IN BRIEF

Deal Watch: Are Only 'A Handful' of Law Firms **Positioned Well After** Citi-Apollo Partnership?

Apollo and Citi's deal last week to create a \$25 billion private credit direct lending program in North America may spur further deals between traditional big banks and private credit entities—which may put many Big Law firms on notice about where business is shifting.

Steve Boyko, co-chair of Proskauer Rose's corporate department and former cochair of private credit, said he expects bank joint ventures to increase and has personally fielded several inquiries recently for partnerships similar to the one Citi and Apollo formed. That should interest large law firms, many of whom play on one side or the other but don't have full capability in both institutional and private credit work.

'Syndicated option or private credit, you need a firm that can handle either in every iteration," he said. "I see a handful of firms positioning themselves in that work. We are one of them, but we have a 20-year head start.'

According to the announced details of the Apollo-Citi deal release, the joint venture will "combine Citi's expansive banking client reach, origination and capital markets expertise with Apollo's scaled, extensive capital base." The partnership will include participation from Mubadala Investment Co., acting as Apollo's strategic partner, and Apollo's subsidiary Athene, according to a release.

Cravath, Swaine & Moore (Citi) and Paul, Weiss, Rifkind, Wharton & Garrison (Apollo) guided the deal. Both firms declined to be interviewed.

Proskauer's Boyko, who was not involved in the deal, has been working on bank joint ventures for over a decade. He says the last several months have produced more inquiries than he had seen in previous cycles, and for good reason.

"The banks are getting more and more regulated as we get to the Basel III endgame," he said in an interview, referring to the plan enacted after the financial crisis to increase confidence and stability at large banks. "There will be more capital requirements on banks, and they will need to de-risk. They are thinking ahead and thinking they have these relationships with all these entities, how do they stay in front? They don't want to cede their position to the direct lenders. But once you get past the top 10 for private credit, the next layer of folks in that arena are looking for more sourcing."

"These two partners (banks and private credit and direct lender entities) are being pushed together between the regulatory landscape and the increased need for fundraising."

In a statement, Ana Arsov, the global head of private credit at Moody's Ratings, said the partnership was indicative of the growing influence and appeal of private credit "into mainstream finance.'

"This collaboration combines Citigroup's extensive client relationships with Apollo's access to private market capital. This arrangement benefits both entities: Citigroup retains its fees and clients while moving the responsibility for managing non-investment grade credit and capital requirements to Apollo and its partners," Arsov

Boyko said that the topic is of great interest to the banks, and thus it will likely be of great interest to their law firms.

"I have spoken to more than 30 banks over the last year (on this subject), so I can tell you this is a hot topic for the banks," Boyko said. "The banks are all feeling the pressure. They are worried about their client base and about making sure they can generate fees off of this work. The banks are taking this very seriously."

Deals on the Radar

Verizon Communications Inc. and Vertical Bridge have entered into a definitive agreement for Vertical Bridge to obtain the exclusive rights to lease, operate and manage 6,339 wireless communications towers across all 50 states and Washington, D.C., from subsidiaries of Verizon for approximately \$3.3 » Page 4

Rulings From NYC's Court To Be Published In the Law Journal



Allison Stoddart, named as new City Hall Chief Counsel and Muriel Goode-Trufant, nominated to be New York City's corporation counsel.

Eric Adams Announces Choices For New York City's Top Attorneys

BY EMILY SAUL

NEW YORK City Mayor Eric Adams on Tuesday announced that he has made his choices to fill the top two legal posts in his administration.

Allison Stoddart has been tapped to serve as his new City Hall chief counsel, and Adams said he plans to appoint longtime public servant Muriel Goode-Trufant as New York City's corporation counsel

Stoddart's new role is effective immediately, City Hall said. She previously served as chief of staff in the Office of the Chief Counsel, where she has been since Adams entered office in 2022.

In her prior role, Stoddart helmed the New York City Legal Fellows Program, an Adams' initiative that allows junior attorneys in private practice to work for a year in a city agency.

Before joining the Adams administration, Stoddart was at Wilmer Cutler Pickering Hale and Dorr. There she represented individuals and entities in white-collar criminal

defense, regulatory enforcement proceedings, internal investigations, and complex commercial litigation.

"Allison has been part of our administration since day one, and during this time, has become an integral part of the legal team at City Hall," Adams' said in a statement announcing her appointment.

Stoddard assumes her new role less than a month after the mayor's former chief counsel, Lisa Zornberg, abruptly resigned amid federal investigations engulfing the mayor and his allies. Adams last week pleaded not guilty to a federal indictment alleging corruption.

Goode-Trufant is currently serving as interim corporation counsel following the departure of Sylvia Hinds-Radix in May.

"I am humbled and honored by the intention to be nominated by Mayor Adams to serve as the city's next corporation counsel," Goode-Trufant said in a statement. 'Through my more than three decades as an attorney at the New York City Law Department, I am keenly aware of the vital » Page 6

Adams Defense Team Seeks Evidentiary Hearing, Alleging Leaks

BY EMILY SAUL

COUNSEL for Eric Adams are arguing that federal prosecutors have spent nearly a year leaking sensitive and sometimes confidential information about their criminal investigation into the New York City mayor, imperiling both his chances at a fair trial and reelec-

"For nearly a year, the government has leaked grand jury material and other sensitive information to the media to aggrandize itself, further its investigation, and unfairly prejudice the defendant, Mayor Eric Adams," lead defense attorney Alex Spiro wrote in a new court filing.

Spiro, of Quinn Emanuel Urquhart & Sullivan, is asking U.S. District Judge Dale Ho to hold a public evidentiary hearing on the matter.

A spokesperson for the U.S. attorney for the Southern District of New York, which is prosecuting the case, declined to comment.

The filing claims the disclosures, largely to the New York Times, were part of a coordinated and strategic



Alex Spiro, a partner at Quinn **Emanuel Urguhart & Sullivan**

effort by prosecutors in order to compel cooperation as they built their case against Adams.

"The most obvious motivation for the government to leak details of its investigation is to strengthen its case (and the public perception of its case) by coalescing support among prospective government witnesses or motivat-

Bristol Myers Wins Dismissal of \$6.4 Billion Lawsuit Alleging Intentional Delay of Cancer Drug

BY EMILY SAUL

A NEW YORK federal judge has dismissed a \$6.4 billion lawsuit against Bristol Myers Squibb, agreeing with counsel for the pharmaceutical company that plaintiffs lacked subject matter jurisdiction.

UMB Bank NA filed suit against Bristol Myers in 2021, alleging the company intentionally slow-rolled the approval process for a cancer drug in order to dodge paying the more than \$6 billion owed to former Celgene shareholders under

The Southern District decision is posted at nylj.com.

a contingent value rights (CVR) agreement.

U.S. District Court Judge Jesse Furman of the Southern District Judge Furman of New York



on Monday threw out the action, finding that UMB Bank was never appropriately appointed trustee for the CVR shareholders.

Under the CVR, shareholders were unable to sue themselves and must rely on a trustee. But Furman found UMB was never properly appointed trustee because, under the CVR, UMB's

DECISIONS OF INTEREST

First Department

CONTRACTUAL DISPUTES: Contract Breach claims precluded by contested arbitral award, frustrated purpose doctrine. Gulf LNG Energy LLC v. Eni S.p.A., App. Div.

PERSONAL INJURY: Summary judgment granted, Starbucks warned customers of broken door. Kohei Funaki v. Starbucks Corp., Supreme Court, New York.

LANDLORD-TENANT: Motion denied, plaintiff failed to show that it performed under the contract, JF Hospitality Group LLC v. CRP 701 W. 135th St. A LLC. Supreme Court, New York.

TRUSTS & ESTATES: Trustees acted in manner consistent with terms of trust, petition denied. Matter of Michael, Surrogate's Court, New York.

Second Department

MOTOR-VEHICLE: Liability found against defendant based on Vehicle and Traffic Law § 1141. Barben v. Cheikhaoui, Supreme Court, Kinas.

PERSONAL INJURY: Dismissal denied, defendant failed to submit admissi**ble evidence for motion.** *Figueroa v.* The Stop and Shop Supermarker LLC, Supreme Court, Richmond.

CRIMINAL LAW: Omnibus motion granted and denied in part; initial CoC deemed invalid. People v. Jameau, District Court, Suffolk.

U.S. Courts

CIVIL RIGHTS: Court erred in finding aggregate disparate impact by SHS policy not shown. Chinese American Civil Alliance of Greater New York v. Adams, 2d Cir.

ADMINISTRATIVE LAW: ALJ erred by misinterpreting evidence; record did not support ALJ's findings. Rubin v. O'Malley, 2d Cir.

CONSTITUTIONAL LAW: NYC law as to restaurant food delivery information violates First Amendment. Door Dash Inc. v. City of New York, SDNY.

EMPLOYMENT LITIGATION: Disability claims' dismissal not reconsidered; remedies' nonexhaustion not excused. Cordaro v. Austin, WDNY.

DECISION SUMMARIES, Page 17 **FULL-TEXT DECISIONS**, nylj.com

Top Antitrust Litigators Form New Boutique, With 10 Leaving Constantine Cannon, Robins Kaplan

Matthew Cantor, Kellie Lerner and Jeffrey Shinder of Shinder Cantor Lerner

BY MIMI LAMARRE

AT A TIME when antitrust legal practices are in high demand, several top partners from Constantine Cannon and Robins Kaplan have left their firms to form a 10-attorney antitrust boutique in New York and Washington, D.C. The new firm, Shinder Cantor Lerner, will be led by Jeffrey Shinder, Matthew Cantor and Kellie Lerner.

Leaders of the new firm said they anticipate all of their clients joining them, such as auto part provider LKQ Corporation, the Interchange group (dozens of corporations with antitrust claims against Visa and Mastercard), and several Fortune 100 companies.

They declined to comment on starting firm revenue and operating budget.

Shinder was formerly the New York managing partner of Constantine Cannon, Cantor a partner at Constantine Cannon, and Lerner a partner and co-chair of the antitrust practice at Robins Kaplan. The three partners have a 20-year history of working together and said in an interview that the new firm has been planned "for months and years."

Lerner will serve as the managing partner of the new firm, while Cantor and Shinder will serve as members of the managing committee. Lerner said that the firm "would like to bring on five associates and to double its

Is Big Law's Nonequity Tier A 'Parking Lot' or a 'Ladder'?

BY MIMI LAMARRE

AS MORE law firms create and expand nonequity partnership tiers, some lawvers are raising alarm bells over the impact on women and diverse lawyers' careers.

It's no secret that Big Law partnerships tend to be much less diverse than the ranks of associates. But the split within the partnership tiers also shows a divide. About a third (32%) of Am Law 200 nonequity partners last year were women, while that number drops to less than a quarter (24%) in the equity tier, according to ALM data. And when it comes to racial and ethnic diversity, Am Law 200 firms, on average, have even fewer diverse equity partners (12%).

Some firm leaders say noneq-

uity tiers can provide women and diverse lawyers earlier opportunities for career advancement and crucial training to ultimately succeed in the equity ranks. Still, partners at some of the few remaining single-tier partnership firms and some observers say they've seen a lack of transparency for promotion and "moving goalposts" at two-tier firms to enter the equity ranks, which they say can disproportionately affect women and diverse lawyers.

As Laura Hoey, a partner at Ropes & Gray, put it, "Women attorneys can often get stuck in that parking lot of nonequity partnership, because the partnership run of eight to 12 years is when it's hard to put it in overdrive and make that last sprint up the mountain, whether because you're starting a family, or you » Page 4

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New York Law Journal Inside

Copyright Law »3

'Thaler v. Perlmutter': AI Output Is Not Copyrightable by Robert W. Clarida and Thomas Kjellberg

★ Court Calendars

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

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Ensuring That Trusts Annual Review of Created During a Marriage New Criminal Survive a Divorce **Justice Legislation** by Alyssa Rower by Barry Kamins and Karina VanHouten

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'Meet and Confer': Judge Seeks Speedy Resolution In Maryland Key Bridge Litigation

BY SULAIMAN ABDUR-RAHMAN

BALTIMORE, Md.

THE MARYLAND federal judge overseeing the "complex" Baltimore bridge collapse litigation has established a road map "to ensure that this case is resolved efficiently and expeditiously."

U.S. District Senior Judge James K. Bredar ordered all parties to "meet and confer in advance" and file a joint status report ahead of an Oct. 29 status and scheduling conference.

The trial court "plans to proceed in stages" starting with early "resolution of the questions of exoneration and limitation of liability," Bre-

dar wrote in a memorandum filed this past Friday.

A cargo ship struck the Francis Scott Key Bridge on March 26 and destroyed it, killing six highway maintenance workers. Six days after the bridge collapsed into the Patapsco River, Duane Morris and Blank Rome—on behalf of the owner and manager of the Singapore-flagged Dali—filed a petition in Maryland federal court seeking exoneration or limited liability for any losses or damage caused by the deadly incident.

Because a "large number" of parties have filed claims, Bredar "plans to appoint lead or liaison counsel" to speak for all claimants, he wrote in his memorandum.

At least 45 parties have filed timely claims against Grace Ocean Private Ltd. and Synergy Marine Group, including the U.S. Department of Justice and Maryland Attorney General's Office, according to Bredar's memorandum.

"Counsel for the United States and for the State of Maryland will be directed to convene and facilitate discussions among the Claimants," Bredar wrote. "Counsel for the United States, for the State of Maryland, and for the Petitioners will be directed to facilitate discussions between the Claimants and Petitioners.'

Bredar directed the parties to produce a joint status report addressing a number of topics, including any pre-discovery motions or pleadings the parties anticipate filing.

'The Status Report shall be filed jointly to the extent possible, and the parties should clearly and briefly note any disagreements," Bredar wrote in his memorandum. "The Status Report will not be binding upon any party, and it will not waive any claims or defenses.'

Anyone who wished to file claims in the Key Bridge litigation generally needed to meet a Sept. 24 deadline, but Bredar in a separate memo filed Sept. 27 granted a motion allowing Schwartzman Law to file a late claim on behalf of R.M. Metals



Nearly 50 parties have filed claims in the Baltimore Key Bridge collapse. Above, wreck of the DALI intertwined with the bridge in the Fort McHenry Channel.

"However," Bredar wrote, "all parties are on notice that the Court has little patience for late filings and will not be favorably inclined to granting future untimely

requests for relief absent compelling circumstances.

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

3 Lawyers Mount Defense Against Ethics Charges Over 2020 Election Fraud Lawsuits

BY AVALON ZOPPO

WASHINGTON, D.C.

THREE lawyers fighting professional ethics charges over 2020 voter fraud lawsuits argued Monday that they had minimal involvement in the complaints that sought to overturn the presidential election results.

The District of Columbia Bar's Office of Disciplinary Counsel brought charges against attorneys Juli Haller, Lawrence Joseph and Brandon Johnson, accusing them of seriously interfering with the administration of justice by helping bring lawsuits in several states that lacked evidence of voter fraud in Vice President Joe Biden's victory over President Donald Trump.

During their disciplinary hearing, the lawyers downplayed their roles in the suits while appearing before a D.C. bar hearing commit-

Haller and Johnson were part of a team of attorneys, with Trump ally Sidney Powell, who brought lawsuits in Michigan, Georgia, Arizona and Wisconsin claiming there was massive voter fraudincluding with the states' voting machines—and asked the courts



A voter casts her ballot using electronic voting machines at a polling location for the 2020 presidential election in Atlanta, Ga. The latest charges are part of a series of disciplinary actions against lawyers who supported Donald Trump's efforts to undermine the 2020 election.

to declare Trump the winner. All of the suits were dismissed.

Virginia attorney Richard Driscoll said his client Haller was a subordinate on a larger team and took no part in deciding the contents of the complaints or legal strategy.

"She had no responsibility for deciding what claims would be placed in the complaints [or] what relief would be asked tor, said Driscoll of Driscoll & Seltzer. "She was an independent contractor, given the title of 'of counsel,' which she understood to mean was a moniker for an attorney who was

After tossing the Michigan suit, U.S. District Judge Linda Parker sanctioned the lawyers involved, calling the lawsuit "a historic and

part of the team.'

profound abuse of the judicial process." The U.S. Court of Appeals for the Sixth Circuit upheld most of Parker's order, but reversed the sanctions against two attorneys on the team who the panel said had less responsibility, Emily Newman and Stefanie Junttila.

On Monday, Christopher Byrne of Byrne Law, representing Johnson, said his client was in charge of only minor tasks and believed the lawyers who directly drafted the complaints had vetted facts. He added that Johnson was listed as "of counsel" and not "counsel of record" in the filings, indicating he played a lesser role.

"All this caused Brandon to believe and provided a substantial basis for him to believe that the cases, the strategy, the claims and the facts were thoroughly thought out, researched, supported and properly vetted by people who knew about election law, which, importantly, [Johnson] did not," Byrne said. "He never intended or agreed to enter an appearance. He never applied for admission pro hac vice."

Byrne also argued throughout his hourlong opening statement that the charges undermined the right to challenge election results.

Meanwhile, Assistant Disciplinary Counsel Jason R. Horrell told the three-member committee that the complaints at issue relied on documents and affidavits that were "simply not credible," in violation of D.C. professional conduct rules as well as rules of the Arizona, Georgia, Michigan, Wisconsin and Texas bars.

'[W]hen you plead fraud in federal court, you have to do it with specificity," Horrell said. "And if you're going to federal court to ask that the results of the presidential election be overturned, one would think that you'd go to the courthouse doors with rock solid evidence, and you'll see that that's not what the respondents did here."

Joseph is facing ethics charges in connection with his involvement in a complaint filed in the U.S. District Court for the Eastern District of Texas in December 2020, which claimed an unofficial, alternative slate of Republican electors in Arizona had cast their votes for Trump instead of Biden ahead of the Jan. 6 election certification in Washington, D.C.

The specification of charges alleges that the attorneys knew the lawsuit "had no factual basis and was false" and falsely claimed that the Arizona state legislature had passed a joint resolution endorsing the competing slate of Republican

Then-U.S. Rep. Louie Gohmert, R-Texas, and the Republican slate of electors in Arizona were plaintiffs in the suit, which was dismissed. Haller and Johnson were also part of the filing, and Johnson's lawyer Byrne on Monday disputed disciplinary counsel's assertion that the complaint stated that the Arizona state legislature passed a joint resolution.

Joseph said the joint resolution exhibit was attached to the complaint in order to establish standing, and he told the committee he, too, played a small role in the complaint.

"I didn't have the authority to change anything without permission from someone else," he said. "I would say | I | vehemently disagreed with some of the decisions about what was included."

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

Joint Marvel, DC Trademark of 'Super Hero' Canceled Amid Challenge by Creator of 'Superbabies'

BY MICHELLE MORGANTE

ALEXANDRIA, Va.

IT'S BEEN said that superpowers aren't required to be a superhero. Now, a trademark challenge brought on behalf of a children's book author means that permission from Marvel or DC Comics is no longer required, either.

The U.S. Patent and Trademark Office's Trademark Trial and Appeal Board in Alexandria, Virginia, last week canceled Marvel Characters and DC Comics' joint registrations on the terms "super hero" and "super heroes." The board issued a default judgment after the respondents failed to file an answer to the petitioner's motion.

Adam Adler, an intellectual property attorney with Reichman Jorgensen Lehman & Feldberg in Washington and a longtime comics fan, successfully challenged the trademark registrations on behalf of Scott Richold, an author and artist whose book series featuring characters called "the Super Babies" prompted the clash.

Jonathan Reichman of Hunton Andrews Kurth in New York, who represented Marvel and DC in the dispute, did not respond to a message seeking comment. Messages sent to the two Burbank, California-based entertainment companies were not answered.

Adler filed a petition of cancelation on behalf of Richold's London-based company Superbabies

Richold, who lives in Australia, did not immediately respond to messages seeking his comment.

DC and Marvel's co-ownership of the marks dates back decades, when they bought the "super hero" term from a costume manufacturer, Adler told The Recorder. After Richold attempted to register his Super Babies books in the U.S., he received a cease-and-desist let-



Attorney Adam Adler, who petitioned for cancellation, noted DC and Marvel's co-ownership of the marks dates back decades, when they bought the "super hero" term from a costume manufacturer.

ter in July 2021 asserting Marvel and DC's rights to the terms.

"To most people, including myself, this is crazy talk," Adler said. "You don't own the idea of super heroes. The idea of superpowered people is a trope in comic books. If you look around the comic space, you see 'super'

Adler said he joined the case in early 2022 after Richold spotted an article he'd written about Marvel and DC's unusual arrangement to share trademark registrations despite being competitors. In a 2018 column for Escapist Magazine, Adler noted a "powerful challenger" was needed to free superheroes "from their (registered trademark symbol) shackles."

The joint ownership of the trademarks was "very peculiar," Adler said in an interview Friday, "because DC and Marvel are the biggest competitors in the space." By co-owning a mark "they are claiming that Marvel and DC can use 'superheroes' and nobody else can, which is baffling when you consider that the purpose of a trademark is to be a sole source identifier."

The petition contended that, as competitors, the two could not jointly own a trademark.

"The fact that Marvel and DC both use and claim ownership over SUPER HEROES confirms that neither company uses the term as a trademark, but rather as a generic description for a category of goods offered by both companies," it said.

In his petition, Adler also argued that "super hero" is a generic term describing a character archetype and a genre of stories.

'Consumers do not associate super heroes' with any single brand, company or character," it said. "Instead, consumers understand that the term refers to a broad category of stories and characters tied together by common themes and conventions."

The petition pointed to multiple examples of works by creators unrelated to Marvel or DC. It also contended that, by failing to use the terms as trademarks, the companies had abandoned the registrations.

Over the years, the companies had pushed back on multiple creators who wished to use a variation of the superhero terms, Adler said. But, he noted, such opposition was not consistent. Marvel and DC were selectively enforcing their trademarks against independent creators and small operations that were unlikely to have the resources needed to engage in a legal fight—"only against the people who they had good reason to think wouldn't fight back," he said. By doing so, the disputes

ended in default judgments. Richold had the "tenacity and courage" to push back on Marvel and DC because he saw it as something bigger than just standing up for his own work, Adler said. Among the creator community, he added, many artists felt pressured to use euphemisms such as "supers" or "capes" to describe the heroes or risk legal problems or even being blacklisted in the industry.

"He saw the impact it was having, not just on him, but on other creators," Adler said of Richold, "and it's like, enough is enough."

A related matter is still pending: DC claims to have the exclusive right to use the word "super" as a prefix, such as in "Superman" and "Supergirl." DC is using this purported "super family" of marks to block Richold's efforts to promote





London-based Superbabies Ltd. challenged Marvel's and DC Comics' "super hero" trademark.

"Superbabies." Adler believes cancelation of the "super hero" marks strengthens his client's position.

'We're confident about our chances for this one. I'll say that,"

As a longtime fan of comic super heroes, Adler said he was excited the case gave him the opportunity to stand up for a fight that he believes would align him with the Marvel and DC heroes, pointing to several comic book plotlines where villains attempted to claim ownership of "super hero" language and likenesses, such as an issue where the villain Kingpin told Peter Parker he could no longer be a superhero because he'd secured ownership

of Spider-Man's likeness. What Marvel and DC were doing is really just the opposite and contrary to the values of their own heroes," Adler said.

Cancelation of the trademark, he said, could encourage artists to create the works they wish to

"Hopefully other people will see it and say, 'Yeah, you've got

a big bark and they're a big corporation with a lot of machinery behind them. But if you're right, you can still compete," he said. "You don't have to be a billiondollar multinational conglomerate to tell a superhero story, right? You just need a pencil, some ink, a spark of creativity, and then you can go out there and do it."

Michelle Morgante can be reached at mmorgante@alm.com

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COPYRIGHT LAW

'Thaler v. Perlmutter': AI Output Is Not Copyrightable

n Aug. 18, 2023, D.C. District Court Judge Beryl A. Howell upheld a final refusal by the U.S. Copyright Office (USCO) to register a visual work entitled "A Recent Entrance to Paradise."

According to the application filed with the USCO by plaintiff Stephen Thaler, the image was not the product of human authorship but was instead "autonomously created by a computer algorithm running on a machine," which plaintiff called the "Creativity Machine" and which plaintiff identified as the "author" of the work. Plaintiff named himself as the copyright claimant, however, on the basis that he was the "owner of the machine."

The USCO refused to register the work in August 2019 because it "lack[ed] the human authorship necessary to support a copyright claim," and this refusal was affirmed, on the same reasoning, through the internal appeals process within USCO. A final refusal by the Copyright Review Board on Feb. 14, 2022 led plaintiff to file an action in D.C. District Court under the Administrative Procedure

ROBERT W. CLARIDA is a partner in the New York law firm of Reitler, Kailas & Rosenblatt and the author of the treatise Copyright Law Deskbook (BNA). He is co-presenter, with Thomas Kjellberg, of "Recent Developments in Copyright," a review of copyright decisions delivered each year at the annual meeting of the Copyright Society of the USA, and is a past Trustee of the Copyright Society, a past Board member of the American Intellectual Property Law Association and former chair of the Copyright and Literary Property Committee of the Association of the Bar of the City of New York. THOMAS KJELL-BERG is of counsel to the New York law firm of Cowan, Liebowitz & Latman, He is a past Trustee of the Copyright Society and former chair of the ABA Copyright Office Affairs Committee, and is the chief author of the annual review of copyright decisions published each year in the Journal of the Copyright Society of the USA and delivered, with Mr. Clarida, at the Copyright Society's annual meeting.





Robert W. Clarida

Thomas Kjellberg

Act, 5 U.S.C. 706(2) (APA), claiming that the USCO's actions were "arbitrary, capricious, an abuse of discretion and not in accordance with the law, unsupported by substantial evidence and in excess of [USCO's] statutory authority." On cross-motions for summary judgment, the Court upheld the refusal to register in *Thaler v. Perlmutter*, 1:22-cv-01564-BAH (ECF #24), D.D.C.

The courts have also recognized that 'human creativity is the sine qua non at the core of copyrightability.'

(Aug. 18, 2023). Under black-letter APA law, the District Court's ruling was limited to the administrative record that was before the Copyright Office, and the court thus rejected Plaintiff's belated efforts to introduce evidence of his own human involvement in the creative process. Such evidence was not present in the record, and in fact contradicted plaintiff's own claims that the work was "autonomously created" by the Creativity Machine.

The Requirement Of Human Authorship

The court began by noting that the parties agreed on the "key facts," and therefore the "sole legal issue is whether a work autonomously generated by an AI system is copyrightable." Id. at *4. The court found that USCO's reasoning for refusing registration—i.e. the lack of any claim to human

authorship-was consistent with the statute and with Supreme Court precedent regarding the definition of the term "authors" as set forth in Article I, Section 8, clause 8 of the U.S. Constitution (authorizing Congress to create copyright laws to protect the writings of "authors"): "The [USCO] did not err in denying the copyright application presented by plaintiff. United States copyright law protects only works of human creation."

The term "author" is not defined in the Copyright Act, nor in the Constitution, but the court found support in dictionary definitions and in the Constitutional purpose of "incentivizing individuals to create and invent." It continued, "nonhuman actors need no incentivization with the promise of exclusive rights under United States law, and copyright was therefore not designed to reach them." The 1909 Copyright Act provided explicitly that only a "person" could "secure copyright for his work," noted the court, and the legislative history of the 1976 Copyright Act indicates that Congress intended to incorporate the "original work of authorship" standard "without change" from the 1909 Act.

Since at least the Supreme Court's 1884 decision in Burrow-Giles Lithographic v. Sarony, 111 U.S. 53 (1884), the courts have also recognized that "human creativity is the sine qua non at the core of copyrightability, even as that human creativity is channeled through new tools or into new media." Thaler at *8. Burrow-Giles established that photographs could be considered original works of authorship and were thus eligible for copyright protection, similar to other forms of creative expression. The case affirmed the importance of recognizing and protecting the intellectual property rights of photographers and their

After Burrow-Giles, other Supreme Court rulings consistently spoke in terms of the "author's tangible expression of his ideas,' Mazer v. Stein, 347 U.S. 201 (1954), and defined an author as "he to whom anything owes

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CRIMINAL LAW AND PROCEDURE

Annual Review of New Criminal Justice Legislation

his column reviews new legislation amending the Penal Law, Criminal Procedure Law and related statues. The discussion that follows will highlight key provisions of the new laws, which the reader should review for specific details. Where indicated, legislation enacted by both houses is awaiting the governor's signature; the reader should check to determine whether the governor has signed

or vetoed a bill. In the past legislative session, there were three areas in which substantive legislation was enacted: added security for judges and juries; curtailment of organized retail theft; and the criminalization of deed theft to protect homeown-

The Legislature enacted two measures to increase security for judges and their families. First, it passed the New York State Judicial Security Act, which permits judges or former judges to request that personal information about themselves or family members be removed from the internet and other medium. Such information includes home addresses. unlisted telephone numbers, cell phone numbers, email addresses, license plate numbers, identity of children under the age of 18, etc. The act would also restrict businesses and other entities in possession of such information from sharing it (L. 2024, Ch. 55, eff. July 19, 2024).

This provision was in response to an increase in the number of judges around the country being threatened, stalked and even assaulted. In July 2020, in New Jersey, a federal judge watched as her son was murdered and her husband shot by an angry litigant in her home.

A second part of the legislation increases protection for judges by enacting new crimes to protect the judiciary and by amending the cur-

BARRY KAMINS, a partner at Aidala, Bertuna & Kamins and author of "New York Search and Seizure" (Lexis/Nexis 2024), is a former New York Supreme Court Judge.

Barry Kamins



rent statute. The current crime of Assault on a Judge (a class C felony) was amended by removing the requirement that the crime be committed with the intent "to cause serious physical injury." Thus, a prosecutor will now only need to prove that a person caused serious physical injury with the intent to "prevent a judge from performing official duties".

Two new crimes were enacted: Aggravated Assault on a Judge (P.L. Section 120.09-a, a class B felony) and Aggravated Harassment of a Judge (P.L. Section 240.33, a class E Felony). Aggravated Assault on

The Legislature enacted two measures to increase security for judges and their families.

a Judge will be committed when a person causes serious physical injury, with both the intent to cause that injury and an intent to prevent the judge from performing his or her official judicial duties.

Aggravated Harassment of a Judge will be committed when a person engages in various acts, as specified in the statute, with the intent to harass either a judge or a member of the judge's "immediate family" and the person knows or should know that such act will cause the judge (or his family member) to reasonably fear harm to his or her physical safety or property. The acts can consist of various forms of threatening communications or physical contact (striking, shoving, kicking) which can cause physical injury. The statute adopts the definition of "immediate family" currently utilized in the crime of

Stalking (P.L. Section 120.40). Members of juries were also provided more security by the Legislature. This was a reaction to certain

high profile cases where the names of jurors were not made public out of a concern that the welfare of the jury was at risk. Under an amendment to the Criminal Procedure Law, upon motion of the prosecutor, defense counsel, or 'any affected person," or upon the court's own initiative, a court can issue a protective order preventing the names of any prospective juror from being made public (A 7495, awaiting the governor's signature).

The protective order must be based upon "good cause." In determining good cause, a court can consider: (1) whether a juror or prospective juror has been tampered with, bribed, harassed or injured; (2) the seriousness of the charges against the defendant; or (3) the extent of pretrial publicity. If a court determines that a protective order should be issued. it must instruct the jury that the fact that the jury was selected on an anonymous basis is not a factor from which it may draw any unfavorable inference against the defendant.

A second initiative by the Legislature in the last session was an effort to reduce an increase in organized retail theft. Among the several laws that were enacted, the most notable bill permits felony charges to be filed against individuals who steal merchandise from more than one store. Currently, if a person steals merchandise worth \$500 at one store, and then merchandise worth \$501 at a second store, that person can only be charged twice with petit larceny.

Under the new law, if a person steals property from more than one location "pursuant to a common scheme of a plan," and the value of the property exceeds one thousand dollars, the person can now be charged with Grand Larceny in the Fourth Degree, a class E felony (L. 2024, Ch. 55, eff. July 19, 2024). If the aggregate amount is greater, a person can be charged with Grand Larceny in the Third Degree (\$3,000); Second Degree (\$50,000) or First Degree (\$1,000,000). It should be noted that a conviction for these crimes is excluded under the persistent felony offender statute

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Off the Front

Nonequity

« Continued from page 1

have young children. After entering a nonequity partnership, it's very difficult to get that momentum again to make that sprint to [equity] partner."

Hoey argued that single-tier partnerships like Ropes & Gray's are more transparent and clearcut for diverse candidates.

Kalpana Srinivasan, the managing partner of Susman Godfrey, another single-tier firm, agreed.

"I felt very much that having a defined partnership consideration date was very important for me," she said. "I felt the same way about having an equity-only partnership, because, again it was clarity about what I would be doing and how I would get there—and not having an inbetween period where it might be more discretionary on where you move in and out of that."

Some recruiters say they've noticed discrepancies when speaking with partners at singleand two-tier firms.

Merle Vaughn, national law firm diversity practice leader of Major. Lindsey & Africa, said she's heard complaints of firms "moving the goalposts" for women and diverse lawyers, and what's required for them to move into the equity tier.

"A lot of time, a leader will say to an associate, 'You'll be a nonequity partner, and we'll reassess again in a year or 18 months. If you have \$1.5 million in business at that time, you'll be up for equity partner," Vaughn said. "But I've talked to women and diverse partners who have said that, by the time that comes around, the number that is required in their firm to become equity partners goes up and becomes 3, 4 or 5

Justine Donahue, the managing director of the recruiting firm Macrae, said she hears complaints from diverse candidates that they are being de-equitized at a disproportionate rate. Still, Donahue said that de-equitization and lack of promotion from nonequity to equity status could have more to do with increased pressure on the bottom line for firms, and less to do with the diversity of an individual candidate.

More Opportunities In Nonequity?

Despite the criticisms, many other sources said that the nonequity partnership tiers offer more advantages for women and diverse lawyers.

Ira Coleman, the global chair of McDermott Will & Emery, said that nonequity tiers can provide a great training ground for those lawyers who may have come to the firm as laterals and haven't been steeped in the business of

"I do think that having a nonequity tier is much better for diverse candidates, because carrying the badge partner allows someone a better opportunity to develop relationships and hopefully business, which certainly would increase their chances of becoming a successful equity partner," Coleman said.

He added that sometimes lawyers may need help developing their networks and business development skills. "For instance, if, like me, you didn't grow up surrounded by people who used or needed sophisticated legal services, then you might need some more time and training to become a world-class business developer," he said.

Echoing this, Liz Washko, the managing shareholder of Ogletree Deakins, said the nonequity tier serves as a "training ground" and a "ladder" to equity partnership at her firm. Washko said that the firm also has affinity groups, which help mentor its diverse nonequity shareholders into the equity ranks.

Jennifer Selendy, the founding partner of Selendy Gay, said that the nonequity tier was crucial in her success when she was coming up as a star litigator at Kirkland & Ellis, where she worked from 1999 to 2016.

"The nonequity tier gave me the title of partner, which gave me the ability to build the business in order to make the case that I needed to make to become an equity partner," she said. "I had both of my children during those nonequity partner years, and I had a lot more support on my cases from senior associates and counsel to ensure that I could have control over my schedule, which every young mother needs."

Selendy was on the nonequity track for four years, and became an equity partner after her 10th year at Kirkland, she said.

Still, she noted that a long nonequity track could be "detrimental," and that it can be easy for lawyers to get stuck in the nonequity tier because it is "comfortable," without the stress of book-of-business requirements that equity partners may have.

"Is it harder for women and people of color to keep their visibility, and to do the networking within the firm to keep you on track? One hundred percent," she said. "But that honestly is probably no different from those firms that have a straight track to equity partnership."

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Outside Counsel

Ensuring That Trusts Created During A Marriage Survive a Divorce

rusts are a cornerstone of estate planning, offering a versatile means of managing and transferring wealth across generations. For married couples, trusts provide a way to gift assets to their children and grandchildren without the financial and logistical challenges that might arise from direct transfers. However, the treatment of trusts in divorce proceedings can complicate what might otherwise seem like straightforward estate planning.

When trusts are funded with "marital property," i.e., property titled in joint names or acquired by a couple during the marriage, that marital property may be subject to distribution. The New York divorce statute gives courts extremely broad discretion in dividing marital property, and this discretion extends to marital property held in trust. See, e.g,, Markowitz v. Markowitz, 45 N.Y.S.3d 203, at 205 (App. Div. 2d Dep't 2017) (holding that "marital assets placed in a trust may be subject to equitable distribution"); Riechers v. Riechers, 701 N.Y.S.2d 113, at 115 (App. Div. 2d Dep't 1999)("whatever property the parties have, wherever in the world located, it may be subject to equitable distribution upon divorce").

In practice, however, the division of trusts funded with marital property is the exception rather than the norm. New York courts have held that trusts which are set up as legitimate vehicles for gifting marital property to a third (i.e., non-spousal) party should not be subject to a division in a divorce. See, e.g., Oppenheim v. Oppenheim, 93 N.Y.S.3d 92 (App. Div. 2d Dep't 2019). Trusts are usually considered a means of gifting marital property, and

ALYSSA ROWER is the founding partner of Rower LLC, a New York law firm started in 2017 dedicated to matrimonial and family law. KARINA VANHOUTEN is an associate with the firm and focuses her practice on prenuptial agreements and the intersection of divorce and estate planning.



Alyssa



gifted marital property is almost always considered outside the 'marital estate." See Villi v. O'Caining-Villi, 2005 WL 3442966, at *5 (N.Y. Sup. Ct. Westchester

Karina

VanHouten

Cnty. 2005). In effect, then, a trust will survive a divorce if it is set up properly. What follows are tips on how to make sure this happens.

Just as we recommend working with trust and estates attorneys who fully understand matrimonial issues, we would likewise recommend working with matrimonial attorneys who understand these trust and estates issues.

Inequitable Conduct and Sham Trusts

Courts will usually only seek to disrupt a trust if they conclude that it was intended to defraud the other spouse or smuggle marital property out of the estate.

Surasi v. Surasi presents an archetypal example of a "sham trust." 2001 WL 1607927 (N.Y. Sup. Ct. Richmond Cnty. 2001). Everything about the Surasi trust was suspect: it had been created three years after filing for divorce without the wife's consent or knowledge, was covertly funded with property acquired during the marriage, and was sited in another state in a brazen attempt to escape the court's jurisdiction. The court labelled this trust a "a sham and a fraud," and consequently ordered its dissolution.

The corollary is that if a grantor is credible and a trust is legitimate, courts are unlikely to disrupt the trust. In Oppenheim v. Oppenheim, the court declined to award the wife a share of trust assets, even though the husband had trustee powers to transfer assets to himself and the trust was funded with marital property assets titled in the wife's sole name. 93 N.Y.S.3d 92. The court reached this decision because the trust had been created with the wife's consent and the husband was credible.

Lack of Spousal Consent

While bad faith attempts to defraud a spouse by hiding marital assets offshore are clearly prohibited, even innocent or absentminded failures to obtain spousal consent can raise doubts about the legitimacy of a trust. Because both spouses are entitled to a share of marital property, any trust funded with such property should be established with the documented and informed consent of both parties. This requirement applies not only to the creation of the trust but also to any transfers of marital assets into or out of it.

Importantly, a trust only becomes vulnerable in divorce proceedings if one party decides to challenge it. In this way, trusts resemble custodial accounts, which are typically funded with marital assets but are rarely disturbed during divorce, as they are created for the benefit of the couple's children. Courts can technically distribute custodial accounts as marital property, but in practice, this is uncommon. See, e.g., LaPaglia v. LaPaglia, 514 N.Y.S.2d 317, 319 (Sup. Ct. Kings Cnty. 1987).

Like a custodial account, a trust will survive a divorce if neither spouse contests it. This is not a formalistic legal consideration, rather, it is an emotional one. When both parties are committed to the trust, it is more likely to endure a divorce. This means that it is important to make sure both parties are "on the same page" with respect to the trust. A party who has consented to a trust will not only have a weaker

Litigators

« Continued from page 1 number of partners by the end of the year.'

Shinder Cantor Lerner will represent both plaintiff-side and defense matters across multiple industries, including health care and pharmaceuticals, payments and financial services, media and telecommunications, and technology, in antitrust matters, according to a statement.

The leaders said they started the firm out of a desire to create the preeminent antitrust boutique, particularly, as Shinder said, "in an era of increased market concentration amongst corporations and cartels.

The launch comes after a series of sharpened FTC-enforcement actions under Lina Khan, while the government, whether the Justice Department or the FTC, has brought claims against Visa, Google, Apple and Amazon, among others. As a result, many Big Law firms have added antitrust talent this year, including Skadden, Arps, Slate, Meagher & Flom; Foley & Lardner; Quinn Emanuel Urquhart & Sullivan; and Paul, Weiss, Rifkind, Wharton & Garrison.

Shinder Cantor Lerner's leaders said antitrust is "incredibly busy" right now and that they have four trials in the next 12 months.

"This is a moment of importance to antitrust that's been built for decades. We believe in it and believe a firm dedicated to an antitrust mission can make a positive contribution in this moment," said Shinder.

For her part, Lerner said, "Life is short, sometimes too short. I lost my best friend and partner of 20 years a few years ago, and this felt like the right time to do a big, challenging, fun, new venture. Not to mention that antitrust itself is having a moment."

Joining Shinder, Cantor and Lerner as partners are Meegan Hollywood and Ben Steinberg from Robins Kaplan, and J. Wyatt Fore, James Kovacs, Ethan Litwin, Harrison McAvoy and David Scupp from Constantine Cannon, according to a statement on the hires. Eight attorneys will work in the firm's New York office, while two will work in D.C., according to the leaders.

Co-Counsel on Matters

After the departures, Constantine Cannon will have 38 attorneys across its three offices in Washington, D.C., San Francisco and New York, according to the firm's website. "We wish our colleagues all the best. We continue to work together on client matters, and we are sure there will be opportunities to continue our collaboration on new matters in the months and years to come," said a firm statement.

Lloyd Constantine, counsel and founding partner of Constantine Cannon, said in an interview that his firm and Shinder Cantor Lerner will co-counsel a number of matters together. He said that "roughly two-thirds of the resources being devoted" to the Interchange case will be from Constantine Cannon. Other cases that the two firms will work

on together include Sidibe v. Sutter Health (a suit filed against a Northern Californian healthcare provider) and a generic drug price-fixing case.

