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Subject: [EXTERNAL] Senior NY Judge Flouting Vax Mandate Provokes Unions' Ire

Date: Thu, 07 Oct 2021 09:11:13 +0000



## NEW YORK

Thursday, October 7, 2021

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### TOP NEWS

#### Senior NY Judge Flouting Vax Mandate Provokes Unions' Ire

New York state court employees facing termination if they fail to comply with the chief judge's COVID-19 vaccination mandate on Wednesday called out the comparatively light treatment of the lone judge flouting the order, Court of Appeals Judge Jenny Rivera.

[Read full article »](#)

#### Maxwell Jury May Be Asked To Sit During Holiday Season

A group of 12 New Yorkers may spend the holiday season hearing sex-trafficking evidence against Ghislaine Maxwell, after a Manhattan federal judge on Tuesday floated the idea of having jurors sit between Christmas and New Year's Day.

*Order attached* | [Read full article »](#)

#### FDNY Can't Dodge 'Boys' Club' Sex Harassment Suit

A federal judge refused to toss a lawsuit from a female paramedic who claimed the New York City Fire Department ignored her complaints about co-workers sending her lewd photos then slashed her hours and gave her dangerous assignments as punishment for objecting to unwelcome advances.

*Order attached* | [Read full article »](#)

#### Ex-Partner's Feud With Dentons Up To Arbitrator, Judge Says

A New York state judge has declined to weigh in further on a former Dentons partner's claims that he was wrongfully fired, ruling Tuesday that it's up to an arbitrator to determine how to proceed while a parallel appeal plays out in California.

*Order attached* | [Read full article »](#)

#### Rakoff Won't Call 'Foul' On NBA Agent's Truck Gift For Player

An NBA agent who accused a rival of illegally luring away New York Knicks center Mitchell Robinson with a Chevy truck can't use the court system to enforce professional rules, Manhattan federal judge Jed Rakoff said Wednesday as he explained why he dismissed the suit.

*Order attached* | [Read full article »](#)

### REAL ESTATE & DEVELOPMENT

#### Kelley Drye Helps With \$61M Manhattan Hotel Loan

#### Law360 MVPs 2021

#### LAW FIRMS

Aaronson Rappaport  
Arnold & Porter  
Ashby & Geddes  
Bingham McCutchen  
Blank Rome  
Carlton Fields  
Cipriani & Werner  
Cohen & Gresser  
Cohen Ziffer  
Cummings & Lockwood  
DLA Piper  
Dentons  
Fox Rothschild  
Gibson Dunn  
Gorayeb & Associates  
Greenspoon Marder  
Haddon Morgan  
Harris Bricken  
Hunton Andrews  
Jones Day  
Joseph & Kirschenbaum  
Kelley Drye

A KSL Capital Partners entity has loaned \$61 million to an entity affiliated with Arnold & Porter for a Manhattan hotel, and Kelley Drye worked on the matter, according to records made public in New York City on Wednesday.

[Read full article »](#)

### **Real Estate Rumors: Ascentris, Charlesbank, Bridge Industrial**

An Ascentris venture has reportedly sold a Florida office campus for \$77.3 million, Charlesbank Capital Partners is said to be leasing 15,475 square feet in New York, and Bridge Industrial is reportedly buying 175.2 acres in Florida and is hoping to rezone the property.

[Read full article »](#)

## **INSURANCE**

### **Spirit Airlines Sues AIG Over Coronavirus Coverage**

Spirit Airlines is suing AIG unit American Home Assurance Co. for coverage of losses it suffered because of the coronavirus pandemic, telling a New York state court the virus caused physical damage to its properties.

[Complaint attached](#) | [Read full article »](#)

### **Prison Medical Provider's COVID-19 Coverage Suit Tossed**

A medical care provider for jails and prisons lost its bid for COVID-19 coverage after a New York state judge dismissed its suit against more than a dozen insurers.

