont Hwy., Ste. 21C, Dover, DE 19901. Cert. of formation filed with the DE Secy. of State, Div. of Corporations, John G. Townsend Bldg., 401 Federal St., Ste. 4, Dover, DE 19901. Purpose: Any lawful activity. 11503 jy22-Tu au26

LIMITED LIABILITY ENTITIES

NOTICE OF QUALIFICATION OF Concord Capital LLC. Fict. name: Concord Capital NYC LLC. Authority filed with Secy. of State of NY (SSNY) on 06/06/2025. Office location: New York County. LLC formed in Delaware (DE) on 06/05/2025. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: Incorporating Services, Ltd., 3500 South Dupont Hwy., Dover, DE 19901, also the address required to be maintained in DE: 2140 S. Dupont Hwy., Camden, DE 19934. Arts of Org. filed with the Secy. of State, John G. Townsend Bldg., 401 Federal St., Ste. 3, Dover, DE 19901. Purpose: any lawful activities. 11075 jy1-Tu au5

NOTICE OF QUALIFICATION OF ELEVATE EXPERIENCES LLC Appl. for Auth. filed with Secy. of State of NY (SSNY) on 07/17/25. Office location: NY County. LLC formed in Delaware (DE) on 07/03/24. Princ. office of LLC: 1 Pennsylvania Plaza, Ste. 4420, NY, NY 10118. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: Corporation Service Co. (CSC), 80 State St., Albany, NY 12207-2543. DE addr. of LLC: c/o CSC, 251 Little Falls Dr., Wilmington, DE 19808. Cert. of Form filed with Secy. of State, John G. Townsend Bldg., 401 Federal St., Ste. 4, Dover, DE 19901. Purpose: Any lawful activity. 12268 Jul29 tu Sept2

NOTICE OF QUALIFICATION OF IPRG RETAIL LEASING LLC Appl. for Auth. filed with Secy. of State of NY (SSNY) on 07/16/25. Office location: NY County. LLC formed in Delaware (DE) on 07/11/25. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: Corporation Service Co. (CSC), 80 State St., Albany, NY 12207-2543. DE addr. of LLC: c/o CSC, 251 Little Falls Dr., Wilmington, DE 19808. Cert. of Form filed with Secy. of State, John G. Townsend Bldg., 401 Federal St., Ste. 4, Dover, DE 19901. Purpose: Any lawful activity. 12265 Jul29 tu Sept2

NOTICE OF QUALIFICATION OF NW 10 WEST 17TH LENDER LLC Appl. for Auth. filed with Secy. of State of NY (SSNY) on 07/18/25. Office location: NY County. LLC formed in Delaware (DE) on 06/17/25. Princ. office of LLC: 1700 Broadway, 25th Fl., NY, NY 10019. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: Corporation Service Co. (CSC), 80 State St., Albany, NY 12207-2543. DE addr. of LLC: c/o CSC, 251 Little Falls Dr., Wilmington, DE 19808. Cert. of Form. filed with Secy. of State, 401 Federal St., Ste. 4, Dover, DE 19901. Purpose: Any lawful activity. 12287 Jul29 tu Sept2

NOTICE OF QUALIFICATION OF RealNetworks LLC Appl. for Auth. filed with Secy. of State of NY (SSNY) on 07/21/25. Office location: NY County. LLC formed in Washington (WA) on 07/25/22. Princ. office and WA addr. of LLC is: 568 1st Ave. S., Ste. 600, Seattle, WA 98104. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: Corporation Service Co., 80 State St., Albany, NY 12207-2543. Cert. of Form. filed with WA Secy. of State, Legislative Bldg., 416 Sid Snyder Ave, SW, Olympia, WA 98501. Purpose: Any lawful activity. 12294 Jul29 tu Sept2

NOTICE OF QUALIFICATION OF ROVER CLEANERS LLC. Application for authority filed with Secy. of State of NY (SSNY) on 5/19/2025. Office location: NY County. LLC formed in Texas (TX) on 10/27/2021. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: Corporation Service Co., 80 State St., Albany, NY 12207-2543. DE addr. of LLC: 1012 College Rd., Ste. 201, Dover, DE 19904. Cert. of Form. filed with Charuni Patibanda-Sanchez, DE Secy. of State, John G. Townsend Bldg., 401 Federal St., #4, Dover, DE 19901. Purpose: Any lawful activity. 12264 Jul29 tu Sept2

LIMITED LIABILITY ENTITIES

NOTICE OF FORMATION OF DAVID A BERLYNE PLLC. Arts of Org. filed with Secy. of State of NY (SSNY) on 7/24/2025. Office location: NY County. SSNY designated as agent upon whom process may be served and shall mail copy of process against LLC to 442 West 57th St, 11th Fl, New York, NY 10019. Purpose: legal services. 12564 Au05 T S09