"It's a combination of cases which will be fully co-counseled, some cases that will be more us than them, and some cases where there are more them than us," Constantine said

The leader added that he is saddened to see his friends and colleagues go, but that the departures may make way for the next generation of leaders and partners at Constantine Cannon. "In terms of the overall health of the firm, I think it's pretty much the same, except we will have new people saying we really ought to do this we really ought to do that," he

For their part, Shinder and Cantor added that they "love Constantine Cannon" and will indeed "continue to co-counsel on a number of matters."

Robins Kaplan, meanwhile, has about 220 lawyers in its seven offices after the three attorney departures. The firm wished the departing lawyers well and said it has a "deep bench of experienced lawyers.'

"Our commitment to delivering exceptional legal services remains unwavering, and our antitrust team in New York and nationally continues to be one of the strongest in the industry,' said Anthony Froio, the managing partner and executive board chair of Robins Kaplan, in a state-

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IN BRIEF

« Continued from page 1 billion, including certain commercial benefits. JPMorgan acted as

financial advisor to Verizon and Jones Day acted as legal counsel. Centerview Partners LLC served as financial adviser to Vertical Bridge and Greenberg Traurig acted as legal counsel. Simpson Thacher & Bartlett acted as legal counsel to DigitalBridge. Mayer Brown acted as legal counsel to

IPOs

Apimeds Pharmaceuticals US, a biotech company focused on developing bee venom-based treatment for inflammation, registered with the SEC on Sept. 25 for a \$12 million IPO. The Hopewell Junction, New Jersey-based company, which has applied to list its shares on the New York Stock Exchange, is advised by Nelson Mullins Riley & Scarborough partner David Mannheim. The underwriters, led by EF Hutton,

are represented by Blank Rome partner Brad Shiffman.

Debt Issuances

Hartree Partners LP, a merchant commodities firm, was counseled by Hogan Lovells in a debt offering valued at \$4.1 billion. Underwriters for the offering, including MUFG Bank Ltd., were counseled by Cadwalader, Wickersham & Taft.

Snowflake was counseled by Cooley in a debt offering valued at an aggregate \$2 billion. The Cooley team was led by partners Jon Avina, Mischi Marca, Kate Nichols, Jason Savich and Milson Yu.

Berry Global Group, a plastic packaging products manufacturer, was counseled by Bryan Cave Leighton Paisner in a debt offering valued at an aggregate \$1.6 billion. The Bryan Cave team included partners Tyler Mark and Eliot Robinson.

Davis Polk & Wardwell has

advised the joint lead arrangers in connection with the underwriting of a debt offering valued at \$650 million. The issuance was announced Sept. 23 by Chanhassen, Minnesota-based athletic country club operator Life Time Group Holdings. The Davis Polk team included partner Sanders Witkow.

Kosmos Energy Ltd. was counseled by Davis Polk & Wardwell in a debt offering valued at an aggregate \$500 million. The Davis Polk team included partners Byron Rooney and Aliza Slansky. The notes come due 2031.

-Patrick Smith

DECISIONS WANTED!

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

Matter of Jose X. Orochena, an attorney and counselor-at-law

Motion No. 2024-03288

Appellate Division, First Department Gesmer, J.P., Scarpulla, Rodriguez III, Rosado,

Michael, JJ. Decided: September 26, 2024

Jorge Dopico, Chief Attorney, Attorney Grievance Committee, New York (Jun H. Lee, Esq., of

Respondent, pro se.

counsel), for petitioner.

Per curiam—Respondent Jose X. Orochena was admitted to the practice of law in the State of New York by the First Judicial Department on February 9, 2015, under the name Jose Xavier Orochena. Respondent maintains a registered business address in the First Judicial Department.

By motion dated July 8, 2024, the Attorney Grievance Committee (the AGC or Committee) seeks an order under Rules for Attorney

Disciplinary Matters (22 NYCRR) §1240.9(a)(3) immediately suspending respondent from the practice of law until further order of this Court, based on respondent's failure to produce two client files as repeatedly requested by the AGC and directed by judicial subpoena. Respondent opposes. The motion should be granted.

During the Committee's investigation into two complaints filed by respondent's former clients, respondent refused to produce the relevant client files upon request. Following respondent's refusal in response to multiple Committee requests, respondent was served on March 21, 2024, with a judicial subpoena directing him to appear before the Committee on April 17, 2024, for a deposition and to produce the relevant client files. Respondent, pro se, appeared for the deposition as directed and claimed to have both client files with him. However, respondent refused to produce the files unless authorizations for their release were procured from the clients. Respondent was instructed to return for further

clients' files. By April 19, 2024 letter, the AGC directed respondent to appear on April 29, 2024, for his continued

testimony and to produce the

Disciplinary Proceeding

deposition at which he was to produce the relevant client files as directed by judicial subpoena. Further, respondent was warned that if he failed to produce the files the Committee would move for his interim suspension under 22 NYCRR 1240.9(a)(3). By email that same date, respondent refused to comply and maintained that the files were privileged.

Respondent appeared on April 29, 2024, for his continued deposition, but he again refused to produce the subpoenaed files. To date, respondent has not produced the files.

In the present motion, the AGC argues that respondent's interim suspension is warranted because he has willfully failed to cooperate with its investigation. Specifically, respondent has failed to produce client files related to the two complaints against him notwithstanding his receipt of numerous letters, emails, and a judicial subpoena ordering such production. The AGC thus contends that respondent has engaged in conduct that threatens the public interest, warranting an interim suspension.

Respondent opposes the motion, arguing that the client files sought by the AGC are privileged under CPLR 4503, which privilege is not his to waive; that the complaints at issue are without merit and the allegations against him do not concern "conduct that threatens the public interest"; and that he has complied with the Committee's lawful requests for information.1 Although respondent has not moved on notice for any relief, his opposition indicates a request for, among other things, dismissal of the complaints.

In reply, the AGC maintains that Rules of Professional Conduct (22 NYCRR 1200.0) 1.6(b)(5)(i) and 1.6(b)(6) (allowing disclosure of confidential information "when permitted or required under these Rules or to comply with other law or court order") make clear that respondent cannot insist upon the complainants executing waivers of the attorney-client privilege as a condition for his producing their files. Further, the AGC relies on respondent's noncompliance with repeated official requests and a judicial subpoena, as opposed the complaints, to support its contention that respondent's conduct threatens the public interest, thereby warranting his interim suspension. As an initial matter, respondent's

to the underlying allegations in

requests for affirmative relief are not properly before the Court. As to the AGC's motion, 22NYCRR 1240.9(a) provides for an interim suspension:

"upon a finding by the Court that the respondent has engaged in conduct immediately threatening the public interest. Such a finding may be based upon:... (3) the respondent's failure to comply with a lawful demand of the Court or a Committee in an investigation... under these Rules....'

The AGC has met its burden, and respondent should be immediately suspended until further order of this Court. The record shows that the Committee repeatedly requested the two client files at issue, which requests were lawful under 22 NYCRR 1240.7(b) (1), and respondent was further directed to produce them by judicial subpoena. To the extent respondent had a good faith basis to question the subpoena's legal

propriety (but see 22 NYCRR 1240.7[b][3] ["Subpoenas shall be issued by the Clerk in the name of the Presiding Justice and may be made returnable at a time and place specified therein"]), he should have moved to quash the subpoena (see Matter of Brunswick Hosp. Ctr. v. Hynes, 52 NY2d 333, 339 [1981] ["A motion to quash or vacate, of course, is the proper and exclusive vehicle to challenge the validity of a subpoena or the jurisdiction of the issuing authority"], citing Matter of Santangello v. People, 38 NY2d 536, 539 [1976]; Ayubo v. Eastman Kodak Co., Inc., 158 AD2d 641, 641 [2d Dept 1990]). Flatly refusing to comply, however, was improper, as is alleging the subpoena was invalid at this late juncture (see Brunswick, 52 NY2d at 339 [motion to quash "must be made promptly, generally before the return date of the subpoena"]). In addition, rules 1.6(b)(5)(i) and

1.6(b)(6) provide for disclosure of confidential information contained in the files at issue, and failure to comply with judicial process during the investigation of attorney complaints can, as here, support an interim suspension (Matter of Hooker, — AD3d —, 2024 NY Slip Op 02871 [1st Dept 2024] [interim suspension under 1240.9(a)(3) for failure to produce » Page 6

Real Estate Trends

REALTY LAW DIGEST

Scott E.
Mollen



FHA—ADA—Punitive Damages—Town Violated Fair Housing Act and Americans With Disabilities Act—Compensatory and Punitive Damages Awarded—Municipalities Not Exempt From Vicarious Liability Under the FHA—Punitive Damage Award Was Unconstitutionally Excessive—Disparity Between Punitive and Compensatory Damages Was Too High—Civil Fine Amounts Also Show That Punitive Damage Award Violated Due Process—FHA Permits Punitive Damages—No Exception for Municipal Defendants—Town Engaged In a "Campaign of Discriminatory Conduct Meant To Keep a Group Home for Individuals With Mental Health Disabilities From Opening"—Jury Awarded \$181,000 In Compensatory Damages and \$5 Million In Punitive Damages—Town Liable for Actions of Its Officials—Vicarious Liability—Punitive Damages Ratio Of 27.6 to 1 "Unconstitutionally Excessive"—Maximum Sustainable Punitive Damages Is \$2 Million—New Trial On Punitive Damages Unless Plaintiff Agrees To Reduction to \$2 Million

This decision involved an appeal by a town from a judgment from a U.S. District Court. A jury verdict found the town liable for violations of the Fair Housing Act (FHA), and Americans with Disabilities Act (ADA) and awarded compensatory and punitive damages.

The town argued that the trial court improperly applied a "motivating-factor" requirement, rather than a "but-for" requirement with respect to the FHA claim and the trial court erred in subjecting "a municipality to vicarious liability and punitive damages under the (FHA)." The town also contended that the amount of punitive damages was "unconstitutionally excessive."

The US Court of Appeals (2nd Circuit) (court) rejected the town's arguments as to the FHA, but agreed that the punitive damages award "was unconstitutionally excessive."

The court explained that the town's causation argument was barred by "binding circuit precedent, which no intervening Supreme Court decision has effectively overruled." Additionally, the town failed to establish that the FHA vicarious liability provisions exempt municipalities. The FHA "unambiguously allows for punitive damages with no exemption for municipal defendants." The "Page 7"

SCOTT E. MOLLEN is a partner at Herrick, Feinstein.

Q2 Rents Post Second Steepest Drop In Five Years

BY PHILIPPA MAISTER

A NEW analysis from Redfin reports more of the same: multifamily rents are falling—this time by the second steepest drop in five years. The steepest drop was in the first quarter of this year.

The culprit is also the same: a flood of new apartments coming onto a market that is unable to absorb so many.

In 2Q 2024, the median rent for newly constructed apartments plunged 6.2% to \$1,746 from the previous year, below their peak of \$1,889 in 1Q 2022. The number of apartments completed rose 18.7% in 1Q 2024 to reach 98,260, the highest number in over a decade, Redfin said. Its analysis is based on Census Bureau data for newly constructed, unfurnished, unsubsidized, privately financed rental apartments in buildings with five or more units that were completed in the first quarter.

The influx of new construction is likely to push rents down even further this year, Redfin said. The result is that landlords are engaged in a fierce competition with reduced rents and other concessions as lures for new tenants. "If you're a renter in a market like Dallas or Nashville, where » Page 8

Multifamily Momentum Trends Up on Lower Debt Costs, Higher Cap Rates

BY KRISTEN SMITHBERG

MOMENTUM in the multifamily market is trending up and is likely to continue thanks to lower debt costs and higher cap rates. Many buyers have been on the sidelines waiting out financing hurdles and softer fundamentals, and positive trends should start to loosen that backlog, said Marcus & Millichap in its third-quarter multifamily national report.

The average multifamily cap rate for trades between July 2023 and June 2024 rose to 5.8%, a 110 basis point increase from 2022's all-time low. That is the highest cap rate recording since 2014. At the same time, sale prices are stabilizing as reduced financing uncertainty is helping buyers and sellers agree to terms.

Vacancy remained flat across the country for the first half of 2024 after increasing by 90 bps last year. Primary markets have had the most stable vacancy over the past year, particularly in downtown areas. Institutional-level activity also appears to be returning, with dollar volume rising in this segment in July and August.

Page 8

APPELLATE PRACTICE

To Appeal or Not To Appeal: That Is the Question

o appeal or not to appeal, that is a question faced eventually by every litigator. But questions relating to the facts of a case or the applicable law aside (for the moment), what do the statistics demonstrate for the appellate practitioner?

One of the many responsibilities of the Chief Administrative Judge for the New York State Unified Court System (UCS) is compliance with Judiciary Law Section 212 (requiring that an annual report be filed compiling and publishing the statistics of every court in the state). A review of the 2023 Annual Report (https://www.nycourts.gov/legacyPDFS/23-Annual-Report.pdf) reveals statistics which underscore the UCS's commitment to justice and fairness, innovation and progress, and a staggering budget.

Some facts: in 2023, the UCS collected nearly \$52 million from attorney registration revenues, and over \$472 million by the Criminal History Search Unit, for criminal history search records. For the current fiscal year (April 1, 2024 through March 31, 2025), the New York State Legislature approved appropriations of \$3.4 billion for the state judiciary. As Chief Administrative Judge Joseph A. Zayas stated in his opening message to the Report, "Our past is illustrious, and our future has never looked brighter, despite the challenges we all face in the elusive effort to fulfill the constitutional promise of equal justice for all. And that's what it's all about-equal justice for all. Everything else—legislative goals, budget, personnel—is merely a means to that

GARY M. ROSENBERG is the founding member and the chairman of Rosenberg & Estis. BRADLEY SILVERBUSH is a senior litigation member of the firm.

This is a commendable and admirable point that everyone should embrace; not just the judiciary, but attorneys and litigants as well. With this goal at the forefront of legal profession's collective mind, let's look at the statistics to see how that actually played out last year. While the number of filings at the trial court level throughout the State demonstrate a fourth consecutive year of increased filings, the actual total number for 2023 (2,472,802) is down from the pre-COVID number of filings (3,021,016).

Most attorneys, especially trial and appellate practitioners, will want to jump to look at the caseload activity at the Appellate Division and the Court of Appeals. Statewide (including all four Departments in both civil and criminal cases), the Report indicates that there were a total of 14,935 cases that were disposed of after argument or submission of an appeal. Of these, over half (8,007) were disposed of before argument or submission of the appeal (e.g., they were dismissed, withdrawn, or settled). Of the remaining 6,928 cases that were disposed of after argument or submission of the appeal, 4,138 were affirmed, 1,022 were reversed, 849 were modified, and 760 were dismissed (with 159 appeals falling into a category defined as "other").

It gets even more interesting if one focuses on the caseload activity at the Court of Appeals. Table 1 of the Report reveals the caseload activity for 2023 (the year commencing April 1, 2023 and ending March 31, 2024); the Court decided a total of 93 appeals. How did those cases go from the Appellate Division to the Court of Appeals? The statistics show that in 50 cases, the Court of Appeals granted permission, while there were 15 cases where permission was granted by the Appellate

Division (there were also three cases that involved a constitutional question, and 13 in the "other" category). Of those 93 appeals, 57 involved civil cases, while 36 involved criminal cases.

What was the result of those 93 appeals? 36 affirmances and 40 reversals (with five resulting in modifications, two dismissals, and ten in the "other" category). A footnote to the table indicates that "other" category includes anomalies which did not result in an affirmance, reversal, modification or dismissal (e.g., judicial suspensions, acceptance of a case for review pursuant to Court Rule 500.27).

Put another way, one could fairly conclude that overall, state-wide decisions of the Appellate Division are more often reversed than they are affirmed. While in civil cases, it is almost an even split (with 22 affirmances and 20 reversals), in criminal





Gary M. Rosenberg

And
Bradley
Silverbush

of a jury charge; admission/exclusion of evidence; pre-trial motions relating to discovery, or dispositive motion practice). So, what does an attorney tell a client when discussing the inevitable question, whether to appeal, or not?

Naturally, the first question is what is to be gained or lost if an immediate appeal is taken. In this regard, there are three major considerations to discuss.

First, whether time will be saved or lost if an appeal is taken immediately (noting that CPLR 5501 specifically states that an appeal from a final judgment brings up for review "any nonfinal judgment or order which necessarily affects the final judgment"). In fact, there may be no compelling need to take an immediate appeal (for example, from an interlocutory order that can be raised if an appeal from the final judgment is even necessary).

An appellate practitioner who understands the case and knows what they are doing can turn a losing determination into a winner on appeal. And who doesn't want to be a winner?

cases there is a significant difference (with 14 affirmances and 20 reversals). But what does this information mean to the practitioner, and more importantly, to one's clients (aside from the obvious statistical conclusions one might infer from the foregoing)?

It certainly suggests that reasonable minds can differ on the assessment of the strength of case, the applicability of the law to one's facts, the admissibility or interpretation of evidence, or any one of dozens of legal issues that are frequently raised on appeal (e.g., the denial or granting of a motion in limine or

a CPLR 4404 motion; the propriety

This is more often a major consideration when representing a plaintiff who seeks to move the case forward quickly, especially if the determination is adverse to one's client.

Of course, if an attorney is representing a client who is the defendant, then that attorney may be seeking to delay a final determination of the case and what better way is there than to seek a stay pending appeal of an interlocutory order, as provided by CPLR 5519?

Another question most clients will ask is what the financial cost of the appeal is weighed against the likelihood of gaining an economic benefit (i.e., a » Page 8

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2024 Election Impact On CRE

BY BRIAN A. LEE

ELECTIONS have consequences, and this year's vote will be no exception for the CRE industry. Voting outcomes will shape important policy matters that impact this high-stakes sector beyond 2024. Brokers at Kidder Mathews, the largest fully independent commercial real estate firm in the Western US, weigh in on some of the issues that are on future ballots.

Housing on the Ballot

Most agree that housing affordability is a major concern, with the nation facing an estimated shortage of 4.5 million homes. This election, several jurisdictions will put forward measures aimed at addressing this issue.

» Page 8



An architectural rendering of Bridge Rockaway in Brownsville. Gov. Kathy Hochul's \$25 billion plan aims to preserve and create 100,000 affordable homes throughout New York.

\$118M Multifamily Project Debuts in Brooklyn

BY ANTHONY RUSSO

BROWNSVILLE, Brooklyn debuted a new affordable multifamily community last week after completing a \$118 million project.

In May 2022, Gov. Kathy Hochul first announced the plans for Bridge Rockaway in Brownsville, an initiative to build 174 affordable apartments, with 87 getting reserved for veterans and seniors experiencing homelessness. It was a part of the Democrat's five-year \$25 billion plan.

Bridge Rockaway is a part of the Brownsville Industrial Center development, which features 39,000 square feet of light industrial space on the ground floor, and 2,000 SF of commu- » Page 8

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of the State Constitution Designated by the Appellate Divisions, First and Second Departments, pursuant to authority conferred on them by Section 91[1] and [2] of the Judiciary Law. Designated by the U.S. District Court

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Leaks

ing new potential witnesses to come forward with information,' the document states.

Depending on the outcome of the hearing, Spiro urged the judge to either dismiss the case or bar the use at trial of any grand jury material or other evidence "improperly procured through

Spiro also made clear the defense team would be seeking sanctions, the scope of which would be clearer following a

While an evidentiary hearing will help the Court assess the scope of the Rule 6(e) violation, identify the responsible parties, and determine the appropriate remedies, it is already clear that some sanctions are necessary to plug the leaks prospectively,' the filing reads. "Otherwise, the government will continue to use strategic disclosures in the media to gain a tactical advantage in this case, including by tainting the jury pool, and to tarnish Mayor Adams's reputation."

The filing comes just a day after Adams' defense team moved to dismiss a bribery count against their client, a mere four days after the corruption indictment was unsealed.

U.S. Attorney Damien Williams on Thursday announced that Adams had been charged with bribery, receiving campaign contributions from foreign nationals, wire fraud, solicitation of contributions from foreign nationals and bribery. Adams on Friday pleaded not guilty to all counts.

The mayor is due back in court on Wednesday before Ho. Spiro has said he plans to file a full motion to dismiss before that

Monday's submission attacks the "extraordinary vague" bribery claims against Adams as deficient under the U.S. Supreme Court's ruling in Snyder v. United States.

Prosecutors have claimed that Adams offered up his influence in exchange for gifts and perks, including discounted luxury travel and accommodations worth tens of thousands of dollars from Turk-

In exchange, Adams allegedly pushed through the opening of a

Turkish consular building in New York City despite it failing a fire inspection.

The defense filing claims prosecutors have nothing to support this allegation except "three innocuous text messages" Adams purportedly sent a New York City Fire Department commissioner.

These messages "fall far short of the kind of 'official act' necessary for bribery," the filing claims.

Prosecutors have also charged Adams with engaging in a strawdonor scheme to steal matching campaign funds from the city.

The defense calls those allegations "equally meritless because they rest on a host of false claims evidently attributable to a selfinterested staffer with an axe to grind.

In addition to Spiro, Adams is represented by partners William Burck, Avi Perry and John F. Bash of Ouinn Emanuel.

Court records show that his criminal legal bills are being paid by a legal defense fund set up last

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Top Attorneys

« Continued from page 1 role the corporation counsel plays

in New York City government." Goode-Trufant began in the Law Department in 1991 as an attorney in the General Litigation Division. She subsequently served as chief of the Special Federal Litigation Division, the Law Department's managing attorney, and first assistant corp. counsel

Before joining the Law Department, Goode-Trufant was an associate at Philadelphia-based Cohen, Shapiro, Polisher, Shiekman & Cohen.

Her appointment must be confirmed by the City Council.

Adams' last nominee, Randy Mastro of King & Spalding, withdrew his nomination last month following a bruising confirmation hearing.

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Cancer Drug

« Continued from page 1

appointment must be backed by a majority of registered holders. But it was not. UMB Bank's appointment was only ever sup-

ported by beneficial holders. Bristol Myers based their motion to dismiss the suit on this

issue, and Furman agreed. "The CVR Agreement plainly required the support of a majority of registered Holders to effect UMB's appointment, and UMB and those that sought its appointment—sophisticated parties all—failed to secure that support," the judge wrote. "That inexplicable failure means that,

was not the properly appointed Trustee.' "That, in turn, means that UMB lacked constitutional standing to

when this lawsuit was filed, UMB

bring this lawsuit and that this Court lacks subject-matter jurisdiction," he added.

Furman dismissed the action without prejudice, thereby allowing a properly appointed trustee to re-bring the claims.

Bristol Myers acquired Celgene for \$80.3 billion in 2019. Equiniti Trust Company was subsequently appointed successor trustee but was never properly removed.

Therefore, defendant's counsel at DLA Piper argued that UMB Bank was never properly autho-

Furman called UMB Bank's inability to properly instate itself an "explicable failure."

"UMB has no one to blame for that result but itself," the judge

UMB Bank was represented by a team from Selendy Gay,

"The Court's ruling is expressly without prejudice and states that

the case will pick up where it left off if refiled by the Trustee in the District Court for the Southern District of New York.," a spokesperson for the bank said in a statement. "The rights of CVR holders will be addressed.

Counsel from DLA Piper did not immediately return messages.

The case stems from Bristol Myers' agreement to pay Celgene shareholders with contingent value rights \$9 more a share in the event the pharmaceutical company won governmental approval by certain deadlines for various Celgene drugs, including Breyanzi.

The company did not meet the required deadlines. The FDA approved Breyanzi in 2021 as a treatment for non-Hodgkin's lym-

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Disciplinary

« Continued from page 4 records concerning representation of client as directed by judicial subpoena]; Matter of Amankwaa, 221 AD3d 107 [1st Dept 2023] [interim suspension under 1240.9(a)(3) for

failure to produce client files as

repeatedly requested by the AGC and directed by judicial subpoena]; Matter of Espinoza, 200 AD3d 21 [1st Dept 2021] [interim suspension under 1240.9(a)(3) for failure to produce documents and information as repeatedly requested by the AGC and directed by judicial subpoena]).

Accordingly, the AGC's motion

dent suspended from the practice of law, effective immediately and until further order of this Court. All concur. ••••••

should be granted, and respon-

1. Respondent also contends that the AGC's Staff Counsel was discourteous and threatening towards him during his deposition. The record fails to support this claim.

Perspective

Rulings From NYC's Administrative Law Court To Be Published In the Law Journal

BY ASIM REHMAN

ith recent developments in the U.S. Supreme Court bringing increased attention to the area of administrative law, questions may emerge regarding how administrative law disputes are handled in New York City. The answer is the NYC Office of Administrative Trials and Hearings, and we are happy to announce that the New York Law Journal will now include OATH administrative law cases in the "Decisions of Interest" section

OATH is New York City's central, independent administrative law tribunal. Our mission is to ensure that everyone who appears before us receives both a fair opportunity to be heard and a timely resolution of their case. The decisions issued by OATH's adjudicators affect many aspects of everyday life in New York City, from those involving individuals and businesses challenging civil summonses issued by city enforcement agencies (Health, Sanitation, Environmental Protection, Buildings, etc.), to city workers contesting disciplinary charges filed by their employer agencies, to complaints alleging violations of the

New York City Human Rights Law or Conflicts of Interest Law, to matters concerning a wide variety of license revocations, to owners seeking the return of vehicles seized by the New York City Police Department via civil forfeiture actions, to parents challenging Department of Education decisions regarding special-education services for their children, and more. OATH also houses the city's Center for Creative Conflict Resolution, which facilitates mediation and other alternative dispute resolution services. Administrative

law cases falling outside of OATH's jurisdiction are handled by tribunals such as the Office of Administrative Tax Appeals (for tax disputes), the Department of Finance (for parking violations), and the NYPD Deputy Commissioner for Trials (for police officer disciplinary matters).

Furthermore, while OATH remains part of the executive branch (as all administrative law tribunals do), we are separate and independent from the agencies that file cases with OATH. As documented in 1989 by the 1988 Charter Revision Commission and reaffirmed by the 2003 commission, OATH was established to be "an independent adjudicative body that can be a resource to agencies in conducting their adjudications, while at the same time establishing an independent structure outside of the agency to provide an unbiased assessment of the matters to be adjudicated." (NYC Charter Revision Comm'n Final Report at 118 (Sept. 4, 2003), quoted in

Index No. 100890/15 at 6 (N.Y. Co. Sup. Ct. 2018)). This independence helps ensure that matters heard at OATH are fair, impartial and without influence from other arms of government. OATH is also a high-volume tribunal. In 2023 alone we processed

Given the broad scope and the impact of its decisions, the

work of the Office of Administrative Trials and Hearings has

Chief Administrative Law Judge Asim Rehman writes

great relevance to the New York legal community, the court's

related to those hearings, and

conducted more than 625 trials in

our Trials Division. This is a tre-

mendous volume of work, and it is

a testament to the amazing public

servants who are part of the OATH

team. In each of these thousands

of cases, the tireless and commit-

ted staff at OATH take great care

to ensure that every party who

appears before us is treated impar-

tially and is accorded due process.

by Mayoral Executive Order No. 32

What began as a small group of admin-

istrative law judges handling primarily

disciplinary cases has now grown to an

four decades.

agency of notable size whose jurisdiction

has expanded in various ways over the past

and became a city charter agency

in 1988 pursuant to a public ballot

initiative. That year also saw the

adoption of the City Administrative

Procedure Act, which sets forth the

bedrock principles of due process

of law that OATH judges uphold,

including notice and a full and fair

opportunity to be heard in adminis-

trative adjudications (see New York

City Charter §1046). What began

as a small group of administrative

law judges handling primarily disci-

plinary cases has now grown to an

agency of notable size whose juris-

diction has expanded in various

ways over the past four decades.

Most recently, in 2024 the state

tasked OATH with hearing cases

relating to the closure and seal-

The agency was created in 1979

Matter of Victor v. N.Y.C. Off. of Administrative Trials & Hearings,

almost 590,000 summonses, held more than 220,000 hearings, issued close to 2,500 appeals decisions

ing of unlicensed cannabis shops in New York City.

Cases at OATH are handled by several divisions: the Hearings Division, the Appeals Division, the Special Education Hearings Division, and the Trials Division. In the Trials Division, OATH's experienced, trained and independent cadre of professional administrative law judges are subject to the Code of Judicial Conduct, the same rules of ethics that apply to state

> court judges. The Trials Division ALJs are selected after a rigorous merit selection process, including a writing competition, and they are appointed to five-year terms pursuant to the city charter. Those terms provide insulation from changes in administrations and political influence.

For every case tried at OATH's Trials Division, the presiding ALJ writes a decision that explains outcomes and provides guidance for future proceedings. Like the docket of many executive branch administrative courts, OATH's work is governed by statute, rules and regulations, case law from city, state and federal courts, and OATH's own precedents. These deci-

sions, made openly and publicly, explicate the law, and contain valuable information about the rights and obligations of the parties. Decisions are posted on a website with full disclosure, naming the parties and detailing the facts and recommended findings. The majority of decisions from OATH's Trials Division are recommendations to agency heads, who may then adopt or reject decisions.

Given our broad scope and the impact of our decisions, OATH's

work has great relevance to the New York legal community. We see housing court lawyers in loft law cases, the criminal defense bar in vehicle forfeiture and TLC license suspension cases. and commercial litigators in Contract Dispute Resolution Board cases and any number of cases involving economic or individual

rights. Accordingly, we are excited that the New York Law Journal will now start publishing select decisions from the OATH Trials Division. You can read these and more by visiting OATH's website, where you can also subscribe to our monthly BenchNOTES newsletter.

We hope that these highlights of OATH's work are both useful and informative and that they will build a greater understanding of the mechanisms by which rights are protected in our city.

ASIM REHMAN is the commissioner and chief administrative law judge of New York's Office of Administrative Trials and

Calendar

FRIDAY, OCT. 4

MONDAY, OCT. 7

Practising Law Institute Sports Law 2024 12 p.m. - 5 p.m.

www.pli.edu/programs/sportslaw-4ceb915a

NY City Bar (CLE) Residential Real Estate Closings:

What You Need to Know From Pre-Contract to Closing - Day 2 2 p.m. - 5:05 p.m. 3 CLE credits Webinar Registration Link: https://services.nycbar.org/ EventDetail?EventKey=_ WEB100724&mcode=NYLJ

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

MONDAY, OCT. 7 **TUESDAY, OCT. 8**

Practising Law Institute Understanding the Intellectual

Property License 2024 9 a.m. - 4:45 p.m. (Day 1) 9 a.m. - 4:30 p.m. (Day 2) www.pli.edu/programs/ understanding-the-intellectualproperty-license

TUESDAY, OCT. 8

Practising Law Institute Lawyering From a Trauma-

Informed Perspective 2024: Best Practices for Nonprofit and Pro Bono Legal Service Providers 1 p.m. – 4:45 p.m. www.pli.edu/programs/lawyering-from-a-trauma-informedperspective

TUESDAY, OCT. 8 TUESDAY, OCT. 15

NY City Bar (CLE) 16-Hour Bridge-the-Gap: Practical

Skills, Ethics & More... Time Day 1: 9 am - 4 p.m. Time Day 2: 8:45 am - 5:45 p.m. 16 CLE credits for both days Both Days Webinar Registration Link: https://services.nycbar. org/EventDetail?EventKey=_ WEB10824B &mcode=NYLJ Day 1 Webinar Registration Link: https://services.nycbar. org/EventDetail?EventKey=_ WEB100824&mcode=NYLJ Day 2 Webinar Registration

Link: https://services.nycbar. org/EventDetail?EventKey=_ WEB101524&mcode=NYLJ Location: Zoom Contact: Customer Relations Department, 212-382-6663 or customerrelations@nycbar.org

WEDNESDAY, OCT. 9

NY City Bar (CLE) Hot Topics in Advertising & **Marketing Law**

9 am - 1 p.m.; 4 CLE credits Webinar Registration Link: https://services.nycbar.org/ EventDetail?EventKey=_ WEB100924&mcode=NYLJ Location: Zoom Contact: Customer Relations Department, 212-382-6663 or customerrelations@nycbar.org

NY City Bar (Non CLE) Virtual Networking & Interviewing

12:30 p.m. - 2 p.m. Webinar Registration Link: https://services.nycbar.org/Even tDetail?EventKey=NLI100924&m code=NYLJ Location: Zoom Contact: Customer Relations

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Expert Analysis / Real Estate Trends

Legislation

« Continued from page 3

for purposes of sentencing (P.L. Section 70.10 (1)(b)(iv)).

Another related bill enacted a new crime, Assault on a Retail Worker (P.L. Section 120.19), a class E felony (L. 2024, Ch. 55, eff. Oct. 17, 2024). This crime will now be committed when a person causes physical injury to either an employee or owner of a retail establishment with the intent to "prevent a retail worker from performing an act within the scope of such worker's employment."

Finally, the Legislature created a new class A misdemeanor, Fostering the Sale of Stolen Goods (P.L. Section 165.66) (L. 2024, Ch. 55, eff. Nov. 1, 2024). This crime will now be committed when a person uses any digital platform or any venue to offer for sale stolen merchandise which the person knows or should have known was stolen or unlawfully obtained.

A third substantive initiative by the Legislature criminalizes deed theft. This form of real property theft is committed by individuals who fraudulently obtain the deed to someone's home, either through falsifying signatures or persuading the homeowner to sign away the deed under false pretenses. Perpetrators of this type of crime target older victims and homeowners in minority communities.

The new law amends the definition of larceny by adding "deed theft" as a method of unlawfully obtaining another person's property, and it now constitutes Grand Larceny; the degree of Grand Larceny will depend upon the value of

the property. Finally, the new law authorizes the attorney general to prosecute deed theft as well as "any crime that affects the title to, encumbrance of, or the possession of real property," (L. 2024, Ch. 56, eff. July 19, 2024).

Each year the Legislature enacts new crimes and expands the definition of others, and this year was no exception. In response to an increase in the number of hate crimes in New York and around the country, the Legislature added 22 "hate crimes" to the already existing list of 62 such crimes. State Comptroller Thomas Napoli issued a report which found that hate crimes increased 12.7%, statewide, in 2023 and that antisemitic bias incidents comprised 44% of the total amount. Designating a particular crime as a "hate crime" raises its severity by one level, thus increasing the severity of the potential sentence (L. 2024,

Ch. 55, eff. June 19, 2024). In an effort to curtail identity theft (the fastest growing crime in this country), the Legislature added "medical information" and "health insurance information" to the type of information which, if obtained fraudulently, will now constitute the crime of Identity Theft (A 4737, awaiting the governor's signature).

Two bills were enacted to protect specific classes of individuals. First, in response to an increase in anti-Muslim incidents in New York, the crime of Aggravated Harassment in the Second Degree (a class A misdemeanor) has been amended to include the removal of a "religious clothing article or headdress" from a person with the intent to harass, annoy, threaten

or alarm. This will address the increase in incidents in which individuals have pulled or ripped off a hijab or a skullcap or yarmulke from individuals (A 8849, awaiting the governor's signature).

A second bill amends the above harassment statute to provide more security for employees who work on trains, buses and ferries. A person can now be convicted of a class A misdemeanor by shoving, spitting, striking or otherwise sub-

the use or installation of pistol converters (A 10053, awaiting the governor's signature). Finally, the licensing section of the Penal Law was amended to require firearms dealers to post warnings, specifically informing buyers, or potential buyers of weapons, about the inherent dangers of weapons possession. A failure to post such a warning will now constitute a violation under the Penal Law (A 2882, awaiting the governor's signature).

Judges can now provide an order of protection to an individual who is not a minor and who is neither a family member of the perpetrator nor someone having an intimate relationship with him or her.

jecting these employees to physical contact (L. 2024, Ch. 55, eff. July 19, 2024).

The Legislature has enacted three new laws related to the possession of weapons. First, a bill was passed to amend the term "Kung Fu Star" as a per se weapon. As noted in the sponsor's memo, "Kung Fu Star" is an outdated term; the weapon does not originate in China as the term implies. The term "throwing stars" or "shuriken" has been substituted in its place.

The term "pistol converter" has been added to the definitional section of Article 265 of the Penal Law. A pistol converter can transform an ordinary pistol into an automatic weapon by allowing it to fire as many as 15 rounds in under two seconds. The General Business Law was also amended to require firearm dealers in New York State to take reasonable steps to prevent

In the last session, the Legislature sought to strengthen the laws that require a license to sell cannabis. One measure was an amendment to the crime of Obstructing Governmental Administration which now prohibits a person from damaging or removing a padlock that was installed pursuant to court order that closed or sealed an illegal cannabis store (L. 2024 Ch. 55, eff. April 20, 2024).

Probationers have now been given the same protection as parolees, in that they are deemed incapable of consent should a probation officer engage in sexual activity with them. The disparity in power between a probation officer and his or her probationer creates the potential for any sexual relationship to be coercive in nature (A 1774, awaiting the governor's signature).

Finally, the Legislature repealed the crime of Adultery which was

a class B misdemeanor. This was an antiquated but seldom enforced law that has been repealed in the vast majority of states. Only 13 people have been charged with adultery in New York over the past 52 years. The Legislature took this step because it was felt that the state should not be regulating the consensual sexual behavior between adults (A 4714, awaiting the governor's signature).

Anumber of procedural changes were enacted in the last legislative session. One bill would expand e-filing to all "courts of New York having criminal jurisdiction"; this would allow e-filing to be used in the New York City Criminal Court and in the criminal term of Supreme Court (\$7524, awaiting the governor's signature).

The Legislature has expanded the ability of judges to issue orders of protection in family offense matters. Judges can now provide an order of protection to an individual who is not a minor and who is neither a family member of the perpetrator nor someone having an intimate relationship with him or her (\$ 6288, awaiting the governor's signature).

In People v. Slade, 37 N.Y.3d 127 (2021), the Court of Appeals held that an information is not subject to dismissal when, on the face of the instrument, there is no indication that the complainant's allegations have been translated from a non-English language. In response to that decision, the Legislature enacted a new law that requires a certificate of translation to accompany accusatory instruments and supporting depositions in cases where deponents are not fully proficient in the English language

(A 9122, awaiting the governor's signature).

Finally, the term "poor person relief" has been removed from the Criminal Procedure Law; it is a highly outdated and pejorative term (A 10351, awaiting the governor's signature). And five additional counties have been given the authority to conduct electronic court appearance in criminal cases, aside from a hearing or trial (Monroe, Delaware, Oswego, Otsego and Schoharie) (L. 2024, Chs. 232, 279, and 285, eff. Aug. 28, 2024).

Finally, the Legislature has amended the Judiciary Law to allow a convicted felon to serve on a jury (A 1432, awaiting the governor's signature). Approximately one-third of black males in New York State have been excluded from the jury pool because of this exclusion and it has created racial disparity in some juries across the state; this in turn has had an impact on the quality and fairness of the jury system.

The Vehicle and Traffic Law has been amended to address the increase in "ghost" license plates that have been used by motorists to avoid payment of tolls. More than 100,000 license plates images passing through Department of Transportation cameras alone are unreadable every month. The Police Department has also been concerned about this phenomenon because it has a direct impact on crime detection. Fines under the new law range from \$100 to \$500. Repeat offenders who are convicted three times within five years may have their registration suspended for 90 days or longer (L. 2024, Ch. 56, eff. Sept. 1,

Realty Law

« Continued from page 5

Court refused to "create a judicial carveout from the statute where Congress had not created one."

The court reasoned that notwithstanding the town's "reprehensible conduct, the ratio of punitive to compensatory damages is too high, and the disparity between the punitive damages and the civil fines available for similar conduct is too great, for the award to comport with due process." Thus, the court affirmed in part, vacated in part and remanded for further proceedings.

The jury found that the town was "liable for a campaign of discriminatory conduct meant to keep a group home for individuals with mental health disabilities from opening in the town, in violation of the (FHA) and (ADA)."

Although the Second Circuit had established that "motivating-factor, rather than but-for causation applies to disparate treatment and retaliation claims under the FHA," the town contended that those precedents "have been abrogated by intervening Supreme Court decisions interpreting other civil rights statutes." The Court found that such other Supreme Court decisions did not abrogate the law within the Circuit regarding the FHA.

The court noted that the FHA "generally incorporates the traditional principle of vicarious liability." The town failed to provide a "persuasive reason for exempting municipalities from that form of liability." The FHA text "unambiguously permits private plaintiffs to recover punitive damages." The court would not carve out "an exception for municipal defendants."

The plaintiff had purchased home to be used as a "group home for people with mental health disabilities" in 2015. Thereafter, town residents "created a Facebook group in which they voiced their opposition to the group home." A "boisterous forum did little to calm the growing opposition among town residents and, as became apparent, town officials." A town manager spoke at the public forum, suggesting that the number of group homes should be limited "like liquor stores." A resident compared the prospective group home residents to "mass shooters.'

The mayor thereafter "issued a press release requesting that (plaintiff) abandon their plans for the group home, expressly citing the concerns raised up in forum." The mayor and the town manager demanded information about "the mental health diagnosis of the group of home's prospective residents, while admitting that they would not typically require this sensitive information from any other individuals who happen to

be moving to (the town)."

The town thereafter obstructed

the opening of the group home by rejecting certain license and permit applications. The town had withdrawn a cease and desist letter on condition that the plaintiff would "move only two residents into the home, fewer than (plaintiff) needed for the home to operate successfully." A town assessor advised the plaintiff that its tax exemption application required additional documentation. The plaintiff had never before been requested to provide such documentation with respect to its other homes. Although the plaintiff provided such documents, its tax exemption application was denied. Thereafter, the local police had "leaked sensitive health information" about a missing resident and had failed to properly investigate an incident involving the subject group home being vandalized.

Based on, *inter alia*, the foregoing, the plaintiff closed the group home in 2015.

Town officials issued a celebratory press release, noting that plaintiff had listened to the "concerns of Town Officials." The town manager thereafter warned plaintiff's CEO that "continuing to fight over the group home could endanger (plaintiff's) tax exemption on a separate property" in the town. The town had denied the other property's tax exemption application. After the plaintiff brought a legal action, the town eventually granted that tax exemption.

The jury found the town liable on the FHA and ADA claims and assessed \$181,000 in compensatory damages and \$5 million in punitive damages.

