

IN BRIEF

Deal Watch: Cravath, Latham Lead \$6.8 Billion Clean Energy Deal; Q3 Deal Activity Down

The second-half surge in deal work that many attorneys were anticipating this year has yet to manifest, with third-quarter deal value seeing a more than 30% drop compared with the first two quarters of 2022, according to the latest M&A activity figures from Refinitiv.

Global M&A value is down about 34% year-over-year and deal volume is down 17.4%, according to the initial data from Refinitiv.

A lower-than-expected number of private equity-backed deals and a big drop in IPOs and SPACs are contributing to the dearth of mega-deals.

The IPO situation is pretty much a lost cause when compared with 2021, but that was mostly expected. Similarly, SPACs were expected to take a serious dip compared to 2021.

What had not been on as many radars was the drop in private equity activity. Private equity-backed buyouts are down 24.5% in terms of value (from \$866 billion in 2021 to \$654 billion year to date in 2022) and down 26.3% in volume.

Private equity-backed buyouts actually make up a larger portion of the overall M&A pie in 2022 than they did in 2021, 23.3% to 20.4%, but the drop in the overall market still shows a downturn compared with last year.

Deal size has also been a factor. Refinitiv tracks deals by size and bunch them into four groups based on value. Deal value for all four groups—under \$500 million (down 20.1%), \$500 million to \$1 billion (down 23.3%), \$1 billion to \$5 billion (down 42.6%) and over \$5 billion (down 37.7%)—dropped at least 20% across the board.

The largest deals saw the steepest decline in total value because of course there are fewer of them this year. In general, deal volume for deals over \$1 billion is down 39.2%, while deal volume for deals under \$1 billion is down only 20.1%.

To be sure, comparing year-over-year stats with 2021 can skew perspective. If one looks at the Q1-Q3 period from 1998 through 2022, only five years

(2007, 2015, 2018, 2019 and 2021) had higher deal value.

But deal activity appears to be headed down a path where the M&A environment is getting worse, not better.

The second fiscal quarter of 2022 had a higher deal value than the first quarter, but Q3 has been a massive downslide.

The first two quarters of 2022 both hovered just north of \$1 trillion in total deal value (\$1.025 trillion and \$1.093 trillion, respectively). Meanwhile, the third quarter this year came in under \$700 billion, over a 30% reduction compared to the previous two quarters and the first fiscal quarter to not hit \$1 trillion in total M&A value since Q2 of 2020.

This past week has seen an unusual spurt of activity, though. There were six announced deals reported over \$1 billion, two new IPOs and five (yes, five) new SPAC mergers, the latter a weekly high for 2022.

Of those big deals, the largest was the \$6.8 billion buy of Con Edison Clean Energy Businesses Inc., a renewable energy plant operator and developer, from Con Edison Inc by RWE AG. Deal teams on Cravath Swaine & Moore (RWE) and Latham & Watkins (Con Edison) are below.

Deals on the Radar

The information regarding the below deals was derived exclusively from Law.com Radar.

RWE AG has agreed to acquire all of the shares in Con Edison Clean Energy Businesses Inc., a renewable energy plant operator and developer, from Con Edison Inc. for an enterprise value of approximately \$6.8 billion. The transaction, announced Oct. 1, is expected to close in the first half of 2023. Essen, Germany-based RWE is advised by a Cravath, Swaine & Moore team led by partners Aaron Gruber, Lauren Angelilli, Matthew Bobby, John Buretta, Matthew Kelly, Matthew Morreale and Margaret Segall. Latham & Watkins represents Con Edison in the transaction with an M&A team led by New York partners Christopher Cross and Leah Sauter.

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The Representation Of Justice »6

Judge Casts Doubt on Success of Challenge to COVID Vaccine Requirement for Court Employees

BY JANE WESTER

A FEDERAL judge granted a stay of discovery in a lawsuit challenging the New York State court system's COVID-19 vaccine mandate for employees pending resolution of a dismissal motion, finding that the plaintiffs' claims are not "meaningfully different" from previous, unsuccessful challenges.



Judge Wicks

U.S. Magistrate Judge James Wicks of the Eastern District of New York on Tuesday found that the plaintiffs in the suit, a group of current and former court system employees and the nonprofit Court Employees Against Mandates, failed to submit anything that "would appear

to lead to a different result" in this case compared to several previous suits challenging the New York Unified Court System's mandate.

"[T]he Court cannot ignore the various cases brought in both federal and state courts to date by unvaccinated employees against the court system challenging the vaccination policy ... In fact, this latest case appears to be the fourth attempt by employees to challenge the Vaccination Policy," Wicks wrote. "None have succeeded to date, not even the one that went up on appeal."

Wicks found that while the court system has not yet filed its motion to dismiss, it has "made a strong showing that the claims may lack merit."

"Although the forty-page Complaint here ... takes near

Online

➤ The Eastern District decision is posted at nylj.com.

Proposed Commercial Division Rule Change Would Clarify When Courts Can Set Virtual Trials, Hearings

BY JASON GRANT

A PROPOSED rule amendment would clarify that Commercial Division courts in New York state have the power to order virtual bench trials and evidentiary hearings by granting a party's "good cause" motion, according to memos from both the court system and members of a Commercial Division Advisory Council subcommittee.

Currently, "Rule 36. Virtual Evidentiary Hearing or Non-jury Trial" only authorizes virtual evidentiary hearings and bench trials when the parties to the litigation consent to them, according to the memo from the members of the Advisory Council's Subcommittee on Procedural Rules to Promote Efficient Case Resolution, who it appears first raised the idea of the rule amendment.

However, the subcommittee members note that "many" New York courts in recent years have ordered virtual or remote evidentiary hearings and bench trials without party consent, and those include both Commercial Division courts and other state courts, said Scott Mollen, an Advisory Council



Scott Mollen

and subcommittee member, during an interview on Tuesday.

To do so, the courts often have cited state Judiciary Law § 2-b(3), which allows courts "to devise and make new process and forms of proceedings, necessary to carry into effect the powers and jurisdiction possessed by it," says the subcommittee member memo, which was written by Mollen, who is also a Herrick, Feinstein partner, Michael Carlinsky, a co-managing partner of Quinn Emanuel Urquhart & Sullivan, and Susan Shin, a Weil, Gotshal & Manges partner.

The state court system, via the office of Chief Adminis-

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Attorney John Ciampoli arguing on behalf of New York state Republicans at the Saratoga state trial court.

Attorneys for GOP Lawsuit Push To Toss Absentee Ballots After 2,000 Have Already Been Returned

BY BRIAN LEE

MORE than a dozen attorneys were in a Saratoga County state trial court Wednesday to present a myriad of perspectives on the New York State Republican Committee's lawsuit that argues a new law regarding the opening and tallying of absentee ballots within four days of receipt, for their inclusion in Election Night results, is unconstitutional.

The civil action seeks a declaratory judgment that the law autho-

rizing absentee voting on the basis of fear of spreading the coronavirus violates the state Constitution.

Attorney John Ciampoli of Messina Perillo & Hill told the judge the law violates the Constitution because the process removes absentee ballots from judicial review.

The judge presiding over the case, state Supreme Court Justice Dianne Freestone, is a former first vice president of the Saratoga County Republican Committee, one of the plaintiffs.

Freestone, who's "fully aware of the gravity of the issues

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State AGs Object to 'Secret,' 'Excessive' Bonuses for Endo's Legal Chief, Other Execs

BY PHILLIP BANTZ

DAYS before Endo International filed for Chapter 11 protection, the pharmaceutical company, which is mired in opioid epidemic-related litigation, quietly doled out "excessive and inappropriate" bonuses to the firm's executives, including its top lawyer.

That's according to a recent filing with the Southern District of New York's U.S. Bankruptcy Court, where a committee of seven attorneys general and a bankruptcy trustee argued that Endo has attempted to "escape accountability and enrich its executives" through millions in "secret" bonuses.

In the year before Endo filed

for bankruptcy on Aug. 16, the Irish company, which has a U.S. headquarters in Malvern, Pennsylvania, paid nearly \$95 million in bonuses to its execs and other "potential insiders," while "only \$50 million will be available for opioid abatement," according to the committee's Sept. 21 objection to the payments.

The latest round of bonuses occurred four days before Endo filed for Chapter 11, while the company was in the midst of opioid litigation negotiations, the court filing states. Endo is a defendant in more than 3,500 lawsuits alleging the company's deceptive marketing tactics contributed to the opioid crisis.

"By pre-paying bonus payments, Endo intended to avoid

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DECISIONS OF INTEREST

First Department

CIVIL PROCEDURE: Court holds that plaintiff cannot benefit from clerical error in pleadings. *Zeidman v. Harrison Chen, DDS, P.C., Supreme Court, New York.*

BUSINESS TORTS: Motion to sever action from ongoing bankruptcy granted to avoid delay. *Zhengjun Dong v. GTV Media Group, Inc., Supreme Court, New York.*

CONTRACTUAL DISPUTES: Jewelry seller sued for fraudulently overcharging museum for items of lesser value. *Rubin v. Sabharwal, Supreme Court, New York.*

Second Department

EMPLOYMENT LITIGATION: Dismissal of federal ADEA claims not determinative in state claim with different standards. *Lebowitz v. New York City Dept. of Educ., Supreme Court, Kings.*

CONTRACTUAL DISPUTES: Motion to compel response to notices denied as ploy to undermine counterclaim. *Weber v. Barnett, Supreme Court, Kings.*

TRUSTS AND ESTATES: Contract deemed unenforceable due to no meeting of the minds between parties. *Gioeli v. Magro, Supreme Court, Kings.*

SECURITIES LITIGATION: Plaintiffs who never bought, sold firm's shares cannot sue firm on misstatements over self. *Menora Mivtachim Ins. Ltd. v. Frutarom Indus. Ltd., 2d Cir.*

SECURITIES LITIGATION: Investment mismanagement suit dismissed; fiduciary relationship insufficiently alleged. *Gordon v. Aizenberg, SDNY.*

TRADEMARKS: Trade dress infringement suit dismissed; trade dress not distinctive or 'not functional.' *The Wonderful Company Ltd. v. Nut Cravings Inc., SDNY.*

CIVIL PROCEDURE: Unknown others, not Foundation officials, convinced man to send them money, gift cards. *Espinosa v. The Bill and Melinda Gates Foundation, EDNY.*

SECURITIES LITIGATION: Claim not stated over Chinese firm's omission of Covid-19 from IPO documents. *Gutman v. Lizhi Inc., EDNY.*

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Rising Client Expectations Escalate Pressure on Law Firms

BY JESSIE YOUNT AND HUGO GUZMAN

CORPORATE legal departments and other law firm clients are becoming increasingly assertive about the need to boost efficiency and control costs, creating more challenges for law firms already wrestling with a sharp drop in deal work.

In-house departments are moving more work in-house, while also demanding more for less from outside counsel. From fixed-fee arrangements to more efficient staffing, general counsel want law firms to offer more choice and flex-

ibility and potentially share in more of the risk.

With these pressures and others escalating, some law firms in recent weeks have unleashed a range of austerity measures, from pausing hiring and deferring associate classes to relying on performance reviews to thin attorney ranks. It's no surprise that a few months after some tech heavyweights, including Google and Facebook made waves with dire economic forecasts and hiring cutbacks, some of Silicon Valley's top law firms have shown signs of strain.

Cooley, for instance, reportedly instituted a hiring pause on associates. And just last week,

corporate-only firm Gunderson Dettmer Stough Villeneuve Franklin & Hachigian delayed its incoming class of associates until January.

One Cooley associate, who requested anonymity to speak freely, said that corporate work has "hit a lull." The associate reported being on track to meet the position's 1,900-billable-hours requirement, but that's still a far cry from the 2,400 hours billed last year.

The associate said attorneys at many firms are concerned about layoffs. Meanwhile, Cooley is encouraging associates to lean into training and development opportunities.

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Kagan, Jackson Put Down Markers in Major Voting Rights Challenge

BY MARCIA COYLE

JUSTICES Elena Kagan and Ketanji Brown Jackson sent separate shots across the bench to their colleagues Tuesday in which they made clear their views that the Constitution is not colorblind and the court’s conservative majority has damaged the Voting Rights Act enough.

The justices’ impassioned comments came during two hours of argument in Alabama’s challenge to a district court ruling that the state’s 2021 congressional district map likely violated Section 2 of the 1965 Voting Rights Act. The Supreme Court in a 5-4 vote allowed the map to go into effect in February and scheduled arguments on Alabama’s appeal.

The two cases, *Merrill v. Milligan* and *Merrill v. Caster*, are being closely watched by states and voting rights advocates, because a decision could have wide ramifications for use of the act to root out racial discrimination in voting practices.

By the end of Tuesday’s arguments, a number of justices

appeared skeptical of Alabama’s broadest claim that redistricting must be race neutral, but some appeared interested in a narrower approach that could still limit the use of the act’s Section 2.

After a lengthy evidentiary hearing, a three-judge district court, including two Trump-appointed members, said the state divided black voters, who comprise 27% of the population, into several districts, creating only one majority-minority district where Black voters could elect representatives of their choice—a practice known as cracking and packing voters. The challengers to the state map sought a second majority-minority district.

The act’s Section 2 prohibits states from using voting procedures and practices that result in a denial or abridgement of the right to vote because of race or color. The use of “result” was critical in the act, because Congress used it to reverse a Supreme Court decision requiring challengers to show discriminatory intent by states, which is very difficult to prove.

Kagan addressed her comments about the Supreme Court’s recent



Justices Elena Kagan

Voting Rights Act decisions during arguments by Alabama Solicitor General Edmund G. LaCour Jr. She said his written brief had “all over it,” that intent is required to prove a violation of the act. The court, she told him, has said “over and over again” and “Congress made clear” it was incorporating a result test into the act.

His response triggered her sharpest comments, which clearly were intended for her colleagues who may be considering weakening the act. Calling the Voting Rights Act “one of the greatest achievements of American democracy,” she said Section 2 is trying to ensure equal participation.

“In recent years, this statute has not fared well in this court,” she said. A conservative majority in 2013 in *Shelby County, Ala. v. Holder*, she noted, gutted Section 5, which required jurisdictions with histories of voting discrimination to get any voting changes precleared by the U.S. Justice Department or a federal court in Washington, D.C. And she noted last year’s decision in *Brnovich v. Democratic National Committee*, in which a 6-3 conservative majority took a new approach to Section 2 that restricted that section’s use to remedy racially discriminatory voting practices.

“Here we are with a Section 2 vote-dilution claim and you’re asking us to cut back on 40 years of precedent to make this too extremely difficult to prevail,”

Kagan claimed “What’s left?”

LaCour argued that challengers making Section 2 claims should be required at the outset to put forward a race-neutral map. By including race and ignoring traditional redistricting principles, such as compact districts, he said that race predominated, and that violates the Fourteenth Amendment’s Equal Protection Clause.

“It cannot be that they can come forward with a map we never would be allowed to draw,” LaCour argued. Alabama, he insisted, is taking a race-neutral approach to redistricting.

Jackson addressed LaCour’s argument that a “race-neutral baseline” should be required when courts begin review of Section 2 claims. She told him that after reviewing the history of the Constitution, what the framers thought and the adoption of the Reconstruction amendments, “I don’t think that the historical record shows that race blindness was required.” Why, she asked, did LaCour believe that consideration of race in redistricting violates the Fourteenth Amendment?

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ABA Protests Legislation That Targets Lawyers’ Work With Foreign Wealth

BY DAN PACKEL

THE AMERICAN Bar Association has emerged as the most significant opponent of bipartisan legislation aiming to increase due diligence and transparency requirements for those advisers involved in cross-border wealth management, according to leaders of several advocacy groups pushing for the passage of the legislation known as the Enablers Act.

U.S. Sens. Roger Wicker, R-Mississippi, and Sheldon Whitehouse, D-Rhode Island, on Monday introduced language that would add the Enablers Act legislation to the annual defense package to be considered in the Senate later this year. Similar legislation has already been attached to the House version of the National Defense Authorization Act.

ABA Immediate Past President Reginald Turner contacted House and Senate leaders in July after the House passed the Defense Authorization Act containing the measure.

“Robust lawyer-client confidentiality is essential to an effective AML



American Bar Association offices in Washington, D.C.

[anti-money laundering] regime,” Turner explained in a letter. “But if lawyers are required to submit suspicious activity reports on their clients’ financial transactions and divulge privileged or other protected client information to the government, this will undermine the principle of lawyer-client confidentiality, discourage clients from

consulting with their lawyers, and jeopardize lawyers’ unique ability to prevent money laundering before it occurs.”

The legislation would require that gatekeepers to the U.S. financial system—investment advisers and accountants, in addition to attorneys—verify the identities of their clients and file suspicious-

activity reports, requirements already in place for banks and other entities. The push for the legislation emerged in response to the Pandora Papers, an October 2021 leak of millions of records from 14 offshore firms that highlighted how international money launders take advantage of the U.S. as a safe haven.

“For far too long there’s been too high an incentive and too low of a cost for gatekeepers to feign ignorance about who their clients are, where the money comes from and what schemes they’re facilitating,” Michael Hornsby, project manager at the Anti-Corruption Data Collective, told reporters at a briefing Monday. “This urgently needs to change.”

The release of the Pandora Papers put a spotlight on one particular global law firm, Baker McKenzie, with the International Consortium of Investigative Journalists linking the firm to several alleged international money launderers and noting that it was mentioned in more than 7,500 documents, far more than any other big U.S. law firm.

At the time of the leak, Texas A&M School of Law executive professor William Byrnes, a specialist in international tax law, castigated Baker McKenzie for not working harder to identify the sources of the wealth they were handling and called the news a “shot across the bow for other law firms.”

But according to Transparency International U.S. director of advocacy Scott Greytak, the ABA has buckled down, serving as the staunchest opposition to the measure, which has garnered support from the National District Attorney’s Association among other organizations.

“They have long opposed this, primarily because they are a trade organization at the end of the day and their members are attorneys and the bar association sees this as another piece of regulation for the legal industry,” Greytak said of the ABA.

An ABA spokesperson did not respond to multiple requests for comment about the organization’s position on the legislation.

According to Greytak, the ABA’s opposition is not monolithic.

“There is a strong division inside their own house,” he said. “There are certainly strong advocates for this law within the organization, seeing the unique harm that American attorneys are playing and how they are part and parcel to so many of these schemes.”

And he added that the legislation makes no effort to regulate attorneys specifically.

“It goes after a very small, very particular set of financial services. None of these services require a law degree. ... You can form a company, register a trust, invest people’s money. You don’t have to go to law school,” he said. “The only reason the ABA sees an impact here is that it happens to be that a lot of these services in the U.S. are provided by attorneys.”

Baker McKenzie may have come up short, but many attorneys who do provide these services are already in compliance with the potential changes, according to Dechert partner Jeff Brown, the former co-chief of the General Crimes Unit for the U.S. Attorney’s Office for the Southern District of New York.

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‘Crypto Winter’ Drives Insolvency and Fraud, Lawyers Find New Ways of Tracking Decentralized Assets

BY DAN ROE

THE FALL of cryptocurrency prices over the course of 2022 has already pushed major industry players to bankruptcy. Late last month, crypto-mining data center operator Compute North filed for bankruptcy, following the July bankruptcies of crypto lender Celsius, crypto brokerage Voyager Digital, and crypto hedge fund Three Arrows Capital.

As the prolonged “crypto winter” approaches \$1 trillion in losses this year, restructuring lawyers and their colleagues at financial and blockchain analytics firms predicted a rise in fraud and insolvency at a recent virtual roundtable hosted by litigation funder Burford Capital. (The American Lawyer reviewed an advance copy of the transcript.)

Litigation finance will step up to meet the demand for counsel among insolvent companies and victims of digital assets fraud, some participants said. Meanwhile, the other parties involved in global crypto investigations and bankruptcies—courts, exchanges, and blockchain analysts—are finding innovative ways to help clients track and reclaim assets known for anonymity.

Most in the industry believe cryptocurrency and digital assets

prices are unlikely to rebound in the near future, tightening the squeeze felt by crypto exchanges, lenders, brokers and others involved in digital assets. Market headwinds include rising interest rates, falling disposable incomes, recent moves by the SEC and DOJ to ramp up digital assets-related investigations and prosecutions, and the crash of “stablecoins” Luna and Terra.

Similar to the impact of subprime mortgages on the finance industry in 2008, the Terra crash could take out more firms in the crypto industry, said Kroll Singapore restructuring and disputes managing director Rose Kehoe.

“What I didn’t realize when Terra first collapsed was that a lot of exchanges had large reserves of Terra,” Kehoe said. “From that moment in time, there has been a contagion effect across the digital assets market, with many platforms facing financial difficulties. The market is not yet stabilized and there’s a lot of counterparty risk for borrowing lending platforms.”

Fraud also tends to rise in times of hardship, said Richard Beard and Emma Thompson, respectively managing director of restructuring and director in contentious insolvency at global management consulting firm Alvarez & Marsal. “There could be more contentious insolvencies and cases where crypto features as an asset

class as investors have attempted to diversify their investment portfolio throughout the pandemic and more generally over recent years as crypto has become more widely understood as an investment opportunity,” Beard and Thompson said.

Litigation Finance May Aid Creditors Recovery Efforts

Asked how an increase in available litigation finance capital and products such as monetization would help companies and insolvency practitioners recover value for creditors, participants Thompson and Beard said third-party funding would allow businesses to pursue costly restructurings and cross-border investigations.

James Drury, director at Interpath Advisory in the British Virgin Islands, said he’s already seeing an uptick in interest from litigation funders regarding crypto and digital assets. “We have already started to see increased interest by funders in this space—whether that is buying claims in some of the larger bankruptcy or liquidation processes or an interest and desire to support investigators and insolvency practitioners fund actions against perpetrators of fraud,” Drury said.

Blockchain data analytics are also helping ease the perceived risk of funding litigation involving

crypto assets, said Danielle Haston, head of global asset management at blockchain data platform Chainalysis.

“Thanks to the transparency and immutability of the blockchain, and the power of blockchain analysis tools like Chainalysis Reactor, which allow investigators to trace funds despite the use of obfuscation techniques such as the use of mixers and chain hopping, litigation funders and insurers should find that financial investigations involving crypto are often quicker and easier,” said Haston, adding that the evidence of funds flows is often better-preserved in blockchain than in typical financial investigations.

International Courts and Exchanges Help Fraud Victims

Courts in Canada, Singapore, New Zealand and the British Virgin Islands already consider digital assets as property, a designation that aids fraud victims by facilitating international cooperation, said Haston. “Having certainty over the classification of digital assets means that claimants can better predict what remedies will be available to them,” she said.

The U.K. judiciary is also becoming more familiar with crypto fraud cases, Thompson and Beard said, opening up more legal avenues for fraud victims. Rebecca

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Twitter shares were halted after Bloomberg reported that Musk plans to go through with his acquisition at \$54.20 a share on Tuesday.

Elon Musk Renews Original Twitter Merger Offer in Bid That May Signal Truce

BY ELLEN BARDASH

ATTORNEYS for Elon Musk have notified the Securities and Exchange Commission that he now intends to close on his purchase of Twitter at the price agreed to in April.

The letter signed by Skadden, Arps, Slate, Meagher & Flom partner Mike Ringle stated closure is contingent on receiving debt financing and having Chancellor Kathleen McCormick enter a stay in the broken-deal case pending in the Court of Chancery and halt the trial scheduled to start in less than two weeks.

As of Tuesday afternoon, the trial was still on for Oct. 17–21,

and there were no filings publicly available on the case docket that address the deal potentially going through or confirming whether McCormick plans to grant the stay.

The letter states the offer is not an admission of liability and Musk has no intention of waiving any of his legal rights, including the right to move forward with his defenses and counterclaims if the trial isn’t stayed or that if Twitter “fails or refuses to comply with its obligations” as set out in the April merger agreement.

Attorneys for Twitter and Musk did not immediately respond for comment Tuesday.

@ Ellen Bardash can be reached at ebar-dash@alm.com.

CIVIL RIGHTS AND CIVIL LIBERTIES

A Constitutional Right To Discriminate?

As the Supreme Court opens its new term this week, it is poised to decide a case that threatens to take the country backward decades, to constitutionalize bias in public commerce, and to amplify the deep polarization plaguing our society. At issue in *303 Creative v. Elenis*, No. 21-746, is whether a business can invoke the First Amendment’s protections of freedom of speech to justify refusing services to certain groups of customers—in that case website design for the weddings of same-sex couples—notwithstanding public-accommodations laws that bar such discrimination.

The constitutionality of public-accommodations laws long has been settled. But tension between those laws and the First Amendment has been building as the Supreme Court has taken increasingly aggressive views of free speech and religious liberty and increasingly indifferent views of discrimination against historically-disadvantaged groups. Four years ago, the Court faced a controversy involving a Christian baker who refused to sell a cake to a same-sex couple celebrating their wedding, with the baker claiming that making him do so would violate both his free-speech and religious-liberty rights. The Court avoided deciding those issues in what likely was a political compromise amongst the justices. Since then, however, it has gained two conservative members—Justices Brett Kavanaugh and Amy Coney Barrett—and conservative advocacy groups have been pushing to return these issues to the Court.

Allowing businesses to invoke free speech or religious liberty to refuse services to targeted customers would mark not only a grievous endorsement of bias but also could undo much of our social compact. A wide range of products and services include expressive elements, including art, music, photography,

By Christopher Dunn



clothing, furniture, websites, printing, architecture, interior design, tattooing, haircutting, food and flowers. And many people hold religious beliefs that embrace disapproval of, if not outright hostility for, many groups protected by public-accommodations laws, including racial minorities, women and disfavored religions. We need to be clear-eyed about where this could go: “No Blacks, No Gays, No Women, No Muslims.”

In *303 Creative* the Supreme Court has limited its review to the

Allowing businesses to invoke free speech or religious liberty to refuse services to targeted customers would mark not only a grievous endorsement of bias but also could undo much of our social compact.

free-speech claim, choosing not to address the separate religious-liberty claim—though that undoubtedly will come soon. In thinking about how the Court will address tensions between the First Amendment and public-accommodations laws in *303 Creative*, a review of the bakery case from four years ago is helpful. And closer to home, the Second Circuit heard revealing arguments just last week in a case brought by the same group pressing *303 Creative*, in that instance a challenge by a photography business refusing to provide services for a same-sex weddings.

Wedding Cakes

Given the strong political and religious views about marriage, the right understandably has focused

on weddings in its new attack on anti-discrimination provisions in public-accommodations laws. The first Supreme Court foray came in 2018 with *Masterpiece Cakeshop v. Colorado Civil Rights Commission*, 138 S.Ct. 1719 (2018), the challenge involving the bakery that refused to sell the cake celebrating a same-sex wedding. The Christian baker was represented by the Alliance Defending Freedom, a conservative advocacy group that also represents the plaintiffs in *303 Creative* and in last week’s case in the Second Circuit.

In *Masterpiece Cakeshop* the Supreme Court faced free-speech and religious-liberty claims. On the free-speech claim, the baker asserted the making of the cake was an expressive act and argued that being required to make the cake for the same-sex couple would be an act of “compelled speech,” which the First Amendment protects against. As for the religious-liberty claim, same-sex marriage was contrary to the baker’s religious views, and he argued that forcing him to create a cake for a same-sex marriage would be tantamount to forcing him to participate in the celebration.

In an opinion authored by Justice Anthony Kennedy—since retired and replaced by Justice Kavanaugh—the Court readily identified the issues the case presented:

Our society has come to the recognition that gay persons and gay couples cannot be treated as social outcasts or as inferior in dignity and worth. For that reason the laws and the Constitution can, and in some instances must, protect them in the exercise of their civil rights At the same time, the religious and philosophical objections to gay marriage are protected views and in some instances protected forms of expression Nevertheless, while those religious and philosophical objections are protected, it is a general rule that such objections do not allow business owners and other actors in the economy and in society to deny protected

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EVIDENCE

Revisiting New York’s Witness Sequestration Rule

By Michael J. Hutter



New York’s Rule

It has long been recognized by the New York courts that a trial court is empowered under the common law to exclude witnesses from the courtroom prior to their testimony (Guide to NY Evidence Rule 6.03(1)), the rule first being recognized in 1843 by the Court of Oyer and Terminer in *People v. Green*, 1 Parker Crim. Rep. 11, 13-14 (1843), in an opinion authored by Amassa J. Parker, a founder of Albany Law School in 1851. The

The application of New York’s witness sequestration rule is committed to the sound discretion of the trial court. Its hallmark is the flexibility to apply the rule to guard against the risk of perjury. Counsel should be ready to ask the trial court to shape any sequestration rule to achieve this goal.

court adopted the rule present at the time in the English common law courts. See *Beamon v. Ellice*, 4 Car. & P. 585 (1831). The purpose of the rule is to prevent witnesses from shaping their testimony to conform with that of previously testifying witnesses and to facilitate the uncovering of inconsistencies in their testimony. *Philpot v. Fifth Ave. Coach Co.*, 142 App. Div. 811, 813 (1st Dept. 1911) (“What is important is that each person’s impression of the occurrence should be stated—not suggested or colored by what he has heard others testify to ...”). As to this underlying rationale, Prof. Henry Wigmore claims

that the sequestration rule “is (next to cross-examination) one of the greatest engines” for determining the truth. 6 Wigmore, §1838, at 463 (Chadbourn rev. ed. 1976). The rule applies in both civil and criminal trials “for there is as much need for combatting perjury in one class of cases as in the other.” Prince, Richardson on Evidence (10th ed.) §460, p. 450).