LIMITED LIABILITY ENTITIES

NOTICE OF QUALIFICATION OF 190 Berry (Brooklyn) Owner, LLC. Authority filed with Secy. of State of NY (SSNY) on 06/18/2025. Office location: New York County. LLC formed in Delaware (DE) on 03/24/2025. 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 95883-3509. Address required to be maintained in DE: 2140 S. Dupont Hwy., Camden, DE 19934. Arts of Org. filed with the Secy. of State, 401 Federal St., Ste. 4, Dover, DE 19901. Purpose: any lawful activities. 11072 jy1-Tu au5

NOTICE OF QUALIFICATION OF BAQKIBZ LLC. Authority filed with Secy. of State of NY (SSNY) on 06/18/2025. Office location: New York County. LLC formed in Delaware (DE) on 05/12/2025. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: GKL Registered Agents, Inc., 71 Orchard St., Auburn, NY 13021. Address required to be maintained in DE: GKL Registered Agents of DE, Inc., 9 East Lockerman St., Ste. 311, Dover, DE 19901. Arts of Org. filed with the DE Secy. of State, 401 Federal St., Ste. 4, Dover, DE 19901. Purpose: any lawful activities. 11074 jy1-Tu au5

NOTICE OF QUALIFICATION OF Fundomo ET001 GP, LLC. Authority filed with Secy. of State of NY (SSNY) on 06/05/2025. Office location: New York County. LLC formed in Delaware (DE) on 0

LIMITED LIABILITY ENTITIES

NOTICE OF FORMATION OF NABIL ALIFFI LLC. Arts of Org filed with Secy. of State of NY (SSNY) on 6/25/2025. Office location: NY County. SSNY designated as agent upon whom process may be served and shall mail copy of process against LLC to 60 E 8 St, #14N, New York, NY 10003. Purpose: any lawful act. Jul29 T S02

NOTICE OF FORMATION of Samaginatory Artistry LLC. Arts of Org filed with Secy. of State of NY (SSNY) on 9/16/24. Office location: NY County. SSNY designated as agent upon whom process may be served and shall mail copy of process against LLC to 228 Park Ave S, #515693, New York, NY 10003. R/A: US Corp Agents, Inc. 7014 13th Ave, #202, BK, NY 11228. Purpose: any lawful act. Jul29 T S02

LIMITED LIABILITY ENTITIES

Long Island Pro Soccer Holdings LLC Auth. filed w/ SSNY 7/15/25. Off. in Nassau Co. Cert of Form filed w/ SSDE 6/30/25. Process served to SSNY - desig. as agt. of LLC & mailed to the LLC, 1 Charles Lindbergh Blvd, Uniondale, NY 11553. Add. maintd. in DE: National Registered Agents, Inc., 1209 Orange St., Wilmington, DE 19801. Name & add. of cert. officer in DE where Cert of Form filed: SSDE, John G. Townsend Bldg, 401 Federal St, Ste. 4, Dover, DE 19901. Any lawful purpose. Jul29 Tu Sept2

Long Island Pro Soccer Management LLC Auth. filed w/ SSNY 7/15/25. Off. in Nassau Co. Cert of Form filed w/ SSDE 7/14/25. Process served to SSNY - desig. as agt. of LLC & mailed to the LLC, 1 Charles Lindbergh Blvd, Uniondale, NY 11553. Add. maintd. in DE: National Registered Agents, Inc., 1209 Orange St., Wilmington, DE 19801. Name & add. of cert. officer in DE where Cert of Form filed: SSDE, John G. Townsend Bldg, 401 Federal St, Ste. 4, Dover, DE 19901. Any lawful purpose. Jul29 Tu Sept2

NOTICE OF QUALIFICATION OF 233 S 3 ST, LLC Appl. for Auth. filed with Secy. of State of NY (SSNY) on 06/25/25. Office location: NY County. LLC formed in Delaware (DE) on 06/06/25. Princ. office of LLC: 625 Broadway, 11th Fl., NY, NY 10012. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to Corporation Service Co. (CSC), 80 State St., Albany, NY 12207-2543. DE addr. of LLC: c/o CSC, 251 Little Falls Dr., Wilmington, DE 19808. Cert. of Form. filed with DE Secy. of State, John G. Townsend Bldg., 401 Federal St., #4, Dover, DE 19901. Purpose: Any lawful activity. Jul29 Tu Sept2