[Order attached](#) | [Read full article »](#)

## **PRODUCT LIABILITY**

### **2nd Circ. Revives Bladder Cancer Suit Against DuPont**

The Second Circuit on Wednesday gave a Goodyear worker another shot at allegations that chemicals manufactured by a predecessor of E.I. DuPont de Nemours and Co. gave him bladder cancer, finding that the district court was wrong in excluding his expert witness.

[Opinion attached](#) | [Read full article »](#)

## **PERSONAL INJURY & MEDICAL MALPRACTICE**

### **Cyclist Keeps \$3.9M Verdict In NYC Bus Crash Suit**

A New York appeals court has upheld a \$3.9 million verdict awarded to a cyclist who says he was sideswiped by a New York City Transit Authority Bus, saying the amount is in line with similar cases the courts have heard.

[Opinion attached](#) | [Read full article »](#)

## **BENEFITS**

### **DOL Urges Revival Of Hartford ERISA Suit At 2nd Circ.**

The Second Circuit should resurrect a former Hartford Life & Accident Insurance Co. employee's ERISA suit seeking disability benefits and reverse a federal district court's ruling that the ex-worker prematurely filed suit before exhausting his administrative remedies, the U.S. Department of Labor said.

[Brief attached](#) | [Read full article »](#)

## **SECURITIES & WHITE COLLAR**

### **Feds Jump-Cut To Key Witness At Ex-Iconix CEO's Fraud Trial**

A star witness in the Manhattan U.S. attorney's case charging ex-Iconix Brand Group CEO Neil Cole with an \$11 million accounting fraud pointed the finger at Cole on Wednesday morning, moments after Cole's lawyers asserted during trial openings that the witness is a liar.

[Kennedys Law LLP](#)

[King & Spalding](#)

[Kirkland & Ellis](#)

[Kloss Stenger](#)

[Labaton Sucharow](#)

[Latham & Watkins](#)

[Law Offices of Jeffrey Delott](#)

[Lipsitz & Ponterio](#)

[Lowenstein Sandler](#)

[Maranda E. Fritz PC](#)

[McDermott Will](#)

[Miedel & Mysliwicz](#)

[Morris James](#)

[Mound Cotton](#)

[Moye White](#)

[Murphy Rosen](#)

[O'Melveny & Myers](#)

[Orrick Herrington](#)

[Parsons Behle](#)

[Paul Hastings](#)

[Paul Weiss](#)

[Perkins Coie](#)

[Phillips Lytle](#)

[Quinn Emanuel](#)

[Robbins Geller](#)

[Robinson & Cole](#)

[Sheppard Mullin](#)

[Skadden Arps](#)

[Sullivan & Cromwell](#)

[Taylor English](#)

[Trusted Counsel Ashley LLC](#)

[WilmerHale](#)

[Wollmuth Maher](#)

[Woods Lonergan](#)

[Zelle LLP](#)

## **COMPANIES**

[AXA XL Ltd.](#)

[Acreage Holdings Inc.](#)

[Alpine Securities Corp.](#)

[Altice SA](#)

[Altice USA](#)

[American Bankruptcy Institute](#)

[American Bar Association](#)

[American Home Assurance Co.](#)

[American International Group Inc.](#)

[BTI Consulting Group Inc.](#)

[Beacon Capital Partners LLC](#)

[Bridge Investment Group LLC](#)

[Canopy Growth Corp.](#)

[Cato Institute](#)

[Read full article »](#)

## **SEC Hits Back At Bid To Curb Its AML Reporting Enforcement**

The U.S. Securities and Exchange Commission is urging the U.S. Supreme Court to turn down a penny-stock broker's challenge to the agency's enforcement of anti-money laundering reporting requirements, arguing that its exercise of authority in this area fits within its broader investor protection mandate.

*Brief attached* | [Read full article »](#)

## **Prosecutors Back Boston US Atty Pick Amid GOP Opposition**

A group of 66 prosecutors urged the U.S. Senate on Tuesday to confirm Rachael Rollins, President Joe Biden's pick for U.S. attorney in Massachusetts, defending her approach to criminal justice reform and slamming Republican lawmakers for holding up the appointment with "fearmongering."