While the federal and New York witness sequestration rules authorize a court to exclude witnesses in the ascertainment of truth, New York views the issuance of a sequestration order as a matter of discretion, whereas FRE 615 treats the exclusion of witnesses as a right. See *People v. Cooke*, 292 NY 185, 191-92 (1944); *Philpot*, 142 App. Div. at 8B. Notably, New York’s appellate courts have consistently commented that “[i]t is hard for us to understand ... why such a motion should not be granted.” *Cooke*, 292 N.Y. at 190; *People v. Felder*, 39 A.D.2d 373, 380 (2d Dept. 1972), affd. on opinion below, 32 N.Y.2d 747 (1973). Yet, a denial, or grant, of a sequestration order will be reversed only on the ground the ruling was an abuse of discretion. See *Levine v. Levine*, 56 N.Y.2d 42, 49-50 (1982) (no abuse of discretion in not excluding attorney); *People v. Torres*, 118 A.D.2d 821, 822 (2d Dept. 1986) (no abuse of discretion in refusal to exclude police officer); *People v. Todd*, 306 A.D.2d 504, 504 (2d Dept. 2003) (no abuse of discretion in refusing to exclude grandmother of complainant in sex abuse prosecution); *Compare Felder*, 39 A.D.2d at 380 (refusal to grant motion may be an abuse of discretion “where the testimony of the witnesses is in any measure cumulative or corroborative”).

Scope of the Exclusion Rule

While New York’s rule clearly covers the hearing of testimony in the courtroom given by another witness, New York case law has not provided definitive answers to the question of whether a witness may be barred from obtaining access to another witness’s testimony by means of other than

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Crypto Judgment Day: Issuing Judgments In Cryptocurrency in New York

The recent increase in the popularity of cryptocurrency has brought an inevitable uptick in crypto-related litigation. At the end of any such litigation, a successful plaintiff may win damages, in a judgment entered by the clerk of court. Typically, that judgment of damages is entered in U.S. dollars. But a party transacting in cryptocurrency may have reasons to not want a judgment in fiat currency. Can a New York court enter a judgment in cryptocurrency without converting it to U.S. dollars? The answer is far from clear.

Although there are a dearth of New York cases concerning judgments denominated in cryptocurrency, there is a more robust body of law—including a New York statute—concerning whether or not a judgment may be entered by a New York court in non-U.S. fiat currency. New York Jud. L. §27(a) provides that “judgments and accounts must be computed in dollars and cents.” And §27(b) states that “[i]n any case in which the cause of action is based upon an obligation denominated in a currency other than currency of the United States, a court shall render or enter a judgment or decree in the foreign currency of the underlying obligation. Such judgment or decree shall be converted into currency of the United States at the rate of exchange prevailing on the date of entry of the judgment or decree.”

New York courts—federal and state—apply that law and typically convert a foreign currency judgment into U.S. dollars at the exchange rate on the date of entry of judgment. See, e.g., *CRG Fin. AG v. Prime Sun Power*, 14-cv-2395-GHW, 2014 U.S. Dist. LEXIS 94700, at *6 (S.D.N.Y. July 8, 2014); *Qing Yang Seafood Imp. (Shanghai) Co. v. J.Z. Swimming Pigs*, 21-CV-3587 (RPK) (TAM), 2022 U.S. Dist. LEXIS 71123 (E.D.N.Y. April 15, 2022). (“In a case based on diversity of citizenship ... federal courts apply the

By
Michael Mix

And
Jason Gottlieb

state-law rule for conversion of a foreign-currency obligation into currency of the United States.” *Dye v. Kopiec*, 2019 U.S. Dist. LEXIS 80603, at *15 (S.D.N.Y. May 9, 2019)). When a plaintiff is suing based on a contractual obligation that is not denominated in foreign currency (i.e., a nonmonetary obligation) but the damages are to be determined in a foreign currency, courts have not applied §27 and

Can a New York court enter a judgment in cryptocurrency without converting it to U.S. dollars? The answer is far from clear.

instead utilized the “breach day rule,” “whereby the appropriate measure of damages is the equivalent of such foreign currency in terms of dollars, at the rate of exchange prevailing at the date of breach” rather than the date of judgment. *Nature’s Plus Nordic A/S v. Natural Organics*, 78 F. Supp. 3d 556, 558 (E.D.N.Y. 2015) (“... to the extent the evidence shows that [plaintiff] suffered any losses in Norwegian Krone, under the ‘breach day rule,’ any damages must be calculated by looking to the exchange rate in effect on the date of the breach”) (citation and quotation marks omitted).

Despite §27, there are a handful of New York federal cases that enter judgment in foreign currency without conversion to U.S. dollars. In *Mitsui & Co. v. Oceantrawl*, 906 F. Supp. 202 (S.D.N.Y. 1995), for example, the court concluded that despite §27, American courts “are not precluded” from entering judgment in the foreign currency of an

underlying obligation. The court held that because the parties conducted their transactions in yen, the judgment should be entered in yen without conversion. In *Liberty Media v. Vivendi Universal, S.A.*, 03 Civ. 2175 (SAS), 2013 U.S. Dist. LEXIS 3521 (S.D.N.Y. Jan. 9, 2013), the court declined to follow §27(b) because the basis for subject matter jurisdiction was not diversity, and as such entered judgment in euros “without conversion to U.S. dollars,” reasoning that “[t]his option best respects the will of the jury which calculated the amount of damages in euros.” And in *Zim Integrated Shipping Servs. v. PPG Indus.*, 09 Civ. 10099 (DC), 2010 U.S. Dist. LEXIS 88103 at *11-12 n.3 (S.D.N.Y. July 29, 2010), the court stated in dicta that it was an “ambiguous question” as to whether it could enter judgment in Brazilian reais rather than in U.S. currency, though the court declined to answer that question.

There is no definitive New York case determining whether or not a judgment may be denominated in cryptocurrency without conversion, or whether §27 even applies to cryptocurrency. To date, we have only been able to locate one case even tangentially addressing it. In *Jing v. Sun*, 21-2350 (GRB) (AYS), 2022 U.S. Dist. LEXIS 1902 (E.D.N.Y. Jan. 4, 2022), the court granted a default judgment under the Commodities Exchange Act against a defendant that allegedly took plaintiff’s money, but failed to invest in Bitcoin as promised. The court found that while New York courts “typically” utilize the “judgment day rule” to “claims based upon an obligation denominated in a foreign currency,” specifically referencing §27(b), the court ultimately decided that “doing so here would not make sense.” The court explained that the plaintiffs’ “request for the judgment day U.S. Dollar value of the promised Bitcoin is inconsistent with their claim that each was making a risk-free investment ... It makes more sense to award each Plaintiff the amount that each transferred to [defendant]. This protects both Plaintiffs and the defaulting Defendant against the ‘highly

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Virtual Trials

« Continued from page 1

trative Judge Lawrence Marks, is currently requesting public comment on the proposed changes to Rule 36, according Marks’ office’s Sept. 23 memo. The memo from Marks’ office states that comments must be received by Nov. 23, and sent to Anthony Perri, who is acting counsel at the state’s Office of Court Administration.

In their detailed memorandum, the members of the Advisory Council’s subcommittee also explained that while the pandemic has driven more use of virtual proceedings in New York state litigation over the last couple of years, virtual proceedings were still used before the pandemic at times. And they say that the proposed amendments will help the state’s trial courts be more efficient, via more virtual proceedings, after the pandemic comes fully under control.

“Courts have noted that even after the pandemic, virtual proceedings are here to stay,” the memorandum states, adding that “the technology for virtual legal proceedings is not new—in many instances, the technology was already being used by trial courts, and appellate courts consistently upheld their authority to do so.”

“There is good reason to regulate virtual evidentiary hearings and bench trials while encouraging their continued use,” the memo also says while adding that the state’s Commercial Division, “in its role as one of the nation’s leading courts for the resolution of business disputes, must continue to carry out its vital functions through the pandemic, and should welcome the opportunity to innovate in ways that may improve the practice of law after the crisis is controlled.”

The subcommittee members also make the point that they view the proposed Rule 26 amendments to be a “codification” of existing case law, and their memo cites court decisions from between 2020 and 2022 that have established the court’s authority to order virtual bench trials under Judiciary Law § 2-b(3).

“The proposed rule’s clarification with respect to the court’s authority to order parties to proceed virtually will allow the Commercial Division to increase overall efficiency, and use of the Protocols and Procedures will mitigate some of the practical concerns expressed by counsel regarding virtual pro-

The proposed amendments to Commercial Division Rule 36

Rule 36. Virtual Evidentiary Hearing or Non-jury Trial

(a) If the requirements of paragraph (c) of this Rule are met, the court may, with the consent of the parties, or upon a motion showing good cause, or upon the court’s own motion, conduct an evidentiary hearing or a non-jury trial utilizing video technology.

(b) If the requirements of paragraph (c) of this Rule are met, the court may, with the consent of the parties or upon a motion showing good cause, permit a witness or party to participate in an evidentiary hearing or a non-jury trial utilizing video technology.

(c) The video technology used must enable:

(1) a party and the party’s counsel to communicate confidentially;

(2) documents, photos, and other things that are delivered to the court to be delivered to the remote participants;

(3) interpretation for a person of limited English proficiency;

(4) a verbatim record of the trial; and

(5) public access to remote proceedings.

(d) In connection with any opposed motion contemplated by paragraphs (a) and (b) of this Rule, the Court shall determine the existence of “good

cause” by considering at least the following factors:

(1) The overall efficiency of conducting a virtual proceeding, including but not limited to consideration of the convenience to all parties involved, the time and costs of travel by counsel, litigants, and witnesses to the location of the trial or hearing, and avoiding undue delay in case management and resolution; and

(2) The safety of the parties, counsel, and the witnesses, including whether counsel, the litigants, and the witnesses may safely convene in one location for the trial or hearing; and

(3) Prejudice to the parties.

(e) Remote evidentiary hearings and non-jury trials shall replicate, insofar as practical, in-person evidentiary hearings or non-jury trials and parties should endeavor to eliminate any potential for prejudice that may arise as a result of the remote format of the hearing or trial. To that end, parties are encouraged to utilize the State of New York Unified Court System’s Virtual Bench Trial Protocols and Procedures.

(f) Nothing in this Rule is intended to require any party to forgo a jury trial where a trial before a jury is demanded as provided by CPLR 4102.

ceedings,” the subcommittee members also note.

Mollen, in the phone interview, noted that many commercial litigants in New York are “doing business throughout the country, or throughout the world, and the costs of travel, including airfare, hotels and travel time, can be extremely high.”

“Witnesses are often located in Europe, Asia, Africa, other parts of the United States and even in inconvenient localities within New York state,” he added.

Mollen also said that COVID-19, as well as recent major weather events such as what just happened in Florida, as well as the national and international aspects of Commercial Litigation, made this kind of rule extremely important,” and he noted that within the Advisory Council itself the proposed rule amendments received support from individual practitioners, mid-sized law firm members and large law firm members alike.

“By codifying this rule, we’re making clear that it is permissible,” said Mollen, speaking of the rule changes, if they are ultimately implemented by Marks’ office.

“We’re also encouraging the use of virtual hearings and bench trial

where appropriate,” he said.

It is unclear when or if the proposed rule amendments will be instituted by the state court system, said Mollen, although he said he is expecting to receive support for it via the public comments.

Part of the proposed rule changes, as currently drafted, include a list of what a court’s “video technology used must enable” during a virtual bench trial or evidentiary hearing.” And the drafted rule changes say in part that “Remote evidentiary hearings and non-jury trials shall replicate, insofar as practical, in-person evidentiary hearings or non-jury trials and parties should endeavor to eliminate any potential for prejudice that may arise as a result of the remote format of the hearing or trial.”

The highest money-value, and often the most complex, state-court civil suits are handled in the state’s Commercial Divisions. And the Commercial Division of the Manhattan Supreme Court, where the amount in dispute must be \$500,000 or higher, is home to many years-long, thorny cases from Wall Street.

@ Jason Grant can be reached at jgrant@alm.com. Twitter: @JasonBarrGrant

Corporate Update

EEOC Closes Fiscal Year With Lawsuit Barrage That May Signal New Aggressiveness

BY GREG ANDREWS AND HUGO GUZMAN

THE EQUAL Employment Opportunity Commission filed 32 discrimination suits against employers last week, a burst of activity that suggests the increase in aggressiveness that employment lawyers have long anticipated under the Biden administration is finally coming to fruition.

The filings coincided with the end of the EEOC fiscal year on Sept. 30, a period when the agency typically races to file cases under the wire. The surge brought full-year case filings to 94.

That's way ahead of fiscal 2020, when the COVID-19 pandemic pushed case filings down to just 33. But it is well behind fiscal 2021, when the EEOC filed 114.

Employment attorneys had been expecting fiscal 2022 to be more active than it proved to be. But they say the pieces now seem in place for an upturn in cases in 2023.

Most notably, Senate confirmation of President Joe Biden's nomination of Kalpana Kotagal to the commission would flip it from GOP-controlled to Democrat-controlled for the first time in his presidency.

In addition, the agency will have substantially larger resources this fiscal year, thanks to a 7% budget increase that equates to an extra \$60 million.

In an Oct. 3 blog post, Seyfarth Shaw attorneys speculate that "EEOC attorneys in the field are waiting for the composition to flip to the Democrats to increase the likelihood cases will receive a green light, or that the authority to file actions will once again be delegated to the field entirely."

The cases filed in the final week of the fiscal year targeted some of the nation's biggest companies. The EEOC alleged, for instance, that Indianapolis-based Eli Lilly and Co. refused to hire older workers for sales representative jobs because of their age. In a statement, Lilly denied the accusations, saying it is "committed to fostering and promoting a culture of diversity and respect."

Another corporate giant targeted by the EEOC was Deerfield, Illinois-based Walgreens. The EEOC suit alleged that it illegally refused to allow a pregnant worker with disabilities to take emergency leave to seek medical attention, forcing her to quit. A company spokesperson told Reuters it had no comment.

The EEOC also sued Lebanon, Tennessee-based food products distributor Kenneth O. Lester Co., charging that its Kendallville, Indiana, warehouse discriminated against female job applications.

The suit quotes a human resources coordinator telling a female applicant, "I am just going to be honest. You're probably not going to make it. I have guys that quit after a week." A company representative could not be reached for comment.

Employees alleging discrimination must start by filing a charge with the EEOC, which investigates and can bring suits itself but far more often issues a right-to-sue letter clearing the way for the employee to move forward with her own lawsuit.

Blank Rome partner Mara Levin, who helps lead the firm's labor and employment practice in New York, said the Biden administration paved the way for the EEOC to file more suits by repealing certain restrictions.

For example, in July 2021, a Biden joint resolution passed by Congress repealed a Trump-era

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COMMENTARY

The Hurricane Career Path

BY MIKE EVERS

I WAS in Tampa as Hurricane Ian approached recently. The authorities initiated mandatory evacuation orders, while the long-term locals told me Ian would go south and not bother us too much.

I did the lawyerly risk management thing and followed orders. Of course, the storm indeed made landfall further south, and then proceeded to find me in central Florida. Tampa was just fine.

Sometimes we make the correct decision and still end up with an annoyingly poor result. Staying with the hurricane analogy, that is often the case with career choices. For example, I recently spoke with a candidate who cut her teeth at an AmLaw top 50 law firm and then moved as a fifth year to a well-funded name brand start up that went public in November of 2021 at \$11 per share. When we spoke this week, her company had laid off 40% of its workforce and was trading below \$1 per share. Her position was fiercely competitive to land just a year ago, and few would have questioned the wisdom of the move.

There are always excellent inside counsel who find themselves in the eye of a career hurricane. Truth be told, lawyers have no control over the fates of their corporate employers. And these are my favorite candidates, because they need to move through no fault of their own. Some become risk averse and seek the perceived stability of a large well-established company, or even go back to a law firm.

The way to keep your career from blowing off course is to stay true to your gut and by taking the jobs you know you will enjoy. Don't let what you can't control dictate your next move. I realize that is easier advice to give than to take at times. We all have economic responsibilities and have to balance risk taking with prudence. And maybe my analogy to a hurricane is a bit silly.

But I think there is a takeaway point: Do your best and don't second guess your career choices after they are already made. Try not to let the forces outside of your control dictate your next move.

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SECURED TRANSACTIONS

Search Logic (If Any) Under the UCC

By
Barbara M.
Goodstein



Is there search logic in the state of Florida? This question has been the source of discussion among UCC commentators, a split among lower courts, and litigation that began in 2019 in the U.S. Bankruptcy Court for the Middle District of Florida, then made its way to the U.S. District Court, then to the U.S. Court of Appeals for the Eleventh Circuit, and finally, in August 2022, to the Supreme Court of Florida. And according to the Florida Supreme Court in the decision *1944 Beach Boulevard, LLC v. Live Oak Banking Co.*, No. SC21-1717, 2022 WL 3650803 (Fla. Aug. 25, 2022), the answer is a definite no.

But, what exactly is "search logic"? And, even more importantly, what does it mean if a particular jurisdiction does not have any?

The term "search logic" appears in §9-506 of the Uniform Commercial Code, specifically, §9-506(c). Section 9-506 addresses the effect of errors or omissions in a UCC financing statement. It has three subparts. The general rule on such errors or omissions is contained in §9-506(a). Under that subsection, a financing statement "substantially" satisfying the statutory requirements under the filing rules (Part 5) of UCC Article 9 is effective even if it has minor errors or omissions as long as those errors or omissions don't make the financing statement "seriously misleading." Then, in §506(b), the drafters hone in on what experienced UCC practitioners know to be the most common pitfall in a financing statement—the debtor name. Under subsection (b), a financing statement that fails to provide the name of a debtor in accordance with the rules on debtor

names (contained in §9-503(a)) will by definition be "seriously misleading." Finally, §9-506(c) provides a possible soft landing for debtor name errors. Under that subsection, if a search of UCC records under the debtor's correct name using the "filing office's standard search logic, if any," reveals the financing statement with the error or omission, the filing will nonetheless be effective and not considered seriously misleading.

Unfortunately, the term "standard search logic" is not defined either in §9-506 or the related official comments. Moreover, the words "if any" in §9-506(c) make it clear that a state is not required to even provide a filing system that uses search logic. And if it doesn't, then the clear draconian rule of §506(b) will apply—namely any error or omission in a debtor's name will render the filing ineffective.

All of this was the subject of the saga of *1944 Beach Boulevard*, a case that started out debating what constituted a sufficient search of UCC records using Florida's standard search logic, and wound up concluding that Florida actually has no search logic.

Case Background

144 Beach Boulevard, LLC (Beach Boulevard) was formed in 2004 and operated a family entertainment center in Jacksonville, Fla. Live Oak Banking Company loaned \$5 million to Beach Boulevard through two SBA loans and in January 2016 filed two UCC financing statements with the Florida Secured Transactions Registry against all of Beach Boulevard's assets. However, instead of including the full LLC name of 1944 Beach Boulevard, LLC on the financing statement, Live Oak instead abbreviated "Boulevard" and so wrote the debtor

name as "1944 Beach Blvd., LLC."

On Dec. 5, 2019, Beach Boulevard filed for bankruptcy, at which time it owed Live Oak approximately \$3 million. On June 2, 2020, Beach Boulevard commenced an adversarial proceeding in bankruptcy court against Live Oak seeking to declare Live Oak's lien invalid based on a defective and seriously misleading financing statement. Live Oak claimed that although its filing did not appear on the first page of the Florida registry's lien search results (which shows 20 results), it appeared on the registry on the prior page, and could be viewed by merely clicking the previous page tab.

The bankruptcy judge sided with Live Oak. In granting Live Oak's motion for summary judgement, it held that Florida's standard search logic disclosed Live Oak's financing statement, and therefore the debt-

standard search logic," and noted that there was split among lower courts in regard to what was a sufficient search of the Florida search registry, with at least one bankruptcy court holding that the searcher need not go beyond the first page of the lien search (*In re John's Bean Farm of Homestead, Inc.*, 378 B.R. 385 (S.D. Fla. 2007)), and another concluding that a searcher must examine much more than the initial page of twenty names, although it was unclear how much more (*In re Summit Staffing Polk County, Inc.*, 305 B.R.347 (M.D. Fla. 2003)).

The Eleventh Circuit decided it would certify three questions to the Florida Supreme Court. First, whether the "search of the records ... using the filing office's standard search logic" is limited under Florida's UCC §9-506(c) to the first page of 20 names. Second, if not, whether

What exactly is "search logic"? And, even more importantly, what does it mean if a particular jurisdiction does not have any?

or name error did not render Live Oak's financing statement seriously misleading. See Order Denying Pl.'s Mot. For Summ. J. & Granting Def.'s Cross-Mot. For Summ. J. at 10, No. 19-bk-4607 (M.D. Fla. Nov. 20, 2020).

On May 20, 2021, the district court, in a summary opinion, affirmed the bankruptcy court ruling (*In re NRP Lease Holdings, LLC*, No. 20-cv-1344, 2021 WL 2143912 (M.D. Fla. May 19, 2021)), and the matter was appealed to the Eleventh Circuit.

The Eleventh Circuit took a different approach (*In re NRP Lease Holdings, LLC*, 20 F.4th 746 (11th Cir. 2021)). The court instead focused on the meaning of the word "search" in the §9-506(c) phrase "search of the records ... using the filing office's

a lien search that allows the searcher to browse the entire registry is sufficient to satisfy §9-506(c). Third, if the search consists of all names in the registry, are there limitations on a searcher's obligation to review all of the registry names and, if so, what factors should courts consider in determining whether a searcher satisfied those obligations.

Instead of responding to the Circuit Court's three questions, the Florida Supreme Court asked and then answered an entirely different one, namely, whether use of standard search logic was necessary to rely on the safe harbor of §9-506(c) and whether Florida actually had a standard search logic system at all. The court concluded that

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Report Says US Soccer's Ex-Legal Chief Was Among Execs Ignoring, Minimizing Abuse Complaints

BY PHILLIP BANTZ

U.S. SOCCER Federation former chief legal and compliance officer Lydia Wahlke repeatedly kept quiet about reports of National Women's Soccer League coaches mistreating women players, according to an independent investigation.

The Chicago-based federation on Monday released the "heartbreaking and deeply troubling" findings from King & Spalding's probe into past allegations of abusive behavior and sexual misconduct in women's professional soccer.

Former U.S. Deputy Attorney General Sally Yates, a partner at King & Spalding in Atlanta, led the investigation, which found "systemic abuse" and repeated instances of USSF officials ignoring or minimizing players' concerns about sexual abuse, harassment and other misconduct.

For instance, in 2018, a representative of the U.S. Women's National Team Players Association emailed Wahlke to discuss alleged misconduct involving Paul Riley, one of the most successful coaches in the league.

But the legal chief dismissed the rep's concerns, according to Yates, who found "no evidence that Wahlke or others took any steps to examine Riley's conduct." Wahlke also didn't alert the league or USSF about Riley's history when he was short-listed for a head coaching job with the U.S. women's national team in 2019, according to the report.

Wahlke insisted that "USSF did not have the power to control who clubs hired and there was nothing to be done since Riley was an NWSL [National Women's Soccer League] club Head Coach," the report states.

Riley, who was head coach of the North Carolina Courage at the time, didn't get the national team job and the Courage ended up firing him last year, after The Athletic reported that he had a history of harassing and abusing players. In the wake of the report, the USSF hired Yates and King & Spalding to investigate the coaching abuse allegations and wider culture at the federation.

Yates also found that Wahlke kept quiet about an earlier outside investigation into misconduct involving Rory Dames, who at the time was the Chicago Red Stars coach. The probe "substantiated many of the players' core complaints" about Dames and found that he'd subjected players to "a cycle of emotional abuse and manipulation," according to Yates.

Wahlke didn't disseminate the findings with the federation or league, "nor did she ever recommend any concrete action to remove Dames," Yates found.

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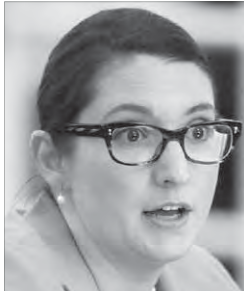
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Lydia Wahlke

New York Law Journal

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

Designated by the New York Court of Appeals
pursuant to Article VI, Section 28(b)
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
for the Southern and Eastern Districts

of New York as a newspaper of general
circulation for the publication of legal notices
in civil and admiralty causes.

Postmaster: Send address changes to the
New York Law Journal, 150 East 42nd Street,
Mezzanine Level, New York, N.Y. 10017. Available
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IN BRIEF

« Continued from page 1

GIC Private Ltd. has agreed to acquire a majority interest in luxury beach resort group Sani/Ikos Group, valuing the company at approximately 2.3 billion euros (\$2.2 billion). The transaction, announced Sept. 22, is expected to close in the fourth quarter of 2022. Greece-based Sani/Ikos is represented by a Kirkland & Ellis team led by corporate partners Matthew Elliott, Vincent Bergin and Francesca Harris. Counsel information for GIC, which is based in Singapore, was not immediately available.

EQT Group, through EQT X fund, has agreed to acquire BTRS Holdings Inc., an integrated cloud-based payment processing provider, for approximately \$1.7 billion in cash. The transaction, announced on Sept. 28, is expected to close in the first quarter of 2023. Stockholm-based EQT is advised by Weil, Gotshal & Manges. BTRS Holdings, which is based in New Jersey, is represented by a Davis Polk & Wardwell team that includes partners Nicole Brookshire, Marc O. Williams and Evan Rosen. Sullivan & Cromwell is counseling JPMorgan Securities LLC, acting as exclusive financial adviser to BTRS. The Sullivan & Cromwell team included partner Melissa Sawyer.

Cryptocurrency platform Voyager Digital Ltd. announced that after a two-week auction process the company's operation company, Voyager Digital LLC, has selected West Realm Shires Inc. as the highest and best bid for its assets. The bid is valued at approximately \$1.5 billion. New York-based Voyager is advised by a Kirkland & Ellis team. West Realm is represented by Sullivan & Cromwell. The Sullivan & Cromwell team includes partners Andrew G. Dietrich, Mitchell S. Eitel and Brian D. Gluckstein. The Official Committee of Unsecured Creditors is counseled by McDermott Will & Emery.

Private equity firm Energy Capital Partners announced that waste management company Biffa plc has agreed to a U.K. takeover code by the firm that values Biffa at approximately 1.3 billion pounds (\$1.4 billion). Summit, New Jersey-based Energy Capital was advised by a Latham & Watkins team led by partners Douglas Abernethy, Charles Armstrong, Steve Curtis, Jeff Greenberg and David Walker. Counsel information for Biffa, based in London, was not immediately available.

Provident Financial Services Inc. and Lakeland Bancorp Inc. have agreed to combine in an all-stock merger valued at approximately \$1.3 billion. The transaction, announced on Sept. 27, is expected to close in the second quarter of 2023. Jersey City, New Jersey-based Provident Financial is advised by a Sullivan & Cromwell team that includes partners H. Rodgin Cohen, Matthew Friestedt, Mark Menting

and David Spitzer. Lakeland Bancorp, which is based in Oak Ridge, New Jersey, is represented by Luse Gorman PC.

Quinbrook Infrastructure Partners, an investment firm focused on new infrastructure needed for energy transition, has agreed to sell its portfolio company, Scout Clean Energy, to Brookfield Renewable for \$1 billion in cash. Quinbrook was advised by a Skadden, Arps, Slate, Meagher & Flom team led by partners Lance Brasher and Aryan Moniri. Brookfield Renewable was represented by a Vinson & Elkins team including partners Peter Marshall and Kaam Sahely.

SPAC Mergers

Asia Innovations Group Ltd., a Singapore-based mobile app developer, is going public via SPAC merger with Magnum Opus Acquisition Ltd. As a result of the merger, Asia Innovations Group will be listed in the U.S. with a post-transaction equity value of approximately \$2.5 billion. The transaction, announced on Sept. 30, is expected to close in the first quarter of 2023. Asia Innovations is advised by a Kirkland & Ellis team led by corporate partners Jesse Sheley, David Zhang, Steve Lin and Joseph Raymond Casey. Magnum Opus, which is based in Hong Kong is represented by White & Case. Maples and Calder (Hong Kong) is counseling Asia Innovations and Magnum Opus Acquisition.

Hammerhead Resources Inc., a Calgary, Canada-based oil and gas company, is going public via SPAC merger with Decarbonization Plus Acquisition Corp. IV. As a result of the merger, Hammerhead will be listed on the Nasdaq with a post-transaction equity value of approximately \$1.4 billion Canadian dollars (\$1 billion). The transaction, announced on Sept. 26, is expected to close in the first quarter of 2023. Hammerhead Resources is advised by Paul, Weiss, Rifkind, Wharton & Garrison; Blake, Cassels & Graydon; and Burnet Duckworth & Palmer. The Paul Weiss team includes partners Adam M. Givertz and Ian M. Hazlett. Decarbonization Plus, which is based in Menlo Park, California, is represented by Maples Group; Walkers; Bennett Jones; and a Vinson & Elkins team led by partners Dan Komarek and E. Ramey Layne.

Consumer Direct Holdings Inc., an in-home personal care provider, is going public via SPAC merger with DTRT Health Acquisition Corp. As a result of the merger, Consumer Direct Care Network Inc. will be listed on the Nasdaq with a post-transaction equity value of approximately \$681 million. The transaction, announced on Sept. 29, is expected to close in the first quarter of 2023. Missoula, Montana-based Consumer Direct is advised by Holland & Hart. DTRT Health, which is based in Schererville,

Indiana, is represented by a Winston & Strawn team.

Direct Biologics, a late-stage biotechnology company focused on developing regenerative biological products, has signed a letter of intent to go public via SPAC merger with Good Works II Acquisition Corp. The proposed transaction, announced on Sept. 27, is expected to close in first half of 2023 and values the biotechnology company at approximately \$675 million. Austin, Texas-based Direct Biologics is advised by Goodwin Procter. Good Works II, which is based in Houston, is represented by an ArentFox Schiff team. IB Capital LLC, acting as placement agent for the private placement, is counseled by Ellenoff Grossman & Schole.