NOTICE OF QUALIFICATION OF SYT HOLDINGS LLC. Appl. for Auth. filed with Secy. of State of NY (SSNY) on 07/21/25. Office location: NY County. LLC formed in Delaware (DE) on 05/23/23. NY's fictitious name: SYT HOLDINGS LLC. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to c/o Corporation Service Co. (CSC), 80 State St., Albany, NY 12207-2543. DE addr. of LLC: c/o CSC, 251 Little Falls Dr., Wilmington, DE 19808. Cert. of Form. filed with Secy. of State, Div. of Corps., John G. Townsend Bldg., 401 Federal St., Ste. 4, Dover, DE 19901. Purpose: Any lawful activity. Jul29 Tu Sept2

NOTICE OF QUALIFICATION OF SBOS FUND II GP LLC Appl. for Auth. filed with Secy. of State of NY (SSNY) on 07/17/25. Office location: NY County. LLC formed in Delaware (DE) on 04/09/25. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to c/o Corporation Service Co. (CSC), 80 State St., Albany, NY 12207-2543. DE addr. of LLC: c/o CSC, 251 Little Falls Dr., Wilmington, DE 19808. Cert. of Form. filed with Secy. of State, Div. of Corps., John G. Townsend Bldg., 401 Federal St., Ste. 4, Dover, DE 19901. Purpose: Investment management. Jul29 Tu Sept2

NOTICE OF QUALIFICATION OF SSGST LLC Appl. for Auth. filed with Secy. of State of NY (SSNY) on 07/21/25. Office location: NY County. LLC formed in Delaware (DE) on 04/09/25. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to c/o Corporation Service Co. (CSC), 80 State St., Albany, NY 12207-2543. DE addr. of LLC: c/o CSC, 251 Little Falls Dr., Wilmington, DE 19808. Cert. of Form. filed with Secy. of State, Div. of Corps., John G. Townsend Bldg., 401 Federal St., Ste. 4, Dover, DE 19901. Purpose: Any lawful activity. Jul29 Tu Sept2

NOTICE OF QUALIFICATION OF JMAC ASSET MANAGEMENT LLC. Authority filed with Secy. of State of NY (SSNY) on 09/20/2025. Office location: New York County. LLC formed in Delaware (DE) on 04/03/2024. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to c/o Registered Agents Inc., 418 Broadway, STE B, Albany, NY 12207. Address required in DE: 16192 Coastal Hwy., Lewes, DE 19958. Arts of Org. filed with the Secy. of State, 401 Federal St., Ste. 4, Dover, DE 19901. Purpose: any lawful activities. jyl-Tu au5

New York County

Court Calendars Continued From Page 13

95042021 S. v. NYC 950202/19S.T. v. Jewish Board of Family And Children's Services, Inc., Et Al 950178/21 Spielberger v. Hearm III

WEDNESDAY, AUGUST 6 951280/21A. v. Atoyaman 951348/21 Benoit v. Roman Catholic Archdiocese of NY Et Al 950465/21C. v. Fordham Preparatory School 950519/21C. v. Rockefeller Univ. A/As 451238/25 Larkins v. NYCHA Et Al 100933/24Leiva v. NYS Dhs / Oti 161025/24Lvnv Funding LLC v. Capital One Bank USA

950899/21 McGrath v. Roman Catholic Archdiocese of NY Et Al 154315/25 Onwuka v. Board of Education of The City School Dist. of NYC Et Al 950179/21 R. v. Rockefeller Univ. A/As 451393/25 Soltanian v. NYS Dept. of Financial Services 950865/21 Walcott v. Roman Catholic Archdiocese of NY Et Al

Motion 951348/21 Benoit v. Roman Catholic Archdiocese of NY Et Al 950465/21C. v. Fordham Preparatory School 451238/25 Larkins v. NYCHA Et Al 100933/24Leiva v. NYS Dhs / Oti 161025/24Lvnv Funding LLC v. Capital One Bank USA

THURSDAY, AUGUST 7 951266/21 Benejan v. Roman Catholic Archdiocese NY Et Al

Part 23 Justice Eric Schumacher 71 Thomas Street Phone 646-386-3736 Courtroom 304

TUESDAY, AUGUST 5 190019/20 Bomzer v. A.F. Rockland Plumbing 190080/23 Graham v. A.O. Smith Water Prods. Co. Et Al 190274/22 Jacqueline Woodson v. A.W. Chesteron Co. Et Al 190127/23 Linde v. Charles B. Chrystal Co., Inc Et Al 190243/23 Miraglia v. A.O. Smith Water Prods. Co., Et Al

190257/24 Morin v. Pflzer Inc. Et Al 190216/21 Reyes-Vasquez v. Amchem Prods., Inc., N/A/As Rhone Poulenc Ag Co., N/A/As Bayer Cropscience Inc., Et Al 655273/17 Rickey Babineaux v. Area...Id., Inc. 190264/21 Robertson v. Pflzer, Inc. Et Al 190097/22 Shakour v. Avon Prods., Inc. 160138/21 State Farm Mutual Automobile Ins. Co. A/As Kristin Defuse v. Stolar

