

FORM 1

UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF NEW YORK

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

★ NOV 29 2023 ★

LONG ISLAND OFFICE

-----X
Lidia M. Orrego, Plaintiff
-against-
Kevin Knipfing a/k/a Kevin James,
Stephanieanna James-Knipfing
a/k/a Steffiana de la Cruz,
Old Westbury EDDIE LLC,
Old Westbury, LLC, Steve
Savitsky, Teresa A. Zantua,
Defendants
-----X

NOTICE OF INTERCOLUTORY APPEAL

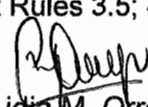
23CV6507 (JMA) (AYS)
Docket No

Notice is hereby given that Lidia M. Orrego, Plaintiff, PRO SE- Non-Attorney (party), hereby appeals to the United States Court of Appeals for the Second Circuit from the decisions dated October 30, 2023 and November 14, 2023, on related motions under 28 U.S.C. § 1292(a)(1) for entered in this action on the 30 day of October, 2023 and on the 14 day of November, 2023 under standard of review fraud, questions of law and facts, abuse discretion and power, clearly erroneous in disregard reasonableness and substantial evidence, judicial bias, among others.

The orders are a gross Violations of U.S Constitution, Laws, Federal Rules Civil Procedure (FRCP), Local Civil Rules, Code of Conduct for United States Judges include but not limited to:

- 1) Disturbing, egregious, unlawful, discriminatory, and retaliatory orders in Violation of Civil Rights of 1962 against Plaintiff. Freedom of Speech without oppression by the Government.
- 2) Disturbing, egregious, unlawful orders in Violation of the Fifth Amendment's Due Process Clause require the United States government to practice equal protection. The Fourteenth Amendment's Equal Protection Clause requires states to practice equal protection.
- 3) Disturbing and egregious orders to oppress Plaintiff and prevent filing of the preponderance and conclusive evidence with threats to apply illegal sanctions through fraudulent misrepresentation since "The Court of Appeals Second Circuit **"DISALLOWS"** 28 U.S.C. § 1927 sanctions to Pro Se Litigants. See Kelsey Whitt that § 1927 "applies only to attorneys"
- 4) Disturbing, egregious, unlawful "retroactive" orders to reject letters motions and documentary evidence filed by Plaintiff that proves Defendants' fraud, obstruction of justice and perjury on or upon the Court with their counsel Gordon Rees Scully Mansukhani LLC.
- 5) Spoliation of evidence documents since October 11, 2023, and illegally rejected filing papers in violation of the Due Process of Law, FRCP, and Local Civil Rules. See ECF Id. [26][27] [28] [29].
- 6) Plaintiff will file the Brief in the Appeal with all the violations Pursuant to 28 U.S.C. § 332. (d)(3), Code of Conduct for the United States Judges Cannons 1, 2, 3, The Judicial Conduct and Disability Act Of 1980, 28 U.S.C. §§ 351-364, NYS Rules Professional Conduct Rules 3.5; 4.1, FRCP 11, 26, 37, 5.2, Local Civ. Rules among others.
- 7) Supporting documentary evidence annexed pages 1-71.

Date: November 29, 2023


Lidia M. Orrego
Plaintiff/Appellant Pro Se Non-Attorney
95-08 Queens Blvd. 3 E
Rego Park, NY 11374
Phone: (347) 453-2234
Email: liorrego@gmail.com

Affidavit in Support of the Appeal to the Heinous-Shocking Illegal, Discriminatory, and Retaliatory Orders dated October 30, 2023, and November 14, 2023, by District Judge Joan M. Azrack in violation of the United States Constitution

Caption: Orrego v. Knipfing et al. Docket No. 23CV6507 (JMA)(AYS)

LIDIA M. ORREGO -PLAINTIFF'S AFFIDAVIT

Personally appeared before me, the undersigned authority, The within named, who being duly sworn, states upon his/her oath the following:

1) I, Lidia M. Orrego, Plaintiff Pro Se – NON-Attorney. I am fully competent to give this affidavit based upon my knowledge and recollection of the matters stated herein, well-supported by documentary evidence, annexed P. 9-69 and the Law.

2) The annexed D. Judge Joan M. Azrack's orders are illegal, discriminatory, and retaliatory (P. 9-13) dated October 30, 2023, and November 14, 2023, and Judge Azrack shows disturbing behavior, making false statements and fraudulent misrepresentations, gross violations of the US Constitution, Federal Laws, Rules of Procedures, and Ethics Rules, including but not limited to:

a) **Constitutional Rights to Due Process -The Fifth Amendment** says to the federal government that no one shall be "deprived of life, liberty or property without due process of law." and the **Fourteenth Amendment** ratified "nor deny to any person within its jurisdiction the equal protection of the laws."

b) **Freedom of Speech** without oppression by the Government

c) **Civil Rights Acts of 1964:** Duty to guarantee all citizens equal protection against discrimination based on race or national origin.

d) **18 U.S. Code § 242** - Deprivation of rights under color of law;

e) **18 U.S. Code § 241** - Conspiracy against rights

f) **FRCP Rules 11, 26, 37, 5.2;**

g) **Local Civil Rules 12.1 & 56, 2**

h) Pursuant to 28 U.S.C. § 332. (d) (3); 28 U.S.C. § 455 (a)

i) **Code of Conduct for United States Judges Cannons 1, 2, 3**

j) The Judicial Conduct and Disability Act Of 1980, 28 U.S.C. §§ 351-364

k) NYS Rules Professional Conduct Rules 3.5; 4.1

3) District Judge Azrack stated in her “fraudulent” order that she would apply sanctions if I continued filing motions or documents that support my complaint under 28 U.S.C. § 1927; this is a HOAX to oppress me and illegally restrain me from filing evidence that proves all the fraud and obstruction of justice from actor Kevin James and their lawyers Gordon Rees Scully and Mansukhani LLC (“GRSM”). See annexed P. 9-10.

4) First, this is totally false since 28 U.S.C. § 1927 is applied ONLY against attorneys who perform “tactics of delay, oppression or harassment” or “unsupported motions.” Still, I never filed motions supported with conclusive evidence of Defendants and their lawyers' fraud, perjury, and obstruction of justice to “delay” the procedure.

5) District Judge Gary R. Brown was recused on May 2023 see 20CV3361 (JMA) (