NioCorp Developments Ltd., a superalloy materials developer, is going public through a SPAC merger with GX Acquisition Corp. II. As a result of the merger, NioCorp will be listed on the Nasdaq with a post-transaction equity value of approximately \$313.5 million. The transaction, announced Sept. 26, is expected to close in the first quarter of 2023. Centennial, Colorado-based NioCorp Developments is advised by Blake, Cassels and Graydon and a Jones Day team including partners Joel May and Ann Bomberger. GX Acquisition Corp. is represented by Skadden, Arps, Slate, Meagher & Flom and Stikeman Elliott LLP. The Skadden team included partners C. Michael Chitwood and Michael Civale. DLA Piper is counseling Cantor Fitzgerald & Co., acting as financial adviser to GX Acquisition Corp.

IPOs

Mobileye Global Inc., an advanced driver assistance systems and autonomous driving technology developer, registered with the SEC on Sept. 30 for an initial public offering. The size of the IPO has not been announced. The Jerusalem-based company, which has applied to list its shares on the Nasdaq, is advised by Skadden, Arps, Slate, Meagher & Flom partners P. Michelle Gasaway and Gregg Noel. Sullivan & Cromwell partner John Savva represents the IPO's underwriters, led by Goldman Sachs Group and Morgan Stanley.

Goodwin Procter is guiding Cambridge, Massachusetts-based gene editing biotechnology company Prime Medicine Inc. in an initial public offering on the Nasdaq. The size of the IPO has not been announced. The Goodwin Procter team is led by partner Kingsley Taft. Davis Polk & Wardwell partners Roshni Cariello and Richard Truesdell are advising the IPO's underwriters, led by Goldman Sachs Group, JPMorgan Chase, Jefferies Financial Group and Morgan Stanley.

—Patrick Smith

Perspective

The Representation of Justice

BY ROLANDO T. ACOSTA

In the United States, courthouse art and architecture are typically designed to symbolize the foundational principles of courts in a democracy: equal justice under law, separation of powers, and transparency in adjudication, among other values. The courthouse of the Appellate Division, First Department, is a particularly rich example of this architectural and artistic heritage. When it was erected in the 1890s, nearly one third of the construction budget was allocated to artwork. The courthouse is festooned with murals, statuary, and stained glass. The murals in the lobby and the courtroom contain allegorical themes on the nature of justice, the virtues of wisdom and study, and the latent need for force to ensure compliance with the law. The roof is adorned with statues embodying these themes and depicting individual lawgivers from the past. The building, including its interior, has been landmarked by the City of New York, and is on the National Register of Historic Places.

While the law in the United States has proven to be dynamic, gradually evolving to include protections for marginalized groups, the art in our courthouse has remained static, displaying aesthetics that reflect a less inclusive America. For example, the only recognizably non-White person in the murals is the Native American in the Seal of the City of New York. Justice and Wisdom, and other attributes of a well-ordered system of justice, are mostly portrayed in female forms; however, the actual lawyers and lawgivers commemorated are all male. At least one of the individuals named in the courtroom's stained glass played a deeply retrograde role in the law of the United States: Roger Taney, the author of *Dred Scott v. Sandford*. The lawgiver statues atop the courthouse are also uniformly male.

Accordingly, the Appellate Division, First Department, is initiating a sustained program—the Representation of Justice Initiative—to add to, and contextualize, our existing art. We do not seek to erase the existing art. Instead, the Court seeks to reinvigorate the art in our courthouse and hopes that this program will inspire other courts around the state and nation to do the same, to display a more inclusive, and just, America.

To inaugurate this program, the Court has agreed to partner with the Madison Square Park Conservancy in presenting the work of Shahzia Sikander, a renowned

The Appellate Division, First Department, is initiating a sustained program—the Representation of Justice Initiative—to add to, and contextualize, our existing art.

artist who is a recipient of numerous awards, including a MacArthur Foundation Fellowship (commonly called a “genius grant”) and the Department of State Medal of Art. Ms. Sikander’s project will include a large statue in female form in Madison Square Park with interactive elements and a smaller female statue on the courthouse roof.

The project’s central theme is to elevate women in the conception and execution of justice. Having a female figure on the courthouse roof, on the same footing as the male lawgivers who currently occupy all the other plinths, pushes back on a visual representation of justice that looks solely to male leadership and patriarchal conceptions of law. The work will involve an “augmented reality component,” where parkgoers can use their smartphones to access images of “cascading flora symbolizing growth, strength and rebirth” and of justice. There will be video screens in the park, and a projection onto the courthouse façade, containing similar images. Ms. Sikander’s work is titled “Havah

... to breathe, air, life” and will be in place from January through June 2023.

In addition to this exciting project, the First Department plans to contextualize and expand our art and architecture in other ways. For example, we intend to enhance our website by including a more comprehensive view of the Court’s history and will explore the possibility of installing QR codes, such as those used in museums and art exhibitions, that would allow visitors to the Court to use their smartphones to access information about the Court’s history, its art, and the biographies of the legal luminaries memorialized in the courtroom’s stained glass. There is also a civic engagement component to this initiative: We have begun discussions with New York City high schools to display student art on themes of justice.

The Representation of Justice Initiative will focus on works that deal with the aspirational—raising up our ideals of justice and the rule of law. We seek to inspire, while simultaneously expanding the voices who speak to justice. As we embark on this endeavor, the Court will be mindful to maintain its neutrality, and will necessarily avoid art that deals with specific issues that come before it. To these ends, I am forming an advisory panel to guide the Court on how to make this vision a reality. We hope to harness the experience and wisdom of New York City’s bar leaders, and others, to aid us as we interrogate our existing art, and add to it, in order to modernize the courthouse as a physical embodiment of equal justice under law.

I will be sure to keep readers apprised of this exciting initiative as it progresses.

ROLANDOT.ACOSTA is *presiding justice of the Appellate Division, First Department.*

COMMENTARY

Attorney Malpractice Avoidance: 6 Ways Not To Become a Party

BY GARY S. PARSONS

Whether they become claims or not, no lawyer wants to make a mistake that harms their client. The big difference for in-house attorneys is that they have only one client. The challenge is that, depending on the client’s size, the lawyer may have to cover a wider range of issues than lawyers in mid-size to larger firms. In short, inside and outside counsel have similar and dissimilar risk management concerns. Here are a few suggestions for avoiding problems that apply to both.

Create a Team on All Substantial Matters

Many problems are created when lawyers work solo or in a silo. In the daily flood of emails, telephone calls, meetings and myriad other distractions, it is easy to let a key notice, message or deadline escape attention. The busier one gets, the more a front-of-mind problem blocks out other less pressing or less shiny things which can suddenly become big problems when they are past due.

A team can be the lawyer and any combination of you, your partner or junior counsel, your paralegal or your legal assistant. The key is to set the team as soon as the matter comes to you. Make sure others are involved and aware of all incoming communications and deadlines from the beginning. Copy the team on emails and documents. Include your junior lawyer in meetings and conference calls.

Once the team is set, communicate your expectations. Do not assume or let other team members assume that someone else is responsible for calendaring deadlines and reminders of upcoming deadlines. Set internal deadlines for team members responsible for presenting draft product and calendar them. Assign responsibility to junior team members or staff to post reminders and to follow up with other members about status.

Take Care of Your Team

Lawyers repeatedly hear that depression and substance abuse

issues are occupational risks of our profession. It’s true. Mistakes happen when lawyers are suffering from untreated problems. They tune out their work. In extreme cases, they come to the office, sit at their desks and do nothing all day except appear to be working. Remote work only complicates this problem.

Pay attention to your team members when they have stress in their professional or personal lives. Check in on them and offer help. When team members are in denial, insist that they get help. Reassure them that they have your support and that getting help will not affect their job or their career—and mean it. Otherwise, the team members will work harder to conceal the problem than they already do. The longer a problem goes untreated, the worse the risk of a mistake becomes.

Don’t Ignore or Hide a Mistake

The longer a mistake goes unaddressed, the worse the consequences for the client and the lawyer. The classic lawyer response to a mistake is denial. The problem gets moved to the farthest corner of the desk. It then gets covered over with other files. Then it begins to smolder.

The sooner a mistake is surfaced to your team or management, the better the chance it can be repaired. Courts and opposing parties are far more receptive to pleas for relief when the ask is only a few days. When weeks or months pass, indignation takes the place of empathy.

You Are the Captain Of the Team—Own Your Team’s Mistakes

After representing lawyers for over three decades, one of the most dreaded beginnings to any lawyer-client’s story is “my associate/paralegal/secretary messed up.” One of the best answers I saw on cross-examination from a lawyer-client was “We made a mistake. It’s my team, so it’s my mistake.”

Cultivate a culture in which your team knows you have their backs. They will be motivated to

perform out of commitment and pride, not out of fear of criticism or being thrown under the bus if something goes wrong.

Your people are your best protection against mistakes. Good people will own the case as deeply as you do. They will save you when you are so swamped you cannot save yourself. This kind of loyalty has to be earned, so make sure you do by treating them with respect and by standing up for them when they need it.

Don’t Be a Jerk To Opposing Parties

Unless you are gifted with the perfection gene and can be 100% certain you will never make a mistake, you should give reasonable accommodations to parties on the other side of lawsuits or deals. You never know when you will need to ask for grace. It’s easier to get it when you have given it.

The corollary is knowing your opposition. If they have a history of sharp elbows—give grace carefully, always insisting and documenting that it is being given on condition that you will receive something either now or later in return.

Don’t Blindly Rely on Your Memory of the Law

The longer you practice, the more you will find Congress or your state legislature has slipped a change into the law that you have worked so hard to learn. If you come upon an issue that you have not looked at in six months or more, look again, or get someone to do it for you. The one time out of ten or more that you catch the amended statute or regulation, or the overruled precedent, you will sleep better and avoid that embarrassing call or meeting with your client.

GARY S. PARSONS is a partner at Brooks Pierce, where his practice focuses on trial and appellate work involving business litigation, lawyer professional liability, professional licensing, insurance regulation, municipal liability and civil rights actions. He can be reached at gparsons@brookspierce.com or 919-573-6241.

Perspective

Supreme Follies

BY RICHARD L. OTTINGER

The U.S. Supreme Court has transformed itself from an arbiter of the rule of law into a partisan legislative body enacting laws that endanger our democracy and defy its own constitutional review standards.

In 2010 in *Citizens United v. FEC*, the Court legislated against the ability of Congress to regulate corporate donations of money to political campaigns, thus assuring the power of moneyed interests over legislation. The Court majority has declared its adherence to a strict following of the language of the Constitution. In this case it relied on the First Amendment which reads in pertinent part: “Congress shall make no law ... abridging the freedom of speech ...” This plain language has no bearing on campaign contributions.

This year, in *New York State Rifle & Pistol Assn. v. Bruen*, the Court decided that the Second Amendment prohibited limiting the right of individuals to possess and carry concealed weapons outside their homes, despite the literal language of the Amendment: “A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.” Certainly, the Founders never envisaged that this militia language would allow an 18-year-old boy to purchase an AR-15 style military weapon.

The current Court majority also subscribes to a broad interpretation of the Tenth Amendment, which provides, “The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.” Yet the Court recently prevented New York state from exercising the distinctly state power to protect the health and safety of its citizens by restricting the right of citizens to carry concealed weapons in public.

In all these cases, the Supreme Court denied the express intent of the Constitution’s founders to provide checks and balances between the Executive, the Congress and the Court.

In *West Virginia v. EPA*, Chief Justice Roberts invented a new Court criterion requiring that Congress provide specific authorization to permit a federal agency, EPA in this case, to regulate electric utility air pollution emissions to comply with Clean Air Act requirements, a provision he stated would only

The U.S. Supreme Court has transformed itself from an arbiter of the rule of law into a partisan legislative body enacting laws that endanger our democracy and defy its own constitutional review standards.

be required in “major questions” cases. The Constitution has no such major question case stipulation. It is feared that this “major questions case” ruse will be now applied to overrule congressional delegation of administrative duties to implement other Congressional actions.

In perhaps the worst example of Court partisanship, in *Rucho v. Common Cause*, it allowed states to use maps found by lower courts to have been illegally gerrymandered in the midterm elections. It held that gerrymandering claims present political questions beyond the reach of the federal courts. In *Shelby County v. Holder*, overturning a key part of the previously bipartisan Voting Rights Act, Chief Justice Roberts stated there was no problem because the southern states aren’t as openly discriminatory as they used to be. If our country loses its democracy, the Roberts Court legislators will bear a big part of the blame.

The Supreme Court justices are not elected, and thus they do not

have to consider whether their decisions are grossly unpopular. This was certainly the case with the Supreme Court decision to overturn *Roe v. Wade*. Republicans in Congress could not pass this action because of its unpopularity, which maybe was the reason for having the Court legislate it.

Last, the Roberts Court has resorted to “shadow dockets” for important rulings, deciding cases without hearing witnesses or explaining the basis for their actions, another new practice not authorized in the Constitution and completely antithetical to its position as a court of law.

In *Moore v. Harper*, the Court will decide whether North Carolina courts can be prohibited from considering gerrymandering of state election districts under their own state constitutions. If adopted, this invented “independent state legislature” theory would be a dangerous threat to the integrity of future elections, allowing state legislatures to overturn the popular will of the voters.

Without suspending the filibuster or gaining the support of 10 Republican Senators, I see no way for reversing any of the Court’s unconstitutional legislative intrusions or passage of any of the recommendations of the bipartisan Supreme Court Commission appointed by President Biden. Unless an adequate number of Republicans sign on, they should pay the price at the polls.

RICHARD L. OTTINGER is Dean Emeritus, Elisabeth Haub School of Law at Pace University; founded Pace Energy & Climate Center; 16-year Member of Congress, chairing energy subcommittee; editor-in-chief, UNEP Guide for Energy Efficiency and Renewable Energy Laws; recipient of 2017 ABA SEER Award for Distinguished Achievement in Environmental Law and Policy.

Expectations

« Continued from page 1 around,” she said, turning over some work to alternative service providers, for example, or using technology to automate some processes.

That environment inherently makes general counsel more mindful of outside counsel spending, legal observers say.

“You could potentially argue billable hours incentivize inefficiencies, because the more law firms bill, the more corporate clients pay,” said Jay Pricher, general counsel of Best Western Hotels & Resorts.

He said some law firms are becoming more amenable to alternative-fee arrangements. Such arrangements can take a variety of forms. Some, for instance, provide clients greater cost certainty, while others include fee caps.

Corey said more legal departments are seeking fixed-fee arrangements for some of their work, such as employment matters.

“They’re able to say, ‘OK, employment matters cost us X, so why don’t we just move to this flat fee? Sometimes we’ll win, sometimes we’ll lose, but at least we’ve got predictability,’” she said.

Companies also are moving more work in-house that they’d pay a premium for through outside counsel, said Eric Greenberg, general counsel of Cox Media Group, an owner of radio and TV stations.

His industry, for instance, has a scarcity of lawyers with extensive regulatory and risk-management expertise. And as a result, such lawyers command hefty hourly fees. He said companies may be able to eke out savings by recruiting that talent to join their legal departments.

A recently released study by legal software maker Wolters Kluwer found that clients are less willing to accept the status quo in outside counsel relationships than they were in the past.

“Law firms are at a higher risk today of being fired by their client,” according to the report, which found that 32% of corporate lawyers say their organization is very likely and 46% say their organization is somewhat likely to switch law firms in the coming year.

That’s a big jump from the prior year’s survey, when 24% said they were very likely to change law firms and 42% said they were somewhat likely.

According to this year’s study, the leading reason corporate clients would fire a firm is if the firm

did not demonstrate efficiency and productivity.

Finding Efficiencies

Howard Wettan, general counsel of Deep Labs, a maker of AI software for fraud detection, said he’s had success demanding steeper discounts when matters are handled by associates and staff rather than partners.

“If [law firm partners] have something they want to delegate, I’m all for that,” Wettan said. “But then I shouldn’t be paying wildly high rates on your associates.”

He said he doesn’t think his approach ultimately reduces outside counsel spending. But he said it does have a positive behavioral impact: having more partner attention to matters involving his company.

For their part, corporate partners at Cooley and Fenwick said they haven’t seen clients asking directly for discounts, and they believe they are well equipped to advise clients through an economic downturn and the more complicated deal structures that are likely to arise.

“I haven’t seen clients come back and say we want to pay less,” Fenwick & West corporate partner Ran Ben-Tzur said. “It’s more active discussions around how we can provide visibility and optionality, so there are no surprises when [the client] is billed.”

For instance, Ben-Tzur said the firm uses data from thousands of transactions to offer fixed-fee arrangements on easily priced matters such as IPOs, as well as on complex financing deals.

Equal Partners

As a founder of Corporate Legal Operations Consortium and as CEO of the legal ops consulting firm UpLevel Ops, Corey often gives seminars to both clients and law firms on how to maximize efficiency.

It’s not about rates, market alternatives or cost/benefit analyses, Corey said. It’s about relationships. She said law firms feeling pressure to perform should strive to stand out by asking in-house teams to share their concerns.

Jon Avina, a capital markets partner at Cooley, agreed that developing long-term relationships is crucial, especially when dealing with complex matters such as recapitalizations and down-round financings.

“Those are transactions that require difficult conversations with clients and investors, espe-

cially because people aren’t necessarily thrilled to be paying more advisory fees for a deal that’s already going to be marked down in terms of valuation,” Avina said. “Those situations are going to be the biggest challenge for firms like Cooley.”

“I [rely on] the relationships that we’ve built as a Silicon Valley law firm to have those conversations about how we can be efficient while also making clients aware of the hazards and complexities that we don’t want to regret in hindsight,” he added.

Greenberg, the general counsel at Cox Media Group, agreed.

“There’s an element that’s unique to every outside counsel, and that’s who they are in their relationship with their client. And they ignore that at their peril,” Greenberg said.

That cuts both ways. Greenberg said in-house counsel need to consider their outside counsel as professional partners in a relationship, rather than as vendors who are competing in a procurement process.

“People are more and more often working in a remote world of Zoom meetings and electronic billing. They’re forgetting that personal element,” Greenberg said. “They ought to all ask somebody to lunch and not bill for it, and break time off on their bill, show it and say, ‘I am invested in this relationship, personally.’”

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Crypto

« Continued from page 2 Belgrave, partner in the dispute resolution department of law firm Mishcon de Reya in London, added that British courts’ recent willingness to grant proprietary and freezing orders against “persons unknown” helps victims freeze assets before the identities of defendants are determined.

Crypto exchanges are often amenable to cooperating with investigations before court orders, Drury said of his experience: “The reality is that exchanges are making a significant enough amount of money from custody and transaction fees that they don’t need or want fraudulent activity being on/off ramped through them.”

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Calendar

THURSDAY, OCT. 6

NY State Bar (CLE)
Cannabis & Insolvency: Debtor Creditor Rights And Remedies Under State And Federal Law
12 p.m.-2 p.m.
2 CLE credits
Virtual Event

The Emergency Rental Assistance Program
5-6:30 pm
MCLE Credit 1.0
Virtual Event

NY City Bar (CLE)
Mastering Legal Research in Fastcase 7
Time: 12 p.m. - 1 p.m.
1 CLE Credit: Webinar
Registration Link: https://services.nycbar.org/EventDetail?EventKey=_WEB100622&mcode=NYLJ
Contact: Rosan Dacres, 212-382-6630 or rdacres@nycbar.org

NY City Bar (Non CLE)
Lawyers Connect | First Thursdays: Autumn in NY
6:30 – 8:30 p.m.
Location: In Person – New York City Bar Association 42 West 44th Street, New York, NY 10036
To register and for more information: <https://services.nycbar.org/EventDetail?EventKey=LCANY10622>

Practising Law Institute
Energy Law and Practice 2022: Greening the U.S. Power Grid

9 a.m. – 4:45 p.m.
www.pli.edu/programs/energy-law-and-practice

The Ethics of Electronic Information 2022: Competence, Confidentiality, and Other Ethical Conundrums
1:30 p.m. – 5 p.m.
www.pli.edu/programs/the-ethics-of-electronic-information

FRIDAY, OCT. 7

Practising Law Institute
Antitrust Counseling & Compliance 2022
9 a.m. – 5:30 p.m.
www.pli.edu/programs/antitrust-counseling--compliance

TUESDAY , OCT 11
WEDNESDAY, OCT. 12

Practising Law Institute
Employment Law Institute 2022
9 a.m. – 5:30 p.m. (Day 1)
9 a.m. – 4:45 p.m. (Day 2)
www.pli.edu/programs/employment-law-institute

TUESDAY, OCT. 11 (DAY 1)
TUESDAY, OCT. 18 (DAY 2)

NY City Bar (CLE)
16-Hour Bridge-the-Gap: Practical Skills, Ethics & More... (Both Days)
Day 1 Time: 9 a.m. - 4 p.m.
Day 2 Time: 8:45am - 5:45pm
CLE Credit Both Days: 16
CLE Credit Day 1 Only: 7

CLE Credit Day 2 Only: 9
Both Days Webinar Registration Link: https://services.nycbar.org/EventDetail?EventKey=_WEB10118&mcode=NYLJ
Day 1 Webinar Registration Link: https://services.nycbar.org/EventDetail?EventKey=_WEB101122&mcode=NYLJ
Day 2 Webinar Registration Link: https://services.nycbar.org/EventDetail?EventKey=_WEB101822&mcode=NYLJ
Contact: Rosan Dacres, 212-382-6630 or rdacres@nycbar.org

WEDNESDAY, OCT. 12

Olshan Frome Wolosky
Conversations from the C-Suite: A Women’s Networking Event
Featuring Moanna Luu, CEO of ManLuu and Global Chief Content and Creative Officer of Essence, will be the guest speaker.
6:00 p.m.
1325 Avenue of the Americas (entrance is on 53rd Street between Sixth/Seventh Avenues)
Hors d’oeuvres will be served
RSVP to mmehaj@olshanlaw.com

Practising Law Institute
Employment Law Institute 2022
9 a.m. – 5:30 p.m. (Day 1)
9 a.m. – 4:45 p.m. (Day 2)
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Ballots

« Continued from page 1 before the court,” is accommodating an expedited timeline in the face of the Nov. 8 general election.

Respondents’ papers and briefs are to be submitted by Friday, with petitioners’ answers due Tuesday morning. The case reconvenes on Oct. 12.

Gov. Kathy Hochul signed the new pandemic-related law in January, and it was enacted in April.

In court Wednesday, Ciampoli asked the judge to preserve the status quo and order that the ballots be preserved in their envelope for the upcoming election.

“This would not upset the election process at all. But rather, we’ve had absentee ballots in New York state since approximately 1927. So it would be restoring the process to what it is pending the hearing and the determination of this court,” Ciampoli said, adding that by the end of the week, county boards “might be ready to burst envelopes.”

Ciampoli said it’s possible that scanned absentee ballots could be the product of a fraudulent scheme by simply reinserting them in their envelopes and recounting them.

Brian Quail, the attorney for the New York State Board of Elections Democratic commissioner, said the plaintiffs hadn’t submitted any evidence that anyone is about to be or was injured by the new process.

He noted that since the law was enacted, there had been two state primary elections and several special elections that hadn’t resulted in “the sky falling and terrible things happening.”

Quail said the burden is on the plaintiffs to demonstrate a necessity to prevent their injury, likelihood of success on the merits, irreparable harm and a balance with equities in their favor, none of which they had shown.

Quail said more than 165,000 absentee ballots had already been mailed, and 2,000 absentee ballots returned, of which a substantial portion have already been prepared for canvassing. The petitioners hadn’t shown that any

of those ballots were cast fraudulently, he argued.

Quail also pointed out that the petitioners knew about the law in December and could have filed the lawsuit more timely, but filed it now to create disruption to the orderly and unfolding election system.

Quail also argued that the law spells out a process by which an absentee ballot application has to be approved on a bipartisan basis by a local board of election, and the applicant is subject to penalties of perjury.

Ciampoli countered that the law precludes a poll watcher from objecting to an improperly cast ballot.

“I could show up at a board of election with someone in handcuffs who comes and says, ‘Commissioners, I have falsified the signatures on the ballot envelopes on the applications. They are forgeries.’ And the commissioners would look at me and say, ‘We’re an administrative agency; we can’t entertain that.’ “

Ciampoli also addressed why the lawsuit was filed so close to the general election. He said Republican state Senate candidate Rich Amedure did not have a primary election. As a consequence, he hadn’t been harmed until now, the attorney said.

Lauren Eversely, assistant attorney general representing the governor, filed a motion to dismiss the case and a memorandum of law opposing a preliminary injunction.

Eversely said the petitioners didn’t cite any specific board’s decision to canvass or not canvass a specific ballot. Nor are there any county board of elections listed as respondents in the case.

Republican Assembly and Senate leadership were named as respondents only as a matter of process, and their attorneys indicated they wanted to switch sides to argue on behalf of the plaintiffs.

Attorney Christopher Massaroni, who represents Assembly Speaker Carl Heastie, D-Bronx, said he had only been retained as special counsel within 24 hours prior to the hearing. He requested “a fair and reasonable time to put in written papers.”

discovery centering around such an alleged conspiracy involving judges and top-level court officials “should not be taken lightly.”

In a memorandum in support of the motion for a stay, Paul Weiss Rifkind Wharton & Garrison partner Gregory Laufer, who represents the court system, wrote that the conspiracy claim is legally defective because, he argued, “the officers, agents, and employees of a single municipal entity acting within the scope of their employment are legally incapable of conspiring with each other.”

Laufer wrote that, in the upcoming motion to dismiss, the defendants expect to “present strong arguments showing that Plaintiffs’ complaint—just like the complaints brought by other UCS employees challenging the Policy—is legally deficient.”

“The Policy—enacted in furtherance of the UCS’s core, constitutionally mandated mission to provide the public with court access— was authorized by that

provision as well as the UCS’s inherent authority to enact regulations to manage its workforce,” Laufer wrote.

In a statement, court system spokesperson Lucian Chalfen expressed confidence that the case will go the way of previous challenges to the employee vaccine mandate.

“We are pleased with the judge’s ruling and are confident that, yet again, we will prevail,” Chalfen said.

In a statement, LaVeglia said the plaintiffs should have the opportunity to have their case heard before a jury.

“I respectfully disagree with Judge Wicks’ characterization that the claims presented in this case are not materially different from the prior unsuccessful challenges,” he said. “Those cases all rested on facts exclusively set forth by the UCS. They were decided based upon one narrative. This case challenges that narrative.”

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Expert Analysis / Off the Front

Discriminate

« Continued from page 3

persons equal access to goods and services under a neutral and generally applicable public accommodations law.

With respect to weddings specifically, the Court identified the extreme example of a member of the clergy who objects to gay marriage having to perform a same-sex wedding as one that would violate the Free Exercise Clause. But “if that exception were not confined, then a long list of persons who provide goods and services for marriages and weddings might refuse to do so for gay persons, thus resulting in a community-wide stigma inconsistent with the history and dynamics of civil rights laws that ensure equal access to goods, services, and public accommodations.” The Court continued,

It is unexceptional that Colorado law can protect gay persons, just as it can protect other classes of individuals, in acquiring whatever products and services they choose on the same terms and conditions as are offered to other members of the public. And there are no doubt innumerable goods and services that no one could argue implicate the First Amendment

Phillips claims, however, that

a narrower issue is presented. He argues that he had to use his artistic skills to make an expressive statement, a wedding endorsement in his own voice and of his own creation. As Phillips would see the case, this contention has a significant First Amendment speech component and implicates his deep and sincere religious beliefs. In this context the baker likely found it difficult to find a line where the customers’ rights to goods and services became a demand for him to exercise the right of his own personal expression for their message, a message he could not express in a way consistent with his religious beliefs.

Having set out the issues clearly, however, the Court then chose to sidestep them. Rather, it decided the case by concluding the state agency that had heard the discrimination claim by the two men had evinced hostility to the baker’s religious beliefs in a way that suggested impermissible religious animus separate and apart from the specific dispute about the cake.

In light of that conclusion, the Court sent the dispute back to the Colorado administrative agencies to readjudicate the discrimination claim, leaving for another day the real issues in the case. That day now has come with *303 Creative*. (On Tuesday the panel issued an

order holding the case in abeyance until the Supreme Court decides *303 Creative*.)

Wedding Photography

Before turning to *303 Creative*, a short detour to the Second Circuit is in order since that Court just last week heard oral arguments in a case that provides a preview for what’s to come in the Supreme Court. In *Carpenter v. James*, No. 22-75-cv, a case also brought by the Alliance

Once the door is opened, one can rest assured that many, including some on the Supreme Court, will dedicate themselves to forcing through that door as many acts of discrimination as possible in the name of freedom of expression.

for Defending Freedom, a Christian photographer argued she could not be required under New York public accommodations laws to provide wedding-photography services to a same-sex couple. As with the Colorado baker, the New York photographer contends that requiring her to provide such services would be an act of compelled speech and, separately, would violate her religious beliefs.

The panel hearing the cases consisted of an Obama appointee, a Trump appointee, and a Biden appointee: Judge Susan Carney, Judge Joseph Bianco, and Judge Allison Nathan, who is married to a woman. As one might expect, much

of the argument—which focused on the free-speech claim—turned on where lines could or could not be drawn in creating or denying First Amendment exceptions to public-accommodations statutes.

On the third-rail issue of denying services to Black customers, the ADF lawyer contended their claim would not require that because, in his view, the government had a sufficiently compelling interest in combatting race discrimination in particular to override a com-

peting First Amendment interest. That answer is unsurprising given the narrative danger of any other approach, but it is an answer that does not necessarily survive much scrutiny. While racial discrimination has a uniquely sinister and destructive history, one can easily see how racial protections could be imperiled by a Supreme Court that finds other forms of insidious discrimination to be constitutionally protected.