WEDNESDAY, AUGUST 6 190133/22 Andrew Lucano v. Abb, Inc., Individually And As Successor in Interest To Bailey Controls And Ite Circuit Breakers, Inc. Et Al 190029/24 Cummins v. A.O. Smith Water Prods. Co. 190298/22 Frumento v. A.O. Smith Water Prods. Co., Et Al 190204/25 Kruck v. Almay, Inc. Et Al 190138/18 Lafrance v. Chs Corp 190131/22 Lucano v. Abb, Inc., Individually And As Successor in Interest To Ite Circuit Breakers, Inc. Et Al 190020/20 Randazzo v. A.O. Smith Water Prods. Co. 190239/21 Rogers v. A.O. Smith Water Prods. Co. Et Al 190052/21 Samida v. A.O. Smith Water Prods. Co. 190084/21 Saunders v. Air & Liquid Systems Corp. 190160/21 Toles v. Amchem Prods., Inc., N/A/As Rhone Poulenc Ag Co., N/A/As Bayer Cropscience Inc., Et Al 190075/21 Valerie Cowen Gouskos v. Amchem Prods., Inc., N/A/As Rhone Poulenc Ag Co., N/A/As Bayer Cropscience Inc Et Al 190073/20 Vincent v. Air & Liquid Systems 190236/19 Zappala v. 237 Park Ave. LLC

THURSDAY, AUGUST 7 190099/25 Beall v. Arkena Inc. Et Al 190307/20 Campbell v. A.O. Smith Water Prods. Co. 190080/23 Graham v. A.O. Smith Water Prods. Co. Et Al 190119/23 McDonald v. A.O. Smith Water Prods. Co. Et Al 190095/23 Reinwald v. A.O. Smith Water Prods. Co. Et Al 190186/18 Sweetman v. A.O. Smith Water Prods. Co.

Part 29 Justice Leticia M. Ramirez 71 Thomas Street Phone 646-386-3016 Room 311

TUESDAY, AUGUST 5 652050/15 Audthan LLC v. Nick & Duke 159540/23 Palma-Castro v. Madison Plaza Art. Corp. Et Al 152542/23 Smith v. 2 St Marks Pl. Hotel Corp. Et Al

WEDNESDAY, AUGUST 6 154027/23 Almonte v. Ny Tower Developments 150753/23 Amador Molina v. Fast Track Const. Inc. Et Al 154066/23 Archer v. Morningside I Associates L.P. Et Al 154842/23 Farjows A.J. Et 229 West 43rd St. Prop. Owner 155908/24 Chan v. 298 W. 4 St. Corp. 160496/24 Cruz v. Con Ed Co. of New York, Inc. Et Al 156586/22 Cummbic Jumbo v. 643 W 172 Wh Rty. LLC Et Al 157952/23 Delia v. NYCHA 157895/23 Diakavasilis v. Turner Const. Co. Et Al 150793/23 Diaz v. 305 East 80th St. Associates Et Al 155939/23 Diaz v. 25 B'way. Office Properties 155523/23 Doucoure v. Cp Viii Llc Owner 157178/23 Franzino v. Sparks Marketing LLC Et Al 157049/23 Ganchozo-Pangol v. Urban Atelier Group LLC Et Al 155816/23 Gomez-Pena v. L&A Operations LLC D/b/A Adira At Riverside Rehabilitation And Nursing 155341/23 Herrera Rios v. NYC Et Al 160349/23 Holmes v. NYCHA 157492/23 Leon v. Esrt One Grand Central Pl. L.L.C. Et Al 151606/23 Loja v. East 102nd St. Rty. LLC Et Al 153949/23 Margarita v. Aron Rty. Hldgs., Inc. Et Al 155311/23 Marrero v. Legends Owo 154459/23 Mendy v. 11 Madison Ave. Owner LLC Et Al 160046/22 Montano v. 319 West 84th St. 154685/23 Montero v. 1001 Sixth Associates LLC Et Al 153596/23 Pollock v. Delshah Capital LLC 155037/23 Pozo v. Lettire Const. Et Al 152449/24 Robinson v. United Greenwch 153959/23 Rodriguez v. 199-203 East Fourth Owner LLC Et Al 157724/19 Russell v. NYC 151176/23 Singletary v. Mark Brucato Et An. 152344/23 Sosa v. West 137th 601 LLC 160675/22 Toga Rivera v. 20 East 9th St. Corp. 159442/23 Van Ausdall v. 245 E. Garage Corp. 158021/23 Vasquez-Becerra v. 83 Owners LLC Et Al 153900/23 Vega Umajinga v. Lrc Const. LLC Et Al