The court analyzed the town's causation argument with respect to the "motivating-factor" test used to determine liability under the FHA. The town asserted that "but-for causation should apply to claims under the FHA..." However, the claims in this case "arise under three distinct statutory provisions of the FHA, each with its own text and governing precedent."

FHA §804(c) is "violated even absent any discriminatory transactions or conduct." Rather, a defendant must simply "make, print, or publish, or cause to be made, printed or published any notice, statement, or advertisement with respect to the sale or rental of a dwelling that indicates any preference, limitation or discrimination based on ...handicap, whether or not the defendant proceeds to carry out that discriminatory preference." The issue is whether public statements indicated that "a particular protected status or identity is preferred or dispreferred."

The court cited judicial precedent involving §804(f) and §817 of the FHA

of the FHA.

The court also explained that "[n]one that the Supreme Court decisions on which (town) relies address the FHA." Rather, "they all counsel that we must interpret individual statues on the basis of their particular text, structure, and history, and caution against

the unreflective application of rules from one statute to another." The court concluded that "[n]either their holdings nor their reasoning, then, directly conflict with our precedent on the FHA." Thus, the court held that the trial court had not erred by "applying a motivating-factor causation" to plaintiff's "disparate treatment and retaliation claims under the FHA consistent with our precedent."

The court also held that the jury was allowed to find the town "liable for the actions of its officials through vicarious liability."

Moreover, the Supreme Court had reached a similar conclusion with respect to a "similar statutory structure," i.e. the Fair Credit Reporting Act.

The court stated that since the town's arguments lack "basis in the text or history of the FHA," the town had resorted to "policy arguments." The town cited "the risk that blameless taxpayers will end up bearing the brunt of these damages." The court observed that there are also "policy arguments on the other side ...such as the need to adequately deter towns

The court viewed the FHA language to be "broad but clear: Private plaintiffs suing under the FHA may obtain 'actual and punitive damage' with no texturally specified exceptions." Moreover, the Supreme Court had reached a similar conclusion with respect to a "similar statutory structure," i.e. the Fair Credit Reporting Act.

Citing cases under 42 U.S.C. §1983 (§1983), the town contended that it should "only be liable for official policies or customs and not merely on account of actions taken by town officials in the scope of their employment." It explained that §1983 embodied "unique text and history of that law," for which there was "no analogue in the FHA" and the FHA "generally allows for vicarious liability."

The court refused to "create a judicial carve-out from the liability for local governments when Congress itself has declined to do so." The U.S. Supreme Court previously held that the FHA "provides for vicarious liability." Moreover, "municipalities are generally liable under the FHA." Moreover, the FHA "makes no special rules for municipal liability."

The town had argued that case law under §1983 should apply to "all anti-discrimination statutes." However, the court reasoned that the "town offers no persuasive reason to apply the law of Section 1983, which is based on the particular text and history of that statute, to the FHA." Vicarious liability under §1983 "remains the exception to the general rule of vicarious liability." There was no indication that "Congress intended the FHA to be one more exception to the general rule."

The court further observed that the FHA "explicitly allows for 'actual and punitive damages' in suits brought by private plaintiffs." It found that precedents cited by the town were inapplicable and "irrelevant."

Although the FHA did not "specifically say that punitive damages are available against municipalities," the court explained that "Congress does not need to speak with such granular detail on the issue." The court viewed the FHA language to be "broad but clear: Private plaintiffs suing under the FHA may obtain 'actual and punitive damage' with no texturally specified exceptions."

from discriminatory conduct that might be cost-efficient because it leads to relatively small compensa-

tory damages."
Congress had made a "policy judgment when it enacted and amended the FHA." That judgment was to "impose punitive damages on municipalities that discriminate in the area of housing." Thus, the court affirmed the town's liability for punitive damages.

However, the court held that the subject punitive damages award "does not comport with due practice."

The Supreme Court had established "three guideposts for evaluating when the amount of punitive damages become so excessive that it crosses the line into arbitrariness, violating due process." The first factor is the "reprehensibility of the defendant's conduct." The second factor is the "ratio between harm, or potential harm, to the plaintiff and the punitive damages award, often captured as the ratio of punitive to compensatory damages." The third factor is the "disparity between the punitive damages award and the civil penalties authorized or imposed in any

comparable cases.. The court found that there was "ample evidence of highly reprehensible conduct by the (town)." It noted that the town had "engaged in a deliberate and sustained campaign of discrimination and retaliation" and cited "repeated actions," as opposed to an "isolated incident." The evidence established "intentional malice" rather than "mere accident." Moreover, the town "evinced an indifference to or reckless disregard of the health or safety of others, when its police officers leaked sensitive medical information about a (plaintiff) resident to the public and failed to investigate an episode of vandalism of (plaintiff's) group home."

The court further stated that the "ultimate target of the town's conduct, the residents with disabilities who relied on (plaintiff's) housing,

'had financial vulnerability.'" The town officials not only violated the FHA, but they had "publicly celebrated when their discriminatory efforts succeeded keeping (plaintiff's) residents out of town." The court concluded that "this is a case where 'further sanctions' beyond compensatory damages are warranted 'to achieve punishment and deterrent."

Thus, the court believed that the first factor weighed "in favor of a substantial award of punitive damages." It was also concerned about the "ratio between punitive and compensatory damages in this case, i.e. approximately 27.6 to 1." The Supreme Court had "eschewed mathematical formulae or any bright-line rule about constitutionally permissible ratios...." However, the Supreme Court had "cautioned that 'few awards exceeding a single - digit ratio between punitive and compensatory damages, to a significant degree, will satisfy due process." The court acknowledged that the "propriety of the ratio can vary enormously with the particular facts of the case." It was "not persuaded that the facts of this case can justify the facially excessive ratio here.

The plaintiff argued that "higher ratios may be permissible when 'the monetary value of non-economic claim might have been difficult to determine." The court acknowledged that in this case, it is "difficult to measure the harm of (plaintiff) being unable to provide housing to its intended residents and the intangible harms of the unabashed discrimination that (town) engaged in and openly celebrated." It also noted that all 'violations of civil rights are often particularly egregious acts that result in ...injuries whose monetary value is difficult to detect.'

However, the court opined that the "difficult-to-measure harms of (town's) discrimination do support a relatively high ratio, but could not support one as high as this."

The town had also argued that the court should consider "not only the harms it actually suffered as quantified by the jury's compensatory damages award, but also the potential of the town's conduct."

The court explained that the "proper inquiry is whether there is a reasonable relationship between the damages awarded and the harm likely to result from the defendant's conduct, as well as the harm that actually has occurred." The plaintiff argued that it had to "forfeit a contract with a state agency worth \$866,152 in yearly funding to the organization." The total loss of funding was estimated to be \$4.7 million and the plaintiff suggested that could be considered as the potential harm.

The court explained that the "relevant potential harm is harm to the victim that would have ensued if defendant's tortious plan had succeeded." It stated that the forfeited contract "is harm that did ensue," which plaintiff had asserted as an actual loss. However, the

jury refused to include that in its award of compensatory damages. The court held that ratio of 27.6 to 1 was "far beyond the range most likely to survive constitutional scrutiny."

The court noted that civil fines of \$50,000 for a first violation and \$100,000 for subsequent violations in proceedings brought by attorney general, were an instructive benchmark for what Congress has thought would be appropriate punishment for violations of the FHA. The court also considered penalties imposed by HUD. Here, the "benchmark is significantly lower than the punitive damages award in this case" and that "further suggests that the award crossed the boundaries of due process."

The court reasoned that the "high degree of reprehensibility" of the town's conduct supports a "significant award of punitive damages" and that the town's "discrimination inflicted non-economic harms that may not be easily quantifiable likewise suggest that even a relatively high ratio of punitive damages to compensatory damages can survive constitutional scrutiny in this case." However, the court found that the 27.6 to 1 ratio here "is simply too high, as confirmed by the much lower civil penalties available for comparable conduct." Accordingly, it held that the punitive damage award was unconstitutionally excessive and the "maximum sustainable amount of punitive damages is \$2 million."

Thus, the court held that the trial court did not err in applying the "motivating-factor" standard with respect to the town's "disparate treatment and retaliation claims under the FHA, in subjecting (the town) to vicarious liability, and in allowing the jury to assess punitive damages...." However, since the amount of punitive damages was "so grossly excessive as to violate the process," the court remanded the case to the trial court for a "new trial on the issue of punitive damages, unless (the plaintiff) agrees to a remittitur reducing the punitive damages to \$2 million.

Comment: This decision is of interest because it analyzes, *inter alia*, when punitive damages are available, when the amount of punitive damages may exceed the limits of constitutional due process and when a municipality may be subject to punitive damages based on the conduct of its officials.

Additionally, this decision illustrates how parties may prove actionable misconduct of public officials by citing statements made by such officials at public meetings and in local media. Many public meetings are recorded, transcripts of meetings may be available and eyewitness testimony may also be available.

Gilead Cmty. Servs. Inc. v. Town of Cromwell, U.S. Court of Appeals, 2nd Cir., Case No. 22-1209, decided Aug. 12, 2024. Parker, Lynch and Nathan, Circuit Judges. Decision by Nathan, I

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« Continued from page 5

California's Proposition 33 (the

Justice for Renters" act) would

allow local governments to expand

rent control, giving cities the right

to undo vacancy decontrol. Many

property owners and investors

have long argued that rent control

inhibits new supply and hinders

property upgrades. "This would

significantly impact property val-

ues, as landlords would be unable

to raise rents on vacant units to

market rate," according to David

Evans, Kidder Mathews' senior

"If I were president for a day,"

Evans adds, "I would require any

state or local municipality receiv-

ing federal funds for housing to

remove rent caps for owners who

renovate or otherwise improve

In Los Angeles, Executive Direc-

tive 1, which expedites approvals

of affordable housing projects, has

boosted much-needed volume. Yet,

project scale and other building

concerns have led to stricter limits

from the mayor's office, prompting

familiar objection from commercial

their existing multifamily units."

associate in Los Angeles.

Output

« Continued from page 3 its origin," Goldstein v. California

412 U.S. 546 (1973). The lower courts have followed suit in cases involving works allegedly authored by spiritual beings, Urantia Fdn. v. Maaherra, 114 F.3d 955 (9th Cir. 1997); *Penguin Books* USA v. New Christian Church of Full Endeavor, 2000 WL 1028634 (S.D.N.Y. 2000); Oliver v. St. Germain Fdn., 41 F. Supp. 296 (S.D. Cal. 1941); a work consisting of a garden of wildflowers, Kelley v. Chicago Park Distr., 635 F.3d 290 (7th Cir. 2011); and most recently, a photographic "selfie" allegedly taken by a crested macaque monkey, Naruto v. Slater, 888 F.3d 418 (9th Cir. 2018). The plaintiff in *Thaler*, by contrast, "can point to no case in which a court has recognized copyright in a work originating with a non-human."

The Thaler court recognized that A.I. poses many "challenging questions" such as "how much human input is necessary to qualify the user of an AI system as an 'author' of a generated work," and how to "assess the originality of Algenerated works when the systems may have been trained on unknown pre-existing works," but "this case, however, is not nearly so complex." The court also declined to address plaintiff's "myriad theories" about how he was vested with ownership of the alleged copyright, whether under common-law or the workmade-for-hire provisions of the Copyright Act. Here, the Al-generated image "was never eligible for copyright, so none of the doctrines invoked by plaintiff conjure up a copyright over which ownership may be claimed."

Conclusion

Plaintiff's counsel has indicated that plaintiff will appeal the District Court's ruling, and if past is prologue, that is probably true: In a previous similar action against the U.S. Patent and Trademark Office—challenging the PTO's refusal of plaintiff's patent application for an AI-created inventionthe same plaintiff took his appeal all the way to the Supreme Court, which denied certiorari on April 24, 2023 (Thaler v. Vidal, No. 22-919). The result here is likely to be the same, but it must be noted that even a modicum of human involvement in the creative process could be enough to clear the very low bar for copyrightability established

by Feist v. Rural Telephone, 499 U.S. 340 (1991).

Any applicant who genuinely wishes to register copyright in a work, rather than simply to create a pretext for a test case, can still presumably do so quite easily under the ruling in Thaler, even if significant aspects of the work may be Al-created. In March 2023, the Copyright Office issued guidance in the Federal Register which instructed applicants seeking to register works containing more than de minimis Al-generated material to disclose that the work contains such material and provide a brief explanation of the human author's contributions. Any application to register this column, for example, should disclose that the description of Burrow-Giles in the sixth paragraph was written by ChatGPT, and the remaining verbiage was the work of the named human authors.

On Aug. 30, 2023, the Copyright Office issued a notice of inquiry and request for comments, addressing a range of issues at the intersection of AI and copyright law. See https://www.federalregister.gov/ documents/2023/08/30/2023-18624/ artificial-intelligence-and-copyright. Comments must be submitted no later than 11:59 p.m. Eastern Time on Wednesday, Oct. 18, 2023.

real estate professionals. "The proposed changes to ED1 that would lower the max buildable units and potentially require developers to pay builders prevailing wage would disincentivize new residential development," Evans

In Seattle, Initiative 137 would fund affordable "social" housing development through a 5% marginal tax on employers paying workers more than \$1 million annually. If passed in February 2025, this could generate over \$50 million annually for Seattle's Social Housing Public Development Authority. "Seattle should not

discourage large employers with high compensation packages from locating/remaining here," says Jeff Huntington, first VP and shareholder at Kidder Mathews. "The city needs to do more to attract/retain those companies, not push them away.

In 2023, high housing costs spurred Oregon to the country's third most expensive place to live. There need to be incentives for developers to build more affordable housing, not minimums and in-lieu fees that never make it back to helping low-income individuals efficiently or effectively," says Kevin Joshi, Kidder Mathews SVP and shareholder in Portland.

California Commercial Concerns

There are several ballot measures in California that will impact the commercial real estate landscape - AB98, SB1103, and AB2904. Viewed by many in the CRE industry as an anti-warehousing bill, California AB 98 would place more restrictions on new and expanded logistics development, including replacing any homes removed for development at a 2:1 ratio, not allowing trucks to drive on any streets that would be considered residential, and requiring a buffer of 300 to 500 feet of any "sensitive receptors". The bill has been sent to Governor Gavin Newsom's desk for an end of September

"In my opinion, AB 98 could have the most significant negative impact on industrial CRE," says Eric Paulsen, regional president for Kidder Mathews. He also sees the California Supreme Court's removal of the "Taxpayer Protection and Government Accountability" Act from the November 2024 statewide ballot as a "major

blow" to the industry and efforts to restore the limits on state and local taxation through Proposition 13. "The added financial burdens on the supply chain could ultimately hurt consumers — the very group these policies aim to help.'

SB 1103, if signed into law, could disrupt commercial leasing, impacting both landlords and tenants. Property owners would be required to translate leases or letters of intent into the tenant's primary language, such as Spanish, Chinese, or Tagalog. This could increase costs and create risks, as tenants may cancel agreements due to translation disputes, as well as make it difficult to recoup unforeseen expenses such as emergency repairs and insurance premium increases. Paulsen also highlights the benefits of AB 2904, which would extend the notice period for zoning changes from 10 to at least 60 days, allowing property owners more time to prepare for pending revisions.

Rents

construction has been booming, there are likely deals to be found, said Redfin Senior Economist Sheharyar Bokhari. In Austin, rents for new and existing apartments plummeted 17.6% in August yearover-year.

By apartment size, rents for one-bedrooms fell 9% in the second quarter compared to the prior year to \$1,566. Two bedrooms fell 4.5% to \$1,934 and three bedrooms 3% to \$2,309. The only size to show rent growth was for studios, which rose 0.9% to \$1,617, likely because fewer are being built, the report

Trusts

« Continued from page 4

legal argument but also will be less likely to challenge the trust in the first instance.

Revocability and Control of **Trust Assets**

If a party retains control over a trust funded with marital property. then the trust assets will be readily accessible and are likely to be considered as part of the marital estate. The most important factor for determining whether the grantor retains control is whether the trust is "irrevocable" or "revocable." With a revocable trust, the grantor will have the ability to "revoke" the trust and regain title to its assets.

Even if a trust is legitimate and not a "sham trust," courts will equate the power to revoke trust assets with outright ownership and will treat marital property in a revocable trust as part of the marital estate. See, e.g., Galachiuk v. Galachiuk, 691 N.Y.S.2d 828 (App. Div. 4th Dep't 1999). The opposite is true with respect to irrevocable trusts, which are generally *de facto* excluded from the marital estate absent inequitable conduct. In Markowitz v. Markowitz, even though both parties agreed that the trust had been funded with marital property, the court declined to divide the trust assets, because the trust was irrevocable and both parties had consented to the trust's creation. 45 N.Y.S.3d 203.

At the same time, irrevocability is not dispositive, because courts will look holistically at the terms of the trust to consider whether one

of the spouses retains control. In Wortman v. Wortman, defendanthusband claimed that the cash surrender values of life insurance should have been excluded from the distributive award because they were held in an irrevocable trust and were unavailable to him. 783 N.Y.S.2d 631 (App. Div. 2d Dep't 2004). The court rejected this argument, holding that the value of the policies were correctly included in the distributive award because the plaintiff-wife served as trustee and

had control of the trust assets in

Grantor Status

that capacity.

A related consideration is whether the trust is a "grantor trust." Grantor trusts are trusts in which the grantor retains certain powers or benefits that cause the trust's income or assets to be attributed to the grantor for income tax purposes. In contrast, a non-grantor trust is treated as a separate entity for income tax purposes, and the grantor does not retain significant control or benefits. There are various "triggers" that will cause a trust to be deemed a grantor trust, including powers of substitution, permitting income to be distributed to the grantor's spouse, and retaining the power to add beneficiaries.

When engaging in estate planning, parties should consider whether they want to retain grantor status. On one hand, retaining grantor status allows trust assets to grow tax-free and ensures greater flexibility. On the other hand, this heightened control may make a trust more vulnerable to division. Accordingly, if a trust is funded with marital property, the safest approach may involve "turning off" grantor status.

Conclusion

Despite the risks posed to trusts in a divorce, there are numerous preventative steps to ensure that trusts created during marriage are legally protected.

First, because both parties are entitled to a share of marital property, any trust that is funded with marital property should be established with the documented and informed consent of both parties.

Second, it is important to retain records showing the source of trust assets and tracking any substitutions. This will not only reduce the costs of discovery but can also protect the grantor's separate property in the event of a dispute.

Third, if a trust is funded with marital property, it may be best practice to relinquish control of the trust assets so that they are not included in the marital estate. Typically, this would involve setting up an irrevocable, non-grantor trust.

Finally, because the default law around marital property trusts is largely undefined and discretionary, prenuptial and postnuptial agreements can provide certainty. These agreements can also be used to explicitly remove trusts from equitable distribution.

Estate plans should be undertaken with experienced trust and estates counsel who understand the treatment of trusts in a divorce. And, just as we recommend working with trust and estates attorneys who fully understand matrimonial issues, we would likewise recommend working with matrimonial attorneys who understand these trust and estates issues.

Multifamily

Many locations are facing mild supply pressure, especially outside Sun Belt markets, the report said. Rent growth in markets including Chicago, Cincinnati, Cleveland, Milwaukee, Pittsburgh and St. Louis benefitted from inventory expansion below 2%.

The multifamily sector has experienced net absorption of nearly 260,000 apartments during the first two quarters of this year, exceeding the entire prior year's absorption by 35,000 units. Rising household creation and cooling inflationary pressure held national vacancy at 5.8% to start the second half of 2024, according

to the report. However, the overall midyear rate stayed 40 bps above the long-term second-quarter average, as historic construction has counterbalanced strong demand.

With about 1 million units underway across the country, supply pressure is expected to remain a near-term headwind for vacancy. However, multifamily project starts fell by more than 18 percent year over year in July and permits decreased by 15 percent, signaling development has likely

Operators have increasingly offered discounts to combat competition, pushing the share of apartments offering concessions to 14.1 percent in August 2024, up more than 500 bps year over year. Concession activity has leveled out among Class A properties after peaking in March, but Class B and C apartments continue to offer discounts, said the report.

Momentum in the market pushed annual rents 4% higher among lease extensions, compared with a 0.8% drop for new tenants. Renters are choosing to stay put as first-time homeownership remains difficult. The share of US households that can qualify for a median-priced home loan from Freddie Mac fell to just 26 percent in the second quarter of 2024, compared with a trailing-decade average of roughly 46 percent, said the report. The apartment renewal conversion rate hit 54.9 percent in August 2024, increasing by 150 bps year over

Brooklyn

« Continued from page 5

nity space. The location at Rockaway Avenue and Newport Street reimagines the U-Bet Chocolate Syrup factory.

The 174 apartments will be available to those earning 70 percent of the median area income or less.

The Bridge, Mega Development, and Greenpoint Manufacturing and Design Center were a part of the development team for Brownsville Industrial Center. "The project is expected to become a citywide and national model for increasing affordable housing on underutilized property while maintaining manufacturing use," Greenpoint

and Design said in a statement. Hochul's \$25 billion plan aims to preserve and create 100,000 affordable homes throughout New York. The Governor announced earlier this year that more than 40,000 homes had been built since revealing her Fiscal Year 2023 budget. However, the state may need to pick up the pace. The Regional Plan Association projects New York City alone will need 473,000 more housing units by 2032 to meet the demand, according to Forbes.

For July, New York was the top multifamily market for starts, with 30,618 units permitted, an analysis by RealPage of the U.S. Census Bureau and Department of Housing and Urban Development shows. That was up about 20% from the same month a year ago, and up more than 5% from June.

Appeal

« Continued from page 5 cost/benefit analysis). Invariably, all clients want to know about the likelihood of success. This is where an attorney may want to instill the client with a sense of

confidence. Some might say that it is better to under promise and over deliver than to over promise and under deliver. But then again, under promising might send a false signal; it may suggest to the client that perhaps the attorney lacks confidence in his or her ability, or the necessary experience, to win the appeal. And yet again, if the attorney over-promises, then the attorney may be held accountable by the client who doesn't achieve the expected result (presenting a situation where a client might assert this as an

excuse not to make full payment). Regardless, no responsible

attorney should offer an assessment of the viability of an appeal without a thorough understanding of the facts and applicable law. As any experienced lawyer may tell a potential client (because it is a statistical fact, you can look it up), throughout history, lawyers have won cases that they should have lost, and lost cases that they should have won, and the one thing that all lawvers know for certain is that without a thorough examination of the record (and understanding of the applicable law), who can tell a client that anything about an appeal is certain?

Clients want to believe in their attorneys, so, perhaps an attorney should not take a case unless a satisfactory result is achievable. But consistent with that philosophy, it is impossible

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to determine whether an appeal is supportable and viable until the lawyer has completed their thorough review and analysis of the record and answered all of the client's questions. Only then can an attorney share and discuss their assessment with the client, including cost, time, and likelihood of success.

Review of the 2023 Report provides some comfort in the knowledge provided by those statistics. Mindful that statewide at the Division there were only 4,138 affirmance out of 6,928 post submission/argument appeals, and the affirmance/reversal statistics are even tighter at the Court of Appeals, this seems to suggest that an appellate practitioner who understands the case and knows what they are doing can turn a losing determination into a winner on appeal. And who doesn't want to be a winner?

Calendar

« Continued from page 6

Practising Law Institute Developments in Decentralized Finance 2024

9 a.m. - 1:30 p.m. www.pli.edu/programs/blockchain-2.0

THURSDAY, OCT. 10

NY City Bar Guidelines for Users and Develop-

ers of AI Powered Technologies 11 am - 1 p.m. Webinar Registration Link: https://services.nycbar.org/ EventDetail?EventKev=

WEB101024&mcode=NYLJ Location: Zoom Contact: 212-382-6663 or cus-

tomerrelations@nycbar.org Lawyers Connect Fall Reception:

Oktoberfest 6:30 p.m. - 8:30 p.m. In-Person Registration Link: https://services.nycbar.org/Even tDetail?EventKey=LCOT101024& mcode=NYLJ 42 West 44th Street, New York Contact: 212-382-6663 or cus-

tomerrelations@nycbar.org

By the Book: A Conversation with Professor Angela Fernandez, Author of Pierson v Post, The Hunt for the Fox: Law and Professionalization in American **Legal Culture**

6:30 p.m. - 7:30 p.m. Webinar Registration Link: https://services.nycbar.org/ EventDetail?EventKey=A NI041024&WebsiteKey=f 71e12f3-524e-4f8c-a5f7-0d16ce7b3314&mcode=NYLJ Location: Zoom Contact: 212-382-6663 or customerrelations@nycbar.org

Practising Law Institute Antitrust Counseling &

Compliance 2024 9 a.m. - 5:30 p.m. www.pli.edu/programs/antitrust-counseling--compliance **Insider Trading Law 2024**

1:30 p.m. - 5 p.m. www.pli.edu/programs/insidertrading-law

FRIDAY, OCT. 11

NY City Bar Mindfulness Break

1:15 p.m. - 1:35 p.m. Webinar Registration Link: https://services.nycbar.org/Event Detail?EventKev=MWBL101124& mcode=NYLJ Location: Zoom Contact: Customer Relations

Department, 212-382-6663 or customerrelations@nycbar.org

TUESDAY, OCT. 15

NY City Bar Securing Democracy for Tomorrow

- Join the City Bar's Civics Corps! 6 p.m. - 7 p.m. In-Person Registration Link: https://services.nycbar.org/Even tDetail?EventKey=CVED101524& mcode=NYLJ

42 West 44th Street, New York Contact: Customer Relations Department, 212-382-6663 or customerrelations@nycbar.org

TUESDAY, OCT. 15 **WEDNESDAY, OCT. 16**

Practising Law Institute Employment Law Institute 2024 9 a.m. – 5 p.m. (Day 1)

www.pli.edu/programs/employment-law-institute

9 a.m. - 5:15 p.m. (Day 2)

WEDNESDAY, OCT. 16

Polarized World

2 p.m. - 5 p.m.

NY City Bar (CLE) Hot Topics in Nonprofit Law: Nonprofit Speech and Conduct in a

3 CLE credits Webinar Registration Link: https://services.nycbar.org/ EventDetail?EventKey= WEB101624&mcode=NYLJ Location: Zoom **Contact: Customer Relations** Department, 212-382-6663 or

NY City Bar (Non CLE) Book Launch: Navigating Maritime Arbitration: The Experts Speak

customerrelations@nycbar.org

(2d Ed.) 6 p.m. - 8 p.m.

Contact: Customer Relations

In-Person Registration Link: https://services.nycbar.org/Even tDetail?EventKey=ADM101624& mcode=NYI I 42 West 44th Street, New York

THURSDAY, OCT. 17

NY City Bar (CLE)

Strategies for Witness Examination: Yours and Theirs

12 p.m.-1 p.m. 1 CLE credit Webinar Registration Link: https://services.nycbar.org/ EventDetail?EventKey=_ WEB101724&mcode=NYLJ

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

NY City Bar (Non CLE) **Program and Reception** For International LL.M.

Candidates 6:30 p.m. - 7:30 p.m.

In-Person Registration Link: https://services.nycbar.org/Even tDetail?EventKey=INT103124&m code=NYLJ 42 West 44th Street, New York

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

Practising Law Institute Think Like a Lawyer, Talk Like a

Geek 2024: Get Fluent in Technology

9 a.m. - 5 p.m. www.pli.edu/programs/thinklike-a-lawyer-talk-like-a-geekget-fluent-in-technology Housing Law for Low-Income Com-

munities in New York City 2024 12:30 p.m. - 5:05 p.m. www.pli.edu/programs/new-

york-housing-law-for-the-lowincome-client

Court Calendars

First Department

DIVISION CALENDAR FOR

APPELLATE

THE OCTOBER TERM **WEDNESDAY, OCT. 2**

2 P.M.

22/1872 People v. Domingo Rivera 24/1577 Mehmeti v. Karlin 24/920 A., Khiara 24/1853 Juman v. Cape Church Dominion Insurance 22/3365 People v. Junior Colin 23/4487 Patterson Belknap v.

HoganWillig, PLLC 23/5417 ACP Housing v. ABJ Milano 24/1110 Spicer v. Garda World 23/3854 De Souza v. Hudson Yard

Construction 23/4475 People v. Deashae Calhoun 24/335 Espinal v. MPI Management 23/4912 Bertram v. Metropolitan

Transportation 24/2812(2) Jones v. Jacobs 23/6521 Perez v. City of NY 23/2379N Dziura v. Human Development Association 23/6019(2)N Barons Media v. Shapiro Legal Group

THURSDAY, OCT. 3

2 P.M.

19/2561 People v. Harvey 23/2252 East 85th Garage v. NYC Dept. of Buildings 23/4511(2) L., Tashawnda v. Ladarius P.

23/2724 Orenstein v. 301 E. 78 St. 23/3676 Krohn v. Reyes 19/5232 People v. Ibrahim Bah 24/950 French v. NYS Dept. of Labor 24/2787 Macauley v. New Line Structures

23/5274 Zhong Lun Law Firm LLC v. Zhong Lun Law Firm 23/4499 People v. Lockett Curtis 23/4867 Yarusso v. Sewell 24/1881 Noyack Medical v. Osk IX 24/2610 Rivera v. F & S Contracting 23/5329 Tibbs v. De'Longhi America 23/5368N Parker v. Trustees of the Spence School 24/710N Bey v. City of NY

23/3953N Grgurev v. Licul **TUESDAY, OCT. 8**

22/5122 People v. John Curtis 23/3150 Anonymous v. Anonymous 23/6072 O., Olivia 24/1465 DeOleo v. 90 Fifth Owner 18/2149 People v. Jamie Guerrero 23/4115 Protetch v. Jocar Realty 23/4432 Starnella v. Ganti 23/448 People v. Miracle Wilkins 23/6390(2) Gilchrist v. Your First

Home 24/2447 Innovative Securities v. OBEX Securities 22/2008 People v. Austin Johnson 24/169 Ocean Trails v. MLN TopCo 23/6456 Commissioners State Ins. v. Z Builders Assoc. 24/743 Pena v. Rhodes 2 23/2802 Wykstra v. 304-306 East

83rd 23/4804N Messer v. Hughes 24/1005N Orellana v. 115 Enterprises Group

24/869(2)NAntoniello v. Santelmo **WEDNESDAY, OCT. 9**

23/1425 People v. Darren 24/105 Good Gateway v. Thakkar 22/4782 C., Stephanie v. Ricardo E. 24/27 Adebanjo v. Johnson 23/6237 Jera-Salazar v. 250 Park 23/163 People v. Jair Garcia 23/5694 Ganieva v. Black 23/6575 Williams v. Mount Sinai

Health System 24/3079 OH 126th St. Housing v. Rerkley Insurance 23/3946 Melikov v. 66 Overlook

Terrace 18/2387 People v. Feliks Kayumov 23/2984 Ingram, Yuzek v. McCullar 24/2729 Found v. Milton Hershey

23/5010 ARCPE1 v. Public Service 23/4477 People v. Elik Johnson

23/5414N Aristocrat Plastic v. Silva 23/2865N Farrell Limousine v.

2 P.M.

THURSDAY, OCT. 10

19/3962 People v. Marcos Cruceta Castillo 23/4935 Saquisili v. Harlem Urban

23/1803 M., Denim 23/3728 H. W., by Guardian v. NYC Dept. of Housing 23/2172 Ortiz v. Country Beer 23/3771 People v. Eli Kirlew 23/5190 Thorobird Grand v. M. Melnick & Co.

23/2419 Delcid v. Park Ave 24/3815 Ruiz v. BOP 245 Park 23/4857 People v. Christopher 24/3740 International Business v.

GlobalFoundries 23/4712 Celestine v. Bonte 23/5700 Adler Windows v. Freidheim 23/4022 Snazzi Reporting v.

Veritext 23/6409 ARK644 Doe v. Archdiocese of NY

18/3135 People v. Hockeem Smith 23/3651N Vaccaro v. ESRT Empire State Building 24/3826N Wasserstein v. McCarthy

TUESDAY, OCT. 15

2 P.M.

17/3013(1) People v. Corey King 23/6470 Ramirez v. 34-10 23/4902 D., Muhamede v. Shanice

23/3450 Smith v. City of NY 23/3819 Arel Capital Partners v. HFZ RES Portfolio 21/4139 People v. Calvin Lili 23/5620 AL Infinity v. Innovative

Concepts 23/5507 Bonilla v. Vaszer 24/290(3) A&A Management v. 23/4037 Polymetcor Trading v. Traxys North America 19/4777 People v. Hamidou Diallo

23/6016 Chiarovano v. 237 Park $23/4810\,\mathrm{Cioppa}$ v. ESRT 112 W $34\mathrm{th}$

24/34 Legal Aid Society v. Records Access Officer 23/5559 Fatty v. City of NY 19/5397 People v. Kevin R.

24/259N Ogando v. 40 X Owner 23/3367N Marcus v. Marcus **WEDNESDAY, OCT. 16**

2 P.M. 23/5178 People v. J. Ledesma

23/4630 Shanghai Pearls & Gems v. 23/3982 M., Children 24/2438 Dali NYC v. Shay 24/261 Newson v. Vivaldi Real

18/4545 People v. Jose Urena 24/1692(2) Regions Bank v. Vativorx LLC 23/4940 Rysiejko v. City of NY

23/6079 Pressley v. 535 Greenwich

23/6225 Howard v. NYC Police Department 23/4055 People v. Larick Micheaux 23/5919 GIT, Inc. v. Quinn 24/2510 Cartagena v. Hansford 23/4006 Zatizabal v. City of NY 23/25 People v. Mamadou Diallo

23/4145N Amcojor Realty Corp. v. Butter Management 23/5707N Bacon v. Nygard

23/5599(2) 333 Johnson v. Maple

THURSDAY, OCT. 17 2 P.M.

19/5568 People v. Shakim Pierce 23/6200 NYCTL 2019-A Trust v Opulski

23/4301 D., Leyda v. Richard L. 24/164 A. M. v. Sconzo 23/2259 Lind v. Tishman Construction 23/3035 Antonio v. VS 125 LLC

23/5421(1) *PHC William v. 156 William St 23/5561(1) *PHC William St v. 156 23/1262 Ymaj v. Empire State 22/2667 People v. Maurice Hill 23/3739 Onofre v. 243 Riverside

Drive 22/4563 People v. Royce Corely 23/4957(2) CSN Realty Corp v. 2252 20/1800 People v. Thurston Stewart

23/3585N HSBC Bank v. Proctor 23/4126(2)N 361 Broadway Assoc. v. Foundations Group 23/5581N Wilmington Savings v. 24/196N Chen v. 215 Chrystie

Venture TUESDAY, OCT. 22

2 P.M.

22/5128 People v. Alexander Carno 24/2176 Clarke v. NYC Transit Authority 24/818 I., Jahir v. Sharon W. 23/4281 Kim v. Francis 23/3209 ROC-Le Triomphe v.

Concept Salon 23/3177 Kalaf v. PSEG Long Island 23/1437(1) *People v. Malik Branch 23/4114(1) *People v. Malik Branch 23/4605 Martinez v. Partnership 92 23/2990 Stuyvesant Town v. NYS Division Housing

24/1605 Atlantic Center v. City of

23/5468 Lauren v. Hotel Pennsylvania 24/3(2) AC 31, LLC. v. Fawer 23/4968(2) Gama v. 2001 Story

23/3832 Doxiadis v. Triborough 21/2099 People v. Donald Davis 24/712(2)NQuik Park v. Bridgewater Operating 23/4333N Cadwalader v. Mod

WEDNESDAY, OCT. 23

23/4974 People v. Antoine Galloway 24/410 Pierre, an Infant v. City of 23/4149 E., Ardes v. Stephane S. 23/5006 Betancourt v. ARC NYC123 23/3860(1) *Kosachuk v. 9197-5904

Quebec 23/3869(1) *Kosachuk v. 9197-5904 Ouebec

23/716 People v. Abraham Hernandez

23/3788 Caminiti v. Extell West 57th St. 24/908 Largo 613 v. Stern

23/3814 Irvine v. City of NY 19/1453(1) People v. Robert Ortiz 23/4650(3) Pepen v. Lascano 23/5034 2497 Realty Corp. v. Fuertes 23/6113 Jenkins v. Gina B.

20/2115 People v. Ross Campbell 23/3342N Robert Marson Testamentary v. 4 W. 16th St 24/2698(2)N Guerra v. Munoz Corporan 24/3621N Duncan v. United Capital

THURSDAY, OCT. 24

2 P.M.

18/2647 People v. Robert Hinton 24/4527 Hendricks v. Fennel 22/3611 People v. Jabon Walker 24/1101(2) Bayview Loan v. Dalal 23/3759 Escolastico v. Rigs Management 23/2886 Orr v. Vornado Realty

23/4633(2) People v. Kiron Ritchens 23/3571 Santana v. San Mateo

Construction 23/6037 Doe v. Young People's 23/4148 Starr Indemnity v. Monte

Carlo 24/488 People v. Terrance Graham 23/6520(2) HMC Assets v. Tsimmer 23/6265 Schmidt v. Board of Directors

23/4936 Fishman v. Isales 23/6382 Travalja v. 135 West 52nd 23/3179 Yakte Properties v. Milner 23/6761(3)N Ray v. Ray

23/1831(2)N Cumma v. Menkes

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

indicated: Renwick, P.J., Manzanet, Kapnick, Webber

and Kern, JJ. WEDNESDAY, OCT. 2

10 A.M. 35469/18 Wells Fargo Bank v. Guzman

11:30 A.M. 157465/21 Wyper v. Irani THURSDAY, OCT. 3

10 A.M. 653772/23 Barger v. Malkin FRIDAY, OCT. 4

10 A.M. 650126/23 Penn Hotel v. JCMC W. 34 Mezz

MONDAY, OCT. 7 12 P.M.

652140/24 Lifshitz v. Brody 2 P.M. 653661/20 Simon Property v. Tahari

U.S. COURT OF APPEALS FOR THE SECOND CIRCUIT

> **Applications Being Sought** for Bankruptcy Judgeship Application Deadline is Oct. 11

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

The current annual salary of a United States Bankruptcy Judge is \$223,836.

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

2. A minimum of five years of legal practice expe-

Application forms are posted on the Court's website at http://www.ca2.uscourts.gov or may be obtained by calling (212) 857-8700.

Completed application packages must be in the format required by the Second Circuit and received no later than October 11, 2024

NEW YORK STATE COMMISSION ON LEGISLATIVE, JUDICIAL AND EXECUTIVE **COMPENSATION**

Hearing Notice: October 10

WHAT: The New York State Commission on Legislative, Judicial and Executive Compensation will hold a public hearing on Legislative and Executive

WHEN: Thursday, October 10, 2024 B Public Hearing

TIME: 12:00 Noon

WEDNESDAY, OCT. 9

10 A.M.

THURSDAY, OCT. 10

10 A.M.

655311/23 Arena Limited v. Chalets

FRIDAY, OCT. 11

10 A.M.

MONDAY, OCT. 14

10 A.M.

TUESDAY, OCT. 15

10 A.M.

650698/22 CLSA Americas v. Mayo

THURSDAY,, OCT. 17

10 A.M.

651076/23 Great Rock Capital v.

655306/18 American Infertility v.

805247/22 Ashraf v. Distant

650335/23 NY Tower Capital v.

656758/22 Triple 555 v. United

Garment Group

Freund

Banmiller

Kushnir

653023/2021 Pavarini McGovern,

LLC v. VBGO Collegiate

LLC

WHERE: New York State Bar Association, 1 Elk Street, Albany, New York 12207. City View Room

This hearing will be viewable online via a live webcast. Information on remote reviewing will be posted at: http://www.nyscommissiononcompensation.org on the day of the meeting.

If you would like to testify, please contact the Commission in advance by email at: nyscompensation@ gmail.com or by regular mail, at: NYS Commission on Legislative, Judicial and Executive Compensation, 64 Beaver Street, Box 454, New York, NY 10004. Interested parties and members of the public may also submit written submissions to nyscompensation@ gmail.com or by regular mail (address above). Written submissions will be posted on the Commission=s

In March of 2015, Part E of chapter 60 of the Laws of 2015 was enacted, providing for a quadrennial commission to Aexamine, evaluate and make recommendations with respect to adequate levels of compensation and non-salary benefits@ for judges, members of the Legislature and certain Statewide elected officials and Executive Branch officers named in Executive Law '169. The Commission was charged, first, with issuing Afindings, conclusions, determinations and recommendations@ to the Governor, the Legislature and the Chief Judge with regard to judicial compensation. That report was released on December 4, 2023. A separate report, relating to legislative and executive compensation, is due by November 15, 2024. Any recommendations would take effect on January 1, 2025.

TUESDAY, OCT. 22

10 A.M.

FRIDAY, OCT. 25

9:30 A.M.

657086/21 Winking Group v. Chen

TUESDAY, OCT 29

10 A.M.

WEDNESDAY, OCT. 30

10 A.M.

654541/20 128 Second Realty v.

651101/19 Chung Tai Printing v.

11: 30 A.M.

806644/23 Fordham Zone Realty v.

MONDAY, NOV. 4

10 A.M.

651118/21 Yang v. Knights Genesis

THURSDAY, NOV. 7

10 A.M.

151982/19 McCann v. Ship Wrecked

654526/20 Flatbush Center v. Kings

650693/21 Pardee v. Mercury

Capital Advisors

602297/09 Mariner Pacific v.

Sterling Biotech

Toscana Pizza

Florence Paper

2359M LLC

651581/24 172 NB v. Madison 33

the Commission=s work of determining appropriate salary levels, including, but not limited to, the overall economic climate in New York: rates of inflation; changes in public sector spending; levels of compensation and non-salary benefits received by professionals in government, academia and private and nonprofit enterprise; and the state=s ability to fund increases in compensation.

Chapter 60 sets forth a number of factors to guide

NOTES

As prescribed in chapter 60, the Commission consists of seven members appointed by the leaders of all three branches of New York State government. Three members are appointed by the Governor; two (including the Chair) by the Chief Judge; and one each by the President Pro Tem of the Senate and the Speaker of the Assembly. The findings and recommendations require a majority vote but they must also be supported Aby at least one member appointed by each appointing authority.@ The Commission=s Chair shall preside but not vote on matters relating to legislative and executive compensation.