As for the issue of the expressive element of wedding services, the panel asked what services would not be expressive so as not to implicate the Free Speech Clause. The ADF lawyer identified catering, a surprising response given that ADF

had used a cake for its initial challenge in *Masterpiece Cakeshop*. The answer prompted a series of questions about why the presentation of food would not include expressive elements, and related queries about other wedding services, including floral arrangements and invitation calligraphy. None of these exchanges yielded clear lines that would confine the consequences of a holding that the New York photography business could refuse its services for gay weddings. That is notable, as we can expect the same exchanges when the Supreme Court hears *303 Creative*.

Wedding Websites

At issue in *303 Creative* is yet another aspect of weddings: the now-common wedding website. The plaintiff is a Colorado graphic- and website-design company whose owner objects to same-sex marriages for religious reasons and is claiming a First Amendment right to refuse to provide website services for same-sex weddings. ADF represents the company and is advancing the same free-speech claims at issue in *Masterpiece Cakeshop* and *Carpenter*.

That the service here does not involve food, as in *Masterpiece Cakeshop*, may reflect a strategic choice to minimize the chance of the Court again passing on the core issue by concluding the service is not expressive. In *Masterpiece* the Court flagged the novelty of the contention the First Amendment protects cake-mak-

ing: “The free speech aspect of this case is difficult, for few persons who have seen a beautiful wedding cake might have thought of its creation as an exercise of protected speech.” By contrast, website design, though a relatively new service, may avoid threshold questions about being expressive given that it involves words and images.

Assuming the Court reaches the core issue it avoided in *Masterpiece Cakeshop*, it will need to grapple with the profound ramifications of allowing protections for expressive activity to nullify public-accommodation protections, just as the Second Circuit tried grappling with them in the *Carpenter* arguments. And those ramifications are not limited to weddings or same-sex couples. If designing a website is expressive activity that cannot be compelled in the name of preventing discrimination in commerce, how does that differ from performing music, taking photographs, making videos, creating clothing, designing buildings, decorating rooms, styling hair, arranging flowers, or presenting food?

To be sure, distinctions are possible, and lines can be drawn. But once the door is opened, one can rest assured that many, including some on the Supreme Court, will dedicate themselves to forcing through that door as many acts of discrimination as possible in the name of freedom of expression.

Sequestration

« Continued from page 3

sitting in the courtroom. Thus, the rule as stated is silent as to whether excluding a witness during opening statements is permitted. In considering this issue, it certainly is arguable that hearing an opening statement in which an attorney outlines the expected testimony of witnesses is just as conducive, if not more, to the witness shaping his or her testimony upon hearing the witnesses in the courtroom. In this regard, the inherent power of a trial court to exercise sound discretion in the conduct of a civil and criminal trial is surely sufficient for a trial court to exclude witnesses from hearing opening statements. Guide to NY Evidence Rule 1.07(1). Of note, the federal courts have recognized such authority despite the literal language of FRE 615, which does not so permit. See *United States v. Brown*, 547 F.2d 36, 37 (3d Cir. 1976).

Can the trial court preclude a witness from reading or being provided the transcript of testimony of a witness who has previously testified? While the common law supported sequestration beyond the courtroom, Wigmore, §1840, p. 471, n. 7, the federal courts are split on the issue. While some courts reject the possession of power to preclude the reading of transcripts as FRE 615 does not so authorize, *United States v. Sepulveda*, 15 F.3d 1161, 1175-76 (1st Cir. 1993), most federal courts hold a trial court has the discretion to bar witnesses from reading the transcripts of previously testifying witnesses. See *United States v. Robertson*, 895 F.3d 1206, 1215-16 (9th Cir. 298) (collecting cases). These cases so hold because the danger that prior testimony could improperly shape later testimony is equally present whether the witness hears that testimony in court or reads it from a transcript. Id. The newly recommended amendment to FRE 615 “clarifies” that a court in entering an order under FRE 615 may also prohibit excluded witnesses from reading or reviewing transcripts of trial testimony or being provided trial transcripts. The rule as amended also leaves it to the court’s discretion to determine what requirements, if any, are appropriate in a given case to protect against the risk that excluded witnesses will obtain trial testimony.

New York precedent on this issue as to lay witnesses, as distinct from expert witnesses, is “virtually non-existent.” Barker and Alexander, Evidence in New York State and Federal Courts (2d ed.) §6:88, n. 8. Nonetheless, the above-cited discretion of the trial court to control the conduct of the trial should certainly authorize the issuance of an order governing the providing and use of trial transcripts. After all, a sequestration order would mean little if a prospective witness could simply read a transcript of prior testimony the witness was otherwise barred from hearing. In this connection, a court may also consider including in an exclusion order a prohibition against witnesses acquiring knowledge of a prior witness’s testimony by talking with that witness, or obtaining the substance of testimony from the media or the Internet.

An issue is also present as to whether New York’s rule bars a court from prohibiting counsel from disclosing trial testimony to an excluded prospective witness. In *Matter of Will of Buckten*, 178 A.D.2d 981 (4th Dept. 1991), a proceeding for the probate of an estate, the Surrogate issued orders to trial witnesses who were the subscribing witnesses not to discuss their testimony with each other. During a recess the Surrogate personally observed the subscribing witnesses talking with each other. In its assessment of the witness’s credibility due to its observation, the Surrogate found their testimony to have little, if any, probative value. Accordingly, the Surrogate held the proponent of the will failed to demonstrate decedent possessed sufficient testamentary capacity. The Fourth Department faulted the holding because the Surrogate failed to disclose the fact of its observation to counsel and its intention to consider the violation. Notably, the Fourth Department did not question the discretion of the Surrogate to issue its limited sequestration order.

While a trial court would surely possess the discretion to issue such a limited sequestration order, the observation of the Advisory Committee in its commentary to the proposed amendments is worthy of consideration: “[A]n order governing counsel’s disclosure of trial testimony to prepare a witness

raises difficult questions of professional responsibility and effective assistance of counsel, as well as the right to confrontation in criminal cases, and is best addressed by the court on a case-by-case basis.”

In sum, a court in New York possesses broad discretion to issue a sequestration order directed towards prospective trial witnesses. Its discretion should be based on the facts in the action before it, and should be guided by the sequestration rule’s core purpose—to prevent witnesses from tailoring their testimony to that of prior witnesses.

Sanctions for Disobedience

Where the sequestration order is violated by a witness, a New

[FRE 615] is being amended to alert the courts and parties about the possibility of issuing a witness exclusion order, frequently referred to as sequestration orders, that extends beyond the courtroom, and the hearing of trial testimony; and to clarify that the exception for party representatives is limited to one designated agent for each party.

York court is possessed with the customary discretion to impose a sanction that is “just.” See CPLR 3126; Richardson, §462, p. 451. In other words, it may impose a sanction commensurate with the particular violation. See *Capital Cab v. Andersson*, 194 Misc. 21, 23-24 (City Ct. 1891), affd. 197 Misc. 1035 (App. Term 1st Dept. 1950).

Initially, it must be noted the New York courts have held a violation does not render the witness incompetent to testify. See *People v. Brown*, 2004 A.D.2d 609, 611 (3d Dept. 2004); *People v. Gifford*, 2 A.D.2d 634 (3d Dept. 1956). The reason given is that disqualifying the witness from testifying is a harsh remedy as it can penalize the party who expected to elicit relevant evidence from the witness and now cannot do so even though the party is not at fault.

Instead, courts recognize that the witness can be held in contempt. *Gifford*, 2 A.D.2d at 634. However, such a sanction by itself does nothing to eliminate any false testimony the witness may have given by hearing the testimony of other witnesses.

Accordingly, the New York courts have imposed sanctions that are deemed appropriate. They

include permitting the witness to be cross-examined regarding the violation and a jury instruction that the jury may consider the violation as a factor affecting the witness’s credibility. *Gifford*, 1 A.D.2d at 634.

Exceptions

The New York courts have recognized three exceptions to the witness sequestration rule. These exceptions consist of separate categories of witnesses who may be excluded from a witness sequestration order. See Guide to NY Evidence Rule 6.03(2).

Initially, both parties in civil actions and criminal defendant have a right to be present at all stages of a trial. NY Const., Art. I, §6; *Carlisle v. Nassau County*, 64

A.D.2d 15, 18 (2d Dept. 1978). This right is intended to eliminate problems of confrontation and due process which would otherwise arise. However, a court may exclude a party in a civil action where there is a compelling need to do so. See *Caputo v. Joseph J. Sarcona Trucking Co.*, 204 A.D.2d 507, 507-08 (2d Dept. 1994) (personal injury plaintiff was both mentally and physically incapable of assisting counsel in any meaningful way, and his presence would have affected the jury’s ability to act objectively). A criminal defendant may be deemed to have waived his or her right to be present by disruptive conduct. See *People v. Bymes*, 33 N.Y.2d 343, 349 (1974).

A party which is not a natural person, such as a corporation or business entity, may designate an officer or employee of the party to remain in the courtroom even if that representative will be a witness. As noted by a court that found an abuse of discretion in the exclusion of the president of the defendant corporation: “Great caution should be exercised in considering an application to exclude the officers of corporations or a representative in charge of the matters litigated.” *Sherman*

v. Irving Mds., 26 N.Y.S.2d 645, 645 (App. Term 1st Dept. 1941). Thus, in *Perry v. Kore*, 147 A.D.3d 1091, 1094 (2d Dept. 2017), the Appellate Division, Second Department, held the defendant corporation was deprived of a fair trial when the trial court excluded from the courtroom an employee of the defendant that the defendant had designated as its representative to assist in the defense of the trial. The court noted that, in the absence of extenuating circumstances, the designated representative is entitled to be in the courtroom for the entire trial. Unlike the proposed amendment to FRE 615, whether a corporation can designate two or more representatives has not been addressed by the New York courts.

Lastly, the New York courts recognize that “a person whose presence is shown by a party to be essential to the presentation of the party’s case” is generally exempt from the sequestration order. See *People v. Santana*, 80 N.Y.2d 92, 99-101 (1992). This exception is most frequently involved in the case of expert witnesses, although its scope is not so limited. As the Second Circuit noted, applying New York laws, it is generally unnecessary to exclude experts from the courtroom because they are not fact witnesses whose memory may be affected by the testimony of prior witnesses. *Trans World Metals v. Southwire Co.*, 769 F.2d 902, 910-11 (2d Cir. 1985). The presence of an expert in the courtroom can be essential to the presentation of a party’s case in that the expert’s opinion may be based, permissibly, on facts testified to by other witnesses or because the party’s attorney needs its expert to hear the testimony of the adverse party’s expert in order to adequately cross-examine that expert. See Guide Rule 6.03, Note to Subdivision (3).

People v. Medure, 178 Misc.2d 878 (Sup. Ct. Bronx Co. 1998) is illustrative of the application of this exception. The issue presented in this gambling prosecution was whether equipment installed on the defendant’s premises were eavesdropping devices requiring a warrant on probable cause, or a pen register requiring only an order based on reasonable suspicion. Expert testimony was necessary to resolve this issue. The

trial court granted defendant’s in limine motion to allow defendant’s expert to be exempted from a witness sequestration order. In its view, defendant demonstrated that without the assistance of an expert “at elbow” to advise in connection with highly specialized matters, to assist in preparation for the cross-examination of the state’s expert and, finally, to provide it with meaningful opinion testimony limited to and specifically based upon the People’s evidence, the risk of an inaccurate assessment of the pen registers by the trier of fact was “not minimal.” Thus, the search for truth would be “enhanced” by the expert’s presents in the courtroom. Id. at 882.

Discretion can be involved to deny the request, as illustrated by the Fourth Department’s decision in *Tarsel v. Trombino*, 196 A.D.3d 1100 (4th Dept. 2021). In this action, the parties disputed the effect certain construction on an easement plaintiff possessed over a road and strip of land owned by defendant. Defendant sought permission from the trial court to allow his expert to observe the trial testimony of plaintiff’s expert. The trial court denied the motion. In its view “since the plaintiff would never be able to have its expert sit in on the defendant’s testimony at a relevant time period anyway before that person testified . . . that I felt that in fairness that I would not allow the expert for the defendant to sit and listen to plaintiffs’ expert.” Record on Appeal 1820. The fact that plaintiff’s expert would be offering rebuttal testimony from its expert and could sit in the courtroom during defendant’s expert’s testimony was deemed insufficient to eliminate any perceived unfairness. The Fourth Department found no abuse of discretion in that ruling since defendant was provided pre-trial disclosure of the plaintiff’s expert’s opinion and defendant did not show it was prejudiced by the ruling. Id. at 1102.

Conclusion

In sum, the application of New York’s witness sequestration rule is committed to the sound discretion of the trial court. Its hallmark is the flexibility to apply the rule to guard against the risk of perjury. Counsel should be ready to ask the trial court to shape any sequestration rule to achieve this goal.

Endo

« Continued from page 1

scrutiny in these cases over the appropriateness of the bonuses and whether the bonuses are payable under the U.S. Bankruptcy Code to a highly compensated executive team that lost more than \$546 million in 2021,” the committee stated in its objection.

So far this year, Endo’s execs have received \$22.1 million in prepaid 2023 bonus payments, including \$3.5 million for chief legal officer Matthew Maletta and \$11.9 million for CEO Blaise Coleman, according to the committee.

The committee also told the court that Maletta has received a total of \$8.9 million in bonuses since November 2021, while Coleman’s bonuses total nearly \$30 million.

Maletta has served as Endo’s legal chief since 2015 and as company secretary since 2020. He previously served as associate general counsel and corporate

secretary at Allergan, a pharma firm that reached a \$2.37 billion settlement in July with a group of state attorneys general to resolve opioid crisis litigation.

Attempts to speak with Maletta, Endo reps and others involved in the bankruptcy case were not immediately successful.

An Endo spokesperson told The Philadelphia Inquirer in August that “the recent incentive and retention payments are critical to the continuity of Endo’s business during the Chapter 11 proceedings and were approved by Endo’s independent board members.”

The rep added that a portion of the bonuses “must be repaid if certain pre-established financial and operational targets are not met in 2022 and 2023” and are “subject to the recipient’s continued employment with Endo over multiple years.”

In a separate court filing on Sept. 23, an opioid claimants committee bristled at Endo’s plan to give \$330,000 in bonus and incentive pay-

ments to about 80 employees who are not execs. The payments average out to about \$4,500 per employee, which is 31 times more than the average opioid claimant is slated to receive, according to the filing.

The committee did not object to the payments in question, but asked the court to allow claimants to claw back bonuses paid to Endo employees if they’re later found to have participated in crimes connected to opioid sales.

Endo pulled its reformulated opioid painkiller Opana ER from the market in 2017—after the U.S. Food and Drug Administration pushed for the drug’s removal based on the agency’s conclusion that the “benefits of the drug may no longer outweigh its risks.”

The move marked the first time that the FDA had sought to stop the sale of an opioid pain medication based on public health concerns.

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ABA

« Continued from page 2

“Law firms will be able to respond to this pretty readily. Law firms are risk-averse already, they probably do a fair bit of know-your-client work already. Where the interesting activity will take place

is in advisers to private investment funds,” he said. “That world is where the rubber is going to meet the road. There will be some fallout, there will be some tightening, there will be some shedding of certain types of capital.”

Conversely, added reporting requirements may serve as a new source of demand for lawyers.

“This could lead to a fair amount of work for lawyers helping these newly subjected entities,” Brown said. “I don’t expect it’s going to hamper the business of law firms in the U.S. going forward.”

@ Dan Packel can be reached at dpackel@alm.com.

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please contact: **Donald Chalphin**

Phone: **(215) 557-2359**

dchalphin@alm.com

Outside Counsel / Corporate Update

Judgments

« Continued from page 4

volatile” fluctuating value of Bitcoin.” Id. at *63. The court thus awarded the plaintiffs damages in the form of the U.S. dollar amount of their investment. For two plaintiffs that had transferred Bitcoin to the defendant as part of their investment, the court awarded “U.S. dollar damages [that] reflect either the cost quoted by [defen-

of cryptocurrency. For example, if the underlying contractual obligation is in Bitcoin, and the plaintiff believes that the price of Bitcoin is going to rise after judgment, the plaintiff might prefer a judgment in Bitcoin without conversion, rather than receiving a judgment in U.S. dollars, which would not account for the Bitcoin increase by the time the plaintiff is able to collect on the judgment. The *Mitsui* and *Liberty Media* decisions illustrate that it is logistically feasibly for the clerk

and quotation marks omitted). Accordingly, if a court believes that the plaintiff seeking an award of cryptocurrency can be made whole through money damages, it may deny the request for specific performance.

Moreover, issuing a judgment in cryptocurrency is complicated by the fact that the nature of cryptocurrency itself is a complex question. Cryptocurrency sometimes acts as—or is classified as—currency utilized to facilitate the purchase or sale of goods or services. But government regulators sometimes classify certain cryptocurrency as a commodity or a security (complicated questions that are outside the scope of this article). Courts thus will have to wrestle with the question of whether or not they have the power to issue a judgment in a cryptocurrency that could be classified as a commodity or a security, or whether a given cryptocurrency must only be utilized as currency to satisfy §27(b).

Accordingly, further clarity is thus needed regarding whether a New York judgment may be denominated in cryptocurrency without conversion to U.S. dollars, and whether §27 applies to judgments in cryptocurrency as it does to judgments in foreign fiat currency. Until then, litigants who transact in cryptocurrency will have no certainty as to how their eventual judgment will be denominated.

Issuing a judgment in cryptocurrency is complicated by the fact that the nature of cryptocurrency itself is a complex question.

dant] for one Bitcoin, or the cost quoted to the Plaintiff who made the transfer.” However, the court did not award a judgment denominated in Bitcoin.

It is difficult to predict the precedential value of *Jing*. The court’s reference to §27 suggests that New York state and federal courts could apply the statute to cryptocurrency and convert a cryptocurrency judgment to U.S. dollars at the prevailing rates at the time of judgment (even though that is not what actually happened in *Jing*). But some plaintiffs may prefer a judgment denominated in cryptocurrency without conversion into U.S. dollars, due to the volatile nature

to enter a judgment in non-U.S. fiat currency.

In order to circumvent the uncertainty as to whether §27 applies to cryptocurrency, a plaintiff seeking a judgment of cryptocurrency could seek specific performance of the cryptocurrency sought. However, under New York law, a plaintiff seeking specific performance must meet other requirements, most notably including that the plaintiff must have no remedy at law. Specific performance is appropriate where the “subject matter of the particular contract is unique and has no established market value.” *Sokoloff v. Harriman Estates Dev.*, 96 N.Y.2d 409, 415 (2001) (citation

UCC

« Continued from page 5

standard search logic was required for the safe harbor and, as noted above, that Florida did not have any.

Analysis/Discussion

The Florida Supreme Court begins by noting (correctly) that UCC §506(b) (Florida Statute §679.5061(2)) creates a “zero-tolerance rule” for an error or omission in respect of a debtor name. It also notes (correctly) that §9-506(c) (Florida Statute §679.5061(3)) provides a “safe harbor” forgiving those errors or omissions if the state’s “standard search logic, if any, would disclose the financing statement.”

The court next observes that UCC §9-506 uses the term “standard search logic, but without explanation as to its meaning. Then, citing a 2012 law review article (Kenneth C. Kettering, *Standard Search Logic under Article 9 and the Florida Debacle*, 66 U. Mia. L. Rev. 907, 913 (2012)), the court states that the term is well understood in the industry to mean a “procedure that ‘identif[ies] the set (which might be empty) of financing statements on file that constitute hits for the search,’ or stated differently, that produces an [un]ambiguous identification of hits.”

The court goes on to note that an essential role of search logic is to identify “which financing statements are hits and which are not” and a procedure that does not accomplish that function is “alien to the purpose of the rule.”

According to the Florida Supreme Court, a lien search in Florida will reveal a list of 20 names starting with the name that most closely matches the one searched. From that list, the searcher can navigate forward or backward, through the entire registry. As a result, the court holds that a system, such as Florida’s, that returns an index of *all* of the financing statements in the registry, instead of a finite list of hits, is *not* a standard search logic. As a result, the court holds that filing creditors are left with the zero-tolerance rule of §9-506(b).

By so ruling, the court rejects the argument of appellee, Live Oak, that its financing statement was not seriously misleading since the searcher merely had to click the previous page button to see it. In the court’s view, the registry is a dynamic record, and location of a filing will vary depending on amendments, new filings, and terminations. Having determined that there is no need to address the Eleventh Circuit’s certified questions, the court then returned the case to the Eleventh Circuit. On Sept. 29, 2022, the Eleventh Circuit held that Live Oak did not perfect its security interest and reversed the lower court decision affirming summary judgment in favor of Live Oak. *In re NRP Lease Holdings, LLC*, No. 21-11742, 2022 WL 4545539 (11th Cir. Sept. 29, 2022).

Conclusion

As noted above, the Florida Supreme Court addressed a critical question not certified to it by the Eleventh Circuit, that being whether Florida has a “standard search logic.” It also addressed another

critical question, that being what is the result of *not* having a standard search logic.

According to a declaration attached to Live Oak’s Eleventh Circuit brief, the Florida search system is unique—it returns to the searcher a page listing 20 names *plus* the entire registry. This in essence renders the notion of an incorrect debtor name meaningless. To quote the Eleventh Circuit, “[t]aken to its natural conclusion, no financing statement with the incorrect debtor’s name would ever be ineffective, because each search would disclose every financing statement.”

Search logic systems are certainly not uniform among the states (notwithstanding there are model rules for standard search logic published by the International Association of Commercial Administrators). What will show up in a search in one state may not in another. Some states, for example, will only retrieve exact names (with limited exceptions for “noise words” such as “LLC”, “Inc.”, “the” or “of”) and ignore similar names or variants. Delaware falls into this category.

The 1944 *Beach Boulevard* case has now resolved the differences among courts as to whether Florida law provides a safe harbor for debtor name errors or omissions—it does not. Practitioners need to be acutely aware of the zero-tolerance rule in that state and not be misled by a lien search that sends them through the entire registry. The fact that their filing appears several pages away from the initial search results will not spare them from the harsh penalty of §9-506(b).

US Soccer

« Continued from page 5

According to the report, Wahlke asserted that she’d warned Red Stars owner Arnim Whisler that Dames was a “problem coach” and needed additional managing training, but Whisler denied that ever happened. The report also shows that Whisler failed to adequately respond to misconduct allegations. He issued an apology earlier this year.

Attempts to speak with Wahlke, federation reps and the federation’s current legal chief, Karen Leetzow, have been unsuccessful.

Wahlke resigned as the federation’s top lawyer in 2020, after the USSF argued in a court filing in a gender pay gap case that professional women soccer players were less skilled than their male counterparts, sparking public outcry. She quit the job, which she’d held since 2017, after the federation’s board of directors suspended her.

After stepping down as legal chief, Wahlke acted as a USSF consultant for several months before she returned to Kirkland & Ellis, where she’d practiced earlier in her career, according to her LinkedIn profile. She exited the firm in April and now serves as general counsel at Alpha Medical, a Palo Alto, California-based online medical services company that “aims to empower women to take control of their personal health care.”

Meanwhile, USSF president and former women’s national team member Cindy Parlow Cone has vowed to make an array of changes based on the probe’s findings and recommendations to “ensure that all players—at all levels—have a safe and respectful place to learn, grow and compete.”

“We have significant work to do,” she stated, “and we’re committed to doing that work and leading the entire soccer community.”

@ Phillip Bantz can be reached at pbantz@alm.com.

Kagan

« Continued from page 2

“The Fourteenth Amendment is a prohibition, not an obligation, to engage in race discrimination,” LaCour replied. “The court has held you have to have specific, identifiable discrimination to move people around on the basis of race.”

Lawyers representing LaCour’s opponents told the court there was nothing neutral about the map drawn by Alabama. “Nearly every majority-minority district would become a litigation target” under the state’s “novel theories,” Abha

Khanna of the Elias Law Group said.

U.S. Solicitor General Elizabeth Prelogar echoed those concerns, saying, “Alabama is asking this court to radically change the law by inserting a requirement of race neutrality. Nothing would stop Alabama and other states from dismantling their majority-minority districts.”

Justice Clarence Thomas said very little during the arguments, and Justice Neil Gorsuch was silent. Chief Justice John Roberts Jr. and Justices Brett Kavanaugh and Amy Coney Barrett asked questions that seemed to reflect an interest in a

EEOC

« Continued from page 5

EEOC rule requiring the agency during the settlement process to provide employers with the facts of the case and the identities of alleged victims.

While Republicans said the rule would encourage settlements by helping employers understand the merits of the case early on, Democrats said it would bog down cases and increase the risk of retaliation against workers filing complaints.

The takeaway for in-house counsel is clear, Levin said.

“General counsel needs to be focused on there being a lot more latitude now for the EEOC to bring cases in its own name,” Levin said. “Training becomes a lot more essential at every level, not only at the executive level, but at the managerial level as well.”

@ Greg Andrews can be reached at gandrews@alm.com, Hugo Guzman at hguzman@alm.com.

Letters Welcome

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

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First Department

APPELLATE DIVISION

CALENDAR FOR THE OCTOBER TERM

THURSDAY, OCT. 6

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17/1280 People v. James Bonilla
22/2694 GLCA Securities v. Gardes Holdings
20/3424 E., Kendra v. Jared T.
22/470 Langbert v. Aconsly
22/950 Innovative Concepts v. AL Infinity
21/3619 Cruz v. Ajim
22/2316 Manganiello v. Vitanza
18/731 People v. Orlando Oquendo
22/2612 Mozdziaik v. State University of NY
22/686(1) Rivera v. 98-100 Avenue C
22/1569 Hartley v. Burnside Housing
20/395 People v. Jason Heyworth
21/3172 Ma v. Griffin
22/79 Sloan v. Lawrence Nursing Care
22/982 419 BR Partners v. Zabar
22/1386(1) Weil v. Newton
21/2726(1) Lopez v. Bronx Ford
22/2107 Perez v. 1960 Williamsbridge Road

TUESDAY, OCT. 11

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22/426 People v. Bobby Riley
21/5841 Basile v. Law Offices of Neal Brickman
22/881(1) Gemeaux Ltd. v. William Doyle Galleries
22/291 Murphy v. Harris
20/4441 People v. Jairo Castillo
22/18621st Mortgage Corp. v. Lin
21/4335 AVR-Powell C Development v. American States
19/1180 People v. Isaac Duran-Infante
22/478 Pira v. Air & Liquid Systems
21/3964(2) Severny v. Severny
22/910(2) 37-10 114th Street v. Chen
19/1407 People v. Diogenes Estevez
21/4513 Schwartz v. Genfit S.A.
21/4544 Polonia v. 14 Sutton Tenants
22/290 Matos v. Hiraldo
21/416 Castillo v. West End Towers
22/1040(1)N Cavanagh v. Hayes
22/1807N Feiner & Lavy v. Zohar

WEDNESDAY, OCT. 12

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19/5100 People v. Keshenia Margaret Pawarow
21/3319 Gaffney v. NYCTA
21/521 Pollock v. Cushman & Wakefield
21/691 Jimenez v. PR Grand
16/1218 People v. Yelinton Concepcion
22/267 Hamway v. Sutton
22/437 Jaskaran v. City of NY
21/2321 Contreas v. MDG Design
18/1888 People v. Michael Iscenko
22/1355(1) Largo 613 Baltic St. v. Stern
21/1358 People v. Neftali Thomas Diaz
22/1029 Taxi Tours v. Go NY Tours
21/1408 Quire v. City of NY
22/677 Long v. Russ
21/4421 Bartel v. Farrell Lines
21/4420 Bartel v. Maersk Line
22/801N Domingo v. 541 Operating Corp.
22/1979N Lynx Asset Services v. Nestor

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19/3174 People v. Felipe Olave
21/3378 Sicola v. Cushman & Wakefield
21/2741 W 54-L v. Intersystem S&S
21/4344 Groove Club v. Peterson
22/211 Vasquez v. 42 Broad Street
21/3618 Cotroneo v. Van Wagner
19/4828 People v. John Sandino
21/4666 Ladd v. Thor 680 Madison Ave.
22/277(1) People of NY v. Image Plastic Surgery
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21/476 Cohen v. Trump Organization
21/2183 Otero v. 635 Owner LLC
21/2363 The Cloister East v. NYS Liquor Authority
21/4801 Musse v. Triborough Bridge
18/755 People v. Leslie Jimenez
22/13 Betances v. DJB International
21/4811 Pizzarotti, LLC v. NY Concrete
22/812N Endurance American v. Rockwood Holdings

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19/4043 People v. Matthew Hall
21/4733 Duque v. 50 Clinton Property
22/241 Alvarez v. Bracchitta
21/2730(1) HH Trinity v. Mitchell
18/1886 People v. Carl Smalls
21/3852 Little Cherry v. Cherry Street
22/134 Five Star Electric v. MTA
21/2887 Mercedes v. 680 SN
17/2546 People v. Reinaldo Morales
22/26 NYCTL 1998-2 v. Bethelie Community
21/4118 Mortgage Stanley Private Bank v. Ceccarelli
21/4026 Georgia Malone v. E & M Associates
18/2756 People v. Ernest Bristol
21/3527(1) Chris Grant Brohawk Films v. Digital Seven
22/209(1) Farage v. Tower Insurance
21/2853 865 First v. SNY Div. of Housing
22/316N 300 Wadsworth v. NYS Division Housing
22/3002N Lakhia v. Volchokon

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21/2682 Williams v. City of New York
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21/4188 Ghebane v. 111 John Realty
22/857 Bank of NY v. Nunez
18/1974 People v. Rigoberto Fonseca
22/1543 Curry v. Martin
22/1345 Jackson v. Main Street American
22/580 Kamara v. 323 Pas Owner
19/5631 People v. Davon Spencer

22/949 Lanzer v. Board of Education
22/2184 Steigelman v. Transervice Lease
21/2639(1) Eshaghian v. Eshaghian
21/4657 Ahmed v. 2 West 46th St.
22/1450N Lis v. Lancaster
22/2898N Mejia v. De La Rosa

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22/674 J.L. Jada
21/4429 Batista v. MTA
21/1096 Drummond v. 450 Partners
21/3685(1) Ceresa v. City of NY
19/1862 People v. Gary Chevannes
22/1965 Rydan Realty v. 110 East 138 Realty
21/3509 110 East 138 Realty v. Rydan Realty
21/4099 Polito v. Escorcio
22/2600 Mak Technology v. Anyvision Interactive
22/1665 Donnelly v. Neumann
19/1875 People v. Leon Tugwell
22/1398 Romero v. Board of Education
21/4198 CWCapital Cobalt v. CWCapital Invest.
21/4345 Lek v. Lek
21/2371N Lane v. City of NY
22/1640N Excel Sports v. Eways

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21/3821 Cruz v. City of NY
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21/2770 Bchajkan v. Gateway Realty
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21/474(4) Dontzin, Nagy v. HC2 Holdings
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21/4690 Maffei v. A.O. Smith Water
21/4739 Arana v. A.O. Smith Water
18/4485 People v. Ryan Vega
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22/1578N Pala Assets v. Rolta, LLC
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20/2278 People v. Herbert Williams
22/599 Emigrant Bank v. Rosabianca
21/3181(1) Black Diamond v. Oppenheimer Master
21/830 Rivera v. City of NY
22/1744 Courtois v. Toms Capital Investment
21/4245 Maseto v. A.O. Smith Corp.
21/4191 DashDevs v. Capital Markets
21/401 Lanzetta v. Montefiore Medical
19/2566 People v. Shamon Dilligard
22/8N Kohl v. Loma Negra Compania
21/3529(2)N 361 Broadway Assoc. v. Foundations Group
21/3859N Walsh v. West Gramercy

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22/771 Maniscalco v. Board of Education
22/1699 Salas v. Board of Education
21/2205(2) Goetz Fitzpatrick v. OTR Media Group
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22/1324 Rosado v. City of NY
22/1337(1) Arch Insurance v. CONSTRUCTAM
21/3575 MCT 933 Broadway v. 933 Broadway
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22/1066N NYC Organization v. Campion

CALENDAR FOR THE NOVEMBER TERM

The November 2022 Term will commence November 1, 2022. The Court will convene at 2:00 P.M. on Tuesdays, Wednesdays, and Thursdays, and at 10:00 A.M. on Fridays. Counsel who desire and are entitled to argument pursuant to Section 600.15(a) of the Court’s rules but have commitments, including those of a religious nature, which will make them unavailable on particular dates during the term shall notify the Clerk in writing of such unavailable dates and reasons therefor, with copy to adversary, not later than 4 P.M. October 6, 2022. This information is essential at that time for consideration in preparation of the Day Calendars for the term. No change of calendar date can be made after the Day Calendars have been prepared. Respondents’ briefs are to be served and filed no later than October 5, 2022. Appellants’ reply briefs are to be served and filed no later than October 14, 2022. The last day to file stipulations of adjournment and time requests for oral argument is October 6, 2022.