Court Calendars

158984/23 Winkler v. Debar Rty. Corp. Et Al THURSDAY, AUGUST 7 156055/22 Sassouni v. Trader Joe's East D/b/A Trader Joe's Store 544

Part 36 Justice Verma L. Saunders 71 Thomas Street Phone 646-386-3733 Room 205

TUESDAY, AUGUST 5 650450/18350 East Houston Street v. Travelers Indemnity Co. 1583116/25 Azzara v. NYC Dept. of Health And Mental Hygiene

WEDNESDAY, AUGUST 6 159998/18 Dziura v. Human Dev. 100374/25 Ortiz v. NYCHA

THURSDAY, AUGUST 7 156463/25 First Funds v. Reliant Mobile Mechanic Services LLC Et Al 100707/25 The Matter of The Application of Estate of Harriet Struhl v. Davis & Gilbert 158693/25 Lin Sing Assoc. Inc. v. Cai 100542/25 Marquez De La Rosa v. NYC Dept. of Health And Mental Hygiene 450919/25 People of The State of NY v. Vargas 157192/25 Vance v. Luxottica Retail North America Inc. Et Al

Motion 156463/25 First Funds v. Reliant Mobile Mechanic Services LLC Et Al 158693/25 Lin Sing Assoc. Inc. v. Cai 100542/25 Marquez De La Rosa v. NYC Dept. of Health And Mental Hygiene 450919/25 People of The State of NY v. Vargas 157192/25 Vance v. Luxottica Retail North America Inc. Et Al

Part 46 Justice Richard Latin 71 Thomas Street Phone 646-386-3279 Room 210

TUESDAY, AUGUST 5 154858/21 Gomez v. Vornado Rty. Trust Et Al—930 A.M. 158060/23 Kenney v. Sparton NY 2021 LLC—11 A.M. 159519/22 Pape v. Toll Ge LLC Et Al

WEDNESDAY, AUGUST 6 156831/22 Caminero v. Chelsea 23rd Rty. LLC Et Al 157295/17 Levin v. Lord & Taylor LLC 152242/22 Lubliner v. Hampton Hills Associates Et Al 157249/19 Madera v. Jabar Rty. Corp. 152145/23 Morse v. 875 Washington St. Owner LLC. Et Al

Motion 156831/22 Caminero v. Chelsea 23rd Rty. LLC Et Al 157295/17 Levin v. Lord & Taylor LLC 152242/22 Lubliner v. Hampton Hills Associates Et Al 157249/19 Madera v. Jabar Rty. Corp. 152145/23 Morse v. 875 Washington St. Owner LLC. Et Al

THURSDAY, AUGUST 7 155835/23 Dominguez v. Spk/lewis Construction 155819/19 Dymnt 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 Hldgs.

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

Part 55 Justice James D'Auguste 71 Thomas Street Phone 646-386-3289 Room 103

TUESDAY, AUGUST 5 151483/17 125 Second Ave. Rty. Corp. v. M.A.H. Rty. LLC. 154744/21 21-23 Catherine St Cc v. Hai Thanh Seafood, Inc. Et Al 160495/19 28-34 East 23rd St. LLC v. 30 East 23 Rty. 150657/21 Accredited Surety And Casualty Co., Inc. Et Al v. Illinois Union Ins. Co. Et Al 150857/20 Board of Mgrs. of The v. Fiaux 151306/23 Canar v. NYCHA Et Al 159325/23 Dejus v. Forquignon Jr. 101491/14 Dewan v. Chowdhury 158528/23 Henrique v. 41-05 29th St. Owner LLC Et Al 151536/24 Larios v. Audubon Prop. Group LLC Et Al 152245/19 Lora v. Manhattan Interiors Inc. Et Al 154837/17 Mah Rty. LLC v. Andrick Mgt. LLC

157321/23 Margolin v. Fiaux 156146/21 Melvin v. V. Barile Inc. 654709/22 Mical General Ins. Corp. v. Black Phipps 653444/19 Mk Contracting Group Inc. v. Blue Water Contract 161796/19 Rene Euceda v. Capital Concrete Ny Inc. 100448/19 Robinson v. Reese Energy Storage 155332/16 Rochdale Inc. Co. v. Con Ed Co. 153578/17 State Farm Mutual Automobile v. Hrynenko 157758/17 State Farm Mutual Automobile v. Hrynenko 152044/24 The Cincinnati Ins. Co. v. Cottam Heating & Air Conditioning, Inc. 159505/23 Torres v. Ft 328 154471/23 Truong Nguyen v. NYCHA Et Al 153413/24 Untrif Safeguard Ins. Co. v. Guiracochea Zavala 151597/23 Vantage Motor Works v. Ingrao 952133/23 Wong v. Eason