The Commission may recommend up to two adjustments in legislative and executive salary levels, each commencing on January first, following a November general election of members of the Legislature. The Commission is deemed dissolved following issuance of the report due no later than November 15, 2024.

U.S. DISTRICT COURT

Eastern District

Applications Being Accepted for Magistrate Judge Positions in Brooklyn Deadline is Oct. 23

Chief Judge Margo K. Brodie announced today that the Judges of the United States District Court for the Eastern District of New York have appointed a Merit Selection Panel composed of attorneys and residents of the district. (See Administrative Order No. 2024-14 on the district's website.) The Panel will consider candidates for three United States Magistrate Judge vacancies in Brooklyn, New York, for eight (8)-year terms, to be created by the retirement of U.S. Magistrate Judges Lois Bloom and Cheryl L. Pollak, effective May 17, 2025 and August 1, 2025, respectively, and by the appointment of U.S. Magistrate Judge Sanket J. Bulsara as United States District Judge, effective on the date of the signing of the Presidential Commission in December of 2024.

All applications for the magistrate judge vacancies must be received by October 23, 2024. The application form can be accessed online at the district's website: https://www.nyed.uscourts.gov/ forms/application-us-magistrate-judge-vacancy-docx. Please see the attached public notice for instructions on how to submit applications for the magistrate judge vacancies.

Within one hundred and fifty (150) days from its appointment on July 24, 2024, the Panel must report to the Court its recommended slate of candidates for consideration for the magistrate judge vacancies. See the vacanacy notice below:

Three Full-Time Federal **Magistrate Judge Vacancies**

There are three (3) upcoming full-time United States Magistrate Judge vacancies at the Brooklyn Courthouse of the Eastern District of New York at 225 Cadman Plaza, Brooklyn, New York, effective on a date to be determined in December 2024, on May 17, 2025, and August 1, 2025, respectively. The duties of the position are demanding and wide-ranging, and will include: (1) conduct of preliminary proceedings in criminal cases; (2) trial and disposition of misdemeanor cases; (3) conduct of various pretrial matters and evidentiary proceedings on delegation from the judges of the district court; (4) trial and disposition of civil cases upon consent of the litigants; and (5) assignment of additional duties not inconsistent with the Constitution and laws of the United States.

The jurisdiction of a United States Magistrate Judge is specified in 28 U.S.C. § 636. To be qualified for appointment, an applicant must: (a) be a member in good standing of the bar of the highest court of a state, the District of Columbia, the Commonwealth of Puerto Rico, or the U.S. Virgin Islands for at least five years; (b) have been engaged in the active practice of law for a period of at least five years (with some substitutions authorized); (c) be competent to perform all the duties of the office, of good moral character, emotionally stable and mature, committed to equal justice under the law, in good health. patient and courteous, and capable of deliberation and decisiveness: (d) be less than 70 years old; and (e) not be related to a judge of the district court. An applicant should have federal court experience and be knowledgeable in federal civil and criminal practices and procedures.

A Merit Selection Panel (appointed by Administrative Order 2024-14) composed of attorneys and residents of the district will review all applications and recommend in confidence to the judges of the district court the five persons whom it considers best qualified for each vacancy. The Court will make the appointments following FBI and IRS investigations of the appointees. An affirmative effort will be made to give due consideration to all qualified candidates, including women and members of minority groups. The salary of the position is, as of this

Continued on page 10

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 return-

indicated and the Request for

that have been filed in the court with such initial activity in the case. All Justices. are listed herein prior to the specified actions. In addition, listed below is information on Judicial Hearing Officers, Mediation, and Special Referees.

IAS PARTS 2 Sattler, J.: 212 (60 Centre)

3 Cohen, J.: 208 (60 Centre) 4 Kim: 308 (80 Centre)

5 Kingo: 320 (80 Centre) 6 King: 351 (60 Centre) 7 Lebovits: 345 (60 Centre) 8 Kotler: 278 (80 Centre) 9 Waterman-Marshall: 355 (60

Centre) 11 Frank: 412 (60 Centre) 12 Stroth: 328 (80 Centre) 13 Silvera: 422 (60 Centre) 14 Bluth: 432 (60 Centre)

15 James, T.: 438 (60 Centre) 17 Hagler: 335 (60 Centre) 18 Tisch: 104 (71 Thomas) 19 Sokoloff: 540 (60 Centre) 20 Kaplan: 1227 (111 Centre) 21 Tsai: 280 (80 Centre)

22 Clynes: 136 (80 Centre) 23 Schumacher 304 (71 Thomas) 24 Katz: 325 (60 Centre) 25 Tingling: 1254 (111 Centre)

26 Perry, P.: 684 (111 Centre)

61 Bannon: 232 (60 Centre) 59 James, D.: 331 (60 Centre) 62 Sweeting: 279 (80 Centre) MFPKahn: 1127B (111 Centre) MMSP-1: 1127B (111 Centre) IDV Dawson: 1604 (100 Centre)

PART 40TR JUDICIAL MEDIATION

27 Sharpe: 1045 (111 Centre) 28 Headley: 122 (80 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 Dominguez: 289 (80 Centre) 36 Saunders: 205 (71 Thomas)

37 Engoron: 418 (60 Centre) 38 Nock: 1166 (111 Centre)

39 Adams: 623 (111 Centre) 41 Moyne: 327 (80 Centre)

42 Morales-Minera: 574 (111

44 Pearlman: 321 (60 Centre)

43 Reed: 222 (60 Centre)

45 Patel: 428 (60 Centre)

46 Latin: 210 (71 Thomas)

47 Goetz: 1021 (111 Centre)

48 Masley: 242 (60 Centre)

51 Chesler: 543 (60 Centre)

52 Johnson: 307 (80 Centre)

53 Borrok: 238 (60 Centre)

56 Kelly: 204 (71 Thomas)

57 Kraus: 218 (60 Centre)

60 Crane: 248 (60 Centre)

54 Schecter: 228 (60 Centre)

55 d'Auguste: 103 (71 Thomas)

58 Cohen. D : 305 (71 Thomas)

49 Chan: 252 (60 Centre)

Centre)

On Rotating Schedule: Kaplan 1227 (111 Centre) Silvera 422 (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 85R Shamahs: Room 324 88R Lewis-Reisen: Room 324 JHO/SPECIAL REFEREES

80 Centre Street

71 Thomas Street

89R Hoahng: Room 236 SPECIAL REFEREE

81R Hewitt: Room 321

87R Burke: Room 238

77R Bahr: Room 300

Judicial Hearing Officers Part 91 Hon. C. Ramo Part 93 Hon. Marin Part 95 Hon, Edmead

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

Motion Dispositions

from Room 130 **60 Centre Street** Calendars in the Motion Submission Part (Room 130) show the index number and caption of each and the disposition thereof as marked on the Room 130 calendars. The calendars in use are a Paper Motions Calendar, E-Filed Motions Calendar, and APR (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 folmarkings used by the Clerk in

Motion Calendar Key: ADJ—Adjourned to date indicated in Submission Courtroom (Room 130)

ARG—Scheduled for argument for date and part indicated.
SUB (PT #)—Motion was submitted to part noted. WDN—Motion was withdrawn on

SUB/DEF-Motion was submitted

on default to part indicated.

calendar call.

APB (All Papers By)—This motion is adjourned to Room 119 on date indicated, only for submission of papers. SUBM 3-Adjourned to date indicated in Submission Court Room (Room 130) for affirmation or so

ordered stipulation. S—Stipulation. C—Consent.
C MOTION—Adjourned to Commercial Motion Part Calendar.

FINAL—Adjournment date is final

60 CENTRE STREET

Submissions Part WEDNESDAY, OCT. 2

Submission 1 100513/24 Battistotti v. City of

New York 2 100748/24 Florez v. Related Mgt. 3 100957/24 Perveez v. Jii Williamsburg LLC 4 101012/24 Yohannon v. George

THURSDAY, OCT. 3

Submission

1 100963/24 Cruz-Padilla v. NYC Dept. of Health And Mental Hygiene

2 100933/24 Leiva v. NYS Dhs / Oti **Paperless Judge Part WEDNESDAY, OCT. 2** 653999/24 Advanced Micro Lites,

Inc. v. Specialty Bulb Co., Inc. 162316/19Ambrose v. City Univ.

157415/24 America First Legal Foundation v. Bragg 656467/23 American Transit Ins. Co. v. Andrea Florentino Et Al 656470/23 American Transit Ins. Co. v. Shashi Wilfred Et Al 155557/21 Anyanwu v. 9 East 75th

LLC Et Al 652275/24 Avision Young-New York v. Delshah 60 Ninth LLC

653908/23 Beast Investments v. Celebrity Virtual Dining 157005/18 Berger v. NYCTA 154547/22 Bessendorf v. Bls Limo Service of New York, Inc. Et Al

652861/23 Breitling v. Boneau Design, Inc. Et Al 653392/24 Cantor Fitzgerald & Co. v. Alternus Energy Group Plc 655840/19 Capital Moving & Storage, Inc. v. Oppenheimer &

153967/18 Casilari v. Interior Mgt. 653435/22 Charter Communications Operating v.

Sonus Networks, Inc. Et Al 656124/17 Chen v. 50 United Nations Plaza 652257/24 Citibank v. Angellino

450642/24 NYC v. Park Slope Beer Inc 450640/24 NYC v. Pica Deli Grocery Corp 450575/24 NYC v. Smoker's World 1

450534/24 NYC v. The Village Hemp 450564/24 NYC v. Wejdan Candy And Grocery, Inc. 452221/23 Comm'rs. of The NYS

Ins. Fund v. Pearson 190177/19 Crincoli v. 84 Lumber Co. 652522/24 Csn Rlty. Corp. v. Moussaiefe 161802/23 De Lage Landen

Financial Services, Inc. v. Macpherson 151863/21 De Souza v. El Sol Contracting And Const. Corp. Et

451849/23 Dept. of Enviromental Protection of NYC Et Al v. Board of Mgrs. of The Kingston Garden Condominium Et Al 653418/24 Desir M.D. v. Peters Const. Group Inc. 156902/18 Desorbo v. Martin 158184/22 Dragons 516 Ltd. v. Smi USA Group LLC Et Al

159059/23 Ellis v. Rite Aid of New York, Inc. Et Al 850215/21 Emigrant Funding Corp. v. Hershey Chan Rlty., Inc. Et Al 150375/20 Evseroff v. Scripps Media

154802/22 Fana v. Senakey 850050/24 Flushing Bank v. A.Z.N. Rity. LLC A/k/a A.Z.N. Rity. L.L.C. 653020/24 Fox And Main v. Pyramid-Bmc Hldgs. 653299/24 Gfe E Fordham Road LLC v. 361 East Rlty. Associates

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156836/19 Gilzean v. NYC

159150/22 Gjuraj v. Ramson

158321/24 in The Matter of The Application of 3950 Blackstone Associates LLC v. Razzaq 654433/21 Kapitus Servicing, Inc. v.

Harris Scott 162265/23 Karloutsos v. Newsmax Media, Inc. 650207/24 Knightsbridge Funding v. Jf Builders & Concrete Services 156831/24 Kogv LLC v. Sl Green Rltv. Corp Et Al 159813/20 Kowalczyk v. 200 Park

653465/24 Liberty Ins. Corp. v. Nat. Grid USA Service Co., Inc. 951259/21 Liguori v. Madison Square Boys & Girls Club Et Al 154255/22 Louise Tortora And Mathew Tortura As Proposed Administrators of The Estate of Daniel Tortora v. Flemister Housing Dev. Fund Corp. Et Al 652563/24 Maldonado v. Nike Retail

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St. Sherry Associates LLC 151540/24 Nazario v. Bytedance Ltd. Et Al 450573/23 NYCHA v. Johnson 190453/18 Pagano v. Amchem Prod.s, Inc. 650079/24 Palisades Dealer

Funding v. Sho Case Auto LLC Et 651699/24 Pdnyc LLC v. 27th St. Prop. Owner LLC 652299/24 Pegasus Fund v.

Kolonich 655002/22 Penske v. B. Riley Financial, Inc. Et Al 452424/24 Port Auth. of NY And New Jersey v. Jackson 452413/24 Port Auth. of NY And New Jersey v. Vasquez 652000/23 Prager Metis Cpas LLC v. Koenig 651827/24 Rdi NYC LLC v. Jeweler

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158889/23 Romero v. Cuts Clothing

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152588/24 S. v. Hartman 159297/22 Sanchez Melendez v. Omnibuild Const., Inc. Et Al 152149/19 Scarpa v. United 101 LLC 157956/23 State Farm Mutual Automobile Ins. Co. v. Borukhov Radiology 159970/23 Tbf Financial v. Voisine

151428/19 Turner v. Pride & Services Elevator 650164/24 Two Roads Shared Trust Et Al v. Wells Fargo Securities 850010/19 U.S. Bank Nat. v.

Georgina Falu Co. LLC 654555/24 United Derrickmen & Riggers Assoc. v. Int'l Union of Bricklayers & Allied Craftworkers 151625/22 Urgiles v. Times Square

Hotel Owner LLC Et Al 656143/23 Valley Nat. Bank v Chelsea Leasehold Owner LLC Et

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652794/2330 Fifth Ave. Owners Inc. v. Lane Engineering Consulting 652300/245wpr Florida LLC v. Timilon Corp. 160960/23 630 6a LLC v. U.S. Bank Trust Nat. Assoc. As Trustee of The Cabana Series IV Trust

153194/24 Abreu v. Farkas 654263/24 Adp, Inc. v. Simple Consulting Inc. Et Al 654149/24 Akf, Inc. v. Feinstein Iron Works, Inc. Et Al 651143/23 Alberto v. Gpb Capital

152597/24 American Express Nat. Bank v. Macpherson 160966/21 Amoruso v. Lm Fairview Park Drive

Opportunities Partners I v

Hldgs.

651801/24 Arena Special

654393/24 Barton Llp v. Arena Investors 155832/21 Brager v. Quality Bldg. Services Corp Et Al 153463/23 Bustamante Bueno v. 520 Fee Owner 2 LLC Et Al 160905/21 Cabrera v. Hilton Worldwide Hldgs. Inc. Et Al 160947/23 Castillo v. 404 Condo 850050/21 Chang Hwa Commercial Rank v. Waterscape Resort II 151315/24 Chen v. Ŵilder 152115/22 Chen v. Fifth Ave. Men's

Spa Inc. 159580/21 Cocozza v. Popkin 452359/23 Comm'rs. of The State Ins. Fund v. Evergreen Builders & Const. Services, Inc. 153682/17 Desena v. Gilbane Bldg. Co. 153886/21 Espinoza v. Land & Sea Dev. Corp. Et Al

157730/21 Excelsior 57th Corp. v. Aikaterini Kotogianni A⁄k/a/ Korina Kontogianni Et Al 158963/23 Fattorusso v. At&T Mobility Services 153452/24 Feldman v. Mount 654404/24 Freshlink Prod. Dev. v

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158189/24 in The Matter of Suzanne Benz's Freedom of Information Law Request v. NYC 158382/24 in The Matter of The

Application of Andrea Silva-Paulino v. NYC 158261/24 in The Matter of The Application of Jason Kurek v. For Leave To Serve And File Late Notice of Claim Against NYC 157445/24 in The Matter of The Application of Police Officer

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653053/24 John Boone, Inc. v. D&D Bldg. Co. LLC. 156787/24 John Quealy Irrevocable Life Ins. Trust v. Grayson 153316/22 Johnson v. Soler 653667/19 Kapitus Servicing, Inc. F/k/a v. Butler

161322/18 Kassai v. Trump Mgt. Inc. 653194/24L&E Brokerage, Inc. v. 8th Convenience Corp. Et Al 651439/24 Lampkin v. Class 5, Inc. A/k/a Class 5 Films Et Al 158439/24 Law Offices of Michael

S. Lamonsoff v. Rubenstein Law Personal Injury Lawyers 653156/24 Lendlease (us) Public Partnerships LLC Et Al v. Aig Specialty Ins. Co.

653367/23 Liberty Mutual Ins. Co. Et Al v. McGeary Jr. 156612/24Lobosco v. Smarsh 159606/21 Lowell v. Joseph Van Os Photo Safaris, Inc. D/b/a Travelwild Expeditions

653540/23 Lugo v. Venture Leasing LLC Et Al 156808/24 Maresca v. Kavanagh 153846/23 McClain v. Key Foods Co-Op., Inc. Et Al 155652/24Melgarejo v. Simon 190189/24 Mohammed v. Avon Prod.s. Inc. Et Al 157956/22 Nbr Investment Properties v. Avista Capital

Hldgs. 805029/24Nechama Muchnik v. Nisha Garga 652051/24Omnibuild Const. Inc. v. Cummings Corp. A/k/a Cumming Group A/k/a Lehrer Cumming Et

451123/24 People of The State of NY v. Hy & Wong LLC 158753/24 Proof Prod.ions, Inc. v. 159960/23 Rangel Suarez v. NY

154886/22 Rodriguez v. NYCHA 656283/23 Ruham v. Hodak 159969/19 Sanchez v. 181st St. Medical 652350/23 Sharon Rlty. Corp. Et Al v. Kookmin Best Ins. Co., Ltd 154763/16 Simeone v. 678 Ninth

152478/23 Simmons v. NYCTA Et Al 650859/23 Structure Tone, Inc. v. Scottsdale Ins. Co. Et Al 450069/24 NYC v. Zurich American

Ins. Co. 450686/24 Torres-Cedeno v. J & G Const. Services Inc. Et Al 159620/20 Traina v. Macarthur 850053/23 U. S. Bank Nat. Assoc. As Trustee For Cmalt Remic 2007-A2 - Remic Pass-Through

Certificates, Series 2007-A2 v. Scott 805271/23 W. v. NY Columbia Presbyterian Hosp. 157939/24Willner v. NYC Et Al

152779/20Wolfe v. Orsid Rlty. Corp 654099/21 Yieldmo, Inc. v. Dirty Lemon Beverages LLC 151762/24 Zaitoon v Tishman Rea Estate Services 651243/24Zepsa Industries, Inc. v. 401 West Prop. Owners 654214/24 Zoev Paint Corp. v. E-Filing

Submission Part **Adjourned for** Working

Copies Part Part 2

Justice Lori S. Sattler **60 Centre Street** Phone 646-386-3852 Room 212

WEDNESDAY, OCT. 2 652478/22 Robin v. Infinite Beauty THURSDAY, OCT. 3

155157/20 Joachim v. Riverton

Part 3

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

WEDNESDAY, OCT. 2

655651/23 Attorneys Title Guaranty Fund, Inc. v. Bache 652563/24 Maldonado v. Nike Retail Services, Inc. 651220/24 Obra Capital Mgt. v. 777 Partners LLC Et Al 161467/23 Silverman v. Rosen Equities LLC Et Al 656143/23 Valley Nat. Bank v.

Chelsea Leasehold Owner LLC Et 652047/21 Vector Media Hldg. Corp. v. Iconic Digital Displays

654156/24Xiong v. Yin Motion

655651/23 Attorneys Title Guaranty Fund, Inc. v. Bache 651220/24 Obra Capital Mgt. v. 777 Partners LLC Et Al 161467/23 Silverman v. Rosen Equities LLC Et Al 652047/21 Vector Media Hldg. Corp. v. Iconic Digital Displays

THURSDAY, OCT. 3 651801/24 Arena Special

Opportunities Partners I v. 652051/24 Omnibuild Const. Inc. v. Cummings Corp. A/k/a Cumming Group A/k/a Lehrer Cumming Et

451123/24 People of The State of NY v. Hy & Wong LLC 652676/24 Ramirez v. Issa 655074/21 Reveam, Inc. v. Taylor Freres Capital Markets

Motion 652676/24 Ramirez v. Issa

655074/21 Reveam, Inc. v. Taylor Freres Capital Markets Part 6

Justice Kathy J. King 60 Centre Street Phone 646-386-3312

Room 351

THURSDAY, OCT. 3 805376/21 Adler v. Troy M.D. 805348/22 Baez v. Fishoff 805418/21 Beatrice Frankard Little

v. Cole M.D. 805395/21 Benitez Fernandez v. Lopez F.N.P.

805392/22 Brown-Simmons v. Crooms M.D. 805248/23 Cervoni v. Advanced Fertility Services 805030/21 Conti Battaglia v. Bigelow M.D. 651610/20 Ecorise Dev. LLC v. 805194/15 Endriss v. Barbara

805497/23 Fahey v. Mount Sinai 805161/19 Gagliotto v. Dronsky 100983/22 George v. Mount Sinai 805343/19Gonzalez v New York Presbyterian 805332/23 Hatziantoniou v. Lenox Hill Hosp. Et Al

805436/23 Kilstein v. Driza

805342/20 Ledbetter v. Macaulay 805184/24 Marks v. The NY And Presbyterian Hosp. Et Al 805229/21 Martinez v. Lau M.D. 805390/21 Mills v. Rocco M.D. 805029/24 Nechama Muchnik v. Nisha Garga 805211/20 Renfroe v. Warschauer 805240/21S. v. McManus Au.D. 651683/17 Saric v. Gfi Breslin 805385/22 Sayegh v. Fruchter D.O. 805021/21 Siddhartha Rana And

Maya v. Kim 805307/22 Skeeter v. Shanewise 805275/23 Stith v. Upper East Side Rehabilitation And Nursing Center

805110/24 Sukhov v. Naqvi Mbbs 805277/18Walker v. Roach 805410/21 Walton v. Bassetti 101234/22Wang v. Deutch

Part 7

Justice Gerald Lebovits **60 Centre Street** Phone 646-386-3746 Courtroom 345

WEDNESDAY, OCT. 2

652275/24 Avision Young-New York v. Delshah 60 Ninth LLC 451599/19 Board of Education of The City School Dist. of NYC Also Known As NYC Dept. of Education v. Londin 652861/23 Breitling v. Boneau Design, Inc. Et Al 654433/21 Kapitus Servicing, Inc. v.

THURSDAY, OCT. 3 452359/23 Comm'rs, of The State

Ins. Fund v. Evergreen Builders & Const. Services, Inc. 653667/19 Kapitus Servicing, Inc. F/k/a v Butler 656283/23 Ruham v. Hodak 652391/22S Klein Family L.L.C. v. Deratafia 154056/22 Tedford's Tenancy v. 651243/24Zepsa Industries, Inc. v. 401 West Prop. Owners

Motion 652391/22S Klein Family L.L.C. v. Deratafia

> Part 9 Justice Kathleen C. Waterman-Marshall 60 Centre Street Phone 646-386-3848 Room 355

WEDNESDAY, OCT. 2 365057/24 Greenspan v.

Gruenbaum 365817/23 Reis v. Pavlacka 313437/12 Serrant v. Serrant 365159/20Wood v. Fox Motion

365057/24 Greenspan v. Gruenbaum 365159/20Wood v. Fox

Part 11 Justice Lyle E. Frank

Phone 646-386-3314 **Room 412 WEDNESDAY, OCT. 2**

653999/24 Advanced Micro Lites,

Inc. v. Specialty Bulb Co., Inc. 652001/24 Akf Inc. v. Good Find For You, Inc. Et Al 656467/23 American Transit Ins. Co. v. Andrea Florentino Et Al 151529/24 Brite Advisors USA, Inc. v. Skybound Wealth Mgt. USA LLC Et Al

450640/24 NYC v. Pica Deli Grocery Corp 450564/24 NYC v. Wejdan Candy And Grocery, Inc. 650004/23 Gao v. House 39 Inc Et Al

151991/24 Goodman v. Bsd 685 NY Propco LLC Et Al 151814/24 Liberty Mobility Link v. Port Auth. of NY And New Jersey 153478/24 Lieutenant Benjamin Cui v. NYC Et Al

159968/22 McGovern v. Madame Mickette's Et Al 450573/23 NYCHA v. Johnson 652299/24 Pegasus Fund v. Kolonich 651827/24 Rdi NYC LLC v. Jeweler of Newport Beach, Inc. Et Al 157850/24 Villardi Tutrone v.

Comm'r. Ashwin Vasan Et Al 155345/21Waheed v. Kirwan Motion

652001/24 Akf Inc. v. Good Find For You. Inc. Et Al 151529/24 Brite Advisors USA, Inc. v. Skybound Wealth Mgt. USA 650004/23 Gao v. House 39 Inc Et Al

151991/24 Goodman v. Bsd 685 NY Propco LLC Et Al Propos LLC Et Al 151814/24 Liberty Mobility Link v. Port Auth. of NY And New Jersey 153478/24 Lieutenant Benjamin Cui v. NYC Et Al

155345/21Waheed v. Kirwan THURSDAY, OCT. 3 654149/24 Akf, Inc. v. Feinstein Iron

Works, Inc. Et Al 654404/24 Freshlink Prod. Dev. v. Special Delivery Subscription 653314/22 Garzon v. Omar's Les 158439/24 Law Offices of Michael S. Lamonsoff v. Rubenstein Law

Personal Injury Lawyers 653367/23 Liberty Mutual Ins. Co. Et Al v. McGeary Jr. 156612/24Lobosco v. Smarsh 157956/22 Nbr Investment Properties v. Avista Capital 652350/23 Sharon Rlty. Corp. Et Al

v. Kookmin Best Ins. Co., Ltd

Court Calendars

COURT NOTES

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notice, \$223,836.00 per annum. The term of office is eight years.

Please note that the application form can be accessed online at the district's website: https://www. nyed.uscourts.gov/forms/application-us-magistratejudge-vacancy-docx. Applications must be personally prepared by the applicant and must be received no later than October 23, 2024. Applications should be electronically submitted at https://edny.app.box. com/f/89d572dd4ab644979ed53683c7005545. Instructions are available on the district's website.

The district is an equal opportunity employer.

U.S. DISTRICT COURTS

Eastern and Southern Districts

Court Invites Public Comment on Proposed Changes to Local Rules Deadline is Oct. 6

In accordance with Rule 83(a) of the Federal Rules of Civil Procedure and Rule 57(a) of the Federal Rules of Criminal Procedure, the Boards of Judges of the Eastern and Southern Districts of New York invite the public to comment on proposed changes to their Joint Local Rules

The proposed amendments, which resulted from the work of a committee of representatives from both courts and the bar in both districts, are made in reference to the Joint Local Rules in effect as of July 1, 2024, which are available at:

> https://www.nyed.uscourts.gov/local-rulesdocuments-and-administrative-orders

> > https://nysd.uscourts.gov/rules

The proposed amendments include:

(1) a provision authorizing limited-scope representation for pro se litigants in civil cases (amended Local Civil Rule 1.4);

(2) the replacement of page limits with word limits for all briefs filed in civil cases (amended Local Civil Rules 6.3, 7.1, & 11.1);

policies governing the possession and use of electronic equipment (amended Local Civil Rule 1.8); (4) a new criminal rule establishing default dead-

(3) a provision permitting both districts to adopt

lines for expert witness disclosures (new Local Criminal Rule 16.2): (5) a new criminal rule governing pro se submissions by represented defendants in criminal cases

(6) new local social security rules, to codify existing administrative and standing orders in both dis-

(new Local Criminal Rule 49.2); and

tricts addressed to such cases (new Local Supplemental Social Security Rules).

Each proposal is followed by a committee note providing relevant context for the change. (As in the current Joint Local Rules, notes for all rules will be consolidated in an Appendix.)

The proposed changes are available at https:// nysd.uscourts.gov/rules/proposed-amendments. Where a proposed change contemplates amending an existing rule, the proposal is followed immediately by a redline reflecting the changes from the existing rule(s). Otherwise, a redline is not supplied.

There is a 90-day period during which comments may be provided, which closes on October 6, 2024. Comments should be submitted only once. A comment submitted through either court's website or in letter form will be considered by both courts.

and may be submitted through a form available on either court's website at the following links:

Comments submitted electronically are preferred,

https://www.nyed.uscourts.gov/proposed-amend-

https://nysd.uscourts.gov/rules/proposed-amend-

Alternatively, written comments may be submitted in letter form to:

Robert Rogers Counsel to the Clerk of Court United States District Court for the Southern District of New York Daniel Patrick Moynihan Courthouse 500 Pearl Street

New York, New York 10007-1312

FIRST DEPARTMENT

Appellate Term

Filing Dates for the November Term

The November 2024 Term of the Court will commence on Nov 4, 2024.

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 Sept. 9, 2024.

Respondent's Briefs must filed on or before Oct.

Reply Briefs, if any, must be filed on or before Oct. 10. 2024.

Part 13

Justice Adam Silvera 60 Centre Street Phone 646-386-3736 **Room 422**

WEDNESDAY, OCT. 2

156611/22 Bruckner 125th St. LLC v. 2054 Lexington Ave. LLC 150881/20 Carbonaro v. Singh Distribution Inc 190177/19 Crincoli v. 84 Lumber Co. 156649/18 David v. Arkady Yelow

Cab Corp. 155126/21 Fox v. Cuate 805425/19 Morse v. Weill Cornell Medicine 190453/18 Pagano v. Amchem Prod.s, Inc. 159738/18 Palmer v. Major Leasing

153759/16 Safdar v. Rpzl 150790/19Toribio v. 200 Park 161102/18 Uceta v. All Services Leasing, Inc.

THURSDAY, OCT. 3 150541/21 Besterman v. Sushi Fussion Express Inc 190189/24 Mohammed v. Avon

Prod.s, Inc. Et Al Part 14 60 Centre Street

Justice Arlene P. Bluth Phone 646-386-3219 Room 432

WEDNESDAY, OCT. 2 850068/11 Bank of NY Mellon v.

Dasig 655840/19 Capital Moving & Storage, Inc. v. Oppenheimer & 650064/23 Catlin Ins. Co., Inc. Et Al v. United Specialty Ins. Co. Et Al

650458/22 Choice Logistics, Inc. v. Fulfilleo, Inc. Et Al 850206/17 Cit Bank v. Crawford 850084/22 East West Bank v. Westside Units 17th St. LLC Et Al 156038/18 Gojic v. NY Presbyterian

653868/19 Hilt Const., Inc. v. NYC School 653838/21 Maxum Industries v. Hilt Const., Inc. Et Al 158480/22 NYCTL 2021-A Trust And The Bank of NY Mellon v. Chen 159358/22 NYCTL 2021-A Trust v.

Chinese American Trading Co., 154448/20 Pacific Indemnity Co. v. Scordio Const. Inc. 653697/22 Pnc Bank v. Sprout Mortgage 850173/22 Valley Nat. Bank v. 152

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151039/20 Allstate Indemnity Co. v. Orbit Plumbing & Heaing Inc. 654821/22 Desseaux v. Muse Mgt., Inc. 157188/19 Jimenez v. Vermilyea 153 153614/19Kazlauskas v. Jane Hotel

153376/18 Merchant v. NYC

160913/20 Perez v. NYC 650859/23 Structure Tone, Inc. v. Scottsdale Ins. Co. Et Al 150221/21 Tucker v. NYC Part 15 Justice Ta-Tanisha D. James

WEDNESDAY, OCT. 2 365050/24 Familant v. Familant 304815/17 Greenberg v. Greenberg 365433/22 Jordan v. Jordan 365034/23 Kriegstein v. Kriegstein 365064/21 Lascano v. Lascano 300781/24McDonald v. Yates 365315/20 Pekofsky v. Cha

60 Centre Street

Phone 646-386-4462

Room 438

311249/19 Rodriguez v. Cialdella THURSDAY, OCT. 3 310066/18 Chisholm v. Chisholm 365331/21 Schaw v. Schaw 365297/20Yin v. Wang

Part 17 Justice Shlomo S. Hagler

Phone 646-386-3283 Courtroom 335 **WEDNESDAY, OCT. 2**

158849/21 Avila v. Verizon New York, Inc., Et Al 156122/19 Buck v. 40-56 Tenth Owner LLC 158240/21 Caiza Chele v. 299 3rd

159813/20 Kowalczyk v. 200 Park 153438/21 Quilez v. Harben Studios 152149/19 Scarpa v. United 101 LLC Motion

156122/19 Buck v. 40-56 Tenth Owner LLC THURSDAY, OCT. 3 651439/24 Lampkin v. Class 5. Inc.

A/k/a Class 5 Films Et Al Part 19 Justice Lisa A. Sokoloff 60 Centre Street

Phone 646-386-3979 Room 540 Part 24

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

WEDNESDAY, OCT. 2 310907/18 Varghese v. Varghese

Motion 310907/18 Varghese v. Varghese Part 30V

Justice Judith N. McMahon 60 Centre Street 646-386-3275 Part 33

Justice Mary V. Rosado 60 Centre Street Phone 646-386-3894 **Room 442**

WEDNESDAY, OCT. 2 159840/22 Alfaro Cruz v. Regent Associates Et Al

158060/22 Arias v. Con Ed Co. of New York, Inc. Et Al 157947/21 Bedin v. NY Sabet Mgt., Inc. (d/b/a The Sabet Group) Et 152385/23 Breiding v. High Hopes

Films 156118/22 Castillo v. 604 West 178th Corp 160890/21 Con Ed Co. of New York, Inc. v. The Hallen Const. Co., Inc. 159438/19 Cosmopolitan Interior NY Corp. v. J.T. Magen & Co.,

150931/22 Cruz Toribio v. Sv Operating Three 154796/21 Currence v. NYCHA 150955/22 Dendariarena v. Via Transportation Et Al 162341/23 Dimaggio v. The Port Auth. of NY And New Jersey Et 150113/24 Eadicicco v. Citnalta

Const. Et Al 159059/23 Ellis v. Rite Aid of New York, Inc. Et Al 157809/20 Firstenberg v. La Rochelle 75 I LLC Et Al 150631/24 Garcia v. The Port Auth. of NY And New Jersey Et Al 151478/22 Glekel v. One Fifteen West Associates 157137/20 Gossett v. John James Condominium 159023/21 Green v. Pavarini

McGovern

150417/21 Guarin-Cardona v. Helzen Associates LLC 153225/22 Hereford Ins. Co. v. 21st Century Chiropractic Care Et Al 150783/23 Hereford Ins. Co. v. Wright

161288/23 Jimenez Soto v. Empire 157710/21 Johnson-Shirley v. Hwa 1290 III LLC Et Al 152376/21 Kelly v. 19 West 128 LLC Et Al 156831/24 Kogv LLC v. Sl Green

Rlty. Corp Et Al 152425/23 Lv Individually And As Natural Parent on Behalf of Minor Child Jv v. Roman Catholic Archdiocese of NY Et Al 159403/22 Minava v. Harlem Jazz Enterprises LLC Et Al 805133/17 Moyet v. NYU Langone Health System 158481/23 Olsson v. The Lang School Et Al 155086/23 Overton-Ellis v. Genting

NY LLC Et Al

150405/19 Perugini v. 162-164 82nd 157945/22 Ryan v. 531-539 Sixth Ave. LLC Et Al 152588/24S. v. Hartman 100309/23 Santos v. Montano 154134/22 Schwab v. 101 West 73rd

159455/22 Perez v. NY Univ. Et Al

157481/22 Shin v. 157 Suffolk St. Jv LLC 157363/21 Travelers Excess And Surplus Lines Co. As Subrogee of Ghc Properties, Inc. And All Other Insureds Under Policy Number Ktq-Cmb-Or60545-A-20 v. Signature Plumbing Specialties LLC

450212/21 Vasquez v. 158 Mgt. LLC Et Al 157403/22 Walsh v. Moynihan Interim Tenant 151554/24 Watt v. Bp Prods. North America Inc. Et Al 154120/20 Welsh v. 12 East 86th St. 151362/23 Wesco Ins. Co. v. Sean

Coakley Plumbing & Heating THURSDAY, OCT. 3 153452/24 Feldman v. Mount 154886/22 Rodriguez v. NYCHA 450686/24 Torres-Cedeno v. J & G

Const. Services Inc. Et Al Part 34 Justice Dakota D. Ramseur 60 Centre Street

Phone 646-386-4370

Room 341 WEDNESDAY, OCT. 2 160607/22 May v. Gibbs 158739/22 Morales v. Ram 151625/22 Urgiles v. Times Square

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IAS Part Justice Arthur F. Engoron **60 Centre Street** 646-386-3222 **Room 418**

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450069/24 NYC v. Zurich American Part 43 Justice Robert R. Reed 60 Centre Street Phone 646-386-3238

Room 222 WEDNESDAY, OCT. 2 158184/22 Dragons 516 Ltd. v. Smi USA Group LLC Et Al 650164/24 Two Roads Shared Trust

Et Al v. Wells Fargo Securities THURSDAY, OCT. 3 656344/2081st St. Zef LLC v. 2ls Consulting Engineering 656639/21 Hogg v. Braverman 651524/18 Snyder v. Jp Morgan Securities 653137/22 Welkin Mechanical v.

Part 40TR Administrative **Coordinating Part** 60 Centre Street Phone 646-386-3722

Room 422 Part 44 Justice Jeffrev H. Pearlman 60 Centre Street Phone 646-636-3370

Room 321 WEDNESDAY, OCT. 2 321659/22 Bernstein v. Bernstein 320087/23 David-Dembrowsky v. David

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Commercial Div. Justice Anar Rathod Patel Phone 646-386-3632 **Room 428** WEDNESDAY, OCT. 2

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652849/24 Finkelstein v. Wells

Fargo Bank 652493/24 Finkelstein v. Wilmington Trust Co. (and Any Predecessors Or Successors Thereto) Et Al 653203/24 Ikb Deutsche Industriebank Ag v. Deutsche Bank Nat. Trust Co. (and Any

Predecessors Or Successors Keyera Energy Inc 653020/24 Fox And Main v. Thereto) Et Al Pyramid-Bmc Hldgs. 655790/23 Kuehne Nagel Inc. v. 653214/24 Jkh Deutsche Industriebank Ag v. Deutsche Source Furniture 654378/23 Mlj Contracting Corp. v. Bank Nat. Trust Co. (and Any Predecessors Or Successors Thereto) Et Al NYC Dept. of Design And Const.

156537/24 Lendingclub Bank v. Mergen Inc. Et Al 653337/24 Nicole Hart As Trustee of The Zittman Family 2011 Trust v. The Bank of NY Mellon (and Any Predecessors Or Successors Thereto) Et Al 653276/24 Nicole Hart As Trustee of The Zittman Family Trust

v. Deutsche Bank Trust Co. Americas (and Any Predecessors Or Successors Thereto) Et Al 653442/24 Zittman v. Deutsche Bank Trust Co. Americas (and Any Predecessors Or Successors Thereto) Et Al

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Part 48

Commercial Div.

Justice Andrea Masley

60 Centre Street Phone 646-386-3265

Room 242

WEDNESDAY, OCT. 2

655002/22 Penske v. B. Riley

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Part 49

Commercial Div.

Justice Margaret A. Chan

60 Centre Street

Phone 646-386-4033

Room 252

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656086/23 B9 Hyatt Ave Owner LLC

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Builders Inc. D/b/a Promont Et Al

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Inc. F/k/a Parsons Brinckerhoff,

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Part 51 **Matrimonial Part**

Justice Ariel D. Chesler

60 Centre Street

Phone 646-386-3846

Room 543

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304181/19Beit-Halachmy v. London

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365265/21 O'Hagan v. Robertson

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Part 53

Commercial Div.

Justice Andrew S. Borrok

60 Centre Street Phone 646-386-3304

Room 238

Part 54

Commercial Div.

Justice Jennifer G. Schecter

60 Centre Street

Phone 646-386-3362

Room 228

452313/24 Letitia James v. Williams

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Part 57

Justice Sabrina Kraus

60 Centre Street Phone 646-636-3195

Room 218

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NY Et Al 950328/20 Doe v. Archdiocese of NY

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Part 59

Justice Debra A. James

60 Centre Street

Phone 646-386-3351

Room 331

WEDNESDAY, OCT. 2

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Part 60

Commercial Div.

Justice Melissa A. Crane

60 Centre Street

Phone 646-386-3310

Room 248

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950022/20T. v. Archdiocese of NY

950931/21 Pertardi v. General

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Practice

Conference of The United

Conference of The United

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> **Settlement Part** 60 Centre Street

Room 408

Med Mal Settlement

Part 1 60 Centre Street Phone 646-386-5758

> **80 CENTRE STREET**

Part 4 Justice Judy H. Kim 80 Centre Street Phone 646-386-3580 **Room 308**

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153451/23 Batista v. Hill 160288/17 Clarke v. Judlau Contracting, Inc. 150699/24 Clifford v. Niblack 153619/19 Eustache v. Board of Education of The 150375/20 Evseroff v. Scripps

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Transportation

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> Part 12 Justice Leslie A. Stroth 80 Centre Street Phone 646-386-3273

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

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152504/20 American Transit Ins. v. Harden

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> 80 Centre Street Phone 646-386-3374

Kuntzman Et Al v. NYC Dept. of

Justice Hasa A. Kingo 80 Centre Street Phone 646-386-3374

Justice Lynn R. Kotler 80 Centre Street Phone 646-386-3572

Ave. So.Llc 654555/24 United Derrickmen

& Riggers Assoc. v. Int'l 158770/22 Urena v. Stack D.

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Justice Richard A. Tsai 80 Centre Street Phone 646-386-3738

100298/23 Leged v. Bklyn. B 12 Bus Motion

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Part 22 **Motor Vehicle** Justice James G. Clynes **80 Centre Street** Phone 646-386-3271

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> Justice Samuel E. Wilkenfeld **80 Centre Street** 646-386-3689 Room 106

Early Settlement Part 1 Justice Miles J. Vigilante

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Part 2 Justice Samuel E. Wilkenfeld **80 Centre Street**

Part 28 Justice Lisa S. Headley

Room 106

80 Centre Street Phone 646-386-3696 Room 122

THURSDAY, OCT. 3 153509/20 Beckley v. J.E. Levine

Builder Inc. 160863/22 Beriguette v. 4848 B'way. Residences LLC 153463/23 Bustamante Bueno v. 520 Fee Owner 2 LLC Et Al 152115/22 Chen v. Fifth Ave. Men's Spa Inc. 160580/19 Shiakh v. Bowery

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153509/20 Beckley v. J.E. Levine

Part 35 Justice Denise M Dominguez 80 Centre Street Phone 646-386-4299

Courtroom 289 Part 41 Justice Nicholas W. Moyne 80 Centre Street

Phone 646-386-3984 **Room 327 WEDNESDAY, OCT. 2**

656470/23 American Transit Ins. Co. v. Shashi Wilfred Et Al 653418/24 Desir M.D. v. Peters Const. Group Inc. 158321/24 in The Matter of The Application of 3950 Blackstone Associates LLC v. Razzaq 650207/24 Knightsbridge Funding v. If Ruilders & Concrete Services 651699/24 Pdnyc LLC v. 27th St.