*Statement attached* | [Read full article »](#)

## **Goldman, Investors Lay Out Cert. Fight Args For NY Judge**

After a winding path to and from the U.S. Supreme Court, Goldman Sachs and its investors are back before the New York federal judge where their decade-old stock-drop case began, once again presenting arguments for and against class certification.

*2 documents attached* | [Read full article »](#)

## **NY Fund Boss Gets 7 Years For \$26M Belize Airport Scam**

The owner of an investment fund has been sentenced to seven years in prison for swindling \$26 million from dozens of investors by lying to them about an airport he was purportedly building in Belize that never materialized.

[Read full article »](#)

## **BANKRUPTCY**

### **Ex-Cred Exec Rips Efforts To Block His Bankruptcy Discharge**

An embattled former executive of bankrupt cryptocurrency venture Cred has objected to the Office of the U.S. Trustee's efforts to block his discharge from bankruptcy, saying he's been scapegoated and subjected to a "proxy criminal prosecution."

*3 documents attached* | [Read full article »](#)

### **Medley Ch. 11 Plan Supporters Clarify Cash Flow**

Supporters of Medley LLC's proposed Chapter 11 plan on Wednesday clarified for a Delaware bankruptcy judge the asset management firm's cash flow from its operating subsidiaries.

[Read full article »](#)

## **CANNABIS**

### **Pot Atty Wants Canopy Added To \$200M Suit Against Acreage**

A cannabis attorney claiming he holds a financial stake in one of the original licensed medical marijuana businesses in New York asked to add pot giant Canopy Growth as a defendant in a sprawling, yearslong, \$200 million lawsuit.

*2 documents attached* | [Read full article »](#)

## **INTERNATIONAL ARBITRATION**

### **Judge Says Haiti Central Bank Immune, Nixes Award Suit Stay**

[Charlesbank Capital Partners LLC](#)

[China International Economic and Trade Arbitration Commission](#)

[Citigroup Inc.](#)

[Crum & Forster Holdings Corp.](#)

[DuPont de Nemours Inc.](#)

[Early Warning Services LLC](#)

[Global Brands Group Holding Ltd.](#)

[Goodyear Tire & Rubber Co.](#)

[HDI Global Specialty SE](#)

[Highgate Hotels Inc.](#)

[Iconix Brand Group, Inc.](#)

[KSL Capital Partners LLC](#)

[Kenneth Cole Productions Inc.](#)

[Kona Grill Inc.](#)

[Lexington Insurance Co.](#)

[LexisNexis Group](#)

[Li & Fung Ltd.](#)

[Medley Management Inc.](#)

[MetLife Inc.](#)

[Metropolitan Transportation Authority](#)

[National Basketball Players Association](#)

[New York Knicks](#)

[New York Law School](#)

[QUALCOMM Inc.](#)

[RELX PLC](#)

[Securities Investor Protection Corp.](#)

[Spirit Airlines Inc.](#)

[Tampa International Airport](#)

[The Goldman Sachs Group Inc.](#)

[The Great Atlantic & Pacific Tea Company, Inc.](#)

[United Overseas Bank](#)

[Wellpath](#)

## **GOVERNMENT AGENCIES**

[Centers for Disease Control and Prevention](#)

[District Council 37](#)

[Equal Employment Opportunity Commission](#)

[Federal Bureau of Investigation](#)

[Federal Communications Commission](#)

[Federal Reserve System](#)

[Financial Crimes Enforcement Network](#)

[Montana Attorney General's Office](#)

[New York State Senate](#)

A New York federal judge won't let Preble-Rish Haiti SA pause its \$23 million award enforcement suit against the Haitian government, ruling Tuesday that the engineering firm most likely won't succeed while appealing for discovery access to the country's central bank funds.

[Opinion attached](#) | [Read full article](#) »

## TELECOMMUNICATIONS

### **Altice Hit With Suit Over Canceled Internet During Pandemic**

Altice USA has been hit with a proposed class action accusing the telecommunications company of cutting off internet and phone service to its customers during the COVID-19 pandemic, despite signing a Federal Communications Commission pledge not to do so.