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22/302 2010 Powell v. NYS Division of Housing (BX 802395/2021)

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21/3974 33rd Street v. Rapid Realty (NY 157126/2020)
22/2286 3B Associates v. eCommision Solutions (NY 657537/2017)
22/1920 4720 Third Avenue Housing v. CA Ventures (NY 653199/2020)
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21/3005(2) 99th Ave Holding v. TSI Hell’s Kitchen (NY 655667/2020)
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22/293 AEA Middle Market v. Marblegate Asset (NY 650413/2019)
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22/1132N Arch Insurance v. Doconetech (NY 654746/2020)
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22/2062N Avagan v. 100 West 74th Street (NY 155152/2018)
21/1585 B., Children (BX N34178/2017)
22/1059 B., Erica v. Louis M. (BX V20145/2016)
22/293 B., Gloria v. Rachelle T. (NY 02018/2021)
21/3729 B., Ikram v. Abdelkader B. (NY 028952/2017)
22/1675 Balley v. Gabrielli Truck Leasing (NY 154850/2019)
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21/3597N Fairfield & Evans v. Rizzo (NY 654131/2015)
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21/3947N Bigio v. Gooding (BX 28327/2020)
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22/130N Blackstock v. AVR Crossroads (NY 155167/2012)
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21/3936 Blume v. Jacobowitz (NY 160901/2015)
19/192 Blumenfeld v. Stable 49 (NY 157117/17)
21/3533 Board of Mgrs, Franklin Place v. NYC Fire Dept. (NY 161047/2020)
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21/2059 Bradley v. Bakal (NY 350052/2017)
21/3259 Breslin v. Macy’s, Inc. (NY 157503/2017)
22/1609 Brocco v. Eastern Metal Recycling (BX 20513/2016)
21/4613 Brook v. Peconic Bay (NY 650921/2012)
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22/140 C., Candan (NY B43887/2016)
22/1030 Calcinio v. Poole (NY 157601/2020)
22/1286 Camacho v. Pintauro (BX 30506/2012)
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22/2396 Clarke v. Fifth Ave. Development (NY 158986/2020)
22/1104 Clarke v. Povelita (BX 21623/2018)
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21/4782 Cortlandt Street v. Bonderman (NY 653357/2011)
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22/632N Country-Wide Insurance v. Refill RX (NY 657013/2021)
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21/3737(2), Ismail v. Frances R. (BX V9443/2018)
22/441 Dabrowski v. Abax Incorporated (NY 106778/2007)

22/207 D’Ambruoso v. Port Authority of NY & NJ (BX 26438/2019)
22/654 Davis v. Brown (NY 151757/2021)
22/1069(2) Davis v. Graham Court Owners (NY 153293/2014)
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22/248N Doe v. Bloomberg, L.P. (BX 28254/2016)
19/195N Dogwood Residential v. Stable 49 (NY 157621/2015)
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22/1946 Elder v. NYCHA (NY 160290/20

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22/967 Leyton v. Siegel (NY 653066/2018)
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21/112N McLennon-Wier v. NYCTA (NY 152098/2016)
21/3720 Meadow Apartments v. S and H LLC (NY 653913/2020)
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22/506 Menis v. City of NY (NY 156341/2016)
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22/600N Morales v. American United (BX 28481/2020)
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21/2063 Murray v. Rashid (NY 321789/2020)
22/325 National Auditing v. 511 Property (NY 650670/2016)
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21/3173 Niyah v. City of NY (BX 27202/2014)
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22/539N Nostalgic Partners v. NY Yankees Partnership (NY 656724/2020)
22/2 NY Presbyterian v. NYC Water Board (NY 157037/2018)
22/3798 NYC Transit v. American Transit (NY 653408/2021)
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22/800N NYS Division of HR v. Ithaca Renting (BX 42004/2022)
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22/446 One Double Nine v. NYC Loft Board (NY 160100/2020)
21/4563 O'Neil v. Port Authority NY & NJ (NY 155503/2016)
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21/3546 Orchard Road v. D.A.B. Group (NY 850044/2011)
22/70 Orr v. State of NY (BX 1294/24)
22/3093 Oustatcher v. Clark (BX 803006/2022)
22/1805 P.A., an Infant v. NY Presbyterian Hospital (NY 156060/2019)
22/597 Pacheco v. Santos (BX 29973/2020)
22/1987 Pacheco v. Trustees of Columbia (BX 34248/2019)
22/954(2) Pearl Capital v. Berkovitch (NY 652858/2021)
22/3188 People of SNY, Letitia James v. Juul Labs (NY 452168/2019)
21/3003 Perez v. 1790-1792 Third Ave (BX 29976/2017)
21/2767 Perrone v. MTA (NY 109488/2011)
22/2917 PF Securities v. Fillebeen (NY 151772/2014)
22/3713 Phillips RS North America v. Aires Pharmaceuticals (NY 650269/2021)
22/1563 Phone Administrative Services v. Verizon NY (NY 100329/2019)
21/3616 Pinzon v. Royal Charter (NY 154503/2017)
21/4431 PJSC National v. Pirogova (NY 656519/2020)
21/1092 Plumer v. Turner Construction (NY 156691/2015)
22/2166 Pope Contracting v. NYCHA (NY 656939/2019)
22/281N Poplawski v. 111 Wall Street (NY 162081/2019)
22/85 Potamouis v. 124 E 107 St. (NY 156993/2017)
21/200N Powers v. City of NY (NY 160744/2014)
22/2285N Prechtl v. Thrane U.S. (NY 159325/2021)
22/1133 Prime Property v. Imperio Transport (BX 30939/2019)
22/382 Ralph Lauren Retail v. 888 Madison (NY 652718/2021)
21/4052N Ramirez v. Selective Advisors (NY 654670/2020)
22/3101 Reape v. NCRNC (NY 805403/2016)
21/3493 Reclaim Records v. City of NY (NY 155017/2021)
21/4446 Reeves v. Associated Newspapers (NY 154855/2020)
22/908 Regal Cinemas v. Atom Tickets (NY 652782/2021)
21/1927N Renk v. Renk (NY 652439/2018)
21/2801 Reyes v. Popular Bank (NY 157397/2019)
21/2900 Rich v. J.A. Madison (NY 150305/2018)
21/1013 Rivera v. City of NY (NY 151606/2016)
22/387 Rivera v. Shea (NY 157113/2021)
22/2589 Roberto Restaurant v. City of NY (BX 32322/2020)
22/1777 Roberts v. Maxis (NY 500145/2013)
21/3958 Robles v. NYC Dept. Consumer Affairs (NY 158282/2020)

21/1707N Rodriguez v. Diaz (NY 150728/2020)
22/2936 Romano v. NYC Transit Authority (NY 153015/2014)
22/87 Romano v. NYCTA (NY 153015/2014)
22/89 Romano v. NYCTA (NY 153015/2014)
22/74 Romano v. NYCTA (NY 153015/2014)
22/1032 Ronda v. NYCHA (NY 155293/2018)
22/2456 Rosenberg v. R & B Realty Group (NY 654296/2020)
21/4254 Rosenblum v. Trinity Hudson (NY 160656/2014)
21/358 RSR Corporation v. LEG Q (NY 650342/2019)
21/3076 RTW Retailwinds v. Colucci & Umans (NY 150794/2020)
20/4517 Rucinski v. Kraus Management (BX 303087/2012)
22/786 Ruiz v. Laophernsbook (NY 157136/2019)
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21/4343 S., Flor v. Luis R. (BX 02309/2021)
21/3571 S.R., an Infant v. BMW North America (NY 100725/2008)
22/1273 Sackas v. 240 E. 46th Street (NY 160714/2016)
21/1142 Sakthivel v. Industrious Staffing (NY 650435/2020)
21/3405 Sampson v. Roberts (BX 26025/2019)
20/3823 SanMiguel v. Grimaldi (BX 2452/2013)
20/3438 Saunders v. Albert Einstein College (BX 24050/2013)
21/4554 Saw v. Mayor's Office of Housing (NY 153468/2018)
22/2710 Scarola, Zubatov v. Dynamic Credit (NY 656666/2019)
21/3994 Seceola v. NY Sports (NY 154788/2018)
21/3723 Scottsdale Insurance v. Mt. Hawley Insurance (NY 650998/2019)
21/3067 Serrano v. Brook Plaza (NY 450493/2018)
22/751 Shank v. Shea (NY 154072/2020)
21/2653 Shuman v. NY Magazine (NY 155577/2020)
21/4673 Siegel v. Eisner (NY 151193/2020)
21/4270 Silo v. City of NY (NY 150372/2013)
21/4601 Singh v. NYCHA (BX 30199/2016)
21/4462 Smith v. NYU (NY 805079/2018)
21/3836 Sotelo v. TRM Contracting (NY 150865/2016)
21/2174 Spence v. Strauss Park Realty (NY 156041/2020)
21/3548N Springer v. Tishman Seyer (BX 308976/2009)
22/2350 Starr Indemnity v. Zurich American (NY 656346/2020)
22/310N State Farm v. Soliman (NY 156332/2020)
22/570N State Farm Fire v. AA Acupuncture (NY 156268/2020)
21/3942 State of NY v. Credit Suisse (NY 100356/2016)
22/2737 State of NY, Ex Rel. Anne Dean v. Molina (NY 451536/2022)
22/699N Strum v. Bressler (BX 14425/2002)
22/789N Suresh v. Krishnamani (NY 153921/2021)
21/1623 T., Children (NY 845881/2016)
22/578 Taheri v. 860 Fifth Avenue (NY 654702/2018)
22/2549 Tait v. Riehm Plumbing (BX 29074/2019)
21/3596 Taopanta v. 1211 6th Avenue (NY 150079/2018)
22/1589(2) Teliman Holding v. VCW Associates (NY 652237/2020)
22/753 Tender Touch Health v. Tnuzeg LLC (NY 653544/2021)
22/1743 Thompson v. Penick (NY 4509/2016)
22/2269 Tina Turner Musical v. Chubb Insurance (NY 651607/2021)
21/4286 Total Environmental v. Contract Dispute (NY 154920/2021)
22/2197 Travelers Casualty v. Vale Canada (NY 654028/2021)
21/3346N Triumph Enterprises v. Webster Auto (BX 34550/2020)
21/3969 Truesdell v. Roman Catholic Diocese (NY 950244/2020)
22/322N Tutor Perini Corp v. ERY Tenant (NY 657351/2019)
21/4357 U.S. Bank v. Nassau County (NY 850323/2013)
22/1325 U.S. Bank National v. Fox (NY 850160/2021)
22/2212 Ugo-Alum v. NYS DMV (NY 153162/2020)
21/3131 Unitrin Advantage v. ABA Chiropractic (NY 154804/2016)
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22/154 V., Narnia (BX 117500/2019)
22/960N Vargas v. Cipriani USA (NY 151552/2017)
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22/783 Velez v. Mitchell (NY 654372/2020)
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22/195 Victoria's Secret v. Herald Square Owner (NY 651833/2020)
22/2155 Victoria's Secret v. Herald Square Owner (NY 651833/2020)
22/739 Videla v. City University of NY (NY 135513)
22/398 Waterbury v. Finlay (NY 158220/2018)
22/3255 Watson v. Lampkin (NY 114873/2008)
21/3923(2) Waverly Stores v. Waverly Mews (NY 158743/2019)
21/2147 Webb v. NYCTA (BX 27683/2016)
22/1386 Weil v. Newton (NY 153576/2019)
21/4215(2) Widcombe v. Consolidated Edison (NY 151809/2016)
21/3914N Williams v. Bronx Harbor Health (BX 32712/2018)
21/4291 Williams v. Citigroup (NY 650481/2010)
22/540(3) Wolf, Haldenstein v. 270 Madison Ave. (NY 652297/2021)
22/3114 Woodson v. Convent 1 (NY 160547/2017)
21/3915 Woolf v. Bloomberg L.P. (NY 155152/2020)
22/668 Wu v. Xie (NY 309591/2017)
22/3200 X., Chen (NY N3353/2019)
21/3681(2) Yan v. Mo (NY 159213/2019)
22/2726 YU Pride Alliance v. Yeshiva University (NY 154010/2021)
22/388 Zanani v. Scott Seidler Family Trust (NY 156268/2021)
22/3217 Zicklin v. Bergdorf Goodman (NY 190254/2019)
22/1480 Ziehl v. Zhu (BX 27159/2016)

Criminal Cases

18/4272 People v. A., (BX 3577/2014)
18/1989 People v. Alan L. (BX 2130/2016)
15/2126 People v. Alberto Guzman-Caba (NY 348N/2014)
20/1284 People v. Alex Bracero (BX 528/2018)
21/2376 People v. Alex Bracero (BX 528/2018)
19/5231 People v. Alexander Arias (NY 3155/2015)
18/5206 People v. Alfonso Skeeter (BX 2200/2015)
19/4060 People v. Alonzo Johnson (BX 1541/2012)
19/5296 People v. Angel Pimental (BX 439/2017)
19/3419 People v. Anonymous (NY 4414/2011)
19/1668 People v. Anthony Esquilin (BX 3324/2016)
19/2006 People v. Anthony Mahoney (BX 2984/2015)

Court Calendars

C O U R T N O T E S

MAYOR'S ADVISORY COMMITTEE ON THE JUDICIARY

Public Meeting To Be Held On Fitness of Judicial Candidates

A public hearing will be held by the Mayor's Advisory Committee on the Judiciary on Tuesday, Oct. 11 at 9 a.m. at the Office of Administrative Trials and Hearings, 100 Church Street, 12th Floor, New York.

The public hearing will be conducted in-person, however, due to current health and safety protocols, any person intending to attend must RSVP to judiciary@cityhall.nyc.gov no later than 4 p.m. on Friday, Oct. 7.

This public hearing is for the purpose of receiving information from any person concerning the fitness of the following candidates who are nominees for appointment by the Honorable Eric Adams, Mayor of the City of New York, as judges of the Criminal Court:

Dale Fong-Frederick
Sara R. Litman
Michael E. Ryan

A concise written signed statement of any information or testimony intended for presentation at the hearing must be received no later than 4 p.m. on Friday, Oct. 7 at the Mayor's Advisory Committee on the Judiciary, Attention: Honorable George J. Silver, Chair, via Email: judiciary@cityhall.nyc.gov.

If any person submitting a written statement elects not to testify at the public hearing, the Committee will determine whether to make the statement public unless the statement specifies that it be held in confidence by the Committee. The Committee will nevertheless present a copy of each written statement to the candidate in advance of the hearing. Any member of the public who is interested in attending please notify the office via above email.

U.S. COURT OF APPEALS FOR THE SECOND CIRCUIT

Announcement For Bankruptcy Judgeship in the Northern District: Application Deadline Extended to Oct. 14

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 Northern District of New York in Albany, 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 \$205,528.

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 experience.

Application forms are posted on the Court's website at <http://www.ca2.uscourts.gov>.

Completed application packages must be in the format required by the Second Circuit and received **no later than October 14, 2022.**

U.S. COURT OF APPEALS FOR THE SECOND CIRCUIT

Comments Being Accepted Regarding the Reappointment Of Federal Public Defender Michael L. Desautels

The current term of office of Federal Public Defender Michael L. Desautels, Federal Public Defender for the District of Vermont, is due to expire on March 24, 2023. The United States Court of Appeals for the Second Circuit is considering the reappointment of Mr. Desautels to a new four-year term of office. Pursuant to 18 U.S.C. §3006A(g)(2)(A), the Federal Public Defender provides written criminal federal services to individuals financially unable to obtain adequate representation. Upon reappointment, the incumbent would continue to exercise his authority as the Federal Public Defender.

Members of the bar and the public are invited to submit comments for consideration by the United States Court of Appeals for the Second Circuit regarding the reappointment of Federal Public Defender Michael L. Desautels to a new term of office. All comments will be kept confidential and should be emailed to: FPD_VT_Comment@ca2.uscourts.gov

Comments must be received no later than November 4, 2022.

U.S. DISTRICT COURT EASTERN DISTRICT

Application Period to Apply for U.S. Magistrate Judge Has Been Extended to Oct. 14

Chief Judge Margo K. Brodie announced today that the application period to apply for a United States Magistrate Judge vacancy in Brooklyn, NY, for an eight (8)-year term, to be created by the retirement of U.S. Magistrate Judge Roanne L. Mann effective January 5, 2023, is extended to October 14, 2022 (see Administrative Order No. 2022-21 on the Court's website and attached below).

The application form, can be accessed on-line at the district's website: www.nyed.uscourts.gov. Application forms also may be obtained from the Clerk of Court in the Public Announcement. All applications for the magistrate judge vacancy must be received no later than October 14, 2022. Please see the original public notice below for instructions on how to submit applications for the magistrate judge vacancy.

By November 25, 2022, the Merit Selection Panel

appointed by the Judges of the United States District Court for the Eastern District of New York to consider candidates for the Magistrate Judge vacancy (see Administrative Order No. 2022-14 on the Court's website and attached below must report to the Court its recommended slate of candidates.

There is one (1) upcoming full-time United States Magistrate Judge position vacancy at the Brooklyn Courthouse of the Eastern District of New York at 225 Cadman Plaza, Brooklyn, New York, effective January 5, 2023. The duties of the position are demanding and wide-ranging, and will include: (1) conducting preliminary proceedings in criminal cases; (2) trial and disposition of misdemeanor cases; (3) conducting 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 basic jurisdiction of a United States Magistrate Judge is specified in 28 U.S.C., section 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 2022-14) 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 notice, \$205,528 per annum. The term of office is eight years.

Please note that the application form can be accessed on-line at the district's website: www.nyed.uscourts.gov. Application forms also may be obtained from the Clerk of Court at 225 Cadman Plaza East, Brooklyn, New York 11201. Applications must be personally prepared by potential nominees and **must be received no later than October 14, 2022.** A submission can be made by email in PDF format sent to NYED-APPLICATIONS@nyed.uscourts.gov. Instructions are available on the court website.

U.S. DISTRICT COURT SOUTHERN DISTRICT

Applications Being Accepted For New Magistrate Judge in White Plains

Application forms are available at www.nysd.uscourts.gov.

The United States District Court for the Southern District of New York is accepting applications for the position of one full-time Magistrate Judge at White Plains, NY. 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) inquests and reports and recommendations on dispositive motions on reference from the judges of the district court; and (6) assignment of additional duties not inconsistent with the Constitution and laws of the United States.

The basic jurisdiction of the United States Magistrate Judge is specified in 28 U.S.C., Section 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.

A Merit Selection Panel composed of attorneys and other members of the community will review all applications and recommend in confidence to the judges of the district court the five persons whom it considers best qualified. The Court will make the appointment following an FBI and IRS investigation of the appointee. The individual selected must comply with the financial disclosure requirements of the Ethics in Government Act of 1978 and the Courthouse Ethics Act (CETA) of 2021. The Court is interested in a diverse applicant pool and encourages all qualified candidates to submit their applications, including women and members of minority groups. All new hires are subject to the Court's policy on COVID-19 vaccination and testing. The current salary of the position is \$205,528 per annum (**effective 1/1/2022).

Candidates should submit hard copies of the application to the physical address below and email a copy to: Magistrateapplications@nysd.uscourts.gov.

Edward A. Friedland
District Court Executive
United States Courthouse
500 Pearl Street, Room 820
New York, NY 10007-1312

Tel: 212-805-0500

An original plus fifteen (15) copies of a cover letter, resume and application **must be received by December 7, 2022.** Application forms are available on the Court's website: www.nysd.uscourts.gov. (One vacancy may be filled from this posting.)

NASSAU COUNTY BAR ASSOCIATION

NCBA to Host Free Legal Open House Clinic on Monday, Oct. 24

In honor of National Pro Bono Week, the Nassau County Bar Association (NCBA) in collaboration with Nassau Suffolk Law Services and the Safe Center LI invites Nassau County residents to meet with volunteer attorneys at a free Open House Clinic on

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15/925 People v. Antoine J. Jones (BX 58689C/2011)
18/2306 People v. Arthur Hernandez (BX 2157/2014)
20/600 People v. Ashley Williams (NY 1482/2011)
20/4243 People v. Ashmore Briggs (NY 1428/2019)
21/284 People v. Boris Brown (NY 4977/2010)
21/1713 People v. Brandon Brown (BX 994/2018)
18/3034 People v. Brett Johnson (NY 4721/2016)
19/4425 People v. Cesar Rivera (BX 2443/2015)
17/578 People v. Chris Castro (NY 5516/2015)
19/2562 People v. Christian Aguirre (BX 351/2018)
18/2487 People v. Dameon Harris (BX 2493/2010)
19/4024 People v. Daniel Shipman (BX 2661/17)
18/3895 People v. Daniel Sittler (BX 99050/2014)
19/4622 People v. Darnell Holmes (BX 428/2014)
19/1502 People v. Darrell Spencer (BX 3817/2009)
18/2511 People v. Darryl Watts (BX 2715/2011)
20/1597 People v. David McBride (NY 4024/2017)
18/3093 People v. Eduardo Silva (BX 2809/2014)
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18/3037 People v. Fabian Greene (NY 3724/2017)
19/5424 People v. Felix Sosa (NY 1950/2018)
19/5147 People v. Fernando Rodriguez (NY 2891/16)
17/946 People v. Fernando Rodriguez (NY 3909/2015)
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21/163 People v. Gabriel Roldan (BX 99072/2019)
15/2981 People v. Goran Logan (NY 2467/2013)
21/1431 People v. Gregory Luck (BX 99062/2019)
19/5497 People v. Haniel Morales (BX 3626/2016)
18/2753 People v. Harry Bonilla (BX 8322/2015)
18/1414 People v. Hector Hernandez (BX 939/2016)
19/810 People v. Howard Unger (BX 3153/2016)
19/5757 People v. Jamell Frasier (NY 4769/2016)
17/3044 People v. James Sanford (NY 218/2015)
16/2629 People v. James Smith (NY 4352/9)
21/1812 People v. Jason Alvarez (BX 600/2017)
21/2574 People v. Jeramie Rodriguez (BX 1496/2011)
19/1196 People v. Jeremiah Perez (NY 203/2018)
16/1318 People v. Jeremy Sanchez (NY 4004/2012)
21/3293 People v. Jon Arce (BX 539/2020)
15/2524 People v. Jorge Olivieri (NY 4935/2014)
19/5426 People v. Jose Brioso (BX 1322/2017)
18/2375 People v. Jose Torres (BX 1308/2016)
18/2249 People v. Joseph Green (BX 1182/2016)
20/1255 People v. Juan Delgado (BX 273/2019)
18/2210 People v. Juan Medina (BX 3455/2013)
19/3591 People v. Juan Rivera (BX 2165/2016)
18/2680 People v. Junior Guzman (NY 729/2015)
19/5869 People v. Justin Alvarez (BX 354/2017)
22/2335 People v. Kai Watkins (BX 22320/2013)
19/5047 People v. Kalik Artis (NY 4417/2016)
20/272 People v.

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Attorney

Attorney

Attorney



TRIAL OFFICER
NEW YORK CITY HOUSING AUTHORITY

Job Type: Per Diem Trial or Hearing Officer | Practice Areas: Litigation

Job Description and Requirements

- Conduct and make a record of employee disciplinary hearings pursuant to New York State Civil Service Law §75.
- Take testimony, review transcripts, and evaluate credibility of witnesses; evaluate documentary evidence; understand and apply relevant laws, statutes, policies, and procedures of the New York City Housing Authority ("NYCHA"), New York City, New York State, and/or Federal laws.
- Prepare and submit Report and Recommendations to NYCHA, within one (1) month after receipt of the record, for review and decision.
- Report and Recommendations include a summary of the evidence; findings of fact with explanation, analysis of the evidence, and/or legal issues; and a recommendation as to penalty as stated in New York State Civil Service Law §75.
- Compliance with technical rules of evidence will not be required.
- Hearsay is permitted.
- Standard of proof is by a preponderance of the evidence.
- Principles of civil practice and rules of evidence may be applied to ensure an orderly proceeding and a clear record, and to assist the Trial Officer in the role as trier of fact.
- Trial Officers are subject to the New York State and New York City Codes of Judicial Conduct, and must maintain the highest standards of ethics, both professionally and personally.
- Qualities of judicial demeanor, poise, discretion, patience, tact, and sound judgment.
- Ensure that individuals appearing conduct themselves at all times in a dignified, orderly and decorous manner. In particular, at the hearing, all parties, their attorneys or representatives, and observers must address themselves only to the Trial Officer, avoid colloquy and argument among themselves, and cooperate with the orderly conduct of the hearing.
- Ensure that attorneys conduct themselves in accordance with the canons, ethical considerations, and disciplinary rules set forth in the New York State Lawyer's Code of Professional Responsibility in their representation of their clients, in their dealings with the Trial Officer, other parties, attorneys, and representatives.
- Ability to handle complex hearings while producing a professional work product.
- Outstanding writing skills and proficiency in Microsoft Word and Outlook, and computerized legal research.
- Trial Officer may continue in the position for a term of one (1) year. This term may be extended for subsequent terms of one (1) year, by mutual written agreement of both the Trial Officer and NYCHA, each in their sole discretion.

Note: This list includes, but is not limited to, all job description, job requirements, duties and responsibilities.

Qualifications

- A license to practice law in the State of New York, which must be maintained;
- Three years of recent satisfactory relevant legal experience subsequent to admission to the bar; and
- Knowledge of the rules of evidence and procedure as applied to NYS Civil Service Law §75 hearings.

Application Instructions:

- Must include bar admission date (s) (month and year) on resume.
- Provide two writing samples within the last five years.
- Provide three references, listing their professional association and the circumstances under which they became familiar with the candidate's professional skills.

Interested candidates may email cover letter, resume, and all pertinent information to the contact below. No telephone calls, faxes or personal inquiries please. Only those candidates under consideration will be contacted.

Contact Information:

Attn.: David Rohde, Interim EVP for Legal Affairs and General Counsel
David.Rohde@nycha.nyc.gov
New York City Housing Authority, Law Department, Office of the General Counsel
90 Church Street, New York, NY 10007
Application Deadline: 10/31/2022

Attorney

Attorney

LITIGATION ATTORNEY

Berchem Moses PC, a prominent Connecticut law firm with offices in Milford and Westport, is actively recruiting candidates for the following position:
Litigation Attorney - a lawyer with 5 to 10 years experience admitted to the state and federal courts. Insurance defense and trial experience preferred.
This position requires excellent presentation, writing, research, organization and interpersonal skills. Applicants must be highly professional and self-motivated with a desire to cultivate their individual practice while working as part of a team. A strong academic background and outstanding references are important considerations in selecting successful candidates.
Please forward resume, in confidence, with salary requirements to:
**Attorney Richard J. Buturla**
Berchem Moses PC
75 Broad Street, Milford, CT 06460
rbuturla@berchemmoses.com

ATTORNEY II- PUBLIC
SAFETY LEGAL ADVISOR

Self-initiating attorney works with little direct supervision to provide a wide range of high level professional legal services to the city departments of: police, airport police, fire, fire marshal, and animal management and welfare.
This Attorney-II position offices in the police headquarters and has no formal oversight over any employee, but is expected to mentor inexperienced Attorney-I as the need arises.
1. REQUIRED: (a) Valid Texas law license in good standing; and (b) a Texas drivers license in good standing and with acceptable driving record; and, © No disqualifying criminal or law license disciplinary history. (d) Able to communicate effectively in writing and verbally; (e) Minimum five years experience as a practicing attorney.
2. PREFERRED: (a) Considerable knowledge of state and federal statutes relating to municipal affairs, including but not limited to: Texas Public Information Act; Texas Tort Claims Act; Texas criminal, transportation, and health statutes; Texas Fire and Police Civil Service Act; 42 U.S.C. 1983; F.M.L.A.; and A.D.A. (b) Bilingual ability.
Please apply at:
https://careers.amarillo.gov
The City may consider all related education and/or experience in determining an applicant's minimum qualifications and starting salary.