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Attorney in Fact For Wilmington Trust v. Humphrey 150123/23 Thilly v. NY Presbyterian Hosp. Et Al

Part 52 **City Part** Justice Jeanine R. Johnson 80 Centre Street Phone 646-386-3742

Room 307 **WEDNESDAY, OCT. 2** 157736/22 Anil v. NYC Et Al

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Justice J. Machelle Sweeting **80 Centre Street** Phone 646-386-3274 **Room 279** WEDNESDAY, OCT. 2

162265/23 Karloutsos v. Newsmax Media, Inc.

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Justice Diego Santiago

60 Centre Street

Room 354 **WEDNESDAY, OCT. 2** 307647/17 Harper v. De

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

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

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

Room 641 Part 87R **Special Referee** Justice Joseph P. Burke 80 Centre Street Phone 646-386-5541 **Room 238**

WEDNESDAY, OCT. 2 307600/19Boss v. Boss

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

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

> **71 THOMAS** STREET

Part 18 Justice Alexander M. Tisch 71 Thomas Street Phone 646-386-3472

Room 104 **WEDNESDAY, OCT. 2** 951259/21 Liguori v. Madison

Square Boys & Girls Club Et Al 950420/21 S. v. NYC 154710/22 Super Pc Systems, Inc. v. e Matador Restaurant Group,

THURSDAY, OCT. 3 100933/24 Leiva v. NYS Dhs / Oti 158753/24 Proof Prod.ions, Inc. v.

Part 23 Justice Eric Schumacher 71 Thomas Street Phone 646-386-3754 Room 304 WEDNESDAY, OCT. 2

155557/21 Anyanwu v. 9 East 75th LLC Et Al 156902/18 Desorbo v. Martin 155383/21 Edwards v. One Lincoln Plaza Condominium Et Al 153078/17 Nancy Bloostein v. 87th St. Sherry Associates LLC 452424/24 Port Auth, of NY, And New Jersey v. Jackson

THURSDAY, OCT. 3 160905/21 Cabrera v. Hilton Worldwide Hldgs. Inc. Et Al 153886/21 Espinoza v. Land & Sea 158382/24in The Matter of The Application of Andrea Silva-Paulino v. NYC 159606/21 Lowell v. Joseph Van Os Photo Safaris, Inc. D/b/a

Travelwild Expeditions Part 29 Justice Leticia M. Ramirez 71 Thomas Street Phone 646-386-3016 Room 311

WEDNESDAY, OCT. 2

161191/23 Cabrera v. Gvs Properties 154923/22 Dibenedetto v. 425 Park Ave Ground Owner LLC Et Al 157178/23 Franzino v. Sparks Marketing LLC Et Al 154648/23 Freire v. Cauldwell Wingate Co. Inc. Et Al 160410/23 J.G.By His Mother And Natural Guardian Jessica Nunez v. 7900 Dev. LLC Et Al 153231/23 Kleman v. One East River Pl. Rlty. Co. II 150136/23 Kwiatkowski v. The Board of Mgrs. of The Coronet Condominium Et Al 158651/23 Murray v. 140 Bw LLC Et

158889/23 Romero v. Cuts Clothing, Inc. Et Al 158303/23 Spady v. Martinique Reality Associates 155528/23 Velati v. Fedcap Rehabilitation Services, Inc.

Part 36 Justice Verna L. Saunders 71 Thomas Street Phone 646-386-3733 Room 205 WEDNESDAY, OCT. 2

152631/21 A&L Doors & Hardware LLC v. King Rose of NY Inc. Et Al 154753/18 Autenrieth v. Eklecco Newco LLC 153967/18 Casilari v. Interior Mgt. 155385/21 Friedman v. Garnet Wines & Liquors Inc. 100848/24 Gu v. James 158245/24 in The Matter of The Application of 1225 Bushwick LLC v. Razzaq

654635/19 King Rose of NY Inc. v. A & L Doors & Hardware LLC 156492/18 Korzec v. Broad St. Plaza 850010/1911 S. Bank Nat. v. Georgina Falu Co. LLC 850173/22 Valley Nat. Bank v. 152 154139/20 Larios v. Me Gifts & 850220/23 Wells Fargo Bank v. Electronics Inc. Et Al 450358/18 Miller v. Riverside Center Parcel 2 653823/21 Mountain Valley Indemnity Co. v. Cannarella 653990/24 Rodriguez v. Sedgwick Claims Mgt. Services, Inc.

160348/20 State Farm Mutual

Acupuncture 150014/24 Trigon 52 L.L.C. v.

Carlisle Etcetera LLC

Automobile Ins. Co. v. Bliss

Motion

154753/18 Autenrieth v. Eklecco

Newco LLC 155385/21 Friedman v. Garnet

Wines & Liquors Inc.

653823/21 Mountain Valley

Indemnity Co. v. Cannarella

653990/24 Rodriguez v. Sedgwick

THURSDAY, OCT. 3

Claims Mgt. Services, Inc.

157445/24 in The Matter of The

of New York

Application of Police Officer

Diego Acosta-Torero v. Caban As Police Commissioner of The City

Part 46

Justice Richard Latin

71 Thomas Street

Phone 646-386-3279

Room 210

WEDNESDAY, OCT. 2

156050/22 Rodrigues v. Jp Morgan

Omnibuild Const., Inc. Et Al 153635/22 Suskin v. Oehl—10 A.M.

THURSDAY, OCT. 3

152516/23 Guzman v. Sherman Rlty.

Part 55

Justice James D'Auguste

71 Thomas Street

Phone 646-386-3289

Room 103

WEDNESDAY, OCT. 2

450534/24 NYC v. The Village Hemp

650648/22 Irwin Funding v. Ins. Pro

150500/22 Leaf Capital Funding,

LLC As Assignee of Vend-Lease Co., Inc. v. 9th Ave Hotel Prop.

Hldg. LLC D/b/a Cassa Times

100648/24 Levenglick v. Legacy

154634/24 Sanchez-Pesantez v.

156313/19Wilmington Savings

101012/24 Yohannon v. George

100648/24 Levenglick v. Legacy

154634/24 Sanchez-Pesantez v.

160947/23 Castillo v. 404 Condo

155652/24 Melgarejo v. Simon

154763/16 Simeone v. 678 Ninth

151762/24 Zaitoon v. Tishman Real

Part 58

Justice David B. Cohen

71 Thomas Street

Room 305

WEDNESDAY, OCT. 2

Contracting And Const. Corp. Et

151863/21 De Souza y Fl Sol

654525/16 Gelwan v. Deratafia

Hebrew Language Academy

THURSDAY, OCT. 3

159969/19 Sanchez v. 181st Street

Part 56

Justice John J. Kelley

71 Thomas Street Phone 646-386-5281

Room 204

WEDNESDAY, OCT. 2

805496/23 Furtado v. Pavan

805162/24 Maxwell v. Terence

Cardinal Cooke Healthcare

Center 805432/23 McComsey v. Kolev Md

805174/24 Ridgeway v. Lenox Hill

THURSDAY, OCT. 3

160597/18 Bueno v. 562 West 174th

111 CENTRE

STREET

Part 20

Matrimonial

Justice Deborah A. Kaplan

111 Centre Street

Phone 646-386-3300

Courtroom 1227

Part 25

Guardianship

Justice Aija Tingling

111 Centre Street

Phone 646-386-5675

Room 1254

Part 27

Justice Carol Sharpe

111 Centre Street

Phone 646-386-5625

Room 1045

32

Mortgage Foreclosure

Part

Justice Francis A. Kahn, III

111 Centre Street Phone 646-386-5607

Room 1127B

WEDNESDAY, OCT. 2

Westside Units 17th St. LLC Et Al

850215/21 Emigrant Funding Corp.

850050/24 Flushing Bank v. A.Z.N.

v. Hershey Chan Rlty., Inc. Et Al

Rlty. LLC A/k/a A.Z.N. Rlty. L.L.C.

850153/24 Jpmorgan Chase Bank v.

850159/24 Jpmorgan Chase Bank v.

850141/22 Morgan Stanley Private

158480/22 NYCTL 2021-A Trust And The Bank of NY Mellon v. Chen

Chinese American Trading Co.,

Assimacopoulou 850629/23 The Bank of NY Mellon

Trust Co. v. Bukharin Juster

159358/22 NYCTL 2021-A Trust v.

850539/23 Sismanoglou v.

Conigliaro

Schwartz

Inc. Et Al

Bank v. Malter

850068/11 Bank of NY Mellon v.

Dasig 850206/17 Cit Bank v. Crawford

850084/22 East West Bank v.

805071/24Ying v. Chynn M.D.

St. 805346/23 Gomez v. The Mount

Sinai Hosp. Et Al 805271/23 W. v. NY Columbia

Presbyterian Hosp.

160244/23 Rizzo Jr v. Harlem

Charter School Et Al 151428/19 Turner v. Pride &

Services Elevator

THURSDAY, OCT. 3

Mortgage Asset Trust

109063/08 Gonyo v. NYC

Fund v. Board of Mgrs. of The

Motion

Mortgage Asset Trust

155049/20 Nardelli v. Zletz

101352/23 Denise Williams v.

109063/08 Gonyo v. NYC

Group LLC Et Al

Square Hotel

NYC Et Al

Sopasakis

NYC Et Al

Estate Services

150036/23 Garcia v. Blvd Bistro

116th St. LLC Et Al

Shop Inc

Nancy Paz

Chase Bank 159297/22 Sanchez Melendez v.

150014/24 Trigon 52 L.L.C. v. Carlisle Etcetera LLC

100848/24 Gu v. James

THURSDAY, OCT. 3 850050/21 Chang Hwa Commercial Bank v. Waterscape Resort II 850053/2311 S Bank Nat Assoc As Trustee For Cmalt Remic 2007-A2 - Remic Pass-Through Certificates. Series 2007-A2 v. Scott Part 38

Justice Louis L. Nock 111 Centre Street Phone 646-386-3235 Room 1166 **WEDNESDAY, OCT. 2**

650393/23 Babel NY LLC v. Ambleside Partners—2:15 P.M. 650620/20 Certain Underwriters v. Hdi Global Ins. Co.—10 A.M. 656124/17 Chen v. 50 United Nations Plaza 450575/24 NYC v. Smoker's World 1

153428/18 Cover Shapiro v. 89th St. Dev.—2:15 P.M. 161802/23 De Lage Landen Financial Services, Inc. v. Macpherson 451849/23 Dept. of Environmental Protection of NYC Et Al v. Board of Mgrs. of The Kingston Garden

Condominium Et Al

655640/21 Fiester v. Riviera Bronze Mfg—10 A.M. 100748/24 Florez v. Related Mgt. 153371/23 Fora Financial Asset Securitization 2021 v. Shopno I---10 A.M. 652241/24 Guiracocha v. Bldg Services, Inc. Et Al—2:15 P.M. 154387/20 Gustavo Matute v.

Defalco Const. Inc.—10 A.M. 653465/24 Liberty Ins. Corp. v. Nat. Grid USA Service Co., Inc. 651422/21 Medallion Financial Corp. Et Al v. Ede Service Corp. Et Al-2:15 P.M. 153784/23 Mir Const. Group v. Otl Enterprises—10 A.M. 650079/24 Palisades Dealer Funding v. Sho Case Auto LLC Et

156872/23 The Board of Mgrs of The Beekman East Condominium v. Schulman—10 A.M. 654196/23 Utilisave v. Aini Assets-2:15 P.M. 100089/24 Wexler v. Minc—10 A.M. 162194/23 Wiener Rlty. Mgt. v. One

Penn Plaza LLC 453071/23 Won5 LLC Et Al v. Restoration And Relocation Bynext 1 LLC Et Al—2:15 P.M. THURSDAY, OCT. 3

652688/22 Gobena v. Nikolaev 651296/24Incomm Summits LLC v. Optimize Media LLC 654214/24 Zoey Paint Corp. v. Boston Ship Repair Part 39

Justice Suzanne J. Adams

111 Centre Street

Phone 646-386-3619 Courtroom 623 THURSDAY, OCT. 3 160960/23630 6a LLC v. U.S. Bank Trust Nat. Assoc. As Trustee of The Cabana Series IV Trust

153682/17 Desena v. Gilbane Bldg 151083/19 Sagastume v. NYC Part 42 Justice Emily Morales-

Minerva 111 Centre Street Phone 646-386-3237 Room 574

Part 47 Justice Paul A. Goetz 111 Centre Street Phone 646-386-3743 Room 1021 **WEDNESDAY, OCT. 2**

100513/24 Battistotti v. City of New 452221/23 Comm'rs. of The NYS Ins. Fund v. Pearson 156836/19 Gilzean v. NYC 151540/24 Nazario v. Bytedance Ltd

152779/20 Wolfe v. Orsid Rlty. Corp. THURSDAY, OCT. 3 161857/232 Nomad LLC v. A2z

Signs 656429/17205 East B'way. Housing v. 201 East B'way. 154705/24333 East 57th St. Corp. v. Molina 654630/24Akf Inc v. Nebb's Recycling 101040/20 Alphapoint Corp. v. Hiscox Ins. Co., Inc.

152305/19 Beautiful Spaces v. 617 Apts. Corp. 161073/21 Berry v. NYCHA 451052/24 Budhu v. The NYCTA Et 160676/23 Burnett v. NYC Et Al 160847/23 Cano v. NYC School Const. Auth. Et Al 159093/21 Capone v. 200 Park 152885/17 Christie v. Dunbar

Portfolio LLC $158041/24\,\mathrm{Cigar}$ Vape Inc1v. NYC Sheriff's Dept. Et Al 155769/23 Dandrea-Vukan v. Flipper's Roller Boogie Palace NY 150260/24 Dempsey v. NYC Et Al 157918/24 Doe v. Pssp NY Inc. D/b/a Sofia's of Little Italy Et Al 157730/21 Excelsior 57th Corp. v. Aikaterini Kotogianni A/k/a/ Korina Kontogianni Et Al 158963/23 Fattorusso v. At&T Mobility Services 160585/23 Fernandez Mendoza v. Highline Const. Group LLC Et Al 160354/21 Figueroa v. Destefano 159352/23 Finelli v. H&M Hennes &

Mauritz Co 156099/20 Gibson v. Titocity1990 LLC 153508/21 Gollub v. Gollub 161282/23 Gothner v. Metro-North Commuter Railroard Co. Et Al 152105/20 Grant v. NY Convention

Center 156852/20 Gray v. Smbc Capital Markets, Inc. 157484/22 Haid v. Ab Stable LLC Et

158589/23 Hereford Ins. Co. v. Anderson 157881/24 in Re Application of Leigh Eron v. Village East Towers, Inc. Et Al 451496/24 in The Matter of The Application of Metro. Transportation Auth. v. 2108-10

161642/21 Jarden v. NYC Et Al 159204/23 Johnson v. 2802-2816 Fdb LLC Et Al 161322/18 Kassai v. Trump Mgt. Inc. 161552/23 Kay Waterproofing Corp. Et Al v. Vielma 160082/22 Kolnik v. Berman 162069/23 Lopez v. Kousa Ralty LLC 158535/24 Lovejoy v. Pinehurst Mgt.

150807/22 Ludlow St. Dev. v. Gomez 160644/23 Madera v. Aecom Et Al 160943/23 Mann v. 120 Wall Co. L.L.C. Et Al 158172/23 Medina v 472-476 Columbus Ave. LLC Et Al 152789/20 Moncada v. Trump Plaza Owners, Inc. 156643/20 Najera v. Rosan Food

Corp. 158358/21 Ntiru v. Wv Preservation Partners 162049/23 O'Sullivan v. NYC Economic Dev. Corp. Et Al 152852/20 Parker v. Simmons 156859/16 Perez v. B'way. 98

155537/23 Pichardo v. Leeding Builders Group LLC Et Al 154740/22 Pinko Retail LLC v. Okl Hldgs., Inc. 158248/16 Ramp v. Hyatt Corp.

151472/22 Revel Systems Inc. v. Nancy Behrman Communications Inc. 158725/23 Rodriguez Velasquez v. NYCTA Et Al 156898/23 Rojas v. Halonka

151576/21 Rosenthal v. Park Hill Tenants Corp. Et Al 158125/22 Rsd857 LLC v. Wright 154280/24 Salazar v. Meloul 157774/23 Santana v. Cvp I 154090/21 Sawyer v. 1120 Fifth Ave. Corp. Et Al

652040/24 Sky Virtue Ltd. v. Guo 157188/23 Small v. Eo 160 Water 158877/23 Stamatopoulos v. NYC 154500/20 Torregrossa v. Plaza 52

158554/23 Torres v. NYC Et Al 157449/19 Wbgbk, Inc. v. Tphgreenwich Owner LLC Et Al 152779/20 Wolfe v. Orsid Rlty. Corp. 157150/19 Woods v. NY Univ.

Motion 654630/24 Akf Inc v. Nebb's Recycling 158041/24Cigar Vape Inc 1 v. NYC Sheriff's Dept. Et Al

Sofia's of Little Italy Et Al 153508/21 Gollub v. Gollub 451496/24 in The Matter of The Application of Metro. Transportation Auth. v. 2108-10 LLC

157918/24Doe v. Pssp NY Inc. D/b/a

161552/23 Kay Waterproofing Corp. Et Al v. Vielma 158535/24 Lovejov v. Pinehurst Mgt. 154740/22 Pinko Retail LLC v. Okl Hldgs., Inc.

158248/16 Ramp v. Hvatt Corp. 158125/22 Rsd857 LLC v. Wright 154280/24 Salazar v. Meloul 154090/21 Sawyer v. 1120 Fifth Ave Corp. Et Al 157150/19 Woods v. NY Univ.

Part 26 Justice Phaedra F. Perry 111 Centre Street Phone 646-386-3308

Room 684

Part Integrated Domestic Violence Justice Tandra L. Dawson 100 Centre Street Phone 646-386-3868

CRIMINAL TERM

Room 1604

Part Tap A Justice Biben Phone 646-386-4107 100 Centre St. Room 1100, 9:30 A.M.

Part Tap B Justice Statsinger Phone 646-346-4044 100 Centre St. Room 1130, 9:30 A.M.

Part 22 Justice Mennin Phone 646-386-4022 Fax 212-295-4890

111 Centre Street Room 928, 9:30 A.M. Part 23 Justice N. Ross Phone 646-386-4023 Fax 212-295-4891

Room 1307, 9:30 A.M. Part 31 Justice D. Kiesel Phone 646-386-4031 Fax 212-401-9260

100 Centre Street

Room 1333, 9:30 A.M. Part 32 Justice Carro Phone 646-386-4032 Fax 212-401-9261

100 Centre Street Room 1300, 9:30 A.M. Part JHO/Part 37 Justice Adlerberg

100 Centre Street Room 1600, 9:30 A.M. Part 41 Justice Dwyer Phone 646-386-4041 Fax 212-401-9262

100 Centre Street

Phone 646-386-4037

Room 1116, 9:30 A.M. Part 42 Justice Wiley Phone 646-386-4042 Fax 212-401-9263 111 Centre Street Room 733, 9:30 A.M.

Part 51 Justice Edwards Phone 646-386-4051 Fax 212-401-9264 100 Centre Street Room 1324, 9:30 A.M.

Part 52 Justice T. Farber Phone 646-386-4052 Fax 212-401-9265 111 Centre Street Room 763, 9:30 A.M.

Part 53

Justice Rodney

Phone 646-386-4053

100 Centre Street

Room 1247, 9:30 A.M. Part 54 Justice Antignani Phone 646-386-4054 111 Centre Street Room 621, 9:30 A.M.

Part 56 Justice Drysdale Phone 646-386-4056 111 Centre Street Room 724, 9:30 A.M. Part 59

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

Part 61 **Justice Clott** Phone 646-386-4061 Fax 212-401-9266 100 Centre Street

Room 1130, 9:30 A.M. Part 62 Justice M. Jackson Phone 646-386-4062 Fax 212-401-9267 100 Centre Street Room 1111, 9:30 A.M.

Part 63 Justice Hong Phone 646-386-4063 111 Centre Street Room 631, 9:30 A.M. Part 66

Justice Pickholz

Phone 646-386-4066 Fax 212-401-9097 111 Centre Street Room 1047, 9:30 A.M. Part 71 Justice L. Ward Phone 646-386-4071 Fax 212-401-9268

Room 1104, 9:30 A.M. Part 72 Justice R. Stolz Phone 646-386-4072 Fax 212-401-9269 Room 1123, 9:30 A.M.

Part 73

100 Centre Street

Justice Roberts Phone 646-386-4073 Fax 212-401-9116 111 Centre Street Room 763, 9:30 A.M. Part 75 Justice Mandelbaum

111 Centre Street Room 583, 9:30 A.M. Part 77 Justice Obus Phone 646-386-4077 100 Centre Street

Phone 646-386-4075

Room 1536, 9:30 A.M. Part 81 Justice C. Farber Phone 646-386-4081 Fax 212-401-9270 100 Centre Street Room 1317, 9:30 A.M.

Justice Haves Phone 646-386-4085 Fax 212-401-9113 111 Centre Street Room 1523, 9:30 A.M. Part 92 Justice Mitchell

Phone 646-386-4092

Fax 212-295-4914

111 Centre Street

Part 85

Room 1234, 9:30 A.M. **Part** Justice E. Biben Phone 646-386-4093 111 Centre Street Room 1333, 9:30 A.M.

Part 93 Justice Scherzer Phone 646-386-4093 100 Centre Street Room 1333, 9:30 A.M. Part 95

Justice D.Conviser Phone 646-386-4095 Fax 212-401-9137 111 Centre Street Room 687, 9:30 A.M. Part 99 Justice Burke

Phone 646-386-4099 Fax 212-401-9270 Room 1530, 9:30 A.M. **Part N-SCT** Justice Peterson

Phone 646-386-4014 Fax 212-401-9272 100 Centre Street Room 218, 9:30 A.M. **Part IDV**

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

Justice Dawson

SURROGATE'S COURT

Surrogate Rita Mella 31 Chamber's Street New York, NY See court's webnage for information about appearances: Visiting Surrogate's Court | NYCOURTS.

Surrogate Hilary Gingold

Bronx County

SUPREME COURT EX PARTE AND URGENT

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

718-618-1248 **Day Calendar Court Notices Key to Submission**

Motion Calendar

TRIAL TERM

FSN = Fully Submitted, No Opposition ADJ=adjourned to the marked date for oral argument in the above calendar part. Answering papers

FS = Fully submitted.

are to be submitted on the original return date in Room 217. MENTAL HYGIENE PART

Justice Betty Owen Stinson

A Supreme Court calendar will be called and Mental Hygiene Hearings will be conducted at Jacobi Hospital, Pelham Parkway and Eastchester Road, Room 8E20, and North Central Bronx Hospital, 3424 Kossuth Avenue, Room 13A32, on alternate Wednesdays commencing at 9 A.M.

A Supreme Court calendar will be called and Mental Hygiene Hearings will be conducted at Bronx Psychiatric Center, 1500 Waters Place, Thompson Building, First Floor every Wednesday at 10:30 A.M. or as soon thereafter as counsel may be heard.

Mortgage Foreclosure Sales in Supreme Court, Bronx County are no longer conducted in Room 118M. All Mortgage Foreclosure Sales in Supreme Court, Bronx County are conducted in Room B-129 (Ground Floor). Sales will be conducted on Mondays, Tuesdays, Wednesdays and Fridays at 2 P.M. No Mortgage Foreclosure Sales shall be conducted in

Bronx County on Thursdays Trial Assignment Part Justice Joseph E. Capella Phone 718-618-1201

Room 607, 9:30 A.M. WEDNESDAY, OCT. 2

802468/22 Ajtunixcoy v. American United Transportation Inc. Et Al 20092/20 Alaev v. Robinson 23367/19 B. v. 2485-87 Univ. Ave.

25156/18 Berrios v. Rodriguez 29491/18 Bynes v. NYCH&HC And 20342/19 Carella v. Kings Harbor Multicare Center 31436/20 Cole-Kelly v. Larrison 23349/20 Colon v. NYC Dept. of 21558/17 Connor v. Hurricane Mgt.

Corp. 809036/21 Culpepper v. American United Transportation Inc. Et Al 800559/21 Dawson v. Food Bank For NYC 34431/19 Delgado v. Nyp Hldgs., Inc.

23595/17 Diaz Ramirez v. Appelbaum 27147/15 Diaz v. Darmetta 816539/21 Drummond v Pendergrass Esq. 26107/19 Duncan v. Sherman Creek

Rlty. Corp.

33412/20 Garcia v. Reliant Transportation, Inc. 805134/21 Gerena v. Dia 800839/21 Hamilton v. Bonilla 31728/18 Jenkins v. Citadel Care Centers Group 20819/20 Jones v. 253 Hldgs. Inc. 303115/16 Lasalle v. NYC 31193/17 Marvch v. Follini

32582/18 O'Shea v. Procida Const.

Corp. 31938/17 Ogbuehi v. Rose 26998/18 Ortega v. Hammouri 805828/21 Pena v. Nunez Tavarez 26661/18 Peterson v. Acer Packaging & Supplies 300833/15 Quintero v. Merchant Funding 21504/16 Ramirez v. Oladetimi

27430/18 Raskina v. Circle Lodge

And Kinder Ring 27316/19 Rowley v. Jerome Jsd Hldgs. 35003/19 Ruiz De Tarazona v. Checo Mendez 801792/22 Sanchez v. Sanchez Peralta

23257/20 Stokes v. Ebanks 303828/14Tejeda v. 2856 Rlty. LLC 35123/19 Thompson v. Everest Scaffolding Inc. 300322/17 Vasquez Carranza v. Memorial Hosp. 30534/19Wagner v. Robinson 801196/21Webster v. Beth Abraham Health Services A.K.A. Beth

23666/19White v. Kim **ADR Part** Phone 718-618-3081 Rooms 701M-701A

Abraham Services Et Al

Part 2 Justice Elizabeth A. Taylor Phone 718-618-1275 Room 710, 9:30 A.M. **WEDNESDAY, OCT. 2**

32839/20 Ramos v. Escoboza FRIDAY, OCT. 4 25714/20 Zheng v. Jnc 241 Inc Part 3/33 Justice Mitchell J. Danziger

Phone 718-618-1207 Room 707, 9:30 A.M. WEDNESDAY, OCT. 2 812617/24 Arzu-Rivas v. NYC Et Al 25805/18 Barcelona v. NYC

803692/23 Burton v. NYC Et Al 29729/18 Dennis v. NYC 25528/19 Evans v. NYC 812356/24 Francisco v. NYC Et Al 22995/14 Gardiner v. NYC 812619/24 Hamilton v. NYC Et Al 24795/17 Horne v. NYC 20534/17 Karlin v. NYC 812096/21 Levy v. NYC Et Al 23027/18 Mitchell v. NYC 808938/24 Morante v. NYC Et Al 310875/11 Soto v. NYC 22226/16 Touray v. NYC

22175/16 V v. NYC 816382/22 Watkins v. NYC 26385/15 Williamson v. Cross

THURSDAY, OCT. 3 28089/18 Abreu v. NYC 23828/20 Albarran-Vasquez v. Parkash 2185 LLC 29538/20 Arias v. NYC 800309/22 Banna v. NYC Et Al 816639/21 Barrera v. NYC Et Al 27411/19 Bukatyuk v. Campbell Foundry Co. 812731/24 Collins v. NYC Et Al 803269/24 Cooper v. NYC Et Al 812779/21 Cruz v. Cinquemani

Partnership LLC Et Al 816724/22 Disapio Jr v. NYC 800671/23 Duarte v. NYC Et Al 810244/24 Espanol v. NYC Et Al 809443/21 Feliz v. NYC Et Al 805486/24 Fernandez v. NYC Et Al 809930/24Francisco v. The NYCTA Et Al 803029/23 Galvez v. NYC Et Al 813597/23 Greaney v. NYC Et Al 813548/23 Hall v. NYC Et Al

806059/21 Hue v. NYC Et Al 811773/24 in The Matter of The Claim of Dexter Chance v. NYC 21467/20 J.R. An Infant By His Mother v. NYC 802343/22 Knight v. NYC Et Al 812499/24 Matos v. NYC Et Al 801446/24 McCottrie v. NYC Et Al 801273/21 Molina Frias v. NYC Et Al 811739/24 Murray v. NYC 805977/23 O'Brien v. NYC

812058/23 Henderson v. NYC Et Al

800308/21 Henry v. NYC

808933/21 Oramas v. NYCTA 801933/23 Peguero v. NYC Et Al 25879/20 Ponder v. NYC 34990/20 Price v. 900 East Tremont Ave. 32322/20 Roberto Restaurant Inc. v. NYC

804754/23 Olmedo v. Sacred Omni

Botanika LLC Et Al

811343/23 Robertson v. NYC Et Al 810409/23 Roman v. NYC Et Al 811918/24 Rosario v. NYC Et Al 804894/23 Rowe v. NYC Et Al 810700/23 Santana v. The NYCTA Et

Al 33171/20 Santos v. NYC 21816/19 Shavers v. NYC 28400/19 Smith v. NYC 808302/24 Thomas v. NYC Et Al 807479/21 Vazquez-Brennan v. 1118 Wilcox Ave. 805102/23 Vega v. NYCTA Et Al

808451/22 Velez v. NYC 809854/21 W. v. Elshadai Family Daycare Inc. Et Al Part 4 Justice Andrew J. Cohen Phone 718-618-1212

WEDNESDAY, OCT. 2 300817/16 Lee v. Gjushi Rlty. LLC THURSDAY, OCT. 3

Room 413, 9:30 A.M.

817671/23 Diaz Velasquez v. Joy Const. Corp. Et Al

Part 5 Justice Alison Y. Tuitt Phone 718-618-1224 Room 415, 9:30 A.M.

THURSDAY, OCT. 3 811237/21 Ames v. Maxwell Plumbing Heating And Cooling, Inc. Et Al 20181/20 Harris v. NY Univ. 801996/21 Mejia v. 830 Elton Ave

LLC 805402/21 Pacas v. Riverdale 22996/20 Payano v. Proto Prop. Services LLC 814521/21 Rosado v. 1920 Walton

802601/22 Vidal Chavez v. L&L Boston Rlty. 802938/21 Villatoro Herrera v. 599 West 188th St. Inc.

Part 6 Justice Laura G. Douglas Phone 718-618-1246 Room 811, 9:30 A.M.

WEDNESDAY, OCT. 2 27757/20 Dunn v. 416 East 187th St.

FRIDAY, OCT. 4 24580/19 Franco v. 800 E 173 LLC 23674/19 Mojica v. Tcprnc Real Estate LLC

 $22944/19\,Peters$ v. Emerald 2105Cruger LLC 35649/20 Reyes v. Parkash 30050/20 Watson v. Castro

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

WEDNESDAY, OCT. 2 811992/22 Long v. Convington

805909/21 Malave v. Wagner Associates LLC 812305/23 Rosario v. Diaz THURSDAY, OCT. 3

816668/21 Richardson v. NYC Et Al Part 8

Justice Bianka Perez Phone 718-618-1205 Room 704, 9:30 A.M.

WEDNESDAY, OCT. 2 802075/23 Baron v. Cohen 814713/22 Jackson v. Friendly Motor Inn Et Al

23647/19K v. NYCHA 800234/23 V. v. Children's Aid College Prep Charter School 20055/17 Wallace v. Dee-Gree Mgt. Corp.

THURSDAY, OCT. 3 808767/22 Canals v. Bolivar Ventures II Llc

22987/19 Drill It NY Corp. v. Deegan 135 Rltv. LLC 803482/23 Gonzalez v. Chestnut Hldgs. of New York, Inc. Et Al 807485/22 Mercado v. Gem Parking Corp. Et Al 815770/22 Ramos v. 2320 Creston

Ave LLC 31085/19 Scott v. Tinton 976 Rlty.

> Part 9 (LPM) Justice Myrna Socorro

Phone 718-618-1625 Room 402, 9:30 A.M. **WEDNESDAY, OCT. 2**

1921/22 Adesanya v. Davidoff 34327/19 Aponte v. 298 East Village 814883/21 Bokum v. The Trustees of Columbia Univ. in NYC 811852/22 Caceres v. 1548 Jesup Rltv. LLC Et Al

23157/18 Diaz v. Tishman Const. 808174/21 Estrada Hernandez v. River Terrace I LLC Et Al 810505/21 Estupinan v. 1516 Park Ave. Partners LLC Et Al 816204/21 Flores v. Prop Q LLC 806288/22 Fuentes Avala v. 3240 Riverdale Ave. Corp. 816918/22 Jimenez Camano v.

Mentore 305810/14 Lopez v. Ceylon Leasing

816210/22 Martin v. Poe Affiliates 817034/22 Martinez Carranza v. 280 Meeker LLC Et Al 800181/22 Munoz v. NY Univ. Et Al 814905/21 Narvaez Reinoso v. 1726 Davidson LLC

802389/24 Rivera v. 166 Archer Ave 812375/22 Rojas v. Southern Blvd

815536/21 Sillah v. Bop Ne LLC Et 25589/18 Vlad v. Tj 104 Restaurant

Corp.

THURSDAY, OCT. 3

818272/22 Alvarado v. The Bank of NY Mellon Corp. Et Al 812158/21 Alvarez Garcia v. Grand America Associates LLC 801667/24 Arredondo-Silvestre v

810691/23 Blanco v. The 1148 Corp. 31378/19 Bueno Sanchez v.

Desai Real Estate Group LLC Et

Lendlease (us) Const. 22809/18 Cantre v. Bldg Oceanside 814761/22 Fernandez Perez v.

Bolivar Builders LLC Et Al 23857/19 Jimenez v. Circle F 2243 Jackson LLC 805465/21 Lopes Barbosa v. 1169

Hoe LLC Et Al 816662/22 Macas Cuenca v. Eegp 139 Owner 816233/21 Morocho v. NYC Et Al 25403/17 Nimaga v. Allan Garage 817761/22 Ortega v. HPDc2 Housing Dev. Fund Co. Inc. Et Al

Riverside Drive Corp. 816715/21 S & M Bronx Inc. v. Diversified Planning Brokerage 31159/17 Sanango v. Fairfield Views

Inc. 816789/21 Tirado v. Smith 815753/21 Vimos v. Y.N.H. Const 818259/22 Zavala Quiroga v.

Aramco Contracting LLC Et Al FRIDAY, OCT. 4

817573/21 Alves De Oliveira

Amador v. Coa 200 E. 34th LLC Et Al 815517/21 Amparo Escano v. Con Ed Co. of NY 23131/18 Arredondo v. Wasserstein Enterprises L.L.C.

818663/22Ashram v. Rubin Dev. And Const. Inc. Et Al 27902/19 Bowen v. Hp Westchester Mews Housing

819014/22 Ceballos Crowther v. Mega Contracting Group LLC Et 23480/20 Cobb v. Land & Sea Dev.

Corp. 26752/18 De Leon Luciano v. Rising Sh LLC

813067/22 Estela Montenegro v. Triton Const. Co. LLC Et Al 27903/20 Flores-Fernandez v. Hello Livingston Extended LLC 812483/22 Greenidge v. Ywa-

Amsterdam LLC Et Al 808055/21 Krokos v. Dormitory 30428/17 Lopez v. Lendlease (us)

Const. 802080/23 Machado Morillo v. Ditmars 22-11 LLC 814947/22 Marin v. Tishman Const.

Corp. 807623/21 Martinez Carranza v. Rxr Church-Div. Tower A Hldgs. LLC

24509/17 Ndreu v. NYCHA 32487/19 Parkash v. Reservoir Ave. Corp. 26936/19 Pena v. Evergreen

Gardens I LLC

809622/21 Reynoso v. Loring Pl. Rlty. LLC 23000/19 Rodas v. W 54-7 LLC 816467/22 Sanchez v. Koko Contracting, Inc. 807762/24Stewart v. State Farm

Mutual Automobile Ins. Co. 808516/21 Vallejos v. Beis Hamedrish Skver LLC. 800980/22 West v. Tishman Const. Corp. Et Al 25197/18 Yakubu v. Liberty Square

Rlty. Corp.

LLC Et Al

Part 13 (MV) Justice Patsy Gouldborne Phone 718-618-1236

Room 706, 9:30 A.M. WEDNESDAY, OCT. 2 817243/23 Avbar v. Liberty Coca-

Cola Beverages LLC Et Al 24313/18 Barry v. Jamaica Taxi Center, Inc. 816315/21 Blanco v. Gonzalez 811108/23 Castillo v. Anderson 808465/21 Cruz Villaman v. Beccan

34255/20 Green v American United 820226/23 Herrera v. Metro Livery Leasing Et Al 807414/23 Hoz v. Dervisevic 26692/20 Jones v. Gedin 800677/24 Metz v. Crest

819199/23 Cruz v. 2d23 Acqisition

Transportation Services, Inc. Et 807311/24 Mulleano v. Bah 800804/23 Oleaga v. Marotta 20011/20 Omeragic v. Knight 804561/23 Patterson v. Agustin 815836/23 Ramirez v. Lovepreet

23714/19 Reid v. R.J.T. Motorist Service, Inc. 819667/23 Romulus v. Burnett 805981/24 Rosario Reynoso v. Niambele 815817/21 Stevens v. Deas

807767/23 Walker v. Darby Part 12

Justice Kim A. Wilson Phone 718-618-1396 Room 414, 9:30 A.M. WEDNESDAY, OCT. 2

802341/22 C. v. Davidson Nyc THURSDAY, OCT. 3 814531/24The Noble Factory LLC v.

City Sheriff Et Al Part 14 (MV) Justice John A. Howard Phone 718-618-1244 Room 708, 9:30 A.M.

WEDNESDAY, OCT. 2

806973/21 Castillo Dionisio v. Verizon Services Corp. Et Al 812984/21 Collins v. Lopez 802971/23 Colon v. Jw Consulting, Inc. Et Al

804698/22 Cooper v. Garabito 814301/21 Gonzalez v. Mantilla 817572/21 Grayson v. Marshall 34916/19 Gutierrez v. Robinson 805582/22. Jimenez v. Singh 801607/22 Liranzo v. Khan 34096/19 Middleton v. Santiago 817574/22 Pedrosa v. Motor Vehicle Indemnification Corp. 804983/23 Reyes v. Uva 815034/22 Rivera v. Liou 804383/21 Rivera-Lopez v. Verity

22907/20 Sanchez v. Williams 31255/17 Tiday v. Leif Taxi, Inc. 30314/18 Wilson v. Espinal 803800/23 Yao v. Vasquez Auto Corp Et Al

FRIDAY, OCT. 4

803405/22 Arzu Castillo v. Uber USA 800607/22 Barcia v. Nahimana 816290/21 Browne v. Metro. Transportation Auth. Et Al 24379/18 Bryant v. Marrero-Delance 22233/19 Caban v. West Nyack Motor Cars 816830/21 Campbell v. Sumpter

811887/23 Campbell v. Nivar 803367/22 Chavez v. Rasier-Ny 817191/21 Chewuli v. Kv 304899/15 Colon v. Woolco Foods

25263/20 Cuevas v. Samaniego 350102/15 Danson v. Basil 815912/22 Fleury Sanchez v. Soriano Espinoza

805059/21 Guzman v. 5 Boro Green Services LLC 26012/18 Harney v. Hassan 809654/22 Hay v. Lerebours 814398/22 Heredia v. Riddley 26005/19 Herrera v. Rodriguez 812834/21 Hidalgo v. NYC Et Al 819324/22 Hidalgo v. Garcia 29569/19 Jimenez v. Gyimah 815957/22 Jimenez v. Ruby

Transport Inc Et Al 801099/23 Jones v. Sanyston Const. Corp. Et Al 817396/21 Moncion v. Schwartz 27043/18 Morel Almanzar v. Diallo

25851/19 Morris v. Rivera 21080/20 Nunez Cabrera v. Almonte

20919/20 Reyes v. Venture Leasing 27523/20 Rondon v. Hawlins 27897/17 Saiid v. Patterson Transportation 818910/22 Seawright v. Escano

26340/20 Ugboaja v. Matias 810695/23 Vella v. Bevza 28808/19 Yanez v. Perez-Mercedes

Part 15 (MV) Justice Ben R. Barbato Phone 718-618-1395 Room 702, 9:30 A.M. WEDNESDAY, OCT. 2

807980/23 Acevedo v. Villa

814351/23 Almonte v. Dawes 35324/19 Berger v. Jem Leasing LLC 22620/20 Brown v. Valdez

808512/22 Cabrera v. Jackson 802737/22 Camacho v. Davitt 817389/22 Camara v. Pv Hldg. Corp

802305/23 Cameron v. Mta Et Al 801771/23 Celestino-Riveras v. Vinanzaca-Pomaquiza 819526/23 Cruz v. Cabinit NY LLC Et Al 814200/23 Doctor v. Blocker 33210/19 Eichner v. Qp Hosp LLC 813332/23 Garcia v. Martinez Baez 813107/23 Gomez v. Hendricks

803229/23 Gomez v. Singh 803111/22 Gonzalez v. Doe 801055/22 Hernandez v. Tangbi 800265/23.Jackson Melendez v. Quality Transportation Corp Et Al 812432/22 Martinez-Puiols v. Prestige Towing & Recovery, Inc. Et Al

25542/19 Mauro-Rodriguez v. Soto 802969/23 Medina v. Chaiya Sosa, Inc. Et Al 820397/23 Mercado v. Milea Leasing Corp. Et Al 26593/19 Miller v. Nutakor

804385/23 Montes v. Maynard 810275/22 Moore v. Pinto 809760/22 Moran v. White 800959/24 Oates v. Wallace 803356/23 Paige v. Aleph Logistics 303578/16 Pena-Kelly v. Curet 807342/21 Perez v. Clark 812371/21 Peterson v. Yadav 21683/20 Ramirez v. Vasquez 803582/24 Reddick v. Buggy Et Al 813628/21 Richards v. Walls 814123/23 Robinson v. Autorama Enterprises Inc. Et Al 808257/23 Rose v. Ari Fleet Lt Et Al 28478/20 Royster v. Torres 21920/20 Sherpa v. Ferreras 29638/20 Smalls v. Jackson 29052/20 Solomon v. American United

813725/23 Tedesco v. Amazon Logistics, Inc. Et Al 815640/22 Tifas v. De Jesus 816106/22 Timmons v. Uber Technologies, Inc. Et Al 804720/23 Torres v. Williams 33095/19 Torres v. Al Hajeh 803822/22 Touray - Trawalleh v.