WEDNESDAY, AUGUST 6 152938/23 466-26 Soho LLC v. Dwm Dance Studio Subo 156849/24 Andre v. Ulysses Co. II LLC Et Al 155222/25 Anonymous v. Dubitsky 654415/25 Apos Us Mgt., Inc. Et Al v. Naumann 160090/24 Bespoke Harlem West LLC v. Adams 115106/04 Casas v. Con Ed 162188/23 Feliz v. Zappbug, Inc. 158046/22 Fitzgerald v. Royal Charter Properties-East, Inc. Et Al 158994/24 Fleisig v. Conway & Conway Et Al 157686/23 Puccio v. The Long Island Rail Road Co. 158688/25 Gramercy 252 Owner LLC v. Michlee, Inc. 152844/24 Hernandez v. Southern Land Co. 157890/24 Jeffrey Beers Int'l LLC v. Costello 952134/23 Johnson v. Loreal USA Inc. Et Al 152398/24 Lawson v. Baptiste 158053/25 Legend Advance Funding II LLC v. Misho Moving Inc D/b/A Misho Moving Et Al 156562/24 Mangano v. Simon 153968/22 Nardella v. NYC Et Al 159043/23 Padilla-Ortiz v. Nat. Restoration Group, Inc. Et Al 153704/24 Rabkina v. Toyota Motor North America, Inc. Et Al 155406/24 Reyes Andrade v. Integrated Project Delivery Partners Inc. Et Al 161699/23 State Farm Fire And Casualty Co. A/As John O'Brien v. Meltser 159827/25 Taguchi And Co Ltd v. Senton Hotel West Corp. 151246/24 Tejada v. Riverbridge Court Condominium Corp. And Operation Exodus Inner City, Inc. 452085/25 NYC v. The Land And Bldg. Known As 88 Nagle Ave. 154049/24 Zomongo.Tv USA, Inc. v. NYC Marshal Stephen W. Biegel

Motion 654115/25 Apos Us Mgt., Inc. Et Al v. Naumann 160090/24 Bespoke Harlem West LLC v. Adams 162188/23 Feliz v. Zappbug, Inc. 158994/24 Fleisig v. Conway & Conway Et Al 158688/25 Gramercy 252 Owner LLC v. Michlee, Inc. 157890/24 Jeffrey Beers Int'l LLC v. Costello 152398/24 Lawson v. Baptiste 159827/25 Taguchi And Co Ltd v. Senton Hotel West Corp. 452085/25 NYC v. The Land And Bldg. Known As 88 Nagle Ave. 154049/24 Zomongo.Tv USA, Inc. v. NYC Marshal Stephen W. Biegel

THURSDAY, AUGUST 7 162487/23 Acosta v. Fedex Corp. Et Al 153033/24 Barton v. Shulsky Properties, Inc., D/b/a 59 Bleeker Rty. LLC Et Al 160294/23 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 155178/23 Eden Hosp.ity Group v. Newco Family LLC Et Al 155257/24 Fernandez v. Lakite Contracting, Inc. Et Al 952359/23 G. v. Cahill Jr. 156443/24 Galvez v. Metro. Transportation Auth. Et Al 155587/23 Henderson v. Mta NYCTA 152034/23 Jackson v. Metro. Transportation Auth. Et Al 160954/23 Jimenez v. Mck Contracting Inc. Et Al 651397/24 Jones v. Cac Industries Inc. 158018/23 Martinez v. Vega Real 153899/24 Michael v. Nordstrom, Inc. 155235/23 Ortiz Espinoza v. 762 10th Ave. 155134/23 Pesantes Alvarez v. Madison 154764/24 Pierre v. NYC Et Al 151691/24 Rosario v. Felitia Tanning (west 52) Ltd. Co Atias Enterprises, Inc. Et Al 161464/23 Ross v. 44 Victory LLC 161877/23 Secaira v. NYC Et Al 152044/24 The Cincinnati Ins. Co. v. Cottam Heating & Air Conditioning, Inc. 162258/23 Vazquez Jara v. Ombibuild Const. Inc Et Al 100752/24 Virginia Pope v. Stephen Orel Attorney