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LIMITED LIABILITY
ENTITIES


NOTICE OF QUALIFICATION of Dash Studio LLC. Authority filed with NY Secy of State (SSNY) on 8/10/22. Office location: New York County. LLC formed in North Carolina (NC) on 10/8/15. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 28 Liberty St, NY, NY 10005. NC address of LLC: 610 Hillsborough St, Unit 103, Raleigh, NC 27603. Cert. of Formation filed with NC Secy of State, 2 South Salisbury St, Raleigh, NC 27601. The name and address of the Reg. Agent is C T Corporation System, 28 Liberty St, NY, NY 10005. Purpose: any lawful activity. 0000617700 s1-Th o6

LIMITED LIABILITY
ENTITIES

NOTICE OF QUALIFICATION of OW North America Ventures LLC. Authority filed with NY Secy of State (SSNY) on 8/1/22. Office location: New York County. LLC formed in Delaware (DE) on 10/29/21. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 28 Liberty St, NY, NY 10005. DE address of LLC: 1209 Orange St, Wilmington, DE 19801. Cert. of Formation filed with DE Secy of State, 401 Federal St, Ste 4, Dover, DE 19901. The name and address of the Reg. Agent is C T Corporation System, 28 Liberty St, NY, NY 10005. Purpose: any lawful activity. 0000617722 s1-Th o6


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LIMITED LIABILITY
ENTITIES

NOTICE OF QUALIFICATION of Tri-State Attendants and Janitorial Services LLC. Authority filed with NY Secy of State (SSNY) on 3/17/22. Office location: New York County. LLC formed in New Jersey (NJ) on 1/5/21. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 28 Liberty St, NY, NY 10005. NJ address of LLC: 101 Newkirk St, Clayton, NJ 08312. Cert. of Formation filed with NJ Secy of State, POB 300, Trenton, NJ 08625. The name and address of the Reg. Agent is C T Corporation System, 28 Liberty St, NY, NY 10005. Purpose: any lawful activity. 0000617770 s1-Th o6

LIMITED LIABILITY
ENTITIES

NOTICE OF QUALIFICATION of Western NY Energy Storage LLC. Authority filed with NY Secy of State (SSNY) on 8/11/22. Office location: New York County. LLC formed in Delaware (DE) on 8/11/22. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 28 Liberty St, NY, NY 10005. DE address of LLC: 1209 Orange St, Wilmington, DE 19801. Cert. of Formation filed with DE Secy of State, 401 Federal St, Ste 4, Dover, DE 19901. The name and address of the Reg. Agent is C T Corporation System, 28 Liberty St, NY, NY 10005. Purpose: any lawful activity. 0000617772 s1-Th o6

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SALES

NOTICE OF SALE

SUPREME COURT COUNTY OF NEW YORK, RSS COMM2015DC1-NY 115, LLC, Plaintiff, vs. 115 MERCER, LLC, ET AL., Defendants(s). Pursuant to a Judgment of Foreclosure and Sale and Decision and Order on Motion duly entered on September 1, 2021 and a Decision and Order on Motion duly entered on March 3, 2022, I, the undersigned Referee will sell at public auction on the portico of the New York County Courthouse, 60 Centre Street, New York, NY on October 26, 2022 at 2:15 p.m., premises known as 115 Mercer Street, Unit Nos. 1A and 1B, New York, NY 10012. All that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Borough, County, City and State of New York, Block 499 and Lot 1401 together with an undivided 14.03 percent interest in the common elements (Unit 1A); All that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Borough, County, City and State of New York, Block 499 and Lot 1402 together with an undivided 11.26 percent interest in the common elements (Unit 1B). Approximate amount of judgment is \$49,028,680.04 plus interest and costs. Premises will be sold subject to provisions of filed Judgment Index #85 0240/2019. COVID-19 safety protocols will be followed at the foreclosure sale. Roberta Ashkin, Esq. Referee 0000620658 s22-W o13

LIMITED LIABILITY ENTITIES

SALES

NOTICE OF SALE

SUPREME COURT COUNTY OF QUEENS U.S. Bank National Association, as Trustee, successor in interest to Bank of America National Association, as Trustee, successor by merger to LaSalle Bank National Association, as Trustee for Merrill Lynch First Franklin Mortgage Loan Trust 2007-1, Mortgage Pass-Through Certificates, Series 2007-1, Plaintiff AGAINST Richard Douglin; Sofleair Douglin; et al., Defendant(s) Pursuant to a Judgment of Foreclosure and Sale duly entered February 6, 2019, I, the undersigned Referee will sell at public auction at the steps of Queens County Supreme Court, 88-1 Stuphin Boulevard, Jamaica, NY 11435 on October 21, 2022 at 12:45PM, premises known as 535 Beach 72nd Street, Arverne, NY 11692. All that certain plot piece or parcel of land, with the buildings and improvements erected, situate, lying and being in the Borough of Brooklyn, County of Queens, City and State of New York, Block: 16065 Lot: 43. Approximate amount of judgment \$375,743.76 plus interest and costs. Premises will be sold subject to provisions of filed Judgment Index# 703804/2017. The auction will be conducted pursuant to the COVID-19 Policies Concerning Public Auctions of Foreclosed Property established by the Eleventh Judicial District. Daniel Ferreira, Esq., Referee LOGS Legal Group LLP f/ k/a Shapiro, DiCaro & Barak, LLC Attorney(s) for the Plaintiff 175 Mile Crossing Boulevard Rochester, New York 14624 (877) 430-4792 Dated: August 8, 2022 0000620396 s22-Th o13

LIMITED LIABILITY ENTITIES

NOTICE OF QUALIFICATION

NOTICE OF QUALIFICATION of Van Hook Solar LLC. Authority filed with NY Secy of State (SSNY) on 8/16/22. Office location: New York County, DE address of LLC: 1209 Orange St, Wilmington, DE 19801. Cert. of Formation filed with DE Secy of State, 401 Federal St, Ste 4, Dover, DE 19901. The name and address of the Reg. Agent is C T Corporation System, 28 Liberty St, NY, NY 10005. Purpose: any lawful activity. 0000617771 s1-F o6

NOTICE OF QUALIFICATION

NOTICE OF QUALIFICATION of DB HTS LLC. Authority filed with NY Secy of State (SSNY) on 8/23/22. Office location: New York County, DE address of LLC: 1209 Orange St, Wilmington, DE 19801. Cert. of Formation filed with DE Secy of State, 401 Federal St, Ste 4, Dover, DE 19901. The name and address of the Reg. Agent is C T Corporation System, 28 Liberty St, NY, NY 10005. Purpose: any lawful activity. 0000617704 s1-Th o6

NOTICE OF QUALIFICATION

NOTICE OF QUALIFICATION of CLU WEALTH MANAGEMENT LLC. Arts of Org. filed with NY Secy of State (SSNY) on 8/10/22. Office location: New York County, SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 310 W. 86th St, Apt PHN, NY, NY 10024. The name and address of the Reg. Agent is Paul Stawinski, 310 W. 86th St, Apt PHN, NY, NY 10024. Purpose: any lawful activity. 0000617645 s1-Th o6

NOTICE OF QUALIFICATION

NOTICE OF QUALIFICATION of Kontent US, LLC. Arts of Org. filed with NY Secy of State (SSNY) on 8/15/22. Office location: New York County, SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 28 Liberty St, NY, NY 10005. The name and address of the Reg. Agent is C T Corporation System, 28 Liberty St, NY, NY 10005. Purpose: any lawful activity. 0000617712 s1-Th o6

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SALES

NOTICE OF SALE

SUPREME COURT COUNTY OF NEW YORK JPMorgan Chase Bank National Association, Plaintiff AGAINST Byung Seung, a/k/a Byung Hun Seung; Seon Seung a/k/a Seon Bae Seung; et al., Defendant(s) Pursuant to a Judgment of Foreclosure and Sale duly dated June 30, 2021, I, the undersigned Referee will sell at public auction at the Portico of the New York County Courthouse, 60 Centre St, New York, NY 10007 on October 26, 2022, at 2:15PM, premises known as 635 West 42nd Street, Unit 24F, New York, NY 10036. All that certain plot piece or parcel of land, with the buildings and improvements erected, situate, lying and being in the Borough of Manhattan, County, City and State of NY, Block 1090 Lot 1228. Approximate amount of judgment \$1,524,370.62 plus interest and costs. Premises will be sold subject to provisions of filed Judgment Index# 850049/2014. The auction will be conducted pursuant to the COVID-19 Policies Concerning Public Auctions of Foreclosed Property established by the 1st Judicial District. Elaine Shay, Esq., Referee LOGS Legal Group LLP f/ k/a Shapiro, DiCaro & Barak, LLC Attorney(s) for the Plaintiff 175 Mile Crossing Boulevard Rochester, New York 14624 (877) 430-4792 Dated: May 19, 2022 0000620394 s22-Th o13

LIMITED LIABILITY ENTITIES

NOTICE OF QUALIFICATION

NOTICE OF QUALIFICATION of Entertainment Weekly, LLC. The fictitious name is: Entertainment Weekly Media Company, LLC. Authority filed with NY Secy of State (SSNY) on 7/29/22. Office location: New York County, LLC formed in Delaware (DE) on 7/21/89. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 28 Liberty St, NY, NY 10005. DE address of LLC: 1209 Orange St, Wilmington, DE 19801. Cert. of Formation filed with DE Secy of State, 401 Federal St, Ste 4, Dover, DE 19901. Purpose: any lawful activity. 0000617670 s1-Th o6

NOTICE OF QUALIFICATION

NOTICE OF QUALIFICATION of Glove City Energy Center, L.L.C. Authority filed with NY Secy of State (SSNY) on 07/20/2022. Office location: New York County, LLC formed in Delaware (DE) on 07/15/2022. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 28 Liberty St, NY, NY 10005. DE address of LLC: 1209 Orange St, Wilmington, DE 19801. Cert. of Formation filed with DE Secy of State, 401 Federal St, Ste 4, Dover, DE 19901. The name and address of the Reg. Agent is C T Corporation System, 28 Liberty St, NY, NY 10005. Purpose: any lawful activity. 0000617719 s1-Th o6

NOTICE OF QUALIFICATION

NOTICE OF QUALIFICATION of North Foot-hills Energy Center, L.L.C. Authority filed with NY Secy of State (SSNY) on 07/20/2022. Office location: New York County, LLC formed in Delaware (DE) on 07/15/2022. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 28 Liberty St, NY, NY 10005. DE address of LLC: 1209 Orange St, Wilmington, DE 19801. Cert. of Formation filed with DE Secy of State, 401 Federal St, Ste 4, Dover, DE 19901. The name and address of the Reg. Agent is C T Corporation System, 28 Liberty St, NY, NY 10005. Purpose: any lawful activity. 0000617720 s1-Th o6

LIMITED LIABILITY ENTITIES

NOTICE OF QUALIFICATION

NOTICE OF QUALIFICATION of TH Holdings Propco LLC. Authority filed with NY Secy of State (SSNY) on 8/8/22. Office location: New York County, LLC formed in Delaware (DE) on 7/28/22. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 28 Liberty St, NY, NY 10005. DE address of LLC: 1209 Orange St, Wilmington, DE 19801. Cert. of Formation filed with DE Secy of State, 401 Federal St, Ste 4, Dover, DE 19901. The name and address of the Reg. Agent is C T Corporation System, 28 Liberty St, NY, NY 10005. Purpose: any lawful activity. 0000617668 s1-Th o6

NOTICE OF QUALIFICATION

NOTICE OF QUALIFICATION of HL Productions, LLC. The fictitious name is: HL Productions Media Company, LLC. Authority filed with NY Secy of State (SSNY) on 7/29/22. Office location: New York County, LLC formed in Delaware (DE) on 7/20/94. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 28 Liberty St, NY, NY 10005. DE address of LLC: 1209 Orange St, Wilmington, DE 19801. Cert. of Formation filed with DE Secy of State, 401 Federal St, Ste 4, Dover, DE 19901. Purpose: any lawful activity. 0000617673 s1-Th o6

NOTICE OF QUALIFICATION

NOTICE OF QUALIFICATION of EAHG West Side Condo LLC. Authority filed with NY Secy of State (SSNY) on 8/17/22. Office location: New York County, LLC formed in Delaware (DE) on 8/4/22. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 28 Liberty St, NY, NY 10005. DE address of LLC: 1209 Orange St, Wilmington, DE 19801. Cert. of Formation filed with DE Secy of State, 401 Federal St, Ste 4, Dover, DE 19901. The name and address of the Reg. Agent is C T Corporation System, 28 Liberty St, NY, NY 10005. Purpose: any lawful activity. 0000617663 s1-Th o6

NOTICE OF QUALIFICATION

NOTICE OF QUALIFICATION of EAHG West Side Condo TRS LLC. Authority filed with NY Secy of State (SSNY) on 8/17/22. Office location: New York County, LLC formed in Delaware (DE) on 8/4/22. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 28 Liberty St, NY, NY 10005. DE address of LLC: 1209 Orange St, Wilmington, DE 19801. Cert. of Formation filed with DE Secy of State, 401 Federal St, Ste 4, Dover, DE 19901. The name and address of the Reg. Agent is C T Corporation System, 28 Liberty St, NY, NY 10005. Purpose: any lawful activity. 0000617667 s1-Th o6

TVT CAPITAL LLC. App. for Auth. filed with the SSNY on 11/14/08. Originally filed with Secretary of State of Delaware on 04/09/2008. 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, 8 Hunters Lane, Roslyn, NY 11576. Purpose: Any lawful purpose. 0000619929 s15-Th o20

NOTICE OF QUALIFICATION

NOTICE OF QUALIFICATION of MPQ 370 Lexington, LLC. Arts of Org filed with Secy. of State of NY (SSNY) on 10/29/20. Office location: NY County. SSNY designated as agent upon whom process may be served and shall mail copy of process against LLC to Corporation Service Co, 80 State St, Albany, NY 12207. P/B/A: 370 Lexington Ave, NY, NY 10017. Purpose: any lawful act. 0000618732 S08 Th O13

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LIMITED LIABILITY ENTITIES

Glitterati Letters LLC. Filed 9/21/22. Office: NY Co. SSNY desig. as agent for process & shall mail to: 500 7th Ave 8th Fl, NY, NY 10018. Purpose: General. 0000624072 o6-Th n10

JAMAICA LAB, LLC filed Arts. of Org. with the Secty of State of NY (SSNY) on 5/9/2022. 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 The LLC, 225 Crossways Park Dr., Woodbury, NY, 11797. Purpose: any lawful act. 0000624085 o6-Th n10

JS TAXI PROCESSING, LLC filed Arts. of Org. with the Secty of State of NY (SSNY) on 2/9/2022. 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 The LLC, 225 Crossways Park Dr., Woodbury, NY, 11797. Purpose: any lawful act. 0000624082 o6-Th n10

LAKEPOINTE ENTERTAINMENT, LLC Art of Org. filed with the SSNY on 03/30/2022. Office: NEW YORK COUNTY. SSNY designated as agent of the LLC upon whom process against it may be served. SSNY shall mail copy of process to the LLC, CASEY MCNUITY, 113 LAKEPOINTE WAY, SARATOGA SPRINGS, NY 12866. Purpose: Any lawful purpose. 0000616582 S01 Th O06

Matchful Christopher LLC, Arts of Org. filed with Sec. of State of NY (SSNY) 6/10/2022. Cty: New York. SSNY desig. as agent upon whom process against may be served & shall mail process to: 87 Christopher St., New York, NY 10014. General Purpose 0000624108 o6-Th n10

Mame Consulting Reps LLC, Arts of Org. filed with Sec. of State of NY (SSNY) 9/13/2022. Cty: Bronx. SSNY desig. as agent upon whom process against may be served & shall mail process to: 629 Waring Ave., Bronx, NY 10467. General Purpose 0000623047 s29-Th n3

MUNCH N REFRESH SERVICES, LLC. Art. of Org. filed with the SSNY on 03/07/2022. Office: NEW YORK County. SSNY designated as agent of the LLC upon whom process against it may be served. SSNY shall mail copy of process to the LLC, LCCORP SOLUTIONS 1060 Broadway Suite 100, ALBANY, NY 12204. Purpose: Any lawful purpose. 0000618028 S08 Th O13

MARZDELI LLC, Arts. of Org. filed with the SSNY on 08/29/2022. 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, 435 Plandome Rd, Manhasset, NY, 11030. Reg Agent: Christopher Marzano, 75 Karol Pl., Jericho, NY 11753. Purpose: Any Lawful Purpose 0000617580 s1-Th o6

NOTICE OF QUALIFICATION for Auth. filed with Secy. of State of NY (SSNY) on 09/19/22. Office location: NY County. LLC formed in Delaware (DE) on 09/13/22. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to the LLC. Attn: General Counsel, 100 Ave. of the Americas, NY, NY 10013. DE addr. of LLC: 251 Little Falls Dr., Wilmington, DE 19808. Cert. of Formation filed with DE Secy. Of State, John G. Townsend Bldg., 401 Federal St., Ste. 4, Dover, DE 19901. Purpose: Any lawful activity. 0000624482 o6 th no10

NOTICE OF FORMATION OF RANDYMAJOR, RS.ORG RESEARCH HUB LLC. Arts of Org. filed with Secy. of State of NY (SSNY) on 9/26/22. Office location: NY County. SSNY designated as agent upon whom process against it may be served. SSNY shall mail process to: The LLC, 15 Verberna Ave., Floral Park, NY 11001. Purpose: any lawful act. 0000623899 O06 Th N10

NOTICE OF QUALIFICATION of YS 541 Lexington Holdings LLC, Authority filed with NY Secy of State (SSNY) on 8/30/22. Office location: New York County. LLC formed in Delaware (DE) on 2/17/22. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 1325 Ave. of the Americas, Fl. 28, NY, NY 10019. DE address of LLC: 1013 Centre Rd., Ste. 403-B, Wilmington, DE 19805. Cert. of Formation filed with DE Secy of State, 401 Federal St., Ste. 4, Dover, DE 19901. Purpose: any lawful activity. 0000624297 o6-Th n10

NOTICE OF QUALIFICATION OF EVERYREALM PARTNERS LLC. Authority filed with NY Secy of State (SSNY) on 7/28/22. Office location: New York County. LLC formed in Delaware (DE) on 2/23/22. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 335 Madison Ave, Ste 6E, NY, NY 10017. DE address of LLC: 1013 Centre Rd, Ste 403-B, Wilmington, DE 19805. Cert. of Formation filed with DE Secy of State, 401 Federal St., Ste. 4, Dover, DE 19901. Purpose: any lawful activity. 0000624294 o6-Th n10

NOTICE OF QUALIFICATION OF EVERYREALM CAPITAL MANAGEMENT LLC. Authority filed with NY Secy of State (SSNY) on 7/28/22. Office location: New York County. LLC formed in Delaware (DE) on 2/23/22. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 335 Madison Ave, Ste 6E, NY, NY 10017. DE address of LLC: 1013 Centre Rd, Ste 403-B, Wilmington, DE 19805. Cert. of Formation filed with DE Secy of State, 401 Federal St., Ste. 4, Dover, DE 19901. Purpose: any lawful activity. 0000624293 o6-Th n10

LIMITED LIABILITY ENTITIES

NOTICE OF QUALIFICATION OF DBA Crypto Labs, LLC. Authority filed with NY Secy of State (SSNY) on 8/11/22. Office location: New York County. LLC formed in Delaware (DE) on 7/12/22. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 80 Broad St, Fl. 5, PMB 4119, NY, NY, 10004. DE address of LLC: 1013 Centre Road, Suite 403-B Wilmington, DE 19805. Cert. of Formation filed with DE Secy of State, 401 Federal St, Ste 4, Dover, DE 19901. Purpose: Any lawful activity. 0000624291 o6-Th n10

NOTICE OF FORMATION OF ASHLEY SEGURO-VELEZ, LLC. Art/ Org filed 9/30/22. Ofc loc Nassau County. SSNY designated for svc/proc & shall mail to 393 Jericho Tpke. #208, Mineola, NY 11501. Purpose: Any lawful activity. 0000624278 o6-Th n10

NOTICE OF FORMATION OF PLJ GROUP LLC. Art/Org filed 9/9/22. Ofc loc Nassau County. SSNY designated for svc/proc & shall mail to 5 Eagle Ln, Farmingdale, NY 11735. Purpose: Any lawful activity. 0000624172 o6-Th n10

NOTICE OF FORMATION OF OTS FRIES LLC. Art/Org filed 9/10/22. Ofc loc Nassau County. SSNY designated for svc/proc & shall mail to 5 Eagle Ln, Farmingdale, NY 11735. Purpose: Any lawful activity. 0000624168 o6-Th n10

NYC SKY LLC. Filed 9/21/22. Office: NY Co. SSNY desig. as agent for process & shall mail to: 200 Park Ave S, Ste 1616, NY, NY 10003. Purpose: General. 0000624071 o6-Th n10

NEWCORP9988776 LLC. Filed 9/6/22. Office: NY Co. SSNY desig. as agent for process & shall mail to: 800 Third Ave Ste A #1618, NY, NY, 10022. Registered Agent: United States Corporation, Agents, Inc. 704 13th Ave, Ste 202, Bklyn, NY 11228. Purpose: General. 0000624070 o6-Th n10

NOTICE OF FORM. OF NALB TUTORING, LLC. Arts. of Org. filed with SSNY on 09/29/2022. Office location: New York SSNY desig. as agent of LLC upon whom process against it may be served. SSNY mail process to: 28 LIBERTY STREET, NEW YORK, NY 10005. Any lawful purpose. 0000623911 o6 th no10

NOTICE OF FORMATION of Taking Off Aircraft Detailing LLC. Arts. of Org. filed with Secy. of State of NY (SSNY) on 9/16/22. Office location: Nassau County. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: c/o Kenny Nelce, 29 9th Ave., Sea Cliff, NY 11579. Purpose: any lawful activity. 0000623502 o6 th no10

NOTICE OF FORMATION of Morrisania Investor LLC. Arts. of Org. filed with Secy. of State of NY (SSNY) on 9/14/22. Office location: Nassau County. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: c/o Kenny Nelce, 29 9th Ave., Sea Cliff, NY 11579. Purpose: any lawful activity. 0000623502 o6 th no10

NOTICE OF FORMATION of Monte Felicity, LLC. Art. of Org. filed Secy of State (SSNY) 9/19/22. Office location: New York Co. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: The LLC, 15 Verberna Ave., Floral Park, NY 11001. Purpose: any lawful activity. 0000623501 o6 th no10

NOTICE OF FORMATION of JNF Investor LLC. Arts. of Org. filed with Secy. of State of NY (SSNY) on 9/14/22. Office location: Nassau County. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: The LLC, 15 Verberna Ave., Floral Park, NY 11001. Purpose: any lawful activity. 0000623498 o6 th no10

NOTICE OF FORMATION of ITC Risk Advisors, LLC. Arts. of Org. filed with Secy. of State of NY (SSNY) on 9/20/22. Office location: Nassau County. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: The LLC, 15 Verberna Ave., Floral Park, NY 11001. Purpose: any lawful activity. 0000623496 o6 th no10

NOTICE OF FORMATION of DLP 2022 LLC. Arts. of Org. filed with Secy. of State of NY (SSNY) on 9/20/22. Office location: New York County. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: Gotham Organization, Inc., 432 Park Ave., 2nd Fl., New York, NY 10016. Purpose: any lawful activity. 0000623492 o6 th no10

NOTICE OF FORMATION of Central Morning Westside VII LLC. Art. of Org. filed Secy. of State (SSNY) 9/19/22. Office location: NY Co. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: The LLC, c/o NY 923 Sawmill River Rd., Ardsley, NY 10502. Purpose: any lawful activities. 0000623491 o6 th no10

NOTICE OF FORMATION OF PV OPS, LLC. Arts. of Org. filed with Secy. of State of NY (SSNY) on 9/16/22. Office location: Nassau County. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: Paul Vinciguerra, 102 E. Walnut St., Long Beach, NY 11561. Purpose: any lawful activity. 0000623311 o6 th no10

Ronnetas Guaramatics, LLC. Filed 9/9/22. Office: Bronx Co. SSNY desig. as agent for process & shall mail to: c/o Inc Authority Ra, 42 Broadway, Fl. 12-200, NY, NY 10004. Purpose: General. 0000624063 o6-Th n10

LIMITED LIABILITY ENTITIES

NOTICE OF FORMATION OF IUUV PHASE IB JV, LLC. Arts. of Org. filed with Secy. of State of NY (SSNY) on 9/15/22. Office location: NY County. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: Gotham Organization, Inc., 432 Park Ave., 2nd Fl., New York, NY 10016. Purpose: any lawful activity. 00006223310 o6 th no10

NOTICE OF FORMATION OF HARBORMOON LLC. Arts. of Org. filed with Secy. of State of NY (SSNY) on 9/16/22. 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 The LLC, 1113 York Ave., 20B, New York, NY 10065. Purpose: any lawful activity. 00006223309 o6 th no10

NOTICE OF FORMATION OF ISLEU ISLAND BAR & EXQUISITE CUISINE, LLC. Articles of Org. filed with the SSNY on 10/16/21. Office: Nassau County. SSNY has been designated for service of process. SSNY shall mail copy of any process served against the LLC to 103 Woodcleft Ave Freeport NY 11520. Purpose: any lawful purpose. 0000623044 s29-Th n3

NOTICE OF FORMATION OF THE BLEU GROUP LLC. Articles of Org. filed with the SSNY on 9/28/21. Office: Nassau County. SSNY has been designated for service of process. SSNY shall mail copy of any process served against the LLC to 103 Woodcleft Ave Freeport NY 11520. Purpose: any lawful purpose. 0000623044 s29-Th n3

NOTICE OF FORMATION OF L & E LEADER LLC. Arts of Org filed with Secy. of State of NY (SSNY) on 8/23/22. Office location: Nassau County. SSNY designated as agent upon whom process may be served and shall mail copy of process against LLC to 80 Waterfront Blvd, Island Park, NY 11558. Purpose: any lawful act. 0000620557 S29 Th N03

NOTICE OF QUALIFICATION OF Westbound Solar 3, LLC. Authority filed with NY Secy of State (SSNY) on 9/19/22. Office location: New York County. LLC formed in Delaware (DE) on 12/2/20. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 28 Liberty St, NY, NY 10005. DE address of LLC: 1209 Orange St, Wilmington, DE 19801. Cert. of Formation filed with DE Secy of State, 401 Federal St, Ste 4, Dover, DE 19901. The name and address of the Reg. Agent is C T Corporation System, 28 Liberty St, NY, NY 10005. Purpose: any lawful activity. 0000622834 s29-Th n3

NOTICE OF QUALIFICATION of Webull Management LLC. Authority filed with NY Secy of State (SSNY) on 9/22/22. Office location: New York County. LLC formed in Delaware (DE) on 9/22/22. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 28 Liberty St, NY, NY 10005. DE address of LLC: 108 W. 13th St, Wilmington, DE 19801. Cert. of Formation filed with DE Secy of State, 401 Federal St, #4, Dover, DE 19901. Purpose: any lawful activity. 0000622832 s29-Th n3

NOTICE OF FORMATION of Varda Spirits Investors LLC. Arts of Org. filed with NY Secy of State (SSNY) on 9/19/22. Office location: New York County. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 28 Liberty St, NY, NY 10005. DE address of LLC: 1209 Orange St, Wilmington, DE 19801. Cert. of Formation filed with DE Secy of State, 401 Federal St, Ste 4, Dover, DE 19901. The name and address of the Reg. Agent is C T Corporation System, 28 Liberty St, NY, NY 10005. Purpose: any lawful activity. 0000622829 s29-Th n3

NOTICE OF QUALIFICATION OF USG Development LLC. Authority filed with N.Y.S. Department of State ("NY DOS") on 9/21/22. Office location: NY County. LLC formed in Delaware ("DE") on 9/19/22. NY DOS is designated as agent of LLC upon whom process against it may be served. NY DOS shall mail process to: c/o CT Corporation System, 28 Liberty St, NY, NY 10005. DE regd. agent address of LLC: c/o Enterprise Corporate Services LLC, 1201 N. Market St, Ste 1000, Wilmington, DE 19801. Cert. of Form. filed with DE Secy of State, 401 Federal St, #4, Dover, DE 19901. The name and address of the Reg. Agent is C T Corporation System, 28 Liberty St, NY, NY 1000. Purpose: any lawful activity. 0000622827 s29-Th n3

NOTICE OF QUALIFICATION of Triad Partners, LLC. The fictitious name is: Insurance Services by Triad Partners LLC Authority filed with NY Secy of State (SSNY) on 3/1/22. Office location: New York County. LLC formed in Delaware (DE) on 10/28/20. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 28 Liberty St, NY, NY 10005. DE address of LLC: 1209 Orange St, Wilmington, DE 19801. Cert. of Formation filed with DE Secy of State, 401 Federal St, Ste 4, Dover, DE 19901. The name and address of the Reg. Agent is C T Corporation System, 28 Liberty St, NY, NY 1000. Purpose: any lawful activity. 0000622827 s29-Th n3