Court Calendars

28619/20 Vallejo v. Cova Concrete Corp. 801961/23 Vallejo v. Windy Farm Inc. Et Al 811594/21 Viloria-Cruz v. Nuriyev 21889/17 Youngblood v. Qlr Four Inc 29823/20 Zuniga Paguay v.

Orthman THURSDAY, OCT. 3 29217/19 Miano v. Al-Awadhi

Part 16 Justice Robert T. Johnson Part 18

Justice Wanda Y. Negron Phone 718-618-1203 Room 622, 9:30 A.M. WEDNESDAY, OCT. 2

806348/23 Lewis v. Lewis 4431/22 Nioh v. Simo THURSDAY, OCT. 3

26980/20 Alicea v. Mashack 817038/23 Wright v. Wright FRIDAY, OCT. 4 7699/18 Cruz v. Cruz

Part 19A Justice Alicia Gerez Phone 718-618-1377

Room 600, 9:30 A.M. WEDNESDAY, OCT. 2 302654/11 Guido v. Fielding 819154/22 Irizarry v. NYCH&HC

Corp. Et Al 30816/20 Lyles v. NYC 34499/18 Matthews Jr. v. Bronx Center For 25723/18 Mingo v. Jopal Bronx 800313/22 Real v. Nazir M.D. 21253/20 Reves v. Workmen's Circle

THURSDAY, OCT. 3 24858/18 Bhalerao v. Murray 24391/06 Brooks v. Dellavall Ballroom, Inc. 29636/17 Diaz v. Fish 28862/20 Hodge v. Bainbridge Nursing And 27180/16 Martinez v. Bronx

Lebanon Hosp. Center 22806/15 Simmons v. Geisler 22603/18 Valentin v. Kalafatic And Kalafatic Part 20

Justice Veronica G. Hummel Phone 718-618-1240 Room 703, 9:30 A.M. **WEDNESDAY, OCT. 2**

23902/15 Sinera v. Bedford-Webster Part 21

Justice Ashlee Crawford Phone 718-618-1435 Room 401, 9:30 A.M. FRIDAY, OCT. 4

33305/20 Acevedo Hernandez v. 303 West 42nd Street Realty 303251/15Blake v. Cadet 31425/19 Calderon v. Rvan 26506/19 Dupree v. Southdale Rity. 31852/19 Goncalves v. NYC

> Part 22 Justice Marissa Soto Phone 718-618-1193 Room 709, 9:30 A.M. **WEDNESDAY, OCT. 2**

32256/20 Ventura v. Paulino De La Cruz Part 25 Justice Mary Ann Brigantti

Phone 718-618-1252 Room 407, 9:30 A.M. **WEDNESDAY, OCT. 2** 803262/21 Blanco v. Glicker Rlty. L.P

Et Al 31295/19 Carino v. Urbanspace 570 Lexington 816764/23 Cesar v. Piterson Assy 26043/14 Dupree v. Mp Mgt. 26928/15 Marion Distefano As Admin v. Praxis Housing White Plains

20275/18 Rosado v. Bethco Corp. 24277/19 Taveras v. NYCHA 21602/15 Zayed v. NYC Dept. of Design 803581/22 Zelaya v. Cordova

Part 26 Justice Paul L. Alpert Phone 718-618-1617 Room 408, 9:30 A.M. THURSDAY, OCT. 3

814687/21 Blue USA Const. Co. Inc v. Velazquez 809181/22 Janet Transit, Inc. Et Al v. Mott Haven Improvement Group Lp

Part 27 Justice Naita A. Semaj Phone 718-618-1226 Room 701 9:30 A.M.

WEDNESDAY, OCT. 2 807060/23 Cuevas v. Willis Edge 812912/23 David Dawud v. Empire NY Installations Inc Et Al 804938/24De Souza v. 1759-63 W. Farms Rd LLC Et Al 814758/21 Dorsey v. Riverbay Corp.

806922/21 Right Price General v. 806423/23 Susan Miller v. Hudson Pointe Acquisition THURSDAY, OCT. 3

806664/21 Coco v. Mmc Residential 811852/21 Rivers v. Lmf II Part 28

Justice Latia W. Martin Phone 718-618-1254 Room 621, 9:30 A.M. **WEDNESDAY, OCT. 2**

5323/12 Toussaint v. Toussaint 813240/21 Zurita v. Zurita THURSDAY, OCT. 3 5474/21 Alexander v. Alexander 808723/22 Bashford v. Bashford 8235/19 Drepaul v. Khan 814908/22 Ortiz v. Ortiz

29115/20 Corniel v. Corniel

802171/24 Soto v. Soto Part 29 Justice Shawn T. Kelly Phone 718-618-1248 Room 623, 9:30 A.M.

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

WEDNESDAY, OCT. 2 802148/22 Adams v. Polar Beverages Et Al 808401/22 Alvarado Jr. v. Citnalta Const. Corp. Et Al 802128/22 Alvarez v. Vital Brookdale Housing Dev. Fund Corp Et Al 34217/20 Bernardez v. Pigranel 34069/19 Bucci v. NYC 806779/23 Campoverde Rodriguez v. Watson Ave Estates LLC Et Al

LLC Et Al 801124/21 Corona Diaz v. 138 Shobro 810644/22 Diaz Genao v. Wi/bsrep III 390 Park LLC Et Al 815926/23 Fofana v. Toto 808672/21 Gassama v. 1461-1469 Third Ave Owner LLC Et Al 801775/23 Gassama v. 22nd And 11th Associates

801979/23 Connaire v. Bud South

805968/24 Goudiaby v. Foodfest **Pretrial Part** Depot 811405/22 Hays v. 38 Westchester Justice Joseph E. Capella Sq LLC Et Al Phone 718-618-1201 811802/24Henry v. Bennet Owusu **Room 607** 9:30 A.M.

44-01 Northern Owner 812999/22 Lopez Cativo v. 3745 802468/22 Ajtunixcoy v. American Riverdale Ave. LLC Et Al 807080/21 Lopez Garcia v. Bpp Pcv 20092/20 Alaev v. Robinson Owner LLC Et Al 803464/21 Luzuriaga Miranda v. Gc Capital Group LLC Et Al 812960/21 Mateo Arias v. 111 Roosevelt Dev. LLC Et Al

810981/21 Mendez Granada v. Lo. Multicare Center Sardo General Contractors, Inc. 33794/19 Oliveras v. Automated Conveyor Systems 806010/21 Pizarro v. Suffolk Const. Corp. 809036/21 Culpepper v. American

Corp. Et Al 808570/23 Ramirez v. Bbm Const. Corp. Et Al 800609/24 Robertson v. Sanders NYC 805311/22 Rodriguez Castano v. 544 Park Ave. Rlty. LLC Et Al

33685/18 Sambula v. Mg Dolphin 819549/23 Santana Garcia v. Ryer 26 LLC 813711/21 Santos Borges v. Mega

803766/23 Hernandez Gomez v.

Contracting Group 819412/23 Sarmiento v. Method General Contractors LLC Et Al 803418/21 Tacuri Brito v. Noa-Lior 808291/22 Thomas v. Bedford 203

Housing Dev. Fund Corp. Et Al Part 32 (COM) Justice Fidel E. Gomez Room 403, 9:30 A.M.

WEDNESDAY, OCT. 2 802734/21 Norman Rlty. & Const. v. 151 East 170th Lender LLC

Part 34 Justice Michael A. Frishman Phone 718-618-1349 Room 705, 9:30 A.M. **WEDNESDAY, OCT. 2**

810577/21 Anderson-Perry v. St. Barnabas Hosp. Et Al 805704/21 Barrett v. Gustave M.D. 811503/22 Cruz v. Terrace Acquisition II 817707/23 Deas v. Abdelnaby M.D. 803697/23 Dyal v. Gonzalez M.D. 815105/22 Garcia v. Abbott M.D. 26484/19 Gonzalez v. Medikids

Pediatric Medicine 805011/23 Hassan v. Wilson Dmd 816572/23 Irene Collado on Behalf of And As Attorney in Fact For Ynosencia Collado v. Ralph Rahme Et Al 28854/20 Ladonis v. Patel M.D.

23275/17 Law v. Bainbridge Nursing And 803351/21 Lebron v. Recabar P.T. 29606/19 Lopez v. Blum 811278/23 Lyttleton v. Rose 801902/24 Mangum v. Nae Edison 34349/18 Martinez v. Marshall 814035/21 Mateo v. Cho M.D. 817142/21 Montilla v. Montefiore

Medical Center 26018/16 Pacheco v. Schwechter 806529/21 Paredes v. Yager M.D. 21904/20 Pryce v. Montefiore Medical Group Cfcc 810275/21 Robustelli v. The Jack

D. Weiler Hosp. of The Albert Einstein College of Medicine 32620/20 Rosa v. Bronx Harbor Health Care Complex, Inc. 33257/18 Sinclair v. Montefiore Medical Center 27506/17 Smith v. Montefiore Medical Center

813968/22 Soto v. Montefiore Medical Center Et Al 25345/17 Thibou v. Edwards 20442/17 Vazquez v. Montefiore 819672/23 W v. Alexa L. Cohen

Part 35 (DCM) Justice Raymond P. Fernandez Phone 718-618-1216 Room 625, 9:30 A.M. THURSDAY, OCT. 3

802094/24 Chen v. Rios-Martinez 808656/24 Jennings v. Villalona 816077/23 Johnson v. 955 Sheridan Rltv. LLC 806806/24Olmo v. Normil

808734/24 Polanco v. Ortiz 807786/24 Soto v. Melendez Part 23 (MM) Justice Joseph E. Capella Phone 718-618-1201

Room 607, 9:30 A.M. WEDNESDAY, OCT. 2 802468/22 Ajtunixcoy v. American

United Transportation Inc. Et Al 20092/20 Alaev v. Robinson 23367/19B. v. 2485-87 Univ. Ave. LLC 25156/18 Berrios v. Rodriguez 29491/18 Bynes v. NYCH&HC And

20342/19 Carella v. Kings Harbor 31436/20 Cole-Kelly v. Larrison 23349/20 Colon v. NYC Dept. of 21558/17 Connor v. Hurricane Mgt. Corp. 809036/21 Culpepper v. American

United Transportation Inc. Et Al 800559/21 Dawson v. Food Bank For 34431/19 Delgado v. Nyp Hldgs., Inc. 23595/17 Diaz Ramirez v.

Appelbaum 27147/15 Diaz v. Darmetta 816539/21 Drummond v. Pendergrass Esq. 26107/19 Duncan v. Sherman Creek Rlty. Corp. 33412/20 Garcia v. Reliant

Transportation, Inc. 805134/21 Gerena v. Dia 800839/21 Hamilton v. Bonilla 31728/18 Jenkins v. Citadel Care Centers Group 20819/20 Jones v. 253 Hldgs. Inc. 303115/16 Lasalle v. NYC 31193/17 Marych v. Follini 32582/18 O'Shea v. Procida Const.

26998/18 Ortega v. Hammouri 805828/21 Pena v. Nunez Tavarez 26661/18 Peterson v. Acer Packaging & Supplies 300833/15 Quintero v. Merchant Funding 21504/16 Ramirez v. Oladetimi 27430/18 Raskina v. Circle Lodge

Corp. 31938/17 Ogbuehi v. Rose

And Kinder Ring 27316/19 Rowley v. Jerome Jsd Hldgs. 35003/19 Ruiz De Tarazona v. Checo Mendez 801792/22 Sanchez v. Sanchez Peralta 23257/20 Stokes v. Ebanks 303828/14Tejeda v. 2856 Rlty. LLC

35123/19 Thompson v. Everest Scaffolding Inc. 300322/17Vasquez Carranza v. Memorial Hosp. 30534/19Wagner v. Robinson 801196/21Webster v. Beth Abraham Health Services A.K.A. Beth 23666/19White v. Kim

WEDNESDAY, OCT. 2

United Transportation Inc. Et Al 23367/19B. v. 2485-87 Univ. Ave. 25156/18 Berrios v. Rodriguez

29491/18 Bynes v. NYCH&HC And 20342/19 Carella v. Kings Harbor 31436/20 Cole-Kelly v. Larrison 23349/20 Colon v. NYC Dept. of 21558/17 Connor v. Hurricane Mgt.

United Transportation Inc. Et Al 800559/21 Dawson v. Food Bank For 34431/19 Delgado v. Nyp Hldgs., Inc. 23595/17 Diaz Ramirez v. Appelbaum

27147/15 Diaz v. Darmetta 816539/21 Drummond v. Pendergrass Esq. 26107/19 Duncan v. Sherman Creek Rlty. Corp. 33412/20 Garcia v. Reliant Transportation, Inc. 805134/21 Gerena v. Dia

800839/21 Hamilton v. Bonilla 31728/18 Jenkins v. Citadel Care Centers Group 20819/20 Jones v. 253 Hldgs. Inc. 303115/16 Lasalle v. NYC 31193/17 Marvch v. Follini 32582/18 O'Shea v. Procida Const.

Corp. 31938/17 Ogbuehi v. Rose 26998/18 Ortega v. Hammouri 805828/21 Pena v. Nunez Tavarez 26661/18 Peterson v. Acer Packaging & Supplies

300833/15 Quintero v. Merchant Funding 21504/16 Ramirez v. Oladetimi 27430/18 Raskina v. Circle Lodge And Kinder Ring 27316/19 Rowley v. Jerome Jsd Hldgs. 35003/19 Ruiz De Tarazona v.

Checo Mendez 801792/22 Sanchez v. Sanchez Peralta 23257/20 Stokes v. Ebanks 303828/14Tejeda v. 2856 Rlty. LLC 35123/19 Thompson v. Everest Scaffolding Inc. 300322/17 Vasquez Carranza v. Memorial Hosp.

30534/19Wagner v. Robinson

Health Services A.K.A. Beth

Abraham Services Et Al

23666/19White v. Kim

801196/21Webster v. Beth Abraham

CRIMINAL TERM Part SCA

Justice Rivera Phone 718-618-1378 265 East 161st Street Room 300, 9:30 A.M.

Part T11 (Trial) Justice Mitchell Phone 718-618-1076 265 East 161st Street Room 450, 9:30 A.M.

Justice Lieb Phone 718-618-1097 265 East 161st Street Room 320, 9:30 A.M. Justice Flores

Part C

Phone 718-618-1067 265 East 161st Street Room 420, 9:30 A.M. Part JD/T Justice Lieb

265 East 161st Street Room 320, 9:30 A.M. **Part TRP** Justice Fabrizio

Phone 718-618-1097

Phone 718-618-1103 265 East 161st Street Room 340, 9:30 A.M. Part 11 Justice Mitchell

Phone 718-618-1076 265 East 161st Street Room 450, 9:30 A.M. Part 12 Justice Michels

Phone 718-618-3623 265 East 161st Street Room 570, 9:30 A.M. Part 14

Justice Busching Phone 718-618-1034 265 East 161st Street Room 660, 9:30 A.M. Part 15

Justice Tba 265 East 161st Street 9:30 A.M. Part 16 Justice Bruce Phone 718-618-1043

265 East 161st Street Room 540, 9:30 A.M. Part 17 Justice Tbd Phone 718-618-1106 265 East 161st Street Room 350, 9:30 A.M

Justice Yearwood Phone 718-618-3629 265 East 161st Street 9:30 A.M Part 19 Justice Collins

Phone 718-618-1058

265 East 161st Street

Room 550, 9:30 A.M.

Part 18

Part 21 **Justice Powell** Phone 718-618-1133 265 East 161st Street Room 690, 9:30 A.M. Part 22

Justice McCormack

Phone 718-618-1001

265 East 161st Street Room 600, 9:30 A.M. Part 23 Justice Villegas Phone 718-618-1046 265 East 161st Street

Room 380, 9:30 A.M.

Part 24 Justice Hornstein Phone 718-618-1073 265 East 161st Street Room 440, 9:30 A.M

Part 27 (DV) **Justice Stone**

Phone 718-618-1031 265 East 161st Street Room 590, 9:30 A.M. Part 28

Justice Clancy Phone 718-618-3638 265 East 161st Street Room 560, 9:30 A.M

Part 29 Justice Rodriguez-Morick Phone 718-618-1118 265 East 161st Street Room 430, 9:30 A.M.

Justice Zimmerman Phone 718-618-1022 265 East 161st Street Room 670, 9:30 A.M. Part 32

Justice Rosenblueth

265 East 161st Street

Part 31

Room 500, 9:30 A.M. Part 60 Justice Barrett Phone 718-618-1007 265 East 161st Street Room 620, 9:30 A.M.

APPELLATE

DIVISION

FRIDAY, OCT. 4

10 A.M.

Court To Be Held in

Brooklyn, NY

Barros, J.P., Wooten,

Dowling and Landicino, JJ.

22/08002 People v. B. (Anonymous),

Nathaniel (0)

20/05714 People v. Stetson-

Shanahan, Render (Q)

York v. Kiernan (D)

Unger (S) 23/05661 Matter of D.

23/07297 Matter of W.

(Q) 23/07299 Matter of W.

(Anonymous), River; B.

(Anonymous), River; B.

22/00603 People of State of New

18/14327 People v. Wilson, Barry

(Q) 23/08174 Matter of McCloskey v.

Unger (S) 23/09231 Matter of McCloskey v.

(Anonymous), Esther R.-M.; C. (Anonymous), Jovanni A. O; (Q)

(Anonymous), Chase.; B. (Anon

(Anonymous), Chase.; B. (Anon

23/04177 Gomez v. Wickham (O)

22/07506 Gleneida Medical Care,

22/09788 Gleneida Medical Care,

22/10437 Gleneida Medical Care,

22/03152 Matter of Katz v. Town of

21/00962 Morrison v. Long Island

22/07445 MNH SUB I, LLC v. Foley

23/02176 Altman v. Orseck (W)

22/09110 Cooper v. Branca (W)

23/08033 Winter v. Cornwall Police

Department (O) 23/10046 Matter of Moore v. Nassau

University Medical Center (N)

23/05014 Matter of Chappaqua Congress of Teachers v. Board of

C.-F.F.(Anonymous), Legend;

Administration for Children's Se

MONDAY, OCT. 7

10 A.M.

Court To Be Held in

Brooklyn, NY

Connolly, J.P., Ford,

18/13727 People v. Pastranavillano,

21/02841 People v. Argueta, Mateo

22/03724 People v. Navarro, Israel

(K) 18/01714 People v. Simon, Milton

(N) 23/07143 Matter of Calogero v.

(Anonymous), Mykel; B. (Anonymous), Mykah;

23/03848 Globalized Realty Group

LLC v. Crossroads Realty NY LLC

Westchester Medical Center (W)

Administration (K)

22/00517 Moody-DuBois v.

20/09607 Eaton v. Fiotos (K)

21/03519 Eaton v. Fiotos (K)

Schulman (W)

20/05982 Enriquez v. Metropolitan

Transportation Authority (Q)

23/04228 HSBC Bank USA, N.A. v.

23/04241 HSBC Bank USA, N.A. v.

Corp. v. Board of Appeals of Town

Orange v. City of New York (O)

Construction Corporation of New

Schulman (W) 23/03730 Matter of 790 Holdings

of Hempstead (N) 23/05939 Matter of County of

23/00989 Keen v. Tishman

York (Q) 23/08137 Capio v. U.S. Bank

National Association (RO)

(Q) 23/04843 Kessler v. Yeshiva of

Central Queens (Q)

23/05874 Buchanan v. De Orio (K)

23/11428 Duvernay v. Lianya Qiao

TUESDAY, OCT. 8

Court To Be Held in

Brooklyn, NY

Iannacci, J.P., Maltese, Wan

and Golia, JJ.

22/02649 People v. Zitrenbaum, Zev

(RO) 22/04819 People of State of New

Margareth (N) 19/13713 People v. Frank, Reggie

(K) 23/06815 People v. Frank, Reggie

York v. Arroyo (K) 20/09483 People v. Mendoza,

McMahon (D) 23/08674 Matter of B.

(K) 23/06540 Matter of Esanbor v. Ativie

23/04694 Holloway v. Orthodox

Church in America (W)

Education of the C (W)

23/06859 Matter of

23/02936 U.S. Bank National

P.C. v. DBG Management

P.C. v. DBG Management

P.C. v. DBG Management

Corporation (D)

Corporation (D)

Corporation (D)

Hempstead (N)

Railroad (S)

Part 71 Justice Steed Phone 718-618-1004 265 East 161st Street Room 610, 9:30 A.M

Part 73 Justice Tba Phone 718-618-1085 265 East 161st Street

Part 70

Justice Lewis Phone 718-618-1103

265 East 161st Street

Room 340, 9:30 A.M.

Room 510, 9:30 A.M. Part 75 Justice Bruce Phone 718-618-1043 265 East 161st Street

Part 77 Justice Parker Phone 718-618-1025 265 East 161st Street Room 680, 9:30 A.M.

Part 78 Justice Marcus Phone 718-618-1001 265 East 161st Street Room 600, 9:30 A.M.

Nelida Malave-Gonzalez

Phone 718-618-2350

Courtroom 406

19/09089 U.S. Bank National

22/08046 US Bank National

Association v. Kerendian (N)

Association v. Kerendian (N)

Senior Housing Development

Fund Corporation (Q) 20/0563541st Road Properties, LLC

v. Wang Real Property, LLC (Q) 23/02630 Beltre v. Menegos (Q)

24/01950 RKJW1 Doe v. Watchtowe

Bible and Tract Society of New

24/01952 Owen v. Watchtower Bible

and Tract Society of New York,

York, Inc. (K)

Inc. (K) 21/06812 Miller-Albert v.

EmblemHealth (K)

Department (W)

Inc. (Q)

22/08698 Matter of Gannett Co.,

Inc. v. Town of Eastchester Police

22/05176 Lopez v. Kamco Services,

21/09103 Sharif v. Pritam Property

22/02868 Sharif v. Pritam Property

23/06436 Joseph v. Door Restaurant

Corp. (Q) 23/01358 Zupko Painting Inc v. Utica First Insurance Company

(Q) 23/06527 Arnold v. Shepitka (O)

THURSDAY, OCT. 10

10 A.M.

Court To Be Held in

Brooklyn, NY

Duffy, J.P., Christopher,

Warhit and Taylor, JJ.

24/07814 Coads v. Nassau County

(N) 24/08410 Coads v. Nassau County

(N) 22/05509 Nurhan v. Harley (N)

21/08831 Heller v. NYC School

Support Services, Inc. (Q)

Mortgage Association v. Davis

(Q) 23/02602 Nationstar Mortgage LLC

v. Davis (Q) 23/06114 Lara v. S& J Operational,

LLC (S) 23/01533 Lana LLC v. Coffie (K)

22/06373 Hooker 11, LLC v. Gean

v. Torres (D) 23/06222 Giahn v. Yakubov (Q)

23/03644 Jackson v. Schindler

23/09689 Scott v. 797 Quincy St,

21/09066 Cardillo v. 3707 LLC (Q)

FRIDAY, OCT. 11

10 A.M.

Court To Be Held in

Brooklyn, NY

Brathwaite Nelson, J.P.,

Chambers, Dowling and Ventura, JJ.

19/12933 People v. Wright, William

Miguel (W) 19/08357 People v. Gordon, Winston

(W) 20/07201 People v. Gordon, Winston

19/10761 People v. G. (Anonymous),

(Anonymous), Daniel R. (O) 23/05947 Matter of Mattis v.

(Anonymous), Francesca:

(Anonymous), Sapphire;

22/02172 Strong v. State of New

22/02173 Strong v. State of New

23/02845 Matter of Grabko v. Rve

23/06417 Libertas Funding, LLC v.

Patmos Property Group LLC (K) 21/02103 M & R Real Estate LLC v.

National Association v. Kamal

(S) 22/09385 Nationstar Mortgage LLC

Walden v. Teamsters Local Union No. 445 (O)

22/09143 Fox Capital Group, Inc. v.

23/11114 H & R Realty of New York

LLC v. Spirited Dragon Real

Estate Developmen (O)

23/09864 Ravello v. Long Island

Islip Apartment Corp. (S)

v. Kahana (RO) 23/04708 Matter of Village of

SFUS LLC (N)

Railroad (N)

23/07838 Wilmington Trust

Neck Union Free School District

Nassau County Department of

Administration for Children's

(K) 23/02922 People v. Martinez,

Victor (K) 23/05549 Matter of D.

Walcott-Graham (K)

23/07249 Matter of L

23/10606 Matter of W.

Socia (N)

Serv (K)

York (NYS)

York (NYS)

23/00801 Dibble v. Schrodel (W)

Elevator Corp. (K)

LLC (K)

23/11415 Lori Joseph Builders, Inc.

21/05980 Federal National

23/09186 Federal National

Unknown Heirs (O)

Mortgage Association v.

21/05125 Mesoraca v. Parking

Services Plus, Inc. (N)

20/05934 Yi Jiang Pai v. Nelson

Second Department

Room 540, 9:30 A.M.

Part 96 Justice Morales Phone 718-618-1082 265 East 161st Street Room 460, 9:30 A.M

SURROGATE'S COURT Surrogate

23/09887 B. v. Town of Oyster Bay

23/04121 Armstead v. 123 Frost Associates L.P. (N)

Court To Be Held in Staten Island, NY and Golia, JJ. 23/05179 People v. Campbell,

24/02088 People of State of New York v. Forsberg (S) 20/03411 People v. Ford, Tyrone

York v. Hibinski (RI) 23/07437 Matter of A. (Anonymous), Davena; A. (Anonymous) Daenerys;

(Anonymous), Amira; J. (Anonymous), Amier; M. (Anonymo (K) 23/08140 Matter of Mendoza v. Riera (Q) 23/08132 Sottosanti v. St. Francis Hospital (RI) 23/05653 Tsamasiros v. Jones (RI)

Cola Beverages LLC (RI) 23/01586 Bombalic v. Cornelius

National Association v. Lewis (RI) 22/08798 Hanna v. Staten Island University Hospital (RI) 23/06472 Lakeview Loan Servicing, LLC v. Rafuna (RI) 23/08261 A. v. City of New York (RI)

22/05475 People v. Eastman, 23/06645 Wells Fargo Bank. Michael D. (P) National Association v. Ben 21/03630 People v. Duhaney, Kevin Aron (RI) 19/05041 People v. Dickerson Rahiem (N) 22/02616 People v. Gumbs, Erwin T. 10 A.M. Court To Be Held in 24/07766 Coads v. Nassau County

> Miller, J.P., Christopher, 20/08675 People v. Zolorsano, Alfredo (Q) 20/08677 People v. Zolorsano,

> (Q) 23/12253 People of State of New York v. Johnson (Q) 23/10181 Matter of D. City School District (W) 23/07498 Matter of Camarda v. Ubert (S)

(RO) 20/04995 Weekes v. Tishman Technologies Corporation (K) 20/09349 Weekes v. Tishman

Enterprises, LLC (Q) 21/05800 Ballato v. Suffolk County Traffic and Parking Violations

Court To Be Held in Brooklyn, NY Dillon, J.P., Wooten, Taylor

(Q) 19/11782 People v. Gobin, Kevin 23/01199 People v. Mayorga, Norbin

23/11205 Matter of Boutin v. Boutin $\left(Q\right) \\ 23/09949\, \text{Matter of Fortune v.}$ Jasmin (0) 21/01714 Langton v. Sussman & Watkins (0)

(K) 23/05944 Rodriguez v. Kvatchadze (K) 21/09499 Cho v. Marcario (S)

22/04045 Matter of Doran Construction Corp. v. New York State Insurance Fund (W) 23/04781 Deutsche Bank National Trust Company v. Bruno (S) 23/06735 Deutsche Bank National Trust Company v. Bruno (S) 23/03054 Burtis v. Town of Hempstead (N)

21/03839 Robles v. City of New York (K) 22/07316 Matter of Lane v. County

> TUESDAY, OCT. 15 10 A.M.

Court To Be Held in

Brooklyn, NY Barros, J.P., Ford, Love and Hom, JJ. 23/09580 Matter of G. (Anonymous)

Natalie J.; G. (Anonymous), Kimberly Jean; (W) 23/05402 Matter of K. (Anonymous), Ester; Administration for Children's Service (K)

23/02422 Matter of Miller v. Perez 24/00838 Matter of Miller v. Perez (W)

20/09084 Brandford v. Brandford 23/03212 Brandford v. Brandford

23/11157 Brandford v. Brandford (K) 23/01528 Barnes v. Wartburg Receiver, LLC (K) 20/07854 Elbagdadi v. Silverman

22/08271 Herry v. City of New York (Q) 23/02670 Matter of Herry v. New York City Housing Authority (Q) 21/08372 Loancare, A Division of FNF Servicing, Inc. v. Munoz (Q) 21/05138 Montes-Vidal v. New York State Thruway Authority 23/00988 B&M Zhou LLC v. CA

Plaza LLC (Q) 21/07326 Baxter v. Jada Construction & Development, Inc. (D)

22/05367 Drive New Jersey Insurance Company v. RT Hospitality Group, LLC (Q) 23/01019 Bender v. East End Bus Lines, Inc (S) 23/09108 Villota v. Hua Mei Lin (K)

(N) 23/10741 Wells Fargo Bank, N.A. v. Gray (K) 23/10744Wells Fargo Bank, N.A. v. Gray (K)

> **TUESDAY, OCT. 15** 10 A.M.

Maltese, J.P., Genovesi, Wan

19/02718 People v. Orama, David (RI) 22/09831 People of State of New

Administrat (RI) 24/00792 Matter of Garanin v. Bykhovsky (RI) 23/12087 Matter of C.

23/06623 97 Lyman Avenue, LLC v. MTGLQ Investors, L.P. (RI)

23/07791 Scarsella v. Liberty Coca-

22/06376 Wells Fargo Bank,

THURSDAY, OCT. 17

Brooklyn, NY

Voutsinas and Ventura, JJ. 22/01251 People v. Ponce, Raul (N) 22/09256 People v. Ponce, Raul (N) 22/10323 People v. Dixon, Tysean

Alfredo (Q) 21/08265 People v. Granger, Elie (Anonymous), Brandon (Q) 23/05956Aideyan v. Mount Vernon

23/09446 Onewest Bank, N.A. v.

Jacobs (O)

22/08300 Deutsche Bank National Trust Company v. Medford (Q) 21/01503 HSBC Bank USA, National Association v. Gallo (O) 23/01062 Matter of Gramble v. Putnam County Housing Corporation (P) 22/10397 Brower v. Staten Island University Hospital (RI) 20/06022 Mohammad v. Rehman

Technologies Corporation (K) 20/07494 Garcia v. Hollander (RO) 21/02467 Sanderson-Burgess v. City of New York (Q) 24/02541 Kim v. Jetro Cash & Carry

> FRIDAY, OCT. 18 10 A.M.

19/11472 People v. Gobin, Kevin

20/03781 Williams v. Levine (N) 20/09761 Hervey v. Northern Westchester Hospital (W) 19/04133 CV XXVIII, LLC v. Williams

507925/20 Andino v. Ganiev

County Ambulance

Center For

Restaurant, Inc. 520120/18 Charles v. Rojas 515627/20 Chimbo v. NYCHA Et Al

508324/18 Cordero v. NYC

518700/22 Cruz v. Polevoy

858/16 Dickman v. NYC

503578/20 Gentles v. Singh

B'way. Owner LLC Et Al

502422/20 Grays v. Zahran

19479/13 Hutchison v. NV

Motor Vehicle Accident 520511/19 Isaac v. NYCTA

509195/17 J.K.B. v. NYC

504648/20 Isaacs v. NYC Et Al

523101/16 Johnson v. Rimpel

501041/20 Larsen v. Elgart

Et Al

520178/21 Gomez Gallego v. 183

518793/20 Hamed v. Alas Rlty. Corp.

523268/18 Hinds-Gillard v. Azizi

NYCH&HC Corp. 519094/18 in The Matter of The v.

502950/20 Jarrett v. Pelia Leasing,

502764/19 Kamienezki v. Advantage

509940/21 Lalla v. Zhw1 Re LLC Et

500607/19 Lomeyko v. Elshaer 516203/20 Macias v. NYCHA Et Al

520223/19 Marshall v. Harper

511821/20 Mondesir v. Morain

512723/20 Montero-Ruiz v. 169 Lott

522291/16 Masir v. Steeps

524333/19 Murray v. Jean

512609/18 Odubiro v. Nelson

506402/19 Oniell v. Phi Cab

507342/18 Osorio v. Il Bacco

Rlty., Inc. 517534/18 Porter v. Cliffside

461/13 Rojas v. New Sea Crest

517627/19Siraisi v. Chan

521957/21 Squires v. Doe

529034/21 Taylor v. NYC

506708/13Wein v. NYC

502188/20 Wilson v. NYC

527129/21 Z. v. Romero

Nursing Home

Consultants

517344/20 Trabelsi v. Jarrels

521885/21Warren v. Lashley

506248/19Williams v. Lux Credit

504492/21 Williams v. 5899 Rlty.

THURSDAY, OCT. 3

506637/22 Alexander v. Concord

507463/22 Antoine v. Fashakin

530801/21Basgoze v. Cohen 510451/18Bikmulin v. Samad Bhai

506084/18 Atkins v. Habib

Taxi Corp. 526103/18 Bradley v. Kelsang

500290/22 Chery v. Radjabevi

515441/22 Civil v. Morris

Et Al

506273/19 Smith v. Haider

502130/21 Smith v. Sapozhnikov 520525/19 Spadaro v. NYC

511884/20 Taveras Lizardo v. NYC

Ristorante, Inc. 504852/19 Perdomo v. 424 Bklyn.

Estates LLC Et Al

8846/11 Gewirtz v. Israel

508225/20 Cuatlapantzi Diaz v.

Zalyan 515848/18 Denmark v. Gofran

LLC

511337/19 Assad v. Richmond

514860/19Bernadel v. Kaplan

527679/19Bittencourt v. Bichay

526123/19 Carabajo v. 183 Irving

515471/20 Cardona v. Cafe Rubio

503238/18 Bailey v. Palm Gardens

23/09996 Parra v. K2 Herkimer, LLC (Q) 23/08926 Jenny Cho v. HJB of Bayside Corp. (Q) 23/05476 Sisalima v. Thorne Construction, Inc. (S) 23/09137 Plunkett v. 519 Gourmet Deli & Grill, Inc, No. 5 (K) 23/05028 Marinos v. Brahaj (K) 23/09725 Petric v. Restina Cab

Corporation (K) TUESDAY, OCT. 22 10 A.M.

Court To Be Held in Brooklyn, NY

Chambers, J.P., Maltese, Genovesi and Landicino, JJ. 23/04646 People of State of New York v. Melycher (D) 22/03746 People v. F. (Anonymous), Lloyd (RI)

22/00852 People v. Satine, Marvin (K) 19/13783 Bailey v. Bailey (W) 23/10282 Caracappa v.
Westhampton Beach School

District (S) 23/08563 Grove Realty Enterprises, Inc. v. Budde Agency, Inc. (S) 23/01065 Kushner v. Naso (K) 23/06228 Myung Ja Wang v. New York City Transit Authority (Q) 23/07483 Kharyshyn v. West End 82,

LLC (K) 20/01399 U.S. Bank National Association v. Nahum (K) 20/01400 U.S. Bank v. Nahum (K) 20/08762 Woehrle v. Buono (S) 20/06627 Viruet v. Port Authority of New York & New Jersey (Q) 20/06640 Welcome v. Port Authority 21/01985 Weber v. Sharma (O) 23/07193 Matter of Certified Collision Experts Inc. v. New

23/08780 Adler v. Oxford Health Plus Plans (NY) Inc. (S) 23/07099 Gordon v. Valencia (Q) 22/07233 JLO Development Corp. v. Amalgamated Bank (N) 23/05184 Agosto v Maria (K) 23/10274 Charles v. Ceballos (K) 23/11445 Charles v. Ceballos (K)

APPELLATE

2ND, 11TH and 13TH JUDICIAL DISTRICT

LONG ISLAND CITY, NY Day Calendar

TUESDAY, OCT. 1

9:30 A.M. Toussaint, P.J., Buggs,

Ottley, JJ. 22/00055 People v. Manuel Ortega 22/00120 People v. Nelson Toe 22/00259 People v. Nareiq Millette

22/00503 People v. Shawn Chickurie 22/00763 People v. Dennis Molinary 22/00828 People v. Vincent Ranzie 22/00829 People v. Rafael Castro 23/00680 People v. Elijah Walls 23/00525 Aaron Scaturro, Arthur Purvis, and Shadrack Lindo v. F.J.H. Realty, Inc.;, DHPD of NYC. DOB of NYC, and NYC Loft Board

23/00671 Oueens Fresh Meadows, LLC v. Jermaine Beckford and Gillian Beckford; "John Doe' and/or "Jane Doe" 23/00961 Burke 2 Physical Therapy,

P.C., A/A/O Lewis, Destiny v. State Farm Mutual Automobile Ins. Co. 23/01083 Burke Physical Therapy, P.C., A/A/O Townsend, Peter v

State Farm Mutual Automobile 24/00273 Central Pharmacy, Inc. A/A/O Roger Darbasie v Nationwide Mutual Ins. Co.

> *** CENTRAL ISLIP NY

Day Calendar

WHITE PLAINS, NY

Day Calendar

THURSDAY, OCT. 10

9:30 A.M.

Driscoll, Walsh, Goldberg-Velazquez, JJ.

19/01041 People v. Vincent 23/00088 People v. Sarah Salem 23/00672 People v. Rafael Camacho 23/00821 People v. Kyle Zoghby 23/00928 People v. Daniel Stamm 24/00202 People v. Ricardo D.

Torres 24/00218 People v. Lennon J. Scott 23/01137 Tesco v. Llc v. Maura T. Madden and Joe Madden; "John Doe" and "Jane Doe" 23/01341 Sam Cheng v. New Honey Art Center, Inc. 24/00111 Cynthia Mcmullen v. Carlos Morocho

Kings County

SUPREME COURT

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. Please see the Justices'

information sheets for further instruction regarding Uniform IAS practices and procedures.

Part Assignments/RJI

Intake Part 360 Adams Street Phone 347-296-1592

WEDNESDAY, OCT. 2

515831/24 Adams v. Linden Plaza Housing Company 500159/24Alabre v. Dickensvon 534444/22 An Infant v. Forrester 504693/24 Bocel v. Tenzin 514475/24Bowman v. Schnitzler 533840/23 Caraballo v. 851 Hart

Owner LLC Et Al 532189/23 Caroli v. Harris 507093/24 Carter v. Genovese Thevenot Et Al 500687/21 Charlotte G. McIver And James N. Perlstein As Co-Trustees of The Charlotte G. McIver And James N. Perlstein Revocable Trust v. 328 12th St. Hldg. LLC Et Al

530321/23 Cino v. Herrick 508439/24 Crespin v. Lerouge 503031/24 Davi v. Herrick 536633/23 Dunn v. Cadet 515897/24 Durandisse v. Rizaro 18th Ave. LLC Et Al 510475/24 Edwards v. Santana 505024/24 Evans v. Green 535690/23 Feldman v. Platinum Home Health Care Inc Et Al

511695/24 Fernandez Perez v. Ray Builders Inc. Et Al 513896/24 Foskey v. Santiago 511521/24Futoryan v. Sobel 528447/23 Galper v. Cefaro 516792/24 Gibbons v. Auguste 508590/24 Glasgow v. Pustam. 501263/24 Gonzalez v. Goldberg 505461/23 Gutierrez v. The

Landings At Fresh Creek Homeowners Assoc., Inc. Et Al 502960/24Hamdani v. United Rentals (north America), Inc. 508479/24 Haq v. Saunders 515842/24 Heard v. NYCHA 512145/22 Israeli v. Verdone 511343/21 Jacky v. Blair 503726/23 James Kingston v. St.

Marks Bklyn. Associates 516234/23 Jean Senat v Waterton 516461/23 Kholov v. Lowe 508717/24 Knight v Alabli 500567/24 Laguer v. Naraine 507561/24 Marcelin v. Halldale Bldg. Corp. Et Al 504041/24 Martinez Torres v. Engel

535967/22 Mendoza v. Design N Safety, Inc. Et Al 502780/24 Mickey Berlianshik F/k/a Malkiel Berlianshik Et Al v.

Tabachnikova 528226/23 Mojumder v. Empire Convenience 1 Corp. 506738/24 Moye v. All-Boro Mgt. Co. L.L.C.

506094/24 Muja v. Verizon Services Corp. Et Al 517108/24 Paisible v. Marcelin A K A Julie Marcelin Aka Marie

530984/23 Panioi Sis v. Colon 504270/23 Perl v. Carpenter Drive LLC

526458/23 Price v. Smith 513014/22 Prosperum Capital Partners LLC D/b/a Arsenal Funding v. Chc Assets LLC D/b/a Florida Tow Et Al 507954/24 Quezada v. Upton Metro. 500239/24 Quinones v. Bayer Corp.