THURSDAY, AUGUST 7 159433/21 858 Beck St. LLC v. Great Lakes Inc. Se Et Al 151261/19 Anglane v. Sami 152171/19 American Home Assurance v. Shp Nyu 160147/21 Aperte v. NYU Langone Hosps. 161950/19 Arenas v. 299 B'way. L.L.C. 154579/24 Auticino v. Sun Luo Rty. Corp 159116/13 Bannister v. Streicher 158622/21 Beltr v. Dallal Rty. Partners LLC 151496/24 Bougrinab v. New Remainderman 435 Hudson LLC Et Al 160802/22 Bristita v. City Univ. of NY 158309/18 Buonocore v. NYC 150648/22 Cabrera v. Apple Bank For Savings D/b/a Apple Bank Et Al 154197/19 Cabrera v. Qsb Northern LLC 160747/21 Canada v. Live Nation Worldwide Inc. Et Al 160974/22 Castro v. 7 Hanover Fee Owner Co. LLC Et Al 153922/19 Clermont Ins. Co. v. Ninth Ave. Const. 160370/21 Cruz v. Jgn Const. Corp. Et Al 154947/18 Ealey v. Manhattan North Mgt. Co., Inc. Et Al 154968/24 Ettlinger v. Ettlinger 150323/21 Fales v. Prismatic Dev. Corp. 161957/23 Fesi Hldgs., Inc. Et Al v. Kanyon Hldgs. 161892/24 Filipski v. NYS Div. of Housing And Community Renewal Et Al 158078/19 Flanagan v. Empire State Dev. 151380/22 Franco v. Dia Fee Owner LLC Et Al 157892/20 Fusaro v. 85th Estates Co. Et Al 152146/24 Graham-Moore v. The Port Auth. of NY & New Jersey Et Al 161461/23 Hereford Ins. Co. v. Clarke 151139/21 Hernandez v. 315 East 68th St. Corp. 157935/19 Hoffman v. Akt in Motion, Inc. 153979/25 In The Matter of The Application of 250 E. 63 Rty. LLC v. 249 E 62nd LLC Et Al 160626/19 Koonce v. Terence Cardinal Cooke 157448/20 Kozak v. Kushner Village 329 East 154990/22 Lochard v. NYC Et Al 160652/21 Lopez v. Macklowe Properties Et Al 156998/18 Martin v. Macy's Real Estate 153166/22 Mayers v. Tudor City Greens Inc. 153224/22 Mayorga v. 22nd & 11th Associates LLC Et Al 158235/21 Mendez Fernandez v. Project 19 Highline 155819/21 Michaels v. Equity Residential LLC D/b/a Equity Residential Et Al 155029/22 Min v. Grand Liberte Co-Op., Inc. Et Al 160203/21 Morales v. Macklowe Properties 151711/20 Paladino v. Cojocar 159251/23 Pelinko v. Univ. Stone LLC 154979/22 Pellou v. Skanska USA Civil Northeast Inc. Et Al 150119/24 Volin v. 65 Park West Rty. 161469/23 Wesco Ins. Co. v. 2277 Third Ave. LLC Et Al 161358/23 Young v. 582 St. Nicholas Associates 153565/25 Zibrosky v. Abr Amboy Road LLC Et Al

THURSDAY, AUGUST 7 159191/24 Cohen v. 458 Grand B'way Owners Corp. 653683/25 Postar v. Starr Surplus Lines Ins. Co. 158217/25 Prouty v. Lincoln Center For The Performing Arts, Inc. 158527/23 Suh v. Rueone Investments LLC Et Al

THURSDAY, AUGUST 7 100212/25 Kizner v. NYC 155384/23 Mironov v. Canali U.S.A. Inc. 100298/23 Smithson v. The Board of Directors of The 1270 Fifth Ave. Co-Op., Inc.

Part 31 Justice Kathleen C. Waterman-Marshall 111 Centre Street Phone 646-386-4296 Room 623

TUESDAY, AUGUST 5 155705/22 Aig Prop. Casualty Co. v. Unique Roofing of New York, Inc. 154777/25 Div. Prop. Mgt. Et Al v. Pavan

WEDNESDAY, AUGUST 6 654516/24 1479-81 Thompson Associates LLC v. Spring St. Owner LLC 652690/24A.M.A.A. Rty. Corp. v. Oh—10 A.M. 654213/23 Admiral Indemnity Co. A/As Loft Space Condominium Assoc. v. Centennial Elevator Industries Inc.—10 A.M. 651724/23 American Express Travel Related Services Co., Inc. v. Landmark Recovery of Louisvilles 162041/23 Barboza Ramos v. Cs 393 LLC Et Al—10 A.M. 651208/23 Beauty Gem, Inc. v. Joshi 650793/23 Brandy B. 60 Ave. B LLC Et Al 152962/25 Bklyn. Co. Group v. NYC Et Al

159737/24 Luca v. Tri Star Const. Corp. Et Al 152515/25 Mvp Delivery And Logistics, Inc. v. Brown Chiari Lp Et Al THURSDAY, AUGUST 7 156219/19 Adzemovic v. 330 Madison Co. LLC 157152/24 Campbell v. Mtp 3300 B'way. Corp. Et Al 654525/16 Gelwan v. Deratafia Inc. 151835/21 Lewis v. Jumel Terrace Rty.