NOTICE OF QUALIFICATION OF NOVA FORTUNA ASSET MANAGEMENT LLC. Authority filed with Secy. of State of NY (SSNY) on 9/22/22. Office location: NY County. LLC formed in DE on 7/18/22. SSNY designated agent upon whom process may be served & mailed to 140 E 45th St, 29th Fl, New York, NY 10017. DE address of LLC: 1209 Orange St, Wilmington, DE 19801. Cert. of LLC filed with Secy. of State of DE loc: 401 Federal St, Ste 4, Dover, DE 19901. Purpose: Any lawful activity. 0000621642 S22 Th O27

LIMITED LIABILITY ENTITIES

NOTICE OF QUALIFICATION OF SWEETWATER INSTRUMENT RENTAL, LLC. Authority filed with NY Secy of State (SSNY) on 9/12/22. Office location: New York County. LLC formed in Indiana (IN) on 10/21/15. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 28 Liberty St, NY, NY 10005. IN address of LLC: 5501 US-30 West, Fort Wayne, IN 46818. Cert. of Formation filed with IN Secy of State, 200 W. Washington St #201, Indianapolis, IN 46204. The name and address of the Reg. Agent is C T Corporation System, 28 Liberty St, NY, NY 10005. Purpose: For all lawful purposes. 0000622824 s29-Th n3

NOTICE OF QUALIFICATION OF Snapper Creek Energy S, LLC. Authority filed with NY Secy of State (SSNY) on 8/31/22. Office location: New York county. LLC formed in Delaware (DE) on 8/8/22. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 155 E. 73rd St, 6B, NY, NY 10021. DE address of LLC: 1209 Orange St, Wilmington, DE 19801. Cert. of Formation filed with DE Secy of State, 401 Federal St, Ste 4, Dover, DE 19901. Purpose: any lawful activity. 0000622817 s29-Th n3

NOTICE OF FORMATION OF RSS JPMBB2015-C31 - NY DIM, LLC. Arts of Org. filed with NY Secy of State (SSNY) on 9/13/22. Office location: New York County. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 28 Liberty St, NY, NY 10005. DE address of LLC: 1209 Orange St, NY, NY 10005. Purpose: any lawful activity. 0000622816 s29-Th n3

NOTICE OF QUALIFICATION OF PRIME QUADRANT US, LLC. Authority filed with NY Secy of State (SSNY) on 9/13/22. Office location: New York County. LLC formed in Delaware (DE) on 5/11/22. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 28 Liberty St, NY, NY 10005. DE address of LLC: 1209 Orange St, Wilmington, DE 19801. Cert. of Formation filed with DE Secy of State, 401 Federal St, Ste 4, Dover, DE 19901. The name and address of the Reg. Agent is C T Corporation System, 28 Liberty St, NY, NY 10005. Purpose: any lawful activity. 0000622815 s29-Th n3

NOTICE OF QUALIFICATION OF On Brooklyn Bridge Park LLC, Authority filed with NY Secy of State (SSNY) on 7/20/22. Office location: New York County. LLC formed in Delaware (DE) on 1/6/22. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 28 Liberty St, NY, NY 10005. DE address of LLC: 1209 Orange St, Wilmington, DE 19801. Cert. of Formation filed with DE Secy of State, 401 Federal St, Ste 4, Dover, DE 19901. The name and address of the Reg. Agent is C T Corporation System, 28 Liberty St, NY, NY 10005. Purpose: any lawful activity. 0000622813 s29-Th n3

NOTICE OF QUALIFICATION OF NPT CORPORATION SERVICES (TX), LLC. Authority filed with NY Secy of State (SSNY) on 9/15/22. Office location: New York County. LLC formed in Delaware (DE) on 10/3/17. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 28 Liberty St, NY, NY 10005. DE address of LLC: 1209 Orange St, Wilmington, DE 19801. Cert. of Formation filed with DE Secy of State, 401 Federal St, Ste 4, Dover, DE 19901. The name and address of the Reg. Agent is C T Corporation System, 28 Liberty St, NY, NY 10005. Purpose: any lawful activity. 0000622811 s29-Th n3

NOTICE OF QUALIFICATION OF Multiple Operations, LLC. Authority filed with NY Secy of State (SSNY) on 9/19/22. Office location: New York County. LLC formed in Delaware (DE) on 7/7/22. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 28 Liberty St, NY, NY 10005. DE address of LLC: 1209 Orange St, Wilmington, DE 19801. Cert. of Formation filed with DE Secy of State, 401 Federal St, Ste 4, Dover, DE 19901. Purpose: any lawful activity. 0000622809 s29-Th n3

NOTICE OF QUALIFICATION OF Magnit, LLC. The fictitious name is: Magnit NY, LLC. Authority filed with NY Secy of State (SSNY) on 9/14/22. Office location: New York County. LP formed in Delaware (DE) on 9/9/22. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 1001 Pennsylvania Ave, NW, Ste 220 S., Washington, D.C. 20004. DE address of LP: 1209 Orange St, Wilmington, DE 19801. List of names and addresses of all general partners available from SSNY. Cert. of Limited Partnership filed with DE Secy of State, 401 Federal St, Ste 4, Dover, DE 19901. Purpose: any lawful activity. 0000622807 s29-Th n3

NOTICE OF FORMATION OF PRO Unlimited Conversion NY, LLC. Arts of Org. filed with NY Secy of State (SSNY) on 9/12/22. Office location: New York County. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 1150 Iron Point Rd, Ste 100, Folsom, CA 95630. Purpose: any lawful activity. 0000622804 s29-Th n3

Pate Medical Consulting PLLC filed w/ SSNY on 9/6/22. Office: New York Co. SSNY designated as agent for process & shall mail to: 340 E 80th St., #2E, NY, NY 10075. Purpose: Medicine. 0000619954 s15-Th o20

LIMITED LIABILITY ENTITIES

NOTICE OF QUALIFICATION OF GBP Holdings, LLC. Authority filed with NY Secy of State (SSNY) on 9/20/22. Office location: New York County. LLC formed in Delaware (DE) on 5/29/18. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 28 Liberty St, NY, NY 10005. DE address of LLC: 1209 Orange St, Wilmington, DE 19801. Cert. of Formation filed with DE Secy of State, 401 Federal St, Ste 4, Dover, DE 19901. Purpose: any lawful activity. 0000622801 s29-Th n3

NOTICE OF QUALIFICATION OF GB Hauppauge Holdings, LLC. Authority filed with NY Secy of State (SSNY) on 9/13/22. Office location: New York County. LLC formed in Delaware (DE) on 9/9/22. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 28 Liberty St, NY, NY 10005. DE address of LLC: 1209 Orange St, Wilmington, DE 19801. Cert. of Formation filed with DE Secy of State, 401 Federal St, Ste 4, Dover, DE 19901. The name and address of the Reg. Agent is C T Corporation System, 28 Liberty St, NY, NY 10005. Purpose: any lawful activity. 0000622799 s29-Th n3

NOTICE OF QUALIFICATION OF LCC, LLC. Authority filed with NY Secy of State (SSNY) on 9/9/22. Office location: New York County. LLC formed in Delaware (DE) on 3/2/21. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 28 Liberty St, NY, NY 10005. DE address of LLC: 1209 Orange St, Wilmington, DE 19801. Cert. of Formation filed with DE Secy of State, 401 Federal St, Ste 4, Dover, DE 19901. Purpose: any lawful activity. 0000622796 s29-Th n3

NOTICE OF QUALIFICATION OF D. E. Shaw Technology Development, LLC. Authority filed with NY Secy of State (SSNY) on 6/5/2022. Office location: New York County. LLC formed in Delaware (DE) on 12/22/2003. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 1166 S. W. 11th St, Apt 106, NY, NY 10036. DE address of LLC: 1209 Orange St, Wilmington, DE 19801. Cert. of Formation filed with DE Secy of State, 401 Federal St, Ste 4, Dover, DE 19901. The name and address of the Reg. Agent is D. E. Shaw & Co. II, Inc., Attn: General Counsel, 1166 Ave of the Americas, Fl. 9, NY, NY 10036. Purpose: any lawful activity. 0000622794 s29-Th n3

NOTICE OF QUALIFICATION OF BONI Global Services, LLC. Authority filed with NY Secy of State (SSNY) on 9/15/22. Office location: New York County. LLC formed in Delaware (DE) on 9/8/22. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 1209 Orange St, Wilmington, DE 19801. DE address of LLC: 1209 Orange St, Wilmington, DE 19801. Cert. of Formation filed with DE Secy of State, 401 Federal St, Ste 4, Dover, DE 19901. Purpose: any lawful activity. 0000622792 s29-Th n3

NOTICE OF QUALIFICATION OF AXIOM DATA SCIENCE, LLC. Authority filed with NY Secy of State (SSNY) on 9/15/22. Office location: New York County. LLC formed in Alaska (AK) on 12/20/20. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 1209 Orange St, Wilmington, DE 19801. DE address of LLC: 333 Willoughby Ave, Fl. 9, State Off. Bldg, Juneau, AK 99801. The name and address of the Reg. Agent is C T Corporation System, 28 Liberty St, NY, NY 10005. Purpose: any lawful activity. 0000622791 s29-Th n3

NOTICE OF QUALIFICATION OF Arc Health OPO, LLC. Authority filed with NY Secy of State (SSNY) on 9/8/22. Office location: New York County. LLC formed in Delaware (DE) on 5/21/21. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 187 Wolf Rd, Albany, NY 12205. DE address of LLC: 1209 Orange St, Wilmington, DE 19801. Cert. of Formation filed with DE Secy of State, 401 Federal St, Ste 4, Dover, DE 19901. Purpose: any lawful activity. 0000622789 s29-Th n3

NOTICE OF QUALIFICATION OF Carlyle Direct Lending Fund LP. Authority filed with NY Secy of State (SSNY) on 7/25/22. Office location: New York County. LP formed in Delaware (DE) on 9/3/21. SSNY is designated as agent of LP upon whom process against it may be served. SSNY shall mail process to: 1001 Pennsylvania Ave, NW, Ste 220 S., Washington, D.C. 20004. DE address of LP: 1209 Orange St, Wilmington, DE 19801. List of names and addresses of all general partners available from SSNY. Cert. of Limited Partnership filed with DE Secy of State, 401 Federal St, Ste 4, Dover, DE 19901. Purpose: any lawful activity. 0000617642 s1-Th o6

NOTICE OF QUALIFICATION OF TI Experiential LLC. The fictitious name is: TI Experiential Media Company, LLC. Authority filed with NY Secy of State (SSNY) on 7/29/22. Office location: New York County. LLC formed in Delaware (DE) on 6/18/15. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 28 Liberty St, NY, NY 10005. DE address of LLC: 1209 Orange St, Wilmington, DE 19801. Cert. of Formation filed with DE Secy of State, 401 Federal St, Ste 4, Dover, DE 19901. Purpose: any lawful activity. 0000617682 s1-Th o6

LIMITED LIABILITY ENTITIES

NOTICE OF QUALIFICATION OF Alamo Group Texas LLC. Authority filed with NY Secy of State (SSNY) on 9/20/22. Office location: New York County. LLC formed in Texas (TX) on 10/31/08. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 28 Liberty St, NY, NY 10005. TX address of LLC: 1999 Bryan St, Ste 900, Dallas, TX 75201. Cert. of Formation filed with TX Secy of State, 1019 Brazos, Rm 105, Austin, TX 78701. The name and address of the Reg. Agent is C T Corporation System, 28 Liberty St, NY, NY 10005. Purpose: any lawful activity. 0000622785 s29-Th n3

NOTICE OF QUALIFICATION OF AG-MRA 2175 5th Avenue, LLC. Authority filed with NY Secy of State (SSNY) on 9/12/22. Office location: New York County. LLC formed in Delaware (DE) on 8/11/22. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 28 Liberty St, NY, NY 10005. DE address of LLC: 1209 Orange St, Wilmington, DE 19801. Cert. of Formation filed with DE Secy of State, 401 Federal St, Ste 4, Dover, DE 19901. The name and address of the Reg. Agent is C T Corporation System, 28 Liberty St, NY, NY 10005. Purpose: any lawful activity. 0000622784 s29-Th n3

NOTICE OF QUALIFICATION OF 609-615 W 46TH ST LLC. The fictitious name is 609-615 46TH ST LLC. Authority filed with NY Secy of State (SSNY) on 9/13/22. Office location: New York County. LLC formed in Delaware (DE) on 9/1/22. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 28 Liberty St, NY, NY 10005. DE address of LLC: 1209 Orange St, Wilmington, DE 19801. Cert. of Formation filed with DE Secy of State, 401 Federal St, Ste 4, Dover, DE 19901. The name and address of the Reg. Agent is C T Corporation System, 28 Liberty St, NY, NY 10005. Purpose: any lawful activity. 0000622783 s29-Th n3

NOTICE OF QUALIFICATION OF 18 Somerset Capital Management, LLC. Authority filed with NY Secy of State (SSNY) on 9/13/22. Office location: New York County. LLC formed in Delaware (DE) on 6/10/22. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 445 Ave. Fl. 7, NY, NY 10022. DE address of LLC: 1209 Orange St, Wilmington, DE 19801. Cert. of Formation filed with DE Secy of State,

LIMITED LIABILITY ENTITIES

NOTICE OF QUALIFICATION of Van Hook Solar III LLC. Authority filed with NY Secy. of State (SSNY) on 8/16/22. Office location: New York County. LLC formed in Delaware (DE) on 8/17/22. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 28 Liberty St., NY, NY 10005. DE address of LLC: 1209 Orange St., Wilmington, DE 19801. Cert. of Formation filed with DE Secy of State, 401 Federal St., Ste 4, Dover, DE 19901. The name and address of the Reg. Agent is C T Corporation System, 28 Liberty St, NY, NY 10005. Purpose: any lawful activity. s15-Th o20

NOTICE OF QUALIFICATION of Vaask, LLC. Authority filed with NY Secy. of State (SSNY) on 8/30/22. Office location: New York County. LLC formed in Texas (TX) on 11/6/18. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 28 Liberty St, NY, NY 10005. TX address of LLC: 5811 Trade Center Dr., Ste 900, Austin, TX 78744. Cert. of Formation filed with TX Secy of State, POB 13697, Austin, TX 78711. Purpose: any lawful activity. s15-Th o20

NOTICE OF QUALIFICATION of ITSQ Hotel Mezz LLC. Authority filed with NY Secy of State (SSNY) on 8/2/22. Office location: New York County. LLC formed in Delaware (DE) on 6/23/22. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 28 Liberty St, NY, NY 10005. DE address of LLC: 1209 Orange St., Wilmington, DE 19801. Cert. of Formation filed with DE Secy of State, 401 Federal St., Ste 4, Dover, DE 19901. The name and address of the Reg. Agent is C T Corporation System, 28 Liberty St, NY, NY 10005. Purpose: any lawful activity. s15-Th o20

NOTICE OF QUALIFICATION of The Coterie Master Fund I, LLC. Authority filed with NY Secy of State (SSNY) on 8/17/22. Office location: New York County. LLC formed in Delaware (DE) on 8/25/21. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 485 Park Ave, Ste 7B, NY, NY 10022. DE address of LLC: 1209 Orange St., Wilmington, DE 19801. Cert. of Formation filed with DE Secy of State, 401 Federal St., Ste 4, Dover, DE 19901. Purpose: any lawful activity. s15-Th o20

NOTICE OF QUALIFICATION of The Coterie GP LLC. Authority filed with NY Secy of State (SSNY) on 8/16/22. Office location: New York County. LLC formed in Delaware (DE) on 8/25/21. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 485 Park Ave, Ste 7B, NY, NY 10022. DE address of LLC: 1209 Orange St., Wilmington, DE 19801. Cert. of Formation filed with DE Secy of State, 401 Federal St., Ste 4, Dover, DE 19901. Purpose: any lawful activity. s15-Th o20

NOTICE OF QUALIFICATION of The Coterie Management Co. LLC. Authority filed with NY Secy of State (SSNY) on 8/17/22. Office location: New York County. LLC formed in Delaware (DE) on 8/25/21. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 485 Park Ave, Ste 7B, NY, NY 10022. DE address of LLC: 1209 Orange St., Wilmington, DE 19801. Cert. of Formation filed with DE Secy of State, 401 Federal St., Ste 4, Dover, DE 19901. Purpose: any lawful activity. s15-Th o20

NOTICE OF QUALIFICATION of PWCC Services, LLC. Authority filed with NY Secy of State (SSNY) on 8/19/22. Registry location: New York County. LLC formed in Oregon (OR) on 3/22/18. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 28 Liberty St, NY, NY 10005. OR address of LLC: 7560 SW 12th Rd., Tigard, OR 97224. Cert. of Formation filed with OR Secy of State, 255 Capitol St, NE, Ste 151, Salem, OR 97139. The name and address of the Reg. Agent is C T Corporation System, 28 Liberty St, NY, NY 10005. Purpose: any lawful activity. s15-Th o20

NOTICE OF FORMATION of Mother Popcorn Limited Liability Company. Arts of Org. filed with NY Secy of State (SSNY) on 8/23/22. Office location: New York County. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 28 Liberty St, NY, NY 10005. The name and address of the Reg. Agent is C T Corporation System, 28 Liberty St, NY, NY 10005. Purpose: any lawful activity. s15-Th o20

NOTICE OF QUALIFICATION of MGETS DELAWARE GP, LLC. Authority filed with NY Secy of State (SSNY) on 9/6/22. Office location: New York County. LLC formed in Delaware (DE) on 8/25/22. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 28 Liberty St, NY, NY 10005. DE address of LLC: 1209 Orange St., Wilmington, DE 19801. Cert. of Formation filed with DE Secy of State, 401 Federal St., Ste 4, Dover, DE 19901. The name and address of the Reg. Agent is C T Corporation System, 28 Liberty St, NY, NY 10005. Purpose: any lawful activity. s15-Th o20

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LIMITED LIABILITY ENTITIES

NOTICE OF QUALIFICATION of Macquarie Alliance Partners Management, LLC. Authority filed with NY Secy of State (SSNY) on 8/18/22. Office location: New York County. LLC formed in Delaware (DE) on 8/15/22. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 28 Liberty St, NY, NY 10005. DE address of LLC: 1209 Orange St., Wilmington, DE 19801. Cert. of Formation filed with DE Secy of State, 401 Federal St., Ste 4, Dover, DE 19901. The name and address of the Reg. Agent is C T Corporation System, 28 Liberty St, NY, NY 10005. Purpose: any lawful activity. s15-Th o20

NOTICE OF QUALIFICATION of Landing Living LLC. Authority filed with NY Secy of State (SSNY) on 9/2/22. Office location: New York County. LLC formed in Delaware (DE) on 7/30/21. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 28 Liberty St, NY, NY 10005. DE address of LLC: 1209 Orange St., Wilmington, DE 19801. Cert. of Formation filed with DE Secy of State, 401 Federal St., Ste 4, Dover, DE 19901. The name and address of the Reg. Agent is C T Corporation System, 28 Liberty St, NY, NY 10005. Purpose: any lawful activity. s15-Th o20

NOTICE OF FORMATION of Kimberly Harrison Nurse Practitioner in Family Health, PLLC. Arts of Org. filed with NY Secy of State (SSNY) on 8/30/22. Office location: New York County. SSNY is designated as agent of PLLC upon whom process against it may be served. SSNY shall mail process to: 187 Wolf Rd, Ste 101, Albany, NY 12205. List of names and addresses of all original members available from SSNY. The name and address of the Reg. Agent is Business Filings Incorporated, 187 Wolf Rd, Ste 101, Albany, NY 12205. Purpose: nurse practitioner in family health. s15-Th o20

NOTICE OF QUALIFICATION of JLA SECURITIES LLC. Authority filed with NY Secy of State (SSNY) on 8/24/22. Office location: New York County. LLC formed in Delaware (DE) on 8/31/20. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 28 Liberty St, NY, NY 10005. DE address of LLC: 1209 Orange St., Wilmington, DE 19801. Cert. of Formation filed with DE Secy of State, 401 Federal St., Ste 4, Dover, DE 19901. The name and address of the Reg. Agent is C T Corporation System, 28 Liberty St, NY, NY 10005. Purpose: any lawful activity. s15-F o20

NOTICE OF QUALIFICATION of INNVENCO B, LLC. Authority filed with NY Secy of State (SSNY) on 8/24/22. Office location: New York County. LLC formed in Delaware (DE) on 8/16/22. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 1166 Ave of the Americas, Fl. 9, NY, NY 10036. DE address of LLC: 1209 Orange St., Wilmington, DE 19801. Cert. of Formation filed with DE Secy of State, 401 Federal St., Ste 4, Dover, DE 19901. The name and address of the Reg. Agent is D.E. Shaw & Co., L.L.C., 1166 Ave of the Americas, Fl. 9, NY, NY 10036. Purpose: any lawful activity. s15-Th o20

NOTICE OF QUALIFICATION of LLO CROFT, LLC. Authority filed with NY Secy of State (SSNY) on 7/7/22. Office location: New York County. LLC formed in Rhode Island (RI) on 3/4/21. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 28 Liberty St, NY, NY 10005. RI address of LLC: 251 Norwood Ave, Cranston, RI 02905. Cert. of Formation filed with RI Secy of State, 148 W. River St, Providence, RI 02904. The name and address of the Reg. Agent is C T Corporation System, 28 Liberty St, NY, NY 10005. Purpose: any lawful activity. s15-Th o20

NOTICE OF QUALIFICATION of HSREP IX CB, LLC. Authority filed with NY Secy of State (SSNY) on 8/18/22. Office location: New York County. LLC formed in Delaware (DE) on 4/20/22. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 28 Liberty St, NY, NY 10005. DE address of LLC: 1209 Orange St., Wilmington, DE 19801. Cert. of Formation filed with DE Secy of State, 401 Federal St., Ste 4, Dover, DE 19901. The name and address of the Reg. Agent is C T Corporation System, 28 Liberty St, NY, NY 10005. Purpose: any lawful activity. s15-Th o20

NOTICE OF FORMATION of Greenspan Projects NY LLC. Arts of Org. filed with NY Secy of State (SSNY) on 8/18/22. Office location: New York County. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 28 Liberty St, NY, NY 10005. DE address of LLC: 1209 Orange St., Wilmington, DE 19801. Cert. of Formation filed with DE Secy of State, 401 Federal St., Ste 4, Dover, DE 19901. Purpose: any lawful activity. s15-Th o20

LIMITED LIABILITY ENTITIES

NOTICE OF QUALIFICATION of GMR Canandaigua, LLC. Authority filed with NY Secy of State (SSNY) on 8/15/22. Office location: New York County. LLC formed in Delaware (DE) on 6/1/22. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 28 Liberty St, NY, NY 10005. DE address of LLC: 1209 Orange St., Wilmington, DE 19801. Cert. of Formation filed with DE Secy of State, 401 Federal St., Ste 4, Dover, DE 19901. The name and address of the Reg. Agent is C T Corporation System, 28 Liberty St, NY, NY 10005. Purpose: any lawful activity. s15-Th o20

NOTICE OF QUALIFICATION of FERROVIAL CONSTRUCTION JFK T1, LLC. Authority filed with NY Secy of State (SSNY) on 5/22/22. Office location: New York County. LLC formed in Delaware (DE) on 4/12/22. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 28 Liberty St, NY, NY 10005. DE address of LLC: 1209 Orange St., Wilmington, DE 19801. Cert. of Formation filed with DE Secy of State, 401 Federal St., Ste 4, Dover, DE 19901. Purpose: any lawful activity. s15-Th o20

NOTICE OF QUALIFICATION of EXDI LLC. Authority filed with NY Secy of State (SSNY) on 8/29/22. Office location: New York County. LLC formed in Delaware (DE) on 8/8/22. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 28 Liberty St, NY, NY 10005. DE address of LLC: 1209 Orange St., Wilmington, DE 19801. Cert. of Formation filed with DE Secy of State, 401 Federal St., Ste 4, Dover, DE 19901. The name and address of the Reg. Agent is C T Corporation System, 28 Liberty St, NY, NY 10005. Purpose: any lawful activity. s15-Th o20

NOTICE OF QUALIFICATION of Epix Studios LLC. Authority filed with NY Secy of State (SSNY) on 9/31/22. Office location: New York County. LLC formed in Delaware (DE) on 11/6/19. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 28 Liberty St, NY, NY 10005. DE address of LLC: 1209 Orange St., Wilmington, DE 19801. Cert. of Formation filed with DE Secy of State, 401 Federal St., Ste 4, Dover, DE 19901. Purpose: any lawful activity. s15-Th o20

NOTICE OF QUALIFICATION of Dimension Management LP, LLC. Authority filed with NY Secy of State (SSNY) on 8/30/22. Office location: New York County. LLC formed in Delaware (DE) on 3/24/22. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 228 Park Ave S, #67074, NY, NY 10013. DE address of LLC: 1209 Orange St., Wilmington, DE 19801. Cert. of Formation filed with DE Secy of State, 401 Federal St., Ste 4, Dover, DE 19901. Purpose: any lawful activity. s15-Th o20

NOTICE OF QUALIFICATION of Daytona Resources LLC. Authority filed with NY Secy of State (SSNY) on 8/30/22. Office location: New York County. LLC formed in Delaware (DE) on 10/7/19. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 28 Liberty St, NY, NY 10005. DE address of LLC: 1209 Orange St., Wilmington, DE 19801. Cert. of Formation filed with DE Secy of State, 401 Federal St., Ste 4, Dover, DE 19901. The name and address of the Reg. Agent is C T Corporation System, 28 Liberty St, NY, NY 10005. Purpose: any lawful activity. s15-Th o20

NOTICE OF QUALIFICATION of Cunningham Elite Staffing, LLC. Authority filed with NY Secy of State (SSNY) on 8/9/22. Office location: New York County. LLC formed in Washington (WA) on 1/17. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 28 Liberty St, NY, NY 10005. Princ. address of LLC: 1 Penn. Plz, Ste 2705, NY, NY 10119. Cert. of Formation filed with WA Secy of State, 416 Sid Snyder Ave SW, Olympia, WA 98501. Purpose: any lawful activity. s15-Th o20

NOTICE OF FORMATION of CREED Ventures, LLC. Arts of Org. filed with NY Secy of State (SSNY) on 8/18/22. Office location: New York County. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 28 Liberty St, NY, NY 10005. The name and address of the Reg. Agent is C T Corporation System, 28 Liberty St, NY, NY 10005. Purpose: any lawful activity. s15-Th o20

NOTICE OF QUALIFICATION of CPT 45A Holdings LLC. Authority filed with NY Secy of State (SSNY) on 7/26/22. Office location: New York County. LLC formed in Delaware (DE) on 7/7/22. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 28 Liberty St, NY, NY 10005. The name and address of the Reg. Agent is C T Corporation System, 28 Liberty St, NY, NY 10005. Purpose: any lawful activity. s15-Th o20

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NOTICE OF QUALIFICATION of Coinstar Payments Services, LLC. Authority filed with NY Secy of State (SSNY) on 8/23/22. Office location: New York County. LLC formed in Delaware (DE) on 6/7/22. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 28 Liberty St, NY, NY 10005. DE address of LLC: 1209 Orange St., Wilmington, DE 19801. Cert. of Formation filed with DE Secy of State, 401 Federal St., Ste 4, Dover, DE 19901. The name and address of the Reg. Agent is C T Corporation System, 28 Liberty St, NY, NY 10005. Purpose: any lawful activity. s15-Th o20

NOTICE OF QUALIFICATION of CNA 55 Hope LLC. Authority filed with NY Secy of State (SSNY) on 8/19/22. Office location: New York County. LLC formed in Georgia (GA) on 7/22/22. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 28 Liberty St, NY, NY 10005. GA address of LLC: 180A Lindbergh Office Atlanta, GA 30305. Cert. of Formation filed with GA Secy of State, 2 MLK Jr. Dr. SE, #315W, Atlanta, GA 30334. The name and address of the Reg. Agent is C T Corporation System, 28 Liberty St, NY, NY 10005. Purpose: any lawful activity. s15-Th o20

NOTICE OF QUALIFICATION of CI Master Servicer, LLC. Authority filed with NY Secy of State (SSNY) on 9/2/22. Office location: New York County. LLC formed in Delaware (DE) on 9/1/22. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 28 Liberty St, NY, NY 10005. DE address of LLC: 1209 Orange St., Wilmington, DE 19801. Cert. of Formation filed with DE Secy of State, 401 Federal St., Ste 4, Dover, DE 19901. Purpose: any lawful activity. s15-Th o20

NOTICE OF QUALIFICATION of Capita LLC. Authority filed with NY Secy of State (SSNY) on 8/25/22. Office location: New York County. LLC formed in Delaware (DE) on 9/1/21. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 28 Liberty St, NY, NY 10005. DE address of LLC: 1209 Orange St., Wilmington, DE 19801. Cert. of Formation filed with DE Secy of State, 401 Federal St., Ste 4, Dover, DE 19901. The name and address of the Reg. Agent is C T Corporation System, 28 Liberty St, NY, NY 10005. Purpose: any lawful activity. s15-Th o20

NOTICE OF QUALIFICATION of Blue Ridge Risk Partners, LLC. Authority filed with NY Secy of State (SSNY) on 7/8/22. Office location: New York County. LLC formed in Maryland (MD) on 4/2/20. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 28 Liberty St, NY, NY 10005. MD address of LLC: 1209 Orange St., Wilmington, DE 19801. Cert. of Formation filed with MD Secy of State, 1100 N. Eutaw St, Baltimore, MD 21202. The name and address of the Reg. Agent is C T Corporation System, 28 Liberty St, NY, NY 10005. Purpose: any lawful activity. s15-Th o20

NOTICE OF FORMATION of AMC HOME INSPECTION, LLC. Arts of Org. filed with NY Secy of State (SSNY) on 8/25/22. Office location: New York County. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 187 Wolf Rd, Ste 101, Albany, NY 12205. Purpose: any lawful activity. s15-Th o20