504125/23 Rader v. Tirone Md 518306/24 Radix v. Meshin 510324/24 Rf Partners Group LLC v Barrett

507297/23 Richards v. Stewart 523657/23 Richardson v. Cartwright 504537/24 Rivera v. Lewin 537252/23 Roberts v. Barry 517519/24 Rosen v. Fontanas

Towne 504866/24 S VT An Infant By Mother And Natural Guardian Mileni Ouesada Et Al v. Turgunov 532783/23 Sabirova v. Mitchell 514075/24 Smith v. Feng 513086/24 Souffrant v. Urbn Playground

533397/23 Taub v. Szegenyak 523853/23 Td Bank v. Schimmel 516402/24 Thomas v. 30 3rd St. Partners LLC Et Al 529315/23 Thompson v. United Parcel Service, Inc. Et Al 510758/24 Toledo v. Portes Transport Inc. Et Al 513942/24 Vargas v. Rock 393/22 Young v. School Bus By

Superior THURSDAY, OCT. 3 537335/22A1 Buying And Selling

House LLC. v. 1362 Pacific LLC Et 525481/23 Ahmed v. Waterman 524536/23 Ak Medical v. Govt. Employees Ins. Co. Et Al 527807/22 Angbo v. Crown Heights Center For Nursing And

Rehabilitation 502010/24Angel v. Motor Vehicle Accident Indemnification Corp. 520418/23 Antebi v. Alexandre 515153/24 Antoine v. Lewis 500670/24 Barrie v. Ward-Mille 515207/22 Bennett v. Shore Lane Arms Owners Corp. Et Al 509702/23 Bruk v. Gordin Md

503495/24 Calderon v. Garcia 536354/23 Campos v. H 522332/22 Carter v. The Dept. of Education of NYC Et Al 529464/23 Catherine Rogut v. Coss

Osoria 523527/23 Cfg Merchant Solutions v. Beyondoffice Hldg, LLC Et Al 505668/24 Chernyaev v. Macys Inc. 500844/21 Cotto-Lopez v. 6977 South 8th St. 514495/24 Dinnall v. McLean

525185/23 Dmytryshyn v. Greenside Corp. Et Al 506648/24 Dominique v. Lease Plan USA Lt Et Al 500423/24 Douglas-Weekes v. Saracino 509456/24 Dumpson v. Hub Truck Rental Corp. Et Al

524009/20 Edwards v. Con Ed Co. of New York, Inc. 519758/24 First Fed. Leasing v. Capital Concrete NY Inc. Et Al 507051/24 Forrester v. Lyft Inc Et Al 537287/23 G v. NYC Dept. of Education Et Al 508615/24 Gibson v. Merker 511622/24 Giorgadze v. Oksenberg 519611/23 Gomez v. Anwar 505327/21 Greene Nostrand LLC

v. Jacqueline A.K.A. Raishma Mohan-Ram 504242/24 Holder v. Safe Coach Bus Service Inc. Et Al. 504304/24 Hossain v. El Sol Contracting And Const. Corp. 511150/24 Joseph v. Guo 505497/24 Lisojo v. Carvajal 962/23 Lopez v. Gorman 519551/23 Lord v. Misti's Transports, Inc. Et Al 509517/24 Lupo v. Alrichie 504145/24 Malusson v. 354

Chauncey Rlty. LLC 500803/24 Manius v. Neyra Quispe 500506/24 Maundrell v. Stutman Esq. 528040/21 McKenzie v. John Does

1&2 The Names Being Fictitious 505921/24 Nachman v. Bklyn. Kings Plaza LLC Et Al 526315/23 Newnoorms Corp. D/b/a Blinky's v. Goose Prop. Mgt. 505123/24 Oliva v. Perez-Gomez 500021/08 Oregon v. Medtronic Inc. 501651/24 Paulino v. Carter 514325/23 Pengelley v. Sotelo 503607/24 Perez v. Bklyn. Hardware Supply Co., Inc. Et Al

508608/24 Perez v. Harbor View Home For Adults 506563/24 Perfiloya v. Fogel 524653/23 Pettiford v. Diaz 510906/21 Prasetiyo v. Zheng 520193/24 Progressive Advanced Ins. Co. As Subrogee of Nicole

McFarlane v. Barless 503915/24 Rachmin v. Lorenzo 522952/19 Rahman v. Cortez 512029/24 Ratliff v. Polshek 503437/24 Restrepo v. Terzuoli 523330/23 Rolon v. 49 South Second St. LLC Et Al

515457/24 S. v. Chacara Velasquez 1692/17 Saltiel v. Fm Home Loans

537845/23 Sarmiento Flores v. Haye 505919/24 Shatkin v. Bklyn. Kings Plaza LLC Et Al 513982/24 Silverline Services, Inc. v. Holycross Trucking LLC Et Al 501790/24 State Farm Fire And Casualty Co. A/s/o Jason Rodriguez v. Pv Hldg. Corp. Et Al 512542/24 Summers v. Salazai 532877/23 Thompson v. Mount

Sinai Bklyn. 512465/24 Toussaint v. Duran 523209/23 Ulvie v. Jogie 505493/24 Velez-Echevarria Jr. v. Dunwoodv

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

WEDNESDAY, OCT. 2 504310/22 Advance Service Group LLC v. Bonanza Overhead Door Supply D/b/a Bonanza Rolling Steel Manufacturing Et Al

503503/24 Ahmed Malek v. Motor Vehicle Accident Indemnification Corp. Et Al 524258/23 Anglade v. Doe 585/23 Aretakis v. 1012 Courtelvou Road 531519/23 Bennett v. Ivan Jose

Molina Cisneros

Operating LLC 506342/24Board of Directors of The Cove Homeowners Assoc., Inc. v. Edwards 502526/24 Cfg Merchant Solutions v. Gc Roanoke LLC Et Al 509771/23 Charles v. Cassadine 513067/24 Chen-Heu v. Uhaul Corp Et Al 517118/20 Clarke v. Pl.ncia Ventura 522542/19 Day v. Viscardiu Center

532649/23 Bileyvich v. Shorefront

512046/23 Dewitt v. Sacco 504820/24 Doe v. Sweetgreen, Inc. Et Al 506445/24 El-Sayed v. Al-Iman Center 504870/24 Eshmatov v. Onuoha

525266/22 Flash Funding LLC v. Ecorganix LLC Et Al 525197/23 Flexibility Capital v. Villain LLC Et Al 508134/16 Hall v. Hobbick 516401/24 in The Matter of The Application For An Order Staying The Arbitration Between Et Al v.

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Justice Lawrence Knipel 360 Adams Street Phone 347-296-1630 Room 774

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516361/17 Colon-Rivera v. Johan Food Corp. 500178/16 Cornejo v. Rose Castle Corp. D/b/a Rose 26052/11 Cruz v. Shorefront Jewish

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503327/18White v. Noyola 514492/22 Xu v. Gmd Šhipyard Corp. 10286/14 Yakeen v. The Great Atlantic & Pacific 515725/20 Zemko v. 1880 East 4th St. Rltv. Corp.

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Justice Lawrence Knipel 360 Adams Street Phone 347-296-1630 **Room 774**

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501325/23 Sharestates Investments LLC v. 317 Etna St. 511524/20 Shelwol LLC v. Koidesh 504160/24 Stormfield Capital Funding I v. Lake St Bklyn. LLC 518498/22 The Board of Mgrs.

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522549/23 Wilmington Savings Fund Society v. Zulauf 507761/24 Wilmington Savings Fund Society v. Pgg Capital LLC Et Al

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515084/22 Leistner v. Rj Solutions Enterprise 846/14 Lewis v. Myrtlerlty. NY LLC. 520143/17 Littger v. Martin 1698/20 Mahoney v. McDonald 517324/22 Mardakhayeya v. NYC Et 503921/20 Marshall v. Quinn

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Part 8 Justice Leon Ruchelsman 360 Adams Street Phone 347-296-1604

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500506/24 Maundrell v. Stutman 526315/23 Newnoorms Corp. D/b/a Blinky's v. Goose Prop. Mgt. 508608/24 Perez v. Harbor View

Home For Adults Commercial **Division** Part 10 Justice Larry D. Martin

Phone 347-296-1634 **Room 741 WEDNESDAY, OCT. 2** 510882/19 Modica v. Srs Enterprises, Inc. 505157/21 Sky Windows And

Aluminum Prod. Ltd v. Excalibur

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360 Adams Street

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Part 12

Justice Reginald Boddie

360 Adams Street Phone 347-401-9127-1594 WEDNESDAY, OCT. 2 522328/2355 Eckford Acquisition LLC v. Pang 524578/21 Coney Island Tabernacle Apostolic Church v. Tlg & Son Contracting Corp. Et Al

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America, N.A. v. Very Juice II Inc. 510706/24Instafunding LLC v. Randall Mechanical Inc Et Al 525127/22 Keith Kantrowitz And Associates, Inc. v. Strauss 521924/23 Manjee v. Bergen Rising Acquisitions Corp. Et Al 522218/17 Muller v. Star Rubbish

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> Med Mal **Trial Readiness**

Justice Ellen M. Spodek 360 Adams Street Phone 347-296-1620 **Room 723**

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510511/19 Chavez v. Hamilton Park Multicare 511756/17 Cooper v. Schulman And Schachne 506161/13 David Rivera v. Alter 503337/15 Eugenia Slonimer As v.

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Med Mal

Early Settlement

Health Center

Part 5 320 Jay Street Phone 347-296-1082 Courtroom 18.36

Med Mal

Early Settlement

Part 6 Justice Genine D. Edwards 360 Adams Street Phone 347-401-9799 Courtroom 775

503261/18 Alston v. Bordia

501451/20 Colucci v. Sloane

M.D.

506286/21 Cherapanava v. Matusz

Med Mal

Early Settlement

Part 7

Justice Pamela Fisher

360 Adams Street

Phone 347-404-9651

Courtroom 525

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525198/22 Auld As Administrator v.

Lifeline Ambulance Service, Inc.

502450/22 Green v. NYC NYCH&HC

Corp. Et Al 532957/22 Hodge v. Morin D.O.

518683/24 Phoenix v. NYC NYCH&HC Corp. 517379/19 Robinson v. NYCH&HC

518498/23 W. v. NYCH&HC Corp.

506236/21 Collado v. Aiden Hvac

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360 Adams Street

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Jury Coordinating

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Justice Kenneth P. Sherman

360 Adams Street

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347-296-1771

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> Foods, Inc. 526858/21 Kim v. Milano 521140/19 Lemus v. S. A. J. Dev. Inc 503664/19 Linares-Tejada v. Lifeline Ambulance Service 510982/20 Lojano v. Ohanlon 505688/21 Lumsden An Infant By Her Mother And Natural Guardian v. Charles 519153/20 Mamadou Toure As Administrator v. Shah 504850/22 Morel v. Goldman 512942/21 Morgan v. Anderson 504061/22 Olivares v. Polizzotto Alfred Gen. Ptr Et Al 506001/23 Paul v. Smith

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512681/21 Strawder v. Cook 509753/19 Tilleman v. Treetop Dev. of S3 LLC 505859/21 Toussaint v. Thomas 507626/20 Udwin v. Congregation Afsei Oretz Et Al 16651/08 Vera v. NY Elevator & Electrical

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Justice Lawrence Knipel

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500284/20 Dilauro v. Zhang 525682/19 Dorsainvil v. Paul 503666/15 Dyer v. Kamara 514806/22 Eminent Funding LLC v. Andrews Mgt. & Dev. Group 526097/20 Feldman v. Llewellyn 9981/14 Foster v. 670 Greene Hldg

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513744/20 Herrera v. 17-25 Harman St. LLC 9500/13 Hsbc Bank v. Hill 509636/20 Hyatt v. W Bbq Hldgs., Inc. Et Al 516792/20 in The Matter of The v. Sokolovich 502023/20 J.P. An Infant v. Agbim 500443/19.Johnson v. Chen 513143/16 Jones v. Saber 770/22 Judy Crockwell v. Citi Bank

Jewish Geriatric 508152/20 Kurtz v. Colindres 509606/22 Landau v. Drapala 515084/22 Leistner v. Rj Solutions

503921/20 Marshall v. Quinn 510955/18 Martinez v. 100 J LLC D/b/a J Condominium

Corp. 524622/19 Mrag Dev. LLC v. 243 **Equities LLC** 500400/18 Muffoletto v Maimonides Medical Center 501563/24 Municipal Credit Union v. Primo-Torrence

Al 502161/19 Ortiz v. Sabus 501386/18 Park Ins. Co. v. Ari Rent A Car Corp. 14585/12 Payne v. 461 Fulton

Revenue v. Mainsonette Inc. Montage Financial Group, Inc. 224/14 Ramos v. The Great Atlantic 512840/19 Ravenell Jr. v. Kings Star Const. Co. 525174/20 Rlty. Pulaski LLC v.

Rodriguez 501924/20 Rehman v. Thompson 2054/16 Reid v. Williams 2857/18 Richarson v. Labor & Indus. For Eduaction 12671/12 Riggins v. Montgomery 523546/18 Rivera v. Tiban 8960/14 Roberts v. NYC 502318/20 Rocano v. 1614 Summerfield St. LLC. 509609/18 Rodriguez v. 2908 Hotspot Deli Grocery Inc.

Winner Media LLC 527054/23 Shc-Et Funding Ix LLC v. 138 Utica, Inc. Et Al 542/22 Sonchez Renelique v Claude Louis; Lisa Diaz 523954/21 Stroman v. Shark

Island Ave 522302/22 NYC v. 287 Clifton Pl. 522309/22 NYC v. 689 Sterling Pl. 516511/20 Theolin v. Asif 508034/19 Thomas v. 402 Bay Ridge Owners Corp.

Court Calendars

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524704/19 Reyes v. Bp America Inc. 515431/19 Scott v. Cenord 511444/22 Select Office Suites v.

Demolition Corp. Et Al 518096/22 NYC v. 2201 Coney

511837/20 Thompson v. NYC Et Al 6371/16 Titus v. Auxais 504449/20 Tretola v. Inzetta

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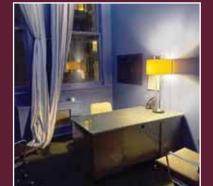
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NOTICE OF QUALIFICATION of VK 3
SEAVIEW, LLC Appl. for Auth. filed with Secy. of State of NY (SSNY) on 08/30/24. Office location: Nassau County. LLC formed in Delaware (DE) on 08/28/24. Princ. office of LLC: 9500 Bryn Mawr Ave., Ste. 340, Rosemont, IL 60018. 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: 251 Little Falls Dr., Wilmington, DE 19808. Cert. of Form. filed with Secy. of State of the State of DE, 401 Federal St., Dover, DE 19901. Purpose: Any lawful activity. 0000709788 sep11 w oct16

NOTICE OF QUALIFICA-TION of Vintry, LLC. Authority filed with NY Dept. of State: 9/13/24. NYS Dept. of State: 9/13/24. NYS fictitious name: Vintry FO, LLC. Office location: NY County. Princ. bus. addr.: 7 World Trade Ctr., 32 Fl., 250 Greenwich St., NY, NY 10007. LLC formed in DE: 9/ 12/24. NY Sec. of State des-ignated agent of LLC upon whom process against it ignated agent of LLC upon whom process against it may be served and shall mail process to: Cogency Global Inc. (CGI), 122 E. 42nd St., 18th Fl., NY, NY 10168. DE addr. of LLC: CGI, 850 New Burton Rd., Ste. 201, Dover, DE 19904. Cert. of Form. filed with DE Sec. of State, PO Box 898, Dover, DE 19903. Purpose: all lawful purposes. 0000710397 s25-W o30

NORMELI LLC. Filed 8/2/24. Office: NY Co. SSNY desig. as agent for process & shall mail to: 50 Murray St Apt 1207, NY, NY 10007. Registered Agent: United States Corporation Agents, Inc., 7014 13th Ave, Ste 202, Bklyn, NY 11228. Purpose: General. 0000710709 o2-W n6

ENJ PROTECTIVE SERV-ICES L.L.C.. Filed 8/28/24. Office: Bronx Co. SSNY desig. as agent for process & shall mail to: c/o Edmund Otoo, 1913 Nereid Ave, Bronx, NY 10466. Purpose:

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NOTICE OF QUALIFICATION of Dutchie's
Stone Work, LLC. Authority filed with NY Dept. of
State: 8/21/24. Office location: NY County, LLC registered in PA: 3/16/04. NY
Sec. of State designated
agent of LLC upon whom
process against it may be
served and shall mail process to: Cogency Global Inc.,
122 E. 42nd St., 18th Fl.,
NY, NY 10168. PA and
principal business address:
5512 Lincoln Hwy., Gap, PA
17527. Cert. of Reg. filed
with PA Sec. of the Commonwealth, 302 N. Office
Bldg., 401 North St., Harrisburg, PA 17120. Purpose:
all lawful purposes.
0000709649 sep4 w oct9

NOTICE OF QUALIFICATION of CLANGO, LLC.
Authority filed with NY
Dept. of State: 8/27/24. Office location: NY County.
Princ. bus. addr.: 2107.
Wilson Blvd., Ste. 250,
Arlington, VA 22201. LLC
regd. in MD: 4/29/24. NY
Sec. of State designated
agent of LLC upon whom
process against it may be
served and shall mail process to: Cogency Global Inc.,
122 E. 42nd St., 18th Fl.,
NY, NY 10168. MD addr. of
LLC: 1125 West St., Ste. 229,
Annapolis, MD 21401. Cert.
of Reg. filed with Director,
Dept. of Tax & Assessments, 700 E. Pratt St., Baltimore, MD 21202. Purpose:
IT security software advisory and integration serv-

IT security software advi-sory and integration serv

0000709648 sep4 w oct9

0000709648 sep4 w oct9

NOTICE OF QUALIFICATION of Proof of Coverage LLC. Authority filed with NY Secy of State (SSNY) on 8/8/24. Office location: New York County. LLC formed in Delaware (DE) on 7/25/24. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 501 Madison Ave., Ste #3, NY, NY, 10022. DE address of LLC: 108 W. 13th St, Ste 100, Wilmington, DE 19801. Cert. of Formation filed with DE Secy of State, 401 Federal St, Ste 4, Dover, DE 19901. Purpose: any lawful activity.
0000709494 au28-W o2

naviur activity.

10000709494

au28-W o2

NOTICE OF QUALIFICATION of SENSR

Monitoring Technologies,
LLC. Authority filed with
NY Dept. of State: 9/4/24.
Office location: NY County.
LLC formed in TX: 5/11/15.
NY Sec. of State designated agent of LLC upon whom process against it may be served and shall mail process to: Cogency Global Inc., 122 E. 42nd St.,
18th Fl., NY, NY 10168. TX
and principal business address: 111 Cooperative
Way, Ste. 110, Georgetown,
TX 78626. Cert. of Form.
filed with TX Sec. of State,
PO Box 12887, Austin, TX
78711-2887. Purpose: all
lawful purposes.
10000710181 sep18 w oct23

NOTICE OF QUALIFICA-TION of TOA Members LLC. Authority filed with NY Dept. of State: 6/12/24. Office location: NY County. LLC formed in DE: 6/11/24. NY Sec. of State designat-ed agent of LLC upon whom process against it may be served and shall mail process to: 810 7th

mail process to: 810 7th Ave., Ste. 1905, NY, NY 10019, principal business address. DE address of LLC: Cogency Global Inc.,

LLC: Cogency Global Inc., 850 New Burton Rd., Ste. 201, Dover, DE 19904. Cert. of Form. filed with DE Sec. of State, 401 Federal St., Dover, DE 19901. Purpose: any lawful activity. 0000710182 sep18 w oct23

NOTICE OF FORMA-TION of SOMETHING ABOUT L.L.C. Arts of Org filed with Secy. of State of NY (SSNY) on 7/3/24. Office location: NY County. SSNY

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, #584937, NY, NY 10003. R/A: US Corp Agents, Inc. 7014 13th Ave, #202, BK, NY 11228. Purpose: any lawful act. 0000709385 Au28 W 002

NOTICE OF FORMA-TION of 1705 KROLL, LLC Arts. of Org. filed with Secy. of State of NY (SSNY) on 08/30/24. Office location: Nassau County. SSNY designated as agent of LLC upon whom process against

designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to the LLC, 1390 Poulson St., Wantagh, NY 11793. Pur-pose: Any lawful activity. 0000709787 sep13 w oct16

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ORDER TO SHOW CAUSE

At an EX PARTE AND MOTION PART of the Supreme Court of the State of New York, held in and for the County County of Bronx at the courthouse thereof located at 851 Grand Concourse, Bronx, New York 10451 on the 2nd day of August 2024. The 2nd day of August 2024.

PRESENT: HON. ASH-LEE CRAWFORD - Justice of the Supreme Court, Bronx County - In the Matter of the Application of ABDUL WAHAB NASARY and ABDUL TAWAB and ABDUL TAWAB
NASARY, Petitioners, For
an Order of this Court pursuant to LIMITED
LIABLITY COMPANY
LAW (LLCL) Section 702 LAW (LLCL) Section '02 Dissolving TASTY POUL-TRY LLC d/b/a NEW YORK POULTRY, Respondent. and GARY ROCCARO, Re-spondent. - ORDER TO SHOW CAUSE - Index No.: 813094/2024E - Date Pur-

chased: On reading and filing the annexed Petition of Abdul annexed Petition of Abdul Wahab Nasary and Abdul Tawab Nasary, two of the three Members of Tasty Poultry LLC d/b/a New York Poultry, a New York limited liability company, it is, ORDERED, that Tasty Poultry LLC d/b/a New York Poultry, the New York State Department of York State Department of Taxation and Finance, Respondent Gary Roccaro, the third Member of Tasty Poultry LLC d/b/a New York Poultry, the New York State Attorney General's office, and all interested persons show cause be-fore this Court at the courthouse thereof AT AN IAS PART 32, ROOM 403 located at 851 Grand Concourse, Bronx, New York 10451 on the 16TH day of OCTOBER 2024 at 9:30 am in the forenoon of that day WHY, the said limited liability comsaid limited flability company should not be dissolved, and it is further ORDERED, that the limited liability company (LLC), and its Members shall on the return date of this Order furnish to the Court a Schedule of the LLC's as Schedule of the LLC's assets and liabilities, the name and address of each creditor and claimant, including any with cluding any with unliquidated or contingent claims and any with whom the LLC has unfinished contracts, and any other in-formation known or ascertainable with due dili-gence by the LLC and its Members which is deemed pertinent by the Court, and it is further ORDERED, that pursuant to New York Limited Liability Company Law (LLCL) Section 702 that in addition to all other disclosure requirements, those in control of the LLC no later than OCTOBER 10TH 2024 shall make available for inspection and photocopying to the Petitioners under reasona-

ble working conditions the LLC's financial books and records for the preceding three years, and it is three years, and it is
ORDERED, that a copy of
this Order shall be published in THE NEW YORK
LAW JOURNAL AND
BRONX FREE PRESS
NEWSPAPERS of general
circulation in Bronx County, New York once in each
of the three weeks before
the time appointed for the
Hearing thereon, and it is
ORDERED, that a copy of
this Order shall be served,
upon the LLC and all other
persons named in the Petition who is not a Petitioner, tion who is not a Petitioner, and upon each person named in the Schedule of the information Hearing Order and upon the New York State Taxation and YOR State Taxation and Finance and upon the New York State Attorney Gener-al's office and all other in-terested parties. IN THE WITHIN THE TIME LIMITATIONS PRECRIBED IN THE N.Y. S. BUSINESS CORP. LAW 1101(c). ENTER.

Justice of the Supreme Court, Bronx County HON. ASHLEE CRAW-FORD of the Supreme s25-W o9 0000709665

SALES

SUPREME COURT OF THE STATE OF NEW YORK COUNTY OF BRONX U.S. BANK, NATIONAL ASSOCIATION, AS TRUSTEE FOR THE HOLDERS OF THE SPECIALTY UNDERWRITING AND RESIDENTIAL FINANCE TRUST, MORTGAGE LOAN ASSET-BACKED CERTIFI-ASSET-BACKED CERTIFI-CATES, SERIES 2006-BC4, -against- TEODORA MAR-GARITA RODRIGUEZ, ET AL.

NOTICE OF SALE NOTICE IS HEREBY GIV-EN pursuant to a Final Judgment of Foreclosure entered in the Office of the Clerk of the County of Bronx on January 20, 2016, wherein U.S. BANK, NATIONAL ASSOCIA-TION, AS TRUSTEE FOR THE HOLDERS OF THE SPECIALTY UNDER-WRITING AND RESIDEN-TIAL FINANCE TRUST, MORTGAGE LOAN ASSET-BACKED CERTIFI-CATES, SERIES 2006-BC4 is the Plaintiff and TEO-DORA MARGARITA RO-DRIGUEZ, ET AL. are the Defendant(s). I, the under-Defendants). I, the undersigned Referee will sell at public auction at the BRONX COUNTY SU-PREME COURT, 851 GRAND CONCOURSE, COURTROOM 711, BRONX, NY 10451, on November 4, 2024 at 2:15PM, premises known as 1809 PHELAN PL, BRONX, NY 10453; and

PL, BRONX, NY 10453; and the following tax map identification: 2879-284.

ALL THAT CERTAIN PLOT, PIECE OR PARCEL OF LAND, WITH THE BUILDINGS AND IMPROVEMENTS THEREON ERECTED, SITUATE, LYING AND BEING IN THE BOROUGH AND COUNTY OF BRONX, CITY AND STATE OF NEW YORK Premises will be sold subject to provisions of filed ject to provisions of filed Judgment Index No.: 38110

5/2007E. Steven Baker, Esq.
- Referee. Robertson,
Anschutz, Schneid, Crane
& Partners, PLLC 900 Merchants Concourse, Suite 310, Westbury, New York 11590, Attorneys for Plain-tiff. All foreclosure sales will be conducted in ac-cordance with Covid-19 conducted in accordance with Covid-19 guidelines including, but not limited to, social distancing and mask wearing. *LOCATION OF SALE SUBJECT TO CHANGE DAY OF IN ACCORDANCE WITH COURT OF THE DESTRUCTOR OF THE PARTY OF THE PART WITH COURT/CLERK DI-

SALES

NOTICE OF SALE

SUPREME COURT
COUNTY OF BRONX
U.S. Bank National Association, as Trustee for Structured Asset Investment
Loan Trust, Mortgage
Pass-Through Certificates,
Series 2005-8, Plaintiff
AGAINST Robert Dudley a
kla Robert Dudly et al /k/a Robert Dudly: et al.. /k/a Robert Dudly; et al., Defendant(s) Pursuant to a Judgment of Foreclosure and Sale duly entered March 4, 2016 I, the under-signed Referee will sell at public auction at the Bronx County Courthouse, 851 Grand Concourse, Room 711, Bronx, NY 10451 on November 4, 2024 at 2:15PM premises known as 2:15PM, premises known as 1354 Teller Avenue, Bronx, NY 10456. All that certain plot piece or parcel of land, with the buildings and improvements erected, situate, lying and being in the Borough and County of Bronx, City and State of NY, Block 2782 Lot 87. Ap-NY, Block 2782 Lot 87. Approximate amount of judgment \$465,418.31 plus interest and costs. Premises will be sold subject to provisions of filed Judgment Index# 35507/2014E. Only cash or certified funds payable to the Referee will be accepted as a deposit in the amount of ten percent of the purchase price. The auction will be conducted pursuant to the COVID-19 Policies Concerning Public Auctions of Foreclosed Auctions of Foreclosed Property established by the 12th Judicial District. Bruce S. Povman, Esq., Referee LOGS Legal Group LLP fk/a Shapiro, DiCaro & Barak, LLC Attorney(s) for the Plaintiff 175 Mile Crossing Boulevard Rochester, New York 14624 (877) 430-4792 Dated: August 30, 2024 For sale information, please visit www. Auction.com or call (800) 280-2832 82359 o2-W o23 0000710255

NOTICE OF SALE

S UPREME COURT COUNTY OF NEW YORK. YS 541 LEXINGTON HOLD-INGS LLC, Plaintiff, vs. DCH LEX PROPCO SUB LP, ET. AL., Defendant(s). Pursuant to a Judgment of Foreclosure and Sale duly entered on May 8, 2024, I, the undersigned Referee will sell at public auction at the Room 130 of the New York County Courthouse, 60 Centre Street, New York, NY 10007 on October 16, 2024 at 2:15 p.m., prem-ises known as 541 Lexington Avenue a/k/a 129-141 East 49 th Street a/ k/a 126-136 East 50 th Street a/k/a 539-555 Lexington Avenue, New York, NY 10022. All that certain plot, piece or parcel of land, with the buildings and imwith the buildings and improvements thereon erected, situate, lying and being in the Borough of Manhattan, County of New York, City and State of New York, Block 1304 and Lot 20. Approximate amount of judgment is \$218,494,717.02 together with interest thereon, at the rate of \$86,433.35 per diem until April 1, 2024 and interest at the statutory rate thereafter, and costs. Premises will be sold subject to provisions of filed Judgment

visions of filed Judgment Index #653461/2022. Unpaid real estate taxes and New York City and New York State Transfer taxes will be borne by the Referee from the foreclosure proceeds, and the balance shall be paid to Plaintiff in satisfaction of the Plaintiff's then outstanding debt and any excess amounts shall treated as surplus

monies. Howard W. Kingsley, Esq., Referee 0000710162

s18-W o9 NOTICE OF OF SALE

SUPREME COURT:
BRONX COUNTY.
NYCTL 2017-A TRUST
AND THE BANK OF NEW
YORK MELLON AS COLLATERAL AGENT AND
CUSTODIAN, Pitf. vs.
CHARLES S. VASSER, et
al, Defts. Index #22175/18E.
Pursuant to judgment of
foreclosure and sale enforeclosure and sale en-tered Mar. 26, 2019 and or-

tered Mar. 26, 2019 and order to substitute the newspaper entered August 26, 2024, I will sell at public auction in Room 711 of the Bronx County Courthouse, 851 Grand Concourse, Bronx, NY on October 21, 2024 at 2:15 p.m. prem. k/a 203 Admiral Lane, Unit 02-203D, Bronx, NY 10473 a/k/a Block 3432, Lot 1016. Approx. amt. of judgment is \$12,177.68 plus costs and interest. Sold subject to terms and conditions of filed judgment and terms of terms and conditions of filed judgment and terms of sale and the right of the United States of America to redeem within 120 days from the date of sale as provided by law. DAVID P. LESCH, Referee.

THE DELLO-IACONO LAW GROUP P.C. Attys for

GROUP, P.C. Attys. for Pltf., 312 Larkfield Road, Lower Level, East North-port, NY. File No. 18-000003. #101795 0000710124 s18-W o9

DOTE THE BRONK OF THE BRONK OF CHRIST, INC., F/K/A PILGRIM UNITED CHURCH, UNITED CHURCH OF CHRIST, F/K/A THE CHURCH OF CHRIST, INC., F/K/A PILGRIM UNITED CHURCH OF CHRIST, INC., F/K/A PILGRIM UNITED CHURCH OF CHRIST, INC., F/K/A THE CHURCH OF GOD OF THE BRONK, et al Defendant(s). Pursuant to a Judgment of Foreclosure and Sale entered herein on January 27, 2020, I, the undersigned Referee will sell at public auction at the Bronx County Court Court Referee will sell at public auction at the Bronx County Supreme Court, Courtroom 711, located at 851 Grand Concourse, Bronx, NY, 10451 on October 21, 2024 at 2:15 p.m. premises situate, lying and being in the Borough of The Bronx, County of Bronx, City and State of New York, known and designated as Block state of New York, known and designated as Block 2826 and Lot 87 on the Bronx County Tax Assessment Map. Said premises known as 1800 GRAND CONCOURSE, BRONX, NY Approximate amount of lien \$104,761.37 plus interest & costs. Premises will be sold subject to provisions of filed Judgment and Terms of Sale. Index Number 34242/2018E. STEPHEN B. KAUFMAN,

ESQ., Referee Phillips Lytle LLP Attorney(s) for Plaintiffs 28 East Main Street, Suit 1400, Rochester, NY 14614 0000710019

SALES

S UPREME COUNTY COURT OF OCOUNTY OF NEW YORK ACM CRE FUND I-L, LP, Plaintiff -against-OHP RETAIL OWNER LLC and BOARD OF MANAG-ERS OF ONE HANSON PLACE CONDOMINIUM, Defendants. Pursuant to a Judgment of Foreclosure and Sale dated December 22, 2023 and entered on January 3, 2024, I, the un-dersigned Referee will sell at public auction in Room 130 of the New York County Courthouse, 60 Centre Street New York, NY on October 23, 2024 at 2:15 p. m., the premises situate, lying and being in Kings ing and being in Kings County, City and State of New York, known and des-ignated as Block 2111 and Lot 1001 on the New York County Tax Assessment Map. Said premises known as The Retail Unit at One Hanson Place, Brooklyn, New York, 11243.

Approximate amount of lien \$23,832,503 plus interest & costs. Premises will be sold subject to provisions of filed Judgment. Index Number: 850158/2021.
MICHAEL. J. BORERTS MICHAEL J. ROBERTS, ESQ., Referee KRAMER LEVIN NAFTA-LIS & FRANKEL LLP

1177 Avenue of the Americas, New York, NY 10036 0000710015 s18-W o9

LIMITED LIABILITY ENTITIES

NOTICE OF FORMATION of Munchy Don Dada LLC. Arts of Org filed with Secy. of State of NY (SSNY) on 6/13/24. Office lowers (SSNY) on 6/13/24. 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, #987020, NY, NY 10003. R/A: US Corp Agents, Inc. 7014 13th Ave, #202, BK, NY 11228. Purpose: any lawful act. 0000710025 S18 W 023

NOTICE OF FORMATION of StrengthMD LLC. Arts of Org filed with Secy. of State of NY (SSNY) on 6/11/24. Office location: NY County. SSNY designated as agent upon whom process may be served and shall mail copy of process against LLC to 515 E 86th St Ste 20, New York, NY 10028. Purpose: any lawful

0000710035 S18 W O23 NOTICE OF FORMA-TION of BLEECKER COAST LLC. Arts of Org filed with Secy. of State of NY (SSNY) on 8/27/24. Of-fice location: NY County. SSNY designated as agent upon whom process may be served and shall mail copy of process against LLC to 320 Bedford Ave., Brook-lyn, NY 11249. Purpose: any lawful act. 0000710132 S18 W O23

NOTICE OF FORMA-TION of The Lexington Collection LLC. Arts of Org filed with Secy. of State of NY (SSNY) on 8/23/24. Of-fice location: NY County. SSNY designated as agent SSNY designated as agent upon whom process may be served and shall mail copy of process against LLC to 156A East 83rd St, New York, NY 10028. Purpose: York, NY 1002-any lawful act.

NOTICE OF FORMATION Of MARY RICH LAW PLLC. Arts of Org filed with Secy. of State of NY (SSNY) on 8/27/24. Office location: NY County. SSNY designated as agent when when when were served. upon whom process may be served and shall mail copy of process against PLLC to 1185 Avenue of the Americas, 3rd Fl. New York, NY 10036. Purpose: any lawful

0000710042 S11 W O16 NOTICE OF QUALIFICA-TION of Eurofins MTS Consumer Product Testing US, LLC. Authority filed with NY Dept. of State: 7/ 22/24. Office location: NY County. Princ. bus. addr.: 343 W. Main St., Leola, PA 17540. LLC formed in DE: 2/ 10/15. NY Sec. of State des-17540. LLC formed in DE: 2/10/15. NY Sec. of State designated agent of LLC upon whom process against it may be served and shall mail process to: Cogency Global Inc., 122 E. 42nd St., 18th Fl., NY, NY 10168. DE addr. of LLC: 850 New Burton Rd., Ste. 201, Dover, DE 19904. Cert. of Form. filed with DE Sec. of State. 401 with DE Sec. of State, 401 Federal St., Dover, DE 19901. Purpose: any lawful

purpose. 0000709944 sep11 w oct16 NOTICE OF FORMATION of 304 OAKLEY
OWNER LLC Arts. of Org.
filed with Secy. of State of
NY (SSNY) on 08/01/24.
Office location: Nassau
County. Princ. office of
LLC: c/o Kiss Products, 25
Harbor Park Dr., Port
Washington, NY 11050.
SSNY designated as agent Washington, NY 11050. 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. 0000709379 aug28 w oct2

NOTICE OF QUALIFICA-TION of The Malin Columbus Circle LLC. App. for Authority filed with Secretary of State of NY (SSNY) on 7/1/2024. LLC formed in DE on 6/27/2024. Office location: New York County. SSNY desig. as agent of LLC upon whom process against it may be process against it may be served. SSNY shall mail process to 32 Mercer St, 3rd Fl, New York, NY 10013. The address of the office required to be maintained in the jurisdiction of its organization by the laws of that jurisdiction is 300 Creek View Rd, Ste 209, Newark, DE 19711. Cert. of Form. on file: DE SOS, Delaware Div. of Corpora-tions, PO Box 398, Dover, DE 19903. Purpose: any lawful business lawful business. 0000707623 S25 W O30

NOTICE OF QUALIFICA-TION of Altocanto
Tequila Imports LLC. Appl.
for Auth. filed with NY
Dept. of State on 8/1/24. Office location: New York
County. NY Sec. of State
designated agent of the
LLC upon whom process
against it may be served,
and shall mail process to
The LLC, c/o Baratta The LLC, c/o Baratta Baratta & Aidala LLP, 546 Fifth Ave, 6th Fl, New York, NY 10036. NJ addr. of LLC c/o Corporation Service Company, Princeton South Corporate Center, Ste 160, 100 Charles Ewing Blvd, Ewing, NJ 08628. Cert. of Form, filed with New Jersey Treasurer, 33 West State St, Trenton, NJ 08608 on 9/22/20. Purpose: any lawful activity. 0000709860 sep11 w oct16

FOUNDATIONS

ON FOUNDATION for the alendar year ended 2023 s available at its principal calendar office located at 177 TEN STONES CIRCLE CHARLOTTE, VERMONT 05445 for inspec-VERMONT 05445 for inspection during regular business hours by any citizen who requests it within 180 days hereof. Principal Manager of the Foundation is REBECCA FOSTER. 00000710713 02

0000710713 THE ANNUAL RETURN of the Sonya Staff Foundation, Inc. for the calendar year ended 2022 is available at its principal office located In care of Patricia Hauswirth at Furman & Hauswirth CPAs located at 300 Marcus Avenue Suite 300 Marcus Avenue, Suite 1E5, Lake Success, New York 11042 for inspection during regular business hours by any citizen who requests it within 180 days hereof. The Principal Manager of the Foundation is Daniel Schaffer. 0000710717

LIMITED LIABILITY **ENTITIES**

NOTICE OF QUALIFICATION of THOMPSON, COE, COUSINS & IRONS, L. L.P. Application for registration filed with Secy. of State of NY (SSNY) on 6/27/2024, effective date 7/11/2024. Office location: NY County. LLP registered in Texas (TX) on 8/27/2010. SSNY designated as agent of LLP upon whom process against it may be served. against it may be served. SSNY shall mail process to 700 N Pearl St, 25th Fl, Dallas, TX 75201. Registra-Salas, 1A 13201. Registra-tion filed with the Secy. of State of TX, PO Box 13697, Austin, TX 78711. Purpose: Practice of law. 0000710002 S11 W 016

NOTICE OF FORMA-TION of TOWNSEND & BASTIEN, LLP. Arts of Org filed with Secy. of State of NY (SSNY) on 7/19/24. Of-fice location: NY County. SSNY designated as agent SSNY designated as agent upon whom process may be served and shall mail copy of process against LLP to principal business address: 1350 Ave Of The Americas, Fl 2 #1068, New York, NY 10019. Purpose: any lawful

0000709089 Au28 W O02

LIMITED LIABILITY **ENTITIES**

1509 ROWLAND STREET LLC. Filed 8/13/24. Office: Bronx Co. SSNY desig. as agent for process & shall mail to: 19 Flag Ln, New Hyde Park, NY 11040. Pur-pose: General. o2-W n6 0000710683

1610 CASTLE HILL LLC. Filed 8/13/24. Office: Bronx Co. SSNY desig. as agent for process & shall mail to: 19 Flag Ln, New Hyde Park, NY 11040. Purpose: General. 0000710682 o2-W n6

174 PARK OPS LLC. Arts. of Org. filed with the SSNY on 08/09/24. Office: New York County. SSNY desig-nated as agent of the LLC upon whom process against it may be served. SSNY shall mail copy of process to the LLC, 250 West 26th Street, New York, NY 10001. Purpose: Any lawful nurpose

purpose. 000071<u>0272</u> s25-W o30 19 HAMMOND ROAD LLC Arts. of Org. filed with the SSNY on 08/20/24. Office: SSNY on 08/20/24. 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, 173 Buckram Road, Locust Valley, NY 11560. Purpose: Any lawful

201 EV LLC. Filed 12/11/20.
Office: NY Co. SSNY desig.
as agent for process & shall
mail to: Debabratra Roni
Maumdar, 1512 Benson St,
3rd Fl, Bronx, NY 10461.
Purpose: General.
0000710696 02-W n6

3J WELLNESS MANAGE-MENT LLC. Filed 8/21/24. Office: NY Co. SSNY desig. as agent for process & shall mail to: 229 W60th St 2w, NY, NY 10023. Purpose: General. 0000710688

56 LEONARD 29BE LLC 56 LEONARD 29BE, LLC Articles of Org. filed NY Sec. of State (SSNY) 7/15/24. Office in NY Co. SSNY desig. agent of LLC whom process may be served. SSNY shall mail process to 56 Leonard St., #29BE, NY, NY 10013, which is also the principal business location. Purpose: Any lawful purpose. 0000709492 au28-W 02

8C COM, LLC. Filed 5/29/24. Office: NY Co. SSNY desig. as agent for process & shall mail to: c/o Inc Authority Ra, 42 Broadway, Fl. 12-200, NY, NY 10004. Pur-pose: General. 0000710699

980 PROSPECT OWNER LLC Articles of Org. filed NY Sec. of State (SSNY) 8/ 15/24. Office in Bronx Co. SSNY design. Agent of LLC upon whom process may be served. SSNY shall mail copy of process to The LLC 180 Maiden Ln Ste 901 NY, NY 10038. Purpose: Any lawful activity. 0000710116 sep18 w oct23

PROSPECT 980 PROSPECT INVESTORS LLC Articles of Org. filed NY Sec. of State (SSNY) 8/15/24. Office in Bronx Co. SSNY design. Agent of LLC upon whom process may be served. SSNY shall mail copy of process to The LLC 180 Maiden Ln Ste 901 NY, NY 10038. Purpose: Any lawful activity. 0000710115 sep18 w oct23

AMBROSIO MENTAL HEALTH COUNSELING PLLC. Filed 7/31/24. Office: NY Co. SSNY desig. as agent for process & shall mail to: 229 E 84th St, 5b, NY, NY 10028. Purpose: Mental Health Counseling. 0000710702 o2-W n6

ACTION REIMAGINED LCSW PLLC. Filed 3/29/24. Office: NY Co. SSNY desig, as agent for process & shall mail to: 5900 Arlington Ave #19k, Bronx, NY 10471. Pur-pose: LCSW. 0000710691

UNAPOLOGETIC FOODS IP LLC. Filed 9/23/21. Office: NY Co. SSNY desig. as agent for process & shall mail to: Debabrata Mazumdar, 1512 Benson St, Fl 3, Bronx, NY 10461. Pur-pose: General. 0000710689

LIMITED LIABILITY **ENTITIES**

AW TRIBECA PROMOTE LLC. Arts. of Org. filed with the SSNY on 08/30/24. Of-fice: Nassau County. SSNY designated as agent of the designated as agent of the LLC upon whom process against it may be served. SSNY shall mail copy of process to the LLC, 175 Great Neck Road, Suite 407, Great Neck, NY 11021. Purpose: Any lawful pur-pose.

pose. 0000710012 AW TRIBECA PARTNERS LLC. Arts. of Org. filed with the SSNY on 08/30/24. Of-fice: Nassau County. SSNY fice: 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, 175 Great Neck Road, Suite 407, Great Neck, NY 11021. Purpose: Any lawful purpose: 0000710011

s11-W o16 BIRYANI BOL LLC. Filed 5/26/20. Office: NY Co. SSNY desig. as agent for process & shall mail to: Debabrata Mazumdar, 1512 Benson St, 3fl, Bronx, NY 10461. Purpose: General. 0000710686 02-W n6

ALLOON NYC LLC.
Arts. of Org. filed with
the SSNY on 09/03/20. Latest date to dissolve: 09/
03/2050. Office: Nassau
County. SSNY designated as agent of the LLC upon as agent of the LLC upon whom process against it may be served. SSNY shall mail copy of process to the LLC, 2640 W. End Avenue, Baldwin, NY 11510. Purpose: Any lawful purpose. 0000710013 s11-W o16

CJBOKUN LLC. Filed 6/
3/24. Office: NY Co. SSNY
desig. as agent for process
& shall mail to: 520 W 56 St
Apt 12d, NY, NY 10019.
Registered Agent: United
States Corporation Agents,
Inc., 7014 13th Ave, Ste 202,
Bklyn, NY 11228. Purpose:
General.