Part 56 Justice John J. Kelley 71 Thomas Street Phone 646-386-5281 Room 204

TUESDAY, AUGUST 5 805250/22 Lee v. Noho Medical 154690/19 Lu v. Elk Mas 86 East 10th LLC 156757/24 Pegram v. Metro. Transportation Auth. 805196/21 Pelanos v. Mount Sinai Morningside Et Al 100156/24 Quirindongo v. Wakefield Hosp. Director of Labor And Delivery 805105/24 Santiago v. Hudson Hill Center For Rehabilitation And Nursing Et Al 805321/23 Santiago-Palacios v. Quintana Dds

Motion 156757/24 Pegram v. Metro. Transportation Auth. 805321/23 Santiago-Palacios v. Quintana Dds

WEDNESDAY, AUGUST 6 805050/22 Cady v. Varma M.D. 805153/20 Chiera v. Ratner 805066/24 L. v. Dobrenis M.D. 805148/19 Renzetti v. Ahmed 805281/21 Rodriguez v. Edo Md. 805230/21 Steiner v. Alani Dpm

THURSDAY, AUGUST 7 805303/23 Bernard v. Graham M.D. 100303/13 NYC v. E.J. Electric Installations 805289/23 Bernard v. Hanspal 805388/23 Itzkowitch v. Bernstein M.D. 805388/23 Kauschal v. Delmonte 805214/21 Torres v. Advantage Care Physicians NY Et Al

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

TUESDAY, AUGUST 5 151832/21 Amos v. NYC 152520/23 Banks v. Vanessa Marc Spa 152297/24 La Becerra Molina v. Madison 160404/23 Blanco v. Vornado Rty. Trust Et Al 161167/24 Burgos v. Pavarini McGovern 161708/23 Coston v. Eden Day Spa, Inc. Et Al 155381/24 Cruz v. Macy's Retail Hldgs., Inc. 161150/22 Deno v. Vno 435 Seventh 159291/21 Diaz v. The NY And Presbyterian Hosp. 153585/23 Espada v. 102 St Lexington Ave Inc Et Al 150616/23 Feliciano v. NYCHA 161523/23 Frierson v. Ml Park 201 150164/24 H. v. Bayfield Dev. Co., No. 1 A/va Bayfield Dev. Co., A/va Bayfield Dev. Co. Et Al 152188/24 Hernandez-Lugo v. Whitehall Ferry Donuts LLC 159624/23 Hochman v. Sterling Landlord Corp. Et Al 159197/23 Joyner v. NYCHA 162241/23 Klicar v. Church of The Immaculate Conception Et Al 153496/24 Lawrence v. NYCHA 151826/24 Laranini v. Monterey 96th St. 160864/23 Lindo v. Paramount Fee L.P. Et Al 161380/23 Liriano v. 605-607 West 141 Bcr 150872/21 Margolies v. NYC 162043/23 Marion v. Vornado Rty. Trust Et Al 159812/23 McCaskie v. The NYCHA 160632/23 Mora v. Urban Atelier Group 155373/23 Nikonov v. Baitley-Holt House Housing Dev. Fund Corp. Et Al 150872/23 P. v. NYCHA 155397/23 Perez Feliz v. Site 3 Dsa Owner LLC Et Al 158013/23 Ramirez-Hernandez v. 1570 St. Nick Associates 150267/24 Ramos v. Ascendant Heritage LLC Et Al 160510/21 Reyes v. 310 Wadsworth LLC Et Al 152422/23 Ringen v. McCormick & Schmick Restaurant Corp. D/b/a Master's Steakhouse Et Al 150484/23 Rossa v. Hf Lvs LLC Et Al 155238/23 Rosenthal Dev. Associates v. Waf Inc. Et Al 157401/23 Rosenthal v. NYCHA 159565/23 Silva v. 532 Neptune Residential LLC Et Al 160764/23 Singleton v. Greater NY Mutual Ins. Co. Et Al 154185/23 Strathmore Ins. Co. As Subrogee of 118 East 60th St. Owners, Inc. v. Jacob Muss 161195/23 Sutton v. Garden of Eden Associates 150119/24 Volin v. 65 Park West Rty. 161469/23 Wesco Ins. Co. v. 2277 Third Ave. LLC Et Al 161358/23 Young v. 582 St. Nicholas Associates 153565/25 Zibrosky v. Abr Amboy Road LLC Et Al

WEDNESDAY, AUGUST 6 159191/24 Cohen v. 458 Grand B'way Owners Corp. 653683/25 Postar v. Starr Surplus Lines Ins. Co. 158217/25 Prouty v. Lincoln Center For The Performing Arts, Inc. 158527/23 Suh v. Rueone Investments LLC Et Al

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