[Complaint attached](#) | [Read full article](#) »

## PEOPLE

### **Cipriani & Werner Adds Ex-Manhattan DA To Cyber Team**

Pittsburgh-based Cipriani & Werner continued its growth this year with the addition of a former Manhattan district attorney with over a decade of experience working on a variety of enforcement and cybersecurity matters to its Philadelphia office, the firm announced Tuesday.

[Read full article](#) »

## PRACTICAL GUIDANCE

### **Structured Ch. 11 Dismissals Aren't Dead, Despite Jevic**

A New York bankruptcy court's recent approval of structured Chapter 11 dismissals in KG Winddown demonstrates that the rumored demise of such distributions hasn't come to pass, in part due to the U.S. Supreme Court's failure to address their legality in its 2017 opinion in Jevic, say Dan Prieto and Mark Douglas at Jones Day.

[Read full article](#) »

## LEGAL INDUSTRY

### **These 4 Law Firms Are The Most 'Fearsome'**

Four law firms were dubbed the most "fearsome" to face off against in court, according to a new report by BTI Consulting Group coming out Thursday.

[Read full article](#) »

### **Litigation Spending Outpaces Case Growth In US**

For the first time in nearly a decade, the amount of money being spent on litigation in the United States is outpacing the growth in cases, a new report shows.

[Read full article](#) »

### **Sussmann Seeks Clarity On 'Vague,' 'Confusing' Indictment**

Former Perkins Coie LLP partner Michael Sussmann asked a D.C. federal court on Wednesday to require the U.S. Department of Justice to provide more specificity to the "vague" and "confusing" indictment that accuses the cybersecurity expert of lying to the FBI in the run-up to the 2016 presidential election.

[Read full article](#) »

### **BigLaw Wants 'Unicorn' In Ga. Mergers, Comes Up Short**

There's an appetite among large law firms to enter or grow in the Georgia legal market through a combination, but for many firms the perfect acquisition partner either doesn't exist or isn't interested, local legal recruiters say.

[U.S. Attorney's Office for the District of Massachusetts](#)

[U.S. Attorney's Office for the Southern District of New York](#)

[U.S. Bankruptcy Court for the District of Delaware](#)

[U.S. Bankruptcy Court for the Southern District of New York](#)

[U.S. Court of Appeals for the District of Columbia Circuit](#)

[U.S. Court of Appeals for the Second Circuit](#)

[U.S. Department of Justice](#)

[U.S. Department of Labor](#)

[U.S. Department of the Treasury](#)

[U.S. District Court for the District of Columbia](#)

[U.S. District Court for the Eastern District of New York](#)

[U.S. District Court for the Southern District of New York](#)

[U.S. Securities and Exchange Commission](#)

[U.S. Senate](#)

[U.S. Supreme Court](#)

[Read full article »](#)

### **Koh Questioned Over COVID-19 Ruling At 9th Circ. Hearing**

U.S. District Judge Lucy H. Koh, one of President Joe Biden's nominees for the Ninth Circuit, defended herself against criticism from Republicans over her decision upholding California COVID-19 restrictions on indoor at-home religious gatherings when she testified before a Senate panel considering her nomination Wednesday.

[Read full article »](#)

### **Atty Tardiness Leads Court To Nix Quinn Emanuel Bias Suit**

The D.C. Circuit declined Wednesday to revive a fired associate's race and gender discrimination lawsuit against Quinn Emanuel Urquhart & Sullivan, scolding the attorney for repeatedly missing deadlines in her appeal and ignoring the court's warnings about her tardiness.

[Read full article »](#)

### **ABA To Attorneys: When In Doubt, Use A Translator**

If there is any uncertainty surrounding a client's ability to understand the case against them or their attorney's advice, that lawyer should err on the side of caution and hire a translator, an American Bar Association panel said in newly issued guidelines.

[Read full article »](#)

### **Montana Firm Challenges State's Employer Vax Mandate Ban**

A Montana-based law firm asked a state court on Tuesday to do away with the state's ban on employer vaccine mandates, claiming the measure runs afoul of Montana's constitution and places its employees at "increased risk to their health and safety."

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