0000710712 o2-W n6 COPPER CREEK SPON-SOR LLC. Filed 8/6/24. Office: NY Co. SSNY desig. as agent for process & shall mail to: Andrew Bauman, 511 Ave Of The Americas, Ste 250, NY, NY 10011. Pur-

COPPER CREEK PL LLC. Filed 8/6/24. Office: NY Co. SSNY desig. as agent for process & shall mail to: Andrew Bauman, 511 Ave Of The Americas, Ste 250, NY, NY 10011. Purpose: Gener-

0000710710 o2-W n6 CORE INTEGRATIVE
PSYCHOTHERAPY LCSW
PLLC. Filed 7/18/24. Office:
NY Co. SSNY desig. as
agent for process & shall
mail to: 247 W 87th St, 7j,
NY, NY 10024. Purpose:
LCSW.

0000710701 o2-W n6 CARE5959 LLC, Arts. of Org. filed with the SSNY on 07/18/2024. Office loc: West-chester County. SSNY has been designated as agent upon whom process against the LLC may be served. SSNY shall mail process to: Carol Ho-Rezvani, 202 Norman Road, New Rochelle, NY 10804. Purpose: Any Lawful Purpose. 0000710676 02-W n

C & F ABA LLC, Arts. of Org. filed with the SSNY on 09/19/2024. Office loc: West-chester County. SSNY has been designated as agent upon whom process against the LLC may be served. SSNY shall mail process SSNY shall mail process to: Frank Tenelli, 2295 Palmer Ave., Apt# 1P, Pel-ham, NY 10801. Purpose: Any Lawful Purpose. 25-W 030

DS ZORIA PROPERTIES LLC, Arts. of Org. filed with the SSNY on 09/16/2024. Of-fice 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, 44 2nd Street, New Hyde Park, NY 11040. Purpose: Any Lawful Purpose 0000710235 s18-W o23

DAVID DESIGN NY LLC. Arts. of Org. filed with the SSNY on 08/30/24. Office: Nassau County. SSNY des-ignated as agent of the LLC upon whom process against it may be served. SSNY shall mail copy of process to the LLC, 173 East Mer-rick Road, Valley Stream, NY 11580. Purpose: Any lawful purpose. 0000710010 s11-W o16

ELLIETRICK VIBES
SOFTWARE LLC. Filed 8/
22/24. Office: NY Co. SSNY
desig. as agent for process
& shall mail to: 228 Park
Ave S #156681, NY, NY
10003. Registered Agent:
United States Corporation
Agents, Inc., 7014 13th Ave,
Ste 202, Bklyn, NY 11228.
Purpose: General. Purpose: General. o2-W n6 0000710733

ESSEX HOSPITALITY LLC. Filed 5/29/18. Office: NY Co. SSNY desig. as agent for process & shall agent for process & shall mail to: Debabrata Roni Mazumdar, 60 Greenwich Ave, Rahi Restaurant, NY, NY 10011. Purpose: Gener-

0000710705 ENC MANAGEMENT LLC, Arts. of Org. filed with the SSNY on 09/23/2024. Office loc: Westchester County. SSNY has been designated SSNY has been designated as agent upon whom process against the LLC may be served. SSNY shall mail process to: Emmanuel Job Charles, 2677 Deer Street, Mohegan Lake, NY 10547. Purpose: Any Lawful Purpose.

0000710405 ENC 05 LLC, Arts. of Org. filed with the SSNY on 09/23/2024. Office loc: Westchester County. SSNY has been designated as agent upon whom process against the LLC may be served. SSNY shall mail process to: Emmanuel Job Charles, 2677 Deer Street, Mohegan Lake, NY 10547. Purpose: Any Lawful Purpose. 0000710404 s25-W o30

ENC 98, LLC, Arts. of Org. filed with the SSNY on 09/19/2024. Office loc: Westchester County. SSNY has been designated as agent upon whom process against the LLC may be served. SSNY shall mail process to: Emmanuel Job Charles, 2677 Deer Street, Mohegan Lake, NY 10547. Purpose: Any Lawful Purpose. 0000710403 s25-W o30

UD 46th Street LLC filed 4/ 23/13. Cty: New York. SSNY desig. for process & shall mail to: 34-36 W 32nd St., 11th Fl, NY, NY 10001. Purp: any lawful. 0000709990 s11-W o16

LIMITED LIABILITY **ENTITIES**

ENC 96, LLC, Arts. of Org. filed with the SSNY on 09/ 19/2024. Office loc: West-chester County. SSNY has been designated as agent upon whom process against the LLC may be served. SSNY shall mail process to: Emmanuel Job Charles, 2677 Deer Street, Mohegan Lake, NY 10547. Purpose: Any Lawful Purpose. 0000710402 s25-W o30 0000710402

ERP 37 GREENPOINT AVE BROOKLYN LLC Articles of Org. filed NY Sec. of State (SSNY) 9/4/24. Office in NY Co. SSNY design. Agent of LLC upon whom process may be served. SSNY shall mail copy of process to Kimber-ly Smith 244 5th Ave Ste 1438 NY, NY 10001. Pur-pose: Any lawful activity. 0000710370 s25-W o30 s25-W o30

ELEVATE DYNAMICS PHYSICAL THERAPY PLLC. Arts. of Org. filed with the SSNY on 08/29/24. Office: Nassau County. SSNY des-ignated as agent of the PLLC upon whom process against it may be served sgainst it may be served. SSNY shall mail copy of process to the PLLC, 21 Barnum Avenue, Plainview, NY 11803. Purpose: For the practice of the profession of Physical Therapy. py. 0000710009

FRIDSON & RESNICK EMPIRICAL RESEARCH LLC, Arts. of Org. filed with the SSNY on 08/29/2024. Office loc: NY County. SSNY has been designated as agent upon whom process against the LLC may be served. SSNY shall mail process to: Fridsonvision LLC, 440 West End Avenue, NY, NY 10024. Purpose: Any Lawful Purpose. 0000709691 s4-W o9

HICKORY WIND LLC. Filed 7/9/24. Office: NY Co. SSNY desig. as agent for process & shall mail to: Carolyn Malcolm, 205 Hudson St, Ste 1002, NY

NY 10013. Purpose: Gener-0000710703 o2-W n6 HEAVEN GIFTS LLC. Filed 9/12/24. Office: NY Co. SSNY desig, as agent

for process & shall mail to: 25 W 31st St, E Store, NY, NY 10001. Purpose: Gener-0000710698 o2-W n6 HK Advisory LLC filed w/SSNY 8/9/24. Off. in NY Co.

Process served to SSNY - desig. as agt. of LLC & mailed to Hye Kyung Lee, 531 Main St., #1603, NY, NY 10044. Any lawful purpose. 0000709706 sep11 w oct16 IMPACT MEDICAL WELL-NESS, PLLC, a Prof. LLC. Arts. of Org. filed with the SSNY on 09/06/2024. Office

loc: Westchester County.
SSNY has been designated as agent upon whom process against it may be served. SSNY shall mail process to: The PLLC, 4
Travis Road, Baldwin Place, NY 10505. Purpose: To Practice The Profession Of Medicine. s25-W o30 0000710406

JUST FOR PRACTICE, LLC. Arts. of Org. filed with the SSNY on 07/20/23. 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, 263 Mineola Boulevard, Mineola, NY 11501. Purpose: Any lawful purpose. lawful purpose. 0000710518 o2-W n6 JWZ II LLC Articles of Org. filed NY Sec. of State (SSNY) 9/6/24. Office in Nassau Co SS Y design.

Agent of LLC upon whom process may be served. SSNY shall mail copy of process to Julie B Zang 8 Dunster Rd Great Neck NY 11021. Purpose: Any lawful 0000710371 s25-W o30

JACKS CAPITAL ADVISORS LLC filed Arts. of Org. with the Sect'y of State of NY (SSNY) on 8/21/2024. of NY (SSNY) on 8/21/2024. 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: c/o Mr. Joseph G. Stevens, 87 Longridge Rd, Manhasset, NY 11030. Purpose: any lawful act. 0000709980

JEFA PROJECTS LLC, Arts. of Org. filed with the SSNY on 08/27/2024. Office loc: Westchester County. SSNY has been designated as agent upon whom process against the LLC may be served. SSNY shall mail process to: The LLC, 898 Washington St, Peekskill, NY 10566. Purpose: Any Lawful Purpose Lawful Purpose. 0000709503 au28-W o2

KEBABWALA EV LLC.
Filed 8/6/21. Office: NY Co.
SSNY desig. as agent for
process & shall mail to:
Debabratra Roni Maumdar, 1512 Benson St, 3rd Fl, Bronx, NY 10461. Purpose: General. 0000710687 02-W n6

KATHLEEN LEGER, M.D., PLLC, a Prof. LLC. Arts. of Org. filed with the SSNY on 09/18/2024. Office loc: Nas-sau County. SSNY has been designated as agent upon whom process against it may be served. SSNY shall mail process to: The PLLC, 709 Peninsula Blvd., Woodmere, NY 11598. Purpose: To Practice The Profession Of Medicine Of Medicine.

KENNFIVE, LLC. Arts. of Org. filed with the SSNY on 08/27/24. Office: New York County. SSNY designated 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, 57 Manhasset Avenue, Manhasset, NY 11030. Purpose: Any lawful purpose. 0000709526 s4-W o9

LOKOS AI LLC. Filed 8/30/24. Office: NY Co. SSNY desig. as agent for process & shall mail to: 19 Dutch St Apt 10a, NY, NY 10038. Registered Agent: United States Corporation Agents States Corporation Agents, Inc., 7014 13th Ave , Ste 202, Bklyn, NY 11228. Purpose: General. 0000710700

LRA FORTUNE LLC, Arts. of Org. filed with the SSNY on 09/27/2024. 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, 5 Southland Dr., Glen Cove, NY 11542. Purpose: Any Lawful Purpose. 0000710674

LIMITED LIABILITY **ENTITIES**

8/16/2024. Office: Nassau Co. SSNY designated as agent for process & shall mail to: 470 W BROADWAY 2ND FL, CEDARHIDEST NY 11516. Purpose: Gener-

0000709381 aug28 w oct2 MASALAWALAPS LLC. Filed 11/17/20. Office: NY Co. SSNY desig. as agent for process & shall mail to: Debabratra Roni Maumdar, 1512 Benson St, 3rd Fl, Bronx, NY 10461. Purpose: General. 0000710734 o2-W n6

MARTINEZ IRON WORK NYC LLC. Filed 6/20/24. Of-fice: NY Co. SSNY desig. as agent for process & shall agent for process & shall mail to: Jose A. Martinez, 545 W 156 St, #3b, NY, NY 10032. Purpose: General 0000710707 o2-W o2-W n6

MLD PUBLISHING VEN-TURES LLC. Filed 5/15/24. Office: NY Co. SSNY desig. as agent for process & shall mail to: c/o Marianne L Dove, 330 E 38th St Apt. 38q, NY, NY 10016. Pur-pose: General.

MDN RE CSAI, LLC Articles of Org. filed NY Sec. of State (SSNY) 5/9/24 as: NDN RE CSAI, LLC. Office in NY Co. SSNY desig. agent of LLC whom process may be served. SSNY shall mail process to Cornicello, Tendler & Eamp: Baumel-Cornicello, LLP, 29 Broadway, 25 th Fl., NY, NY 10006. Purpose: Any lawful purpose.

purpose. 0000710671 o2-W n6 Mr Pharmacy Shipping Center LLC, Arts of Org filed with SSNY on 08/ 30/24. Off. Loc.: Bronx County, SSNY designated as agent of LLC upon whom process against it may be served, SSNY shall mail a copy of process to: The LLC, 3552 East Tremnont Ave Store 2, Bronx NY 10465. Purpose: to engage 10465. Purpose. in any lawful act. \$18-W 023

MOSKOWITZ EQUITIES NOSROWITZ EQUITES LLC Articles of Org. filed NY Sec. of State (SSNY) 8/ 15/24. Office in Nassau Co. SSNY design. Agent of LLC upon whom process may be served. SSNY shall mail copy of process to The LLC 753 Sherwood St Valley Stream NY 11581. Purpose: Any lawful activity. 0000709326

aug28 w oct2 NOTICE OF FORMATION of KREATE MUSIC LLC. Arts of Org filed with Secy. of State of NY (SSNY) on 8/8/24. Office locations of the state of NY (SSNY) on 8/8/24. cation: Nassau County.
SSNY designated as agent
whom process may be upon whom process may served and shall mail co served and shall mail copy of process against LLC to 16 Taft Place, Glen Cove, NY 11542. Purpose: any lawful act. 0000710665 o2-W n6

NOTICE OF FORMA-TION of DollarDream. Com LLC. Arts of Org filed with Secy. of State of NY (SSNY) on 8/8/24. Office location: NY County. SSNY designated as agent upon whom process may be served and shall mail copy of process against LLC to 20 East 17th St, 4th Fl, New York, NY 10003. Purpose: any lawful act. 0000709259 o2-W n6

NOTICE OF FORMA-TION of Miss Every-thing LLC. Arts of Org filed with Secy. of State of NY (SSNY) on 3/12/24. Office lo-cotion, NY County (SSNY) cation: NY County. SSNY designated as agent upon whom process may be served and shall mail copy of process against LLC to 225 East 34th Street, New 225 East 54th Succe, 11c... York, NY 10016. Purpose: any lawful act. 0000709898 002 W N06

Notice of Formation of 1666 GRAND AVENUE LLC. Arts. of Org. filed with SSNY on 01/26/2023. Office SSNY on 01/26/2023. Office location: NASSAU County. SSNY designated as agent of LLC upon whom process may be served. SSNY shall mail process to 100-02 101ST AVE, SUITE LL-7 OZONE PARK NY 11416. Purpose: any lawful act or activity. 0000709488 O02 W N06

Notice of Qualification of HMR PHD LLC. Appli-cation for authority filed with Secy. of State of NY with Secy. of State of NY (SSNY) on 7/12/24. Office location: Nassau County, LLC formed in Nevada (NV) on 12/26/23. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 426 Toftree Ct, Roslyn, NY 11576. Arts of Org. filed with the Secy. of State of NV, 401 N Carson St, Carson City, NV 89701. Purpose: any lawful activity.

0000710694 002 W N06 NY Mayer Holdings LLC filed Arts. of Org. with the Sect'y of State of NY (SSNY) on 9/13/2024. Office: Nassau County. SSNY has been designated as agent of the LLC upon whom process against it may be covered and shell resil process against it may be served and shall mail proc-ess to: c/o Deborah Fogarty, 2707 Mandalay Beach Rd, Wantagh, NY 11793. Purpose: any lawful

0000710673 NOTICE OF FORMA-TION of GOING CON-CERN GROUP LLC. Arts of Org filed with Secy. of State of NY (SSNY) on 7/ 31/24. Office location: NY County. SSNY designated as agent upon whom proc-ess may be served and shall mail copy of process as agent upon whom process may be served and shall mail copy of process against LLC to 276 5th Ave, Ste 704 PMB 2606, NY, NY 10001. R/A: Sage Workspace, 276 5th Ave, Ste 704, NY, NY 10001. Purpose: any learning act.

0000709918 S25 W O30 NOTICE OF FORMA-TION of FURDONNAS CUSTOM CREATIONS LLC. Arts of Org filed with Secy. of State of NY (SSNY) on 7/8/24. Office location: NY County. SSNY designated as agent upon whom process may be served and shall mail copy of process against LLC to R/A: Regisagainst LLC to R/A: Registered Agent Solutions, Inc., 99 Washington Ave, Ste 700, Albany, NY 12260. P/B/A: 2588 7th Ave, 6D, New York, NY 10039. Purpose: any lowful est.

lawful act. 0000710080 S18 W O23 Sport Temp LLC filed w/ SSNY 2/17/21 Off. in NY Co. Process served to SSNY desig, as agt, of LLC & mailed to Yehuda Brown, 1472 E. 8th St, Brooklyn, NY 11230. The reg. agt. is Yehuda Brown at same ad-dress. Any lawful purpose. 0000708784 aug28 w oct2

AWJOBS.COM

LIMITED LIABILITY **ENTITIES**

NOTICE OF QUALIFICA-TION of Eurofins Clinical Diagnostic US NDSC, LLC. Authority filed with NY Dept. of State: 7/ 26/24. Office location: NY County. Princ. bus. addr.: 343 W. Main St., Leola, PA 17540. LLC formed in DE: 9/ 23/16 NY Sec. of State des-17540. LLC formed in DE: 9/ 23/16. NY Sec. of State designated agent of LLC upon whom process against it may be served and shall mail process to: Cogency Global Inc., 122 E. 42nd St., 18th Fl., NY, NY 10168. DE addr. of LLC: 850 New Bur-ton Rd., Ste. 201, Dover, DE 19904. Cert. of Form. filed with DE Sec. of State. 401 with DE Sec. of State, 401
Federal St., Dover, DE
19901. Purpose: any lawful
purpose.
0000709943 sep11 w oct16

NOTICE OF QUALIFICATION of Eurofins Biopharma Product Testing Columbia, LLC. Authority filed with NY Dept. of State: 7/22/2024. Office location: NY County. LLC organized in MO: 6/6/1968. NY Sec. of State designated agent of LLC upon whom process against it may be served and shall mail process to: Cogency Global Inc., 122 E. 42nd St., 18th Fl., NY, NY 10168. MO and principal business address: 4780 Discovery Dr., Columbia, MO 65201. Cert. of Org. filed with MO Sec. of State, 600 W. Main St., Lefferson City MO 65101. State, 600 W. Main St., Jefferson City, MO 65101. Purpose: any lawful purposes. 0000709942 sep11 w oct16

NOTICE OF FORMATION of Admiral Realty John Street LLC. Arts. of Org. filed with NY Dept. of State on 8/12/24. Office location: New York County. NY Sec. of State designated agent of the LLC upon whom process against it may be served and shall whom process against it may be served, and shall mail process to The LLC, c/ o Yoni Goldberg, 53 Ferncroft Rd, Newton, MA 02468. Purpose: any lawful activity. 0000709866 sep11 w oct16

O000709866 sep11 w oct16

NOTICE OF FORMATION of EXAR NY LLC.
Arts. of Org. filed with NY
Dept. of State on 7/16/24.
Office location: New York
County. NY Sec. of State
designated agent of the
LLC upon whom process
against it may be served,
and shall mail process to
the LLC, c/o Yonit Tzadok,
Golden Arc Inc, 655 Third
Ave, 21st Fl, New York, NY
10017. Purpose: any lawful
activity. 0000709867 sep11 w oct16

NOTICE OF FORMAT I O N OF
GULBRANSEN PHOTO
LLC Arts. of Org. filed with
Secy. of State of NY (SSNY)
on 08/30/24. Office location:
Nassau County. SSNY Nassau County. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to c/o Corporation Service Co., 80 State St., Albany, NY 12207-2543. Purpose: Any lawful activity. 0000709785 sep<u>11 w oct16</u>

O000709785 sep11 w oct16

NOTICE OF QUALIFICATION of 522 FIFTH
AVENUE LENDER LLC
Appl. for Auth. filed with
Secy. of State of NY (SSNY)
on 08/14/24. Office location:
NY County. LLC formed in
Delaware (DE) on 08/13/24.
Princ. office of LLC: 1
Vanderbilt Ave., NY, NY
10017. 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: 251 Little
Falls Dr., Wilmington, DE
19808. Cert. of Form. filed
with Jeffrey W. Bullock, 401
Federal St., Ste. 4, Dover,
DE 19901. Purpose: Any
lawful activity.
O000709573 sep4 w oct9

NOTICE OF FORMA-TION of MALHOTRA FAMILY 2024, LLC Arts. of Org. filed with Secy. of State of NY (SSNY) on 08/26/24. Office location: NY County. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to Vikram Malhotra, 168 E. 74th St., Apt. 4C, NY, NY 10021. Purpose: Any lawful activity 0000709572 sep4 w oct9

NOTICE OF FORMA-TION of MISCHIEF MERCANTILE LLC Arts. of Org. filed with Secy. of State of NY (SSNY) on 08/16/24. Office location: NY County. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to c/o Corporation Service Co., 80 State St., Albany, NY 12207-2543. Purpose: Any lawful activity. 0000709571 sep4 w oct9

NOTICE OF QUALIFICA-TION of COMFLUENCE LLC Appl. for Auth. filed with Secy. of State of NY (SSNY) on 08/22/24. Office location: NY County. LLC formed in Delaware (DE) on 08/19/24. SSNY designated as agent of LLC upon whom process against on 08/19/24. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to c/o Corporation Service Co., 80 State St., Albany, NY 12207-2543. DE addr. of LLC: 251 Little Falls Dr., Wilmington, DE 19808. Cert. of Form. filed with Secy. of State, Div. of Corps., 401 Federal St., Ste. 4, Dover, DE 19901. Purpose: Any lawful activity. 0000709570 sep4 w oct9

NOTICE OF QUALIFICATION of WSC OPCO LLC Appl. for Auth. filed with Secy. of State of NY (SSNY) on 08/22/24. Office location: NY County. LLC formed in Delaware (DE) on 08/13/24. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to the LLC, c/o Winter Properties LLC, 9 W. 57th St., 47th Fl.

LLC, c/o Winter Properties LLC, 9 W. 57th St., 47th Fl., NY, NY 10019. DE addr. of LLC: c/o Corporation Service Co., 251 Little Falls Service Co., 201 Little Fairs Dr., Wilmington, DE 19808. Cert. of Form. filed with DE Secy. of State, John G. Townsend Bldg., 401 Federal St., Ste. 4, Dover, DE 19901. Purpose: Any DE 19901. Landlawful activity.

| Sep4 w oct9 | Sep4 w oct9 |

NOTICE OF FORMA-TION of Isa Apparel, LLC. Arts of Org filed with Secy. of State of NY (SSNY) on 6/30/24. Office location: NY County. SSNY desig-nated as agent upon whom nated as agent upon whom process may be served and shall mail copy of process against LLC to Isabelle Perfetto, 160 E 48th St, Apt 2E, New York, NY 10017. Purpose: any lawful act. 0000709486 Au28 W O02

LIMITED LIABILITY **ENTITIES**

NOTICE OF FORMA-TION of 34 WEST 95TH STREET LLC Arts. of Org. filed with Secy. of State of NY (SSNY) on 08/22/24.

NY (SSNY) on 08/22/24.
Office location: NY County.
Princ. office of LLC: 34 W.
95th St., NY, NY 10025.
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.
0000709568 sep4 w oct9

NOTICE OF FORMA-TION of AV Potentia LLC. Arts of Org filed with Secy. of State of NY (SSNY) on 3/26/24. Office location: on 3/26/24. Office location:
Nassau County. SSNY designated as agent upon whom process may be served and shall mail copy of process against LLC to 3650 Long Beach Rd, #1074, Oceanside, NY 11572. R/A: US Corp Agents, Inc. 7014 13th Ave, #202, BK, NY 11228. Purpose: any lawful act.

0000708975 Au28 W O02 NOTICE OF FORMATION of SKOPE Consulting LLC. Arts of Org filed with Secy. of State of NY (SSNY) on 6/10/24. Office location: NY County. SSNY designated as agent upon whom process may be designated as agent upon whom process may be served and shall mail copy of process against LLC to 228 Park Ave S, #894016, NY, NY 10003. R/A: US Corp Agents, Inc. 7014 13th Ave, #202, BK, NY 11228. Purpose: any lawful act. 0000709219 Au28 W O02

NOTICE OF QUALIFICATION of Fast Retailing USA Technologies LLC. Authority filed with NY Dept. of State: 6/21/24. Office location: NY County. Princ. bus. addr.: 38 Gansevoort St., NY, NY 10014. LLC formed in DE: 6/20/24. NY Sec. of State designated agent of LLC upon whom process against it may be served and shall mail process to: Cogency Global Inc., 122 E. 42nd St., 18th Fl., NY, NY 10168. DE addr. of LLC: 850 New Burton Rd., Ste. 201, Dover, DE 19904. Cert. of Form. filed with DE Sec. of State, 401 Federal St., Dover, DE 19901. Purpose: any lawful activity. 0000709448 aug28 w oct2

NOTICE OF FORMATION of 203 ATLANTIC REALTY LLC Arts. of Org. filed with Secy. of State of NY (SSNY) on 08/20/24. Office location: Nassau County. Princ. office of LLC: 23 Green St., P.O. Box 223, Jamesport, NY 11970. 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. 0000709380 aug28 w oct2

P G K & S LLC. Filed 6/ 24/24. Office: NY Co. SSNY 24/24. Office: NY Co. SSNY desig as agent for process & shall mail to: 2 King St Apt 5f, NY, NY 10012. Registered Agent: United States Corporation Agents, Inc., 7014 13th Ave, Ste 202, Bklyn, NY 11228. Purpose: General. General. 0000710704

PARK ST ESTATES LLC. Filed 8/7/2024. Office: Nas-sau Co. SSNY designated as agent for process & shall mail to: 50 CENTRAL AVE, LAWRENCE, NY 11559. Purpose: General. 0000709382 aug28 w oct2

ROWDY ROOSTER LLC. Filed 10/28/20. Office: NY Co. SSNY desig. as agent for process & shall mail to: bratra Roni 1512 Benson St, 3rd Fl, Bronx, NY 10461. Purpose: General. 0000710695 02-W n6

RR149 EV LLC. Filed 6/26/23. Office: Bronx Co. SSNY desig. as agent for process & shall mail to: Debabrata Mazumdar, 1512 Benson St, Fl 3, Bronx, NY 10461 Purpose: General 10461. Purpose: General. 0000710685 o2-W n6

ROBIN HOOD DIAMONDS LLC, Arts. of Org. filed with the SSNY on 08/30/2024. Of-fice loc: Nassau County. SSNY has been designated SSNY has been designated as agent upon whom process against the LLC may be served. SSNY shall mail process to: Ashot Logian, 320 Northern Blvd, Suite 9, Great Neck, NY 11021. Purpose: Any Lawful Purpose. 0000709692 s4-W 09

SCALEPOINT CAPITAL LLC. Filed 9/10/24. Office: NY Co. SSNY desig. as agent for process & shall mail to: Jeffrey Zinn, 251 W 89th St Ste 7f, NY, NY 10024. Purpose: General. 0000710693 02-W n6

SKINJX LLC. Arts. of Org. filed with the SSNY on 07/ filed with the SSNY on 07/
17/24. 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, 8025 Jericho Turnpike, Woodbury, NY 11797. Purpose: Any lawful purpose. 0000710519 o2-W n6

LIMITED LIABILITY **ENTITIES**

TCAMP PLLC. Filed 9/4/24. Office: NY Co. SSNY desig. as agent for process & shall as agent to Process & shain mail to: Talcott Camp, 101 E. 69th St., #3, NY, NY 10021. Purpose: Law. 0000710692 02-W n6

THE ORIGINAL FACE LLC. A Dom. LLC filed with SSNY on 07/31/2024, NY Cty, SSNY is DDI as agent upon whom proc. Agst. The LLC may be served. SSNY shall mail a copy of any proc. Agst. the LLC to: 18 E. 16 th St., 4 th Fl., NY. NY 10003. To engage in any lawful act or activity. activity. 0000710369

THE LOFT NEW YORK LLC Articles of Org. filed NY Sec. of State (SSNY) 6/19/24. Office in NY Co. SSNY design. Agent of LLC upon whom process may be served. SSNY shall mail copy of process to The LLC 1230 Park Ave Apt 1A NY, NY 10128. Purpose: Any lawful activity. lawful activity. 0000710372 s25-W o30

TORKIAN 301 E LLC Articles of Org. filed NY Sec. of State (SSNY) 9/9/24. Office in Nassau Co. SSNY design. Agent of LLC upon whom process may be served. SSNY shall mail copy of process to The LLC 12 Hamptworth Dr Kings Point NY 11024. Purpose: Any lawful activity. 0000710114 sep18 w oct23

TSN WEST STREET LLC, TSN WEST STREET LLC, Arts. of Org. filed with the SSNY on 08/26/2024. 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, 2350 Voorhies Avenue, Brooklyn, NY 11235. Purpose: Any Lawful Purpose. Purpose. 0000709693 s4-W o9

VILLA GARDEN ESTATES, LLC, Arts. of Org. filed with the SSNY on 09/16/2024. Office loc: Nassau County. SSNY has been designated as agent upon designated as agent upon whom process against the LLC may be served. SSNY shall mail process to: Arthur Gabriel, 2 Lincoln Ave, 4th Floor, Rockville Centre, NY 11570. Purpose: any Lawful Purpose. 0000710232 s18-W o23

WOLF 88, LLC, Arts. of Org. filed with the SSNY on 08/05/2024. 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, C/O Garfunkel Wild, P.C., 111 Great Neck Road, 6th Floor, Attn David Mor, Great Neck, NY 11021. Purpose: Any Lawful Purpose. 0000710675 02-W n6

ZEREZ CREATIVE STUDIO
LLC. Filed 7/15/24. Office:
NY Co. SSNY desig. as agent for process & shall mail to: 228 Park Ave S #675628, Newyork, NY 10003. Registered Agent:
United States Corporation Agents, Inc., 7014 13th Ave, Ste 202, Bklyn, NY 11228. Purpose: General.
0000710735 02-W n6 0000710735 o2-W n6

NOTICE OF FORMATION of TSM GROUP MANAGEMENT LLC. Arts of Org filed with Secy. of State of NY (SSNY) on 8/23/24. Office location: BX County. SSNY designated County. SSNY designated as agent upon whom process may be served and shall mail copy of process against LLC to 884 E 161 St, Ste 101, Bronx, NY 10459. Purpose: any lawful act. 0000710055 02-W n6

SHAHERY SPACEX LLC. Arts. of Org. filed with the SSNY on 09/16/24. Office: Nassau County. SSNY des-ignated as agent of the LLC ignated as agent of the LLC upon whom process against it may be served. SSNY shall mail copy of process to the LLC, 111 Great Neck Road, Suite 514, Great Neck, NY 11021. Purpose: Any lawful purpose. 0000710311 s25-W o30

SUMEKA LLC, Arts. of Org. filed with the SSNY on 07/22/2024. 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, I Chanticlare Drive, Manhasset, NY 11030. Purpose: Any Lawful Purpose. 0000710236 s18-W o23

STORMWIND LLC Articles of Org. filed NY Sec. of State (SSNY) 5/14/24. Office State (SSNY) 5/14/24. Office in NY Co. SSNY design. Agent of LLC upon whom process may be served. SSNY shall mail copy of process to The LLC 460 W 42nd St Unit 54D NY, NY 10036. Purpose: Any lawful activity. activity. 0000710118 sep18 w oct23

SJE1836 ASSOCIATES LLC Articles of Org. filed NY Sec. of State (SSNY) 9/6/24. Office in Nassau Co. SSNY design. Agent of LLC upon whom process may be served. SSNY shall mail copy of process to The LLC 49 Lawrence Ave Lawrence NY 11559. Purpose: Any lawful activity. 0000710117 sep18 w oct23

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> City Trial **Readiness Part** Justice Donald S. Kurtz 360 Adams Street Phone 347-296-1596

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360 Adams Street Phone 347-296-1104 Courtroom 756

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Justice Mark Partnow 360 Adams Street Phone 347-296-1656 Courtroom 441

Foreclosure Part Conf. A

360 Adams Street Phone 347-401-9124 Courtroom 361 Part 2

Justice Aaron D. Maslow 320 Jay Street Phone 347-296-1082

Courtroom 18.36 Part 3

320 Jay Street Phone 347-296-1082 Courtroom 18.36

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Phone 347-401-9265 Courtroom 461, 9:30 A.M. Part 5A Justice Eric I. Prus

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360 Adams Street Phone 347-296-1632 Courtroom 961 THURSDAY, OCT. 3

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Part 5L Justice Lorna J. McAllister 360 Adams Street

Phone 347-296-1572 Courtroom 362, 9:30 A.M. WEDNESDAY, OCT. 2

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Part 7

360 Adams Street

Phone 347-401-9477 Courtroom 456, 9:30 A.M.

Part 8 360 Adams Street Courtroom 756

Part 9

Justice Debra Silber

360 Adams Street

Phone 347-296-1102 Courtroom 524, 9:30 A.M.

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> Phone 347-296-1587 Courtroom 541, 9:30 A.M Part 18

360 Adams Street

360 Adams Street Phone 347-401-9477 Courtroom 456, 9:30 A.M.

Part 19

Justice Theresa Ciccotto

360 Adams Street Phone 347-296-1632 Courtroom 961, 9:30 A.M. Part 20 360 Adams Street

Phone 347-401-9265 Courtroom 461, 9:30 A.M. Part 22 360 Adams Street

Phone 347-401-9265 Courtroom 456, 9:30 A.M. Part 24

Justice Lisa Ottley 360 Adams Street Phone 347-296-1225 Courtroom 479 THURSDAY, OCT. 3

502587/18 Drakes v. Williams

Part 25 360 Adams Street Phone 347-401-9265 Courtroom 461, 9:30 A.M.

WEDNESDAY, OCT. 2

512251/24752 East 53 St. Group v. NYC Dept. of Housing Preservation And Dev. Et Al 244/24 Alhejaji v. NYC Dept. of Health And Mental Hygiene 537632/22 Benkada v. NYCTA Et Al

510712/19 Caraballo De Rodriguez v. NYC 527788/23 Charles v. Selwyn 505798/23 Content v. NYC Et Al 502360/19 Cortes v. NYC 514640/24 Eleazer v. NYC Et Al 506407/19Fantauzzi v. NYC 521452/22 Garcia v. NYC Et Al 516825/20 Gasanov v. NYC Et Al 501482/20 Gebert v. NYC 516277/23 H. v. NYC Dept. of Education

520404/24 Hayden v. Metro. Transportation Auth. Et Al 525553/24 in The Matter of The Application of Jack Guttman v. NYC Et 514105/24 in The Matter of The Application of Natasha Townsend v.

NYC Dept of Housing Preservation And Dev. Et Al 509500/21 James v. Mta Bus Co. Et Al 512183/23 Johnson v. NYC Et Al 527957/19 Khodjaeva v. 918 Ave. P 509670/18 Landberg v. NYC 531802/22 Luna v. NYCTA Et Al 510501/24 Maher v. NYC Employees Retirement System Et Al

500543/24 Maleszewska v. Gonzalez 508730/24 Montejo v. NYC Et Al 502350/24 Paul v. NYCTA Et Al 518062/16 Ramirez v. Rub 502260/20 Ruiz v. 185 Marcy Owner 512816/16 Scott v. NYC 537204/22 Shah v. Pappas 507924/19 Simon v. NYCTA 517364/24 Stemma v. Mta Et Al 522689/17 West v. NYC 501484/24 Whitaker v. Zontanos 508723/23 Zhang v. NYC Et Al

Part 26

Justice Donald S. Kurtz 360 Adams Street Phone 347-296-1596

Courtroom 480, 9:30 A.M. Part 29

Justice Wayne P. Saitta 360 Adams Street Phone 347-296-1582 Courtroom 724, 9:30 A.M.

WEDNESDAY, OCT. 2 500602/18 Anderson v. NYC 45669/07 Arthur Strimling v. Armory 518653/19 Barretto v. Newkirk Partners

LLC 522579/16Beato v. Walters 500594/22 Edwards v. Rosario 521222/20 Garcia Quino v. Pema Rlty. Corp. Et Al 520492/21 Hersko Aka Yitzchok Shlomo

Aka Berel Hersko 515378/24 in The Matter of The Application of Et Al v. Gluck 510953/22 Isaac Hersko Revocable Trust v. Weisel 500871/23 Mesidor v. Howell Foods Inc

Motion 45669/07 Arthur Strimling v. Armory

522579/16 Beato v. Walters 500594/22 Edwards v. Rosario 521222/20 Garcia Quino v. Pema Rlty.

Corp. Et Al 520492/21 Hersko Aka Yitzchok Shlomo Hersko v. Hersko Aka Zev Dov Hersko Aka Berel Hersko 515378/24 in The Matter of The

500899/20 Reyes-Duran v. Rivera 535150/22 Rosario v. T85 Trading

505745/19 Molina v. Venchi 2 Part 35 Justice Karen Rothenberg

Part 36 Justice Bernard J. Graham 360 Adams Street

360 Adams Street Phone 347-296-1634 Courtroom 741, 9:30 A.M.

Prod. Ltd v. Excalibur Group Motion

505157/21 Sky Windows And Aluminum Prod. Ltd v. Excalibur Group THURSDAY, OCT. 3 9340/14 Vm Equities Llc v. Abul

> Justice Mark Partnow 360 Adams Street Phone 347-296-1656

Justice Francois A. Rivera 360 Adams Street Phone 347-296-1618 Courtroom 556, 9:30 A.M.

513960/20 Modular Capital LLC v. Etseyatse Sr

Etsevatse Sr THURSDAY, OCT. 3

510051/24 American Transit Ins. Co. v. Kveladze 525134/20 Awr Group, Inc. v.

Underwriters At Lloyd's 537784/22 Bannister v. A.J. Mgt. Corp. Et 529081/23 Benitez v. Gause 513109/24 Brice v. Freean 515744/24 Brillante v. Alpert 954/23 Colon v. NYC Employee Retirement System

& Son Transportation 521112/23 Garcia v. Salis Law P.C. Et Al 414/23 Greenidge v. Kings County Public Administrator 532216/23 in The Matter of The Application of The NYC Environmental Control Board v

of Jaguar Dev. LLC And Imperial Dev. LLC v. Pan 528182/23 Jackson v. Algi Taxi Corp. Et Al 518118/20 Jiang v. Candelario 534631/23 Jones v. Blieka 525229/19 Kamvshin v. Pizzarotti 526814/22 Li v. 817 Inc Et Al

504767/23 Nat. Funding, Inc., A California Corp. v. Decor Island 513389/23 Orenstein v. Fanning 507483/23 Ortiz v. Stalbord 519352/24 Pernice v. NYC Dept. of Health

501005/24 Polanco v. Fernandez 519887/24 Prosperum Capital Partners LLC Dba Arsenal Funding v. Modina Fruits And Vegetables Corp Dba Modina Fruits And Vegetables Et Al 529998/21 Recio v. Galarza 502641/24 Rivera v. Parvez 537263/23 Saldana Flores v. 532 Neptune

Commercial LLC Et Al 527733/23 Simon v. Falls Lake Nat. Ins. Co. 506908/24 Stanger v. Menorah Center For Rehabilitation And Nursing Care Et Al 517206/23 Trotman v. Yee

528344/21 Vinas v. Chase Group Alliance 524106/21 W. v. Ascend Learning Motion 517679/19 Akinnagbe v. Healthy Living

Corp. v. Kglass 528577/23 Alvarez v. Empire State Dairy LLC Et Al 510051/24 American Transit Ins. Co. v. Kveladze

529081/23 Benitez v. Gause 513109/24 Brice v. Freean 515744/24 Brillante v. Alpert

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505745/19 Molina v. Venchi 2 500899/20 Reyes-Duran v. Rivera 535150/22 Rosario v. T85 Trading

Plaza, Inc. 518653/19Barretto v. Newkirk Partners

Application of Et Al v. Gluck 500871/23 Mesidor v. Howell Foods Inc

500602/18 Anderson v. NYC

360 Adams Street Phone 347-296-1644 Courtroom 574, 9:30 A.M.

> Phone 347-401-9405 Room 561, 9:30 A.M. Part 41 Justice Larry D. Martin

WEDNESDAY, OCT. 2 510882/19 Modica v. Srs Enterprises, Inc. 505157/21 Sky Windows And Aluminum

Part 43

Courtroom 441, 9:30 A.M. Part 52

WEDNESDAY, OCT. 2

Motion $513960/20\,Modular$ Capital LLC v. 517679/19 Akinnagbe v. Healthy Living

Systems

Corp. v. Kglass 528577/23 Alvarez v. Empire State Dairy

530601/23 Alternative Funding Group

536097/23 Dyck-O'neal, Inc. v. Deutsch 531373/22 Eminent Funding LLC v. Bones

502822/24 in The Matter of The Petition

523546/22 Kutner v. Marcus 501997/23 Libertas Funding LLC v. Certa Industrial Solutions Et Al 921/05 Marrero v. Thomas

And Mental Hygiene 500873/23 Pirs Capital v. Lgs Pipeline Services

Systems 530601/23 Alternative Funding Group

525134/20 Awr Group, Inc. v. Underwriters At Lloyd's 537784/22 Bannister v. A.J. Mgt. Corp. Et

Court Calendars