NOTICE OF QUALIFICATION of Airgas Therapeutics, LLC. Authority filed with NY Secy of State (SSNY) on 8/16/22. Office location: New York County. LLC formed in Delaware (DE) on 7/7/21. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 28 Liberty St, NY, NY 10005. DE address of LLC: 1209 Orange St., Wilmington, DE 19801. Cert. of Formation filed with DE Secy of State, 401 Federal St., Ste 4, Dover, DE 19901. The name and address of the Reg. Agent is C T Corporation System, 28 Liberty St, NY, NY 10005. Purpose: any lawful activity. s15-Th o20

NOTICE OF FORMATION of 627 Smith Holdings, LLC. Arts of Org. filed with NY Secy of State (SSNY) on 8/24/22. Office location: New York County. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 111 John St, Ste 312, NY, NY 10038. The name and address of the Reg. Agent is Susan B. Zuckerman, 111 John St, Ste 312, NY, NY 10038. Purpose: any lawful activity. s15-Th o20

NOTICE OF QUALIFICATION of 355 TECHNOLOGY DRIVE OWNER LLC. Authority filed with NY Secy of State (SSNY) on 9/2/22. Office location: New York County. LLC formed in Delaware (DE) on 9/1/22. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 28 Liberty St, NY, NY 10005. DE address of LLC: 1209 Orange St., Wilmington, DE 19801. Cert. of Formation filed with DE Secy of State, 401 Federal St., Ste 4, Dover, DE 19901. The name and address of the Reg. Agent is C T Corporation System, 28 Liberty St, NY, NY 10005. Purpose: any lawful activity. s15-Th o20

LIMITED LIABILITY ENTITIES

NOTICE OF FORMATION of TO THE TOP LLC. Arts of Org. filed with NY Secy of State (SSNY) on 9/1/22. Office location: Nassau County. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 28 Liberty St, NY, NY 10005. The name and address of the Reg. Agent is C T Corporation System, 28 Liberty St, NY, NY 10005. Purpose: any lawful activity. s15-Th o20

NOTICE OF FORMATION of SNA Holdings, LLC. Arts of Org. filed with NY Secy of State (SSNY) on 9/8/22. Office location: Nassau County. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 532 Broadhollow Rd, Ste 106, Melville, NY 11747. Purpose: any lawful activity. s15-Th o20

NOTICE OF FORMATION of Seawane Properties Parent, LLC. Arts of Org. filed with NY Secy of State (SSNY) on 9/2/22. Office location: Nassau County. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 282 Lagoon Dr. W, Lido Beach, NY 11561. Purpose: any lawful activity. s15-Th o20

NOTICE OF FORMATION of Seawane Properties II, LLC. Arts of Org. filed with NY Secy of State (SSNY) on 9/2/22. Office location: Nassau County. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 282 Lagoon Dr. W, Lido Beach, NY 11561. Purpose: any lawful activity. s15-Th o20

NOTICE OF FORMATION of ADAM ZAVODNICK, MD PLLC. Arts of Org. filed with NY Secy of State (SSNY) on 8/23/22. Office location: Nassau County. SSNY is designated as agent of PLLC upon whom process against it may be served. SSNY shall mail process to: 187 Wolf Rd, Ste 101, Albany, NY 12205. The name and address of the Reg. Agent is Business Filings Incorporated, 187 Wolf Rd, Ste 101, Albany, NY 12205. Purpose: any lawful activity. s15-Th o20

NOTICE OF FORMATION of 37 Raymond Ave, LLC. Arts of Org. filed with NY Secy of State (SSNY) on 9/2/22. Office location: Nassau County. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 282 Lagoon Dr. W, Lido Beach, NY 11561. Purpose: any lawful activity. s15-Th o20

NOTICE OF FORMATION of DB Tax LLC. Arts of Org. filed with NY Secy of State (SSNY) on 6/30/2022. Office location: NY County. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 2300 Queens Blvd, Ste 100, Fl. 16th Fl, NY, NY 10022. Attn: Donald E. Morgan, III. Purpose: any lawful activity. s15 Th O20

NOTICE OF FORMATION of RWT Horizon LLC. Arts of Org. filed with NY Secy of State (NY SSNY) on 8/16/22. Office location: NY County. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 399 Park Ave, 16th Fl, NY, NY 10022. Attn: Donald E. Morgan, III. Purpose: any lawful activity. s15 th oc20

NOTICE OF QUALIFICATION of RGN-NEW YORK LXXXVI, LLC Appl. for Auth. filed with Secy. of State of NY (SSNY) on 08/29/22. Office location: NY County. LLC formed in Delaware (DE) on 08/23/22. Princ. office of LLC: 15305 Dallas Pkwy., Fl. 12, Addison, TX 75001. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 80 State St, Albany, NY 12207-2543. DE addr. of LLC: 251 Little Falls Dr., Wilmington, DE 19808-1674. Cert. of Form. filed with Secy. of State, 401 Federal St., Ste 4, Dover, DE 19901. Purpose: any lawful activity. s15 th oc20

NOTICE OF FORMATION of 3923 CARPENTER AVE III LLC. Arts of Org. filed with Secy. of State of NY (SSNY) on 06/30/22. Office location: NY County. Princ. office of LLC: 251 Little Falls Dr., Wilmington, DE 19808-1674. Cert. of Form. filed with Secy. of State, 401 Federal St., Ste 4, Dover, DE 19901. Purpose: any lawful activity. s15 th oc20

NOTICE OF FORMATION of STUDIOIC LLC. Arts of Org. filed with Secy. of State of NY (SSNY) on 08/26/22. Office location: NY County. Princ. office of LLC: 1270 Ave. of the Americas, Ste. 910, NY, NY 10020. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 80 State St, Albany, NY 12207. Purpose: any lawful activity. s15 th oc20

NOTICE OF QUALIFICATION of GRAMERCY 252 OWNER LLC Appl. for Auth. filed with Secy. of State of NY (SSNY) on 08/25/22. Office location: NY County. LLC formed in Delaware (DE) on 01/10/22. Princ. office of LLC: 1270 Ave. of the Americas, Ste. 910, NY, NY 10020. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 80 State St, Albany, NY 12207-2543. DE addr. of LLC: 251 Little Falls Dr., Wilmington, DE 19808-1674. Cert. of Form. filed with DE Secy. of State, Div. of Corps., John G. Townsend Bldg., 401 Federal St. - Ste. 4, Dover, DE 19901. Purpose: Any lawful activity. s15 th oc20

LIMITED LIABILITY ENTITIES

NOTICE OF FORMATION of POPPY MEDIA LLC. Arts of Org. filed with Secy. of State of NY (SSNY) on 08/24/22. Office location: NY County. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 80 State St., Albany, NY 12207-2543. Purpose: Any lawful activity. s15 th oc20

NOTICE OF QUALIFICATION of BRIDGETON G A L M O R Y INTERNATIONAL LLC Appl. for Auth. filed with Secy. of State of NY (SSNY) on 08/19/22. Office location: NY County. LLC formed in Delaware (DE) on 01/01/22. Princ. office of LLC: 220 5th Ave., 19th Fl., NY, NY 10001. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: c/o Corporation Service Co. (CSC), 80 State St., Albany, NY 12207-2543. DE addr. of LLC: c/o CSC, 251 Little Falls Dr., Wilmington, DE 19808. Cert. of Form. filed with Secy. of State, 820 N. French St., Ste 421, Fl., Wilmington, DE 19801. Purpose: Any lawful activity. s15 th oc20

NOTICE OF QUALIFICATION of MIGHTY LUCKY LLC Appl. for Auth. filed with Secy. of State of NY (SSNY) on 08/25/22. Office location: NY County. LLC formed in Delaware (DE) on 08/15/22. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 1111 Atlantic Blvd., Brooklyn, NY 11201. DE addr. of LLC: Corporation Service Co., 251 Little Falls Dr., Wilmington, DE 19808. Cert. of Form. filed with Secy. of State of DE, 401 Federal St., Ste 4, Dover, DE 19901. Purpose: Any lawful activity. s15 th oc20

NOTICE OF FORMATION of 3923 CARPENTER AVE I LLC Arts. of Org. filed with Secy. of State of NY (SSNY) on 06/30/22. Office location: NY County. Princ. office of LLC: Zachary Hering, 10 Cuttermill Rd., Ste. 400, Great Neck, NY 11021. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 282 Lagoon Dr. W, Lido Beach, NY 11561. Purpose: any lawful activity. s15 th oc20

NOTICE OF FORMATION of 3923 CARPENTER AVE III LLC Arts. of Org. filed with Secy. of State of NY (SSNY) on 06/30/22. Office location: NY County. Princ. office of LLC: Zachary Hering, 10 Cuttermill Rd., Ste. 400, Great Neck, NY 11021. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 282 Lagoon Dr. W, Lido Beach, NY 11561. Purpose: any lawful activity. s15 th oc20

Notice of Qualification of SOMOS HEALTHCARE SERVICES, LLC Appl. for Auth. filed with Secy. of State of NY (SSNY) on 09/08/22. Office location: Bronx County. LLC formed in Delaware (DE) on 09/02/22. Princ. office of LLC: 2910 Exterior St., Bronx, NY 10463. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: The LLC at the princ. office of the LLC. DE addr. of LLC: c/o Corporation Service Co., 251 Little Falls Dr., Wilmington, DE 19808. Cert. of Form. filed with DE Secy. of State, Div. of Corps., John G. Townsend Bldg., 401 Federal St. - Ste. 4, Dover, DE 19901. Purpose: Any lawful activity. s15 th oc20

NOTICE OF FORMATION of TASMAN CAPITAL, LLC Arts. of Org. filed with Secy. of State of NY (SSNY) on 08/22/22. Office location: Nassau County. Princ. office of LLC: 485 Underhill Blvd., Ste. 205, Syosset, NY 11791. 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. s15 th oc20

NOTICE OF FORMATION of Limited Liability Company ("LLC"). Name: New Parkside View GP LLC. Articles of Organization filed with the Secretary of the State of New York ("SSNY") on July 6, 2022. N.Y. office location: New York County. The SSNY has been designated as agent of the LLC upon whom process against it may be served. The SSNY shall mail a copy of any process to Corporation Service Co., 80 State St, Albany, NY 12207. P/B/A: 1535 Third Avenue, NY, NY 10028. Purpose: any lawful act or activity. s15 th oc20

NOTICE OF QUALIFICATION of Lexington Advisors LLC. Authority filed with NY Secy of State (SSNY) on 7/6/22. Office location: New York County. LLC formed in Delaware (DE) on 3/31/22. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 28 Liberty St, NY, NY 10005. DE address of LLC: 1209 Orange St., Wilmington, DE 19801. Cert. of Formation filed with DE Secy of State, 401 Federal St., Ste 4, Dover, DE 19901. The name and address of the Reg. Agent is C T Corporation System, 28 Liberty St, NY, NY 10005. Purpose: any lawful activity. s1-Th o6

NOTICE OF FORMATION of AR CLEAR HOLDINGS, LLC. Arts of Org. filed with NY Secy of State (SSNY) on 9/12/22. Office location: New York County. SSNY

LIMITED LIABILITY ENTITIES

3D58 TAXI, LLC filed Arts. of Org. with the Sect'y of State of NY (SSNY) on 7/29/2021. 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 The LLC, 225 Crossways Park Dr., Woodbury, NY, 11797. Purpose: any lawful act. 0000624095 o6-Th n10

3C94 TAXI, LLC filed Arts. of Org. with the Sect'y of State of NY (SSNY) on 7/29/2021. 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 The LLC, 225 Crossways Park Dr., Woodbury, NY, 11797. Purpose: any lawful act. 0000624094 o6-Th n10

30 SANDY COURT LLC. Arts. of Org. filed with the SSNY on 09/21/22. 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, 84 South Bayles Avenue, Port Washington, NY, 11050. Purpose: Any lawful purpose. 0000622203 s29-Th n3

324 SAVILLE ROAD LLC. Arts. of Org. filed with the SSNY on 09/20/22. 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, 336 Saville Road, Mineola, NY 11501. Purpose: Any lawful purpose. 0000622161 s29-Th n3

30-33 29TH STREET REALTY LLC. App. for Auth. filed with the SSNY on 09/06/22. Originally filed with Secretary of State on 08/31/22. Office: New York County. SSNY designated as agent of the LLC upon whom process against it may be served. SSNY shall mail copy of process to the LLC, 303 E. 43rd Street, New York, NY 10017. Purpose: Any lawful purpose. 0000622155 s29-Th n3

32 DAKOTA ST LLC. Arts. of Org. filed with the SSNY on 08/15/22. 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, 8 Moore Drive, Bethpage, NY 11714. Purpose: Any lawful purpose. 0000617196 s1-Th o6

30 BEVERLY DR LLC. Arts. of Org. filed with the SSNY on 08/24/22. 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, 47 MacGregor Avenue, Roslyn Heights, NY 11577. Purpose: Any lawful purpose. 0000617194 s1-Th o6

595 NEW SUFFOLK ROAD LLC filed Arts. of Org. with the Sect'y of State of NY (SSNY) on 9/27/2022. Office: New York County. SSNY has been designated as agent of the LLC upon whom process against it may be served and shall mail process to: The LLC, 9 W. 57th St., Ste. 4500, New York, NY, 10019. Purpose: any lawful act. 0000624123 o6-F n10

611 Wilson LLC. Arts. of Org. filed with Sec. of State of NY (SSNY) 9/22/2022. Cty: Bronx. SSNY desig. as agent upon whom process against may be served & shall mail process to: C/O Jan Simko, 6206 Tyndall Ave., Bronx, NY 10471. General Purpose 0000624112 o6-Th n10

713 SACKETT BH LLC Articles of Org. filed NY Sec. of State (SSNY) 9/9/22. Office in Nassau Co. SSNY design. Agent of LLC upon whom process may be served. SSNY shall mail copy of process to The LLC 11 Middle Neck Rd Ste 201 Great Neck NY 11021. Purpose: Any lawful activity. 0000619720 se15 th oc20

92 HEALY REALTY LLC filed Arts. of Org. with the Sect'y of State of NY (SSNY) on 7/25/2022. Office: Nassau County. SSNY has been designated as agent of the LLC upon whom process against it may be served and shall mail process to: The LLC, 460 Bayview Ave., Inwood, NY, 11096. Purpose: any lawful act. 0000617356 s1-Th o6

Apollo Electric NY LLC. Arts of Org. filed with Sec. of State of NY (SSNY) 8/30/2022. Cty: New York. SSNY desig. as agent upon whom process against may be served & shall mail process to 127 West 24th St., 5th Fl., New York, NY 10011. General Purpose 0000624103 o6-Th n10

LIMITED LIABILITY ENTITIES

AUREEBA II LLC filed Arts. of Org. with the Sect'y of State of NY (SSNY) on 9/21/2022. Office: Nassau County. SSNY has been designated as agent of the LLC upon whom process against it may be served and shall mail process to: The LLC, 27 Old Farm Rd., Great Neck, NY, 11020. Purpose: any lawful act. 0000624101 o6-Th n10

ALOHA HOUSING LLC filed Arts. of Org. with the Sect'y of State of NY (SSNY) on 9/22/2022. Office: Nassau County. SSNY has been designated as agent of the LLC upon whom process against it may be served and shall mail process to: The LLC 546 E. Olive St., Long Beach, NY, 11561. Purpose: any lawful act. 0000624100 o6-Th n10

AS TAXI PROCESSING, LLC filed Arts. of Org. with the Sect'y of State of NY (SSNY) on 2/9/2022. Office: Nassau County. SSNY has been designated as agent of the LLC upon whom process against it may be served and shall mail process to: The LLC, 225 Crossways Park Dr., Woodbury, NY, 11797. Purpose: any lawful act. 0000624080 o6-Th n10

ALBANESE COLES ASTREET MANAGER, LLC filed Arts. of Org. with the Sect'y of State of NY (SSNY) on 9/19/2022. 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 Albanese Organization, Inc., 1001 Franklin Ave., Ste. 300, Garden City, NY, 11530. Purpose: any lawful act. 0000624079 o6-Th n10

Anthurium Group LLC. Filed 9/14/22. Office: NY Co. SSNY desig. as agent for process & shall mail to: Ran Sharir Caspry, 560 W. 43rd St., F30, NY, NY 10036. Purpose: General. 0000624073 o6-Th n10

Amicon LLC. Filed 7/23/22. Office: NY Co. SSNY desig. as agent for process & shall mail to: 25 Broad St Apt 19k, NY, NY 10004. Registered Agent: United States Corporation Agents, Inc., 7klyn, 13th Ave Ste 202, Bklyn, NY 11228. Purpose: General. 0000624067 o6-Th n10

Articles of Organization (DOM-PROF) LLC. Jennifer Toh, MD, PLLC filed with the Secy. of State of NY (SSNY) 9/8/2022. Office loc.: NY County. SSNY is designated as agent of DOM-PROF LLC upon whom process against it may be served. The address SSNY shall mail copy of process to 105 W. 86th St., #501, New York, NY 10024. Purpose: The practice of Medicine. 0000620051 s22-Th o27

Anto Franchising LLC filed w/ SSNY on 8/29/22. Office: New York Co. SSNY designated as agent for process & shall mail to: 37 W 32nd St., NY, NY 10001. Purpose: any lawful. 0000619956 s15-Th o20

AEC PROPERTIES LLC. Arts. of Org. filed with the SSNY on 09/07/22. 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, 171 Voorhis Avenue, Rockville Centre, NY 11570. Purpose: Any lawful purpose. 0000619932 s15-Th o20

BNEY MEIR NY LLC. Arts. of Org. filed with the SSNY on 09/20/2022. 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, 341 Redmont Road, West Hempstead, NY 11552. Purpose: Any Lawful Purpose. 0000621743 s22-Th o27

BH TST REALTY LLC Articles of Org filed NY Sec. of State (SSNY) 9/8/22. Office in Nassau Co. SSNY design. Agent of LLC upon whom process may be served. SSNY shall mail copy of process to The LLC 661 Middle Neck Rd PO Bx 234287 Great Neck NY 11023. Purpose: Any lawful activity. 0000619702 se15 th oc20

BE LIMITLESS, LLC. Arts. of Org. filed with the SSNY on 07/01/2022. 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, 27 Manor Lane, Verplanck, NY 10596. Reg Agent: Giovanni Rengifo, 27 Manor Lane, Verplanck, NY 10596. Purpose: Any Lawful Purpose. 0000617573 s1-Th o6

LIMITED LIABILITY ENTITIES

NOTICE OF FORMATION of MPQ 210 Joralemon, LLC. Arts of Org filed with Secy. of State of NY (SSNY) on 11/12/20. Office location: NY County. SSNY designated as agent upon whom process may be served and shall mail copy of process against LLC to Corporation Service Co, 80 State St. Albany, NY 12207. Purpose: any lawful act. 0000618663 s08 Th o13

NOTICE OF QUALIFICATION of Gilleleje, LLC. Authority filed with Secy. of State of NY (SSNY) on 08/05/22. Office location: NY County. LLC formed in Nevada (NV) on 08/05/22. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: Blanchard, Krasner & French, APC, 5470 Kietzke Ln, Ste. 200, Reno, NV 89511. Principal Office Address: 1155 S. Rock Blvd., Ste. 400, Reno, NV 89502. Arts of Org. filed with the Secy. of State, 202 North Carson Ct., Carson City, NV 89701-4201. Purpose: any lawful activities. 0000618680 s8-Th o13

NOTICE OF FORMATION of Four Down Productions LLC. Arts. of Org. filed with Secy. of State of NY (SSNY) on 08/17/22. Office location: NY County. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: The Company, 436 W. 45th St., 2nd Fl., NY, NY 10036. Purpose: any lawful activities. 0000618678 s8-Th o13

NOTICE OF FORMATION of Wax Trax LLC. Arts. of Org. filed with Secy. of State of NY (SSNY) on 08 / 17 / 22. Office location: Nassau County. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 122 Laurel Dr., New Hyde Park, NY 11040. Purpose: any lawful activities. 0000618670 s8-Th o13

NOTICE OF FORMATION of 109 East 79th Three LLC. Arts. of Org. filed with Secy. of State of NY (SSNY) on 08/15/22. Office location: Nassau County. SSNY designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: c/o Spiegel Associates, 375 North Broadway, Jersey City, NJ 07103. 11753. attn: General Counsel. Purpose: any lawful activities. 0000618666 s8-Th o13

NOTICE OF QUALIFICATION of WIM NYC LLC. Authority filed with Secy. of State of NY (SSNY) on 7/13/22. Office loc: NY County. LLC formed in NJ on 8/5/13. SSNY designated agent upon whom process may be served & mailed to principal business address: 305 Palisade Ave, Apt 308, Cliffside Park, NJ 07010. Arts of LLC filed with NJ Treasurer, PO Box 002 Trenton, NJ 08625. Purpose: Any lawful activity. 0000616871 s01 Th O06

NOTICE OF FORMATION of TERNA USA LLC. Arts of Org. filed with NY Secy of State (SSNY) on 8/2/22. Office location: New York County. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 28 Liberty St, NY, NY 10005. Purpose: any lawful activity. 0000617767 s1-Th o6

NOTICE OF FORMATION of QFR Services LLC. Arts of Org. filed with NY Secy of State (SSNY) on 8/19/22. Office location: New York County. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 187 Wolf Rd, Ste 101, Albany, NY 12205. The name and address of the Reg. Agent is Business Filings Incorporated, 187 Wolf Rd, Ste 101, Albany, NY 12205. Purpose: any lawful activity. 0000617725 s1-Th o6

NOTICE OF QUALIFICATION of BXP 200 Fifth LLC. Authority filed with NY Secy of State (SSNY) on 8/19/22. Office location: New York County. LLC formed in Delaware (DE) on 8/18/22. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 28 Liberty St, NY, NY 10005. DE address of LLC: 1209 Orange St, Wilmington, DE 19801. Cert. of Formation filed with DE Secy of State, 401 Federal St, Ste 4, Dover, DE 19901. The name and address of the Reg. Agent is C T Corporation System, 28 Liberty St, NY, NY 10005. Purpose: any lawful activity. 0000617638 s1-Th o6

LIMITED LIABILITY ENTITIES

Copieux Care LLC. Filed 8/6/22. Office: Bronx Co. SSNY desig. as agent for process & shall mail to: Virginia Louis, 85 St Andrews Pl Apt 1d, Yonkers, NY 10705. Purpose: General. 0000624061 o6-Th n10

CARALEX PROPERTIES LLC filed Arts. of Org. with the Sect'y of State of NY (SSNY) on 8/10/2022. Office: New York County. SSNY has been designated as agent of the LLC upon whom process against it may be served and shall mail process to: The LLC, 440 E. 57th St., #4A, New York, NY, 10022. Purpose: any lawful act. 0000621733 s22-Th o27

Dancing Camel LLC. Filed 5/23/22. Office: NY. SSNY desig. as agent for process & shall mail to: 1430 Bdwy Ste. 1503, NY, NY 10018. Purpose: General. 0000624065 o6-Th n10

DG BIOMED LLC Articles of Org. filed NY Sec. of State (SSNY) 8/30/22. Office in NY Co. SSNY desig. agent of LLC whom process may be served. SSNY shall mail process to 240 Madison Ave., 8th Fl., NY, NY 10016, which is also the principal business location. Purpose: Any lawful purpose. 0000617597 s1-Th o6

ETHAN PARKVIEW AVE LLC. Arts. of Org. filed with the SSNY on 10/04/2022. 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, 86-30 108th Street, Richmond Hill, NY 11418. Purpose: Any Lawful Purpose. 0000624382 o6-Th n10

NOTICE OF FORMATION of Galaxy One NY LLC. Arts of Org. filed with NY Secy of State (SSNY) on 8/12/22. Office location: New York County. SSNY is designated as agent of LLC upon whom process against it may be served. The SSNY shall mail a copy of any process to Alembic Cravens LLC, 111 John Street, Suite 1710, New York, New York 10038. Purpose/character of LLC is to engage in any lawful act or activity. 0000617705 s1-Th o6

LIMITED LIABILITY ENTITIES

Family Adventures NYC LLC. Arts of Org. filed with Sec. of State of NY (SSNY) 9/23/2022. Cty: New York. SSNY desig. as agent upon whom process against may be served & shall mail process to 650 E. Palisade Ave., #2240 Englewood Cliffs, NJ 07632. General Purpose 0000624467 o6-Th n10

NOTICE OF FORMATION of DiMisa Psychological Services, PLLC. Arts of Org filed with Secy. of State of NY (SSNY) on 8/2/22. Office location: NY County. SSNY designated as agent upon whom process may be served and shall mail copy of process aganst PLLC to Registered Agents, Inc., 90 State St, Ste 700 Ofc 40, Albany, NY 12207. P/B/A: 211 E 43rd St, 7th Fl #386, NY, NY 10017. Purpose: any lawful act. 0000616559 O06 Th N10

NOTICE OF QUALIFICATION of Antares Complete Financing Solution LLC. Authority filed with NY Secy of State (SSNY) on 9/12/22. Office location: New York County. LLC formed in Delaware (DE) on 4/30/19. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 28 Liberty St, NY, NY 10005. DE address of LLC: 1209 N. Orange St, Wilmington, DE 19801. Cert. of Formation filed with DE Secy of State, 401 Federal St, Ste 4, Dover, DE 19901. The name and address of the Reg. Agent is C T Corporation System, 28 Liberty St, NY, NY 10005. Purpose: any lawful activity. 0000622787 s29-Th n3

NOTICE OF FORMATION of Limited Liability Company ("LLC"). Name: Alembic Cravens LLC. Articles of Organization filed with the Secretary of State of the State of New York (SSNY) on July 14, 2022. N.Y. office location: New York County. The SSNY has been designated as agent of the LLC upon whom process against it may be served. The SSNY shall mail a copy of any process to Alembic Cravens LLC, 111 John Street, Suite 1710, New York, New York 10038. Purpose/character of LLC is to engage in any lawful act or activity. 0000619739 se15 th oc20

LIMITED LIABILITY ENTITIES

NOTICE OF QUALIFICATION of GCP SECURESPACE TRS LLC. Authority filed with NY Secy of State (SSNY) on 8/2/22. Office location: New York County. LLC formed in Delaware (DE) on 2/18/22. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 28 Liberty St, NY, NY 10005. DE address of LLC: 1209 Orange St, Wilmington, DE 19801. Cert. of Formation filed with DE Secy of State, 401 Federal St, Ste 4, Dover, DE 19901. The name and address of the Reg. Agent is C T Corporation System, 28 Liberty St, NY, NY 10005. Purpose: any lawful activity. 0000617709 s1-Th o6

CORE HOSPITALITY GROUP LLC, Arts. of Org. filed with the SSNY on 08/30/2022. Office loc: Nassau County. SSNY has been designated as agent upon whom process against the LLC may be served. SSNY shall mail process to: Francesco De Lorenzo, 382 June Place, West Hempstead, NY 11552. Purpose: Any Lawful Purpose. 0000617773 s1-Th o6

NOTICE OF QUALIFICATION of TI Asia Holdings, LLC. The fictitious name is: TI Asia Holdings Media Company, LLC. Authority filed with NY Secy of State (SSNY) on 7/29/22. Office location: New York County. LLC formed in Delaware (DE) on 9/25/06. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 28 Liberty St, NY, NY 10005. DE address of LLC: 1209 Orange St, Wilmington, DE 19801. Cert. of Formation filed with DE Secy of State, 401 Federal St, Ste 4, Dover, DE 19901. Purpose: any lawful activity. 0000617684 s1-Th o6

Embellish Homes NY, LLC, Arts of Org. filed with Sec. of State of NY (SSNY) 9/22/2022. Cty: New York. SSNY desig. as agent upon whom process against may be served & shall mail process to: Paula Kavanaugh, 99 Wall St., #1616, New York, NY 10005. General Purpose 0000624105 o6-Th n10

LIMITED LIABILITY ENTITIES

NOTICE OF QUALIFICATION of BXP 200 Fifth Management LLC. Authority filed with NY Secy of State (SSNY) on 8/19/22. Office location: New York County. LLC formed in Delaware (DE) on 8/18/22. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 28 Liberty St, NY, NY 10005. DE address of LLC: 1209 Orange St, Wilmington, DE 19801. Cert. of Formation filed with DE Secy of State, 401 Federal St, Ste 4, Dover, DE 19901. The name and address of the Reg. Agent is C T Corporation System, 28 Liberty St, NY, NY 10005. Purpose: any lawful activity. 0000617639 s1-Th o6

NOTICE OF QUALIFICATION of 115 Albany Ave Owner LLC. Authority filed with NY Secy of State (SSNY) on 8/23/22. Office location: New York County. LLC formed in Delaware (DE) on 8/22/22. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 28 Liberty St, NY, NY 10005. DE address of LLC: 1209 Orange St, Wilmington, DE 19801. Cert. of Formation filed with DE Secy of State, 401 Federal St, Ste 4, Dover, DE 19901. The name and address of the Reg. Agent is C T Corporation System, 28 Liberty St, NY, NY 10005. Purpose: any lawful activity. 0000617633 s1-Th o6

Portico JLC Holdings LLC filed w/ SSNY on 9/20/22. Office: New York Co. SSNY designated as agent for process & shall mail to: 139 Centre St., #308, NY, NY 10013. Purpose: any lawful. 0000624414 o6-Th n10

NOTICE OF FORMATION of BRP 466 MAIN STREET LLC. Arts of Org. filed with NY Secy of State (SSNY) on 8/18/22. Office location: New York County. SSNY is designated as agent of LLC upon whom process against it may be served. SSNY shall mail process to: 28 Liberty St, NY, NY 10005. The name and address of the Reg. Agent is C T Corporation System, 28 Liberty St, NY, NY 10005. Purpose: any lawful activity. 0000617636 s1-Th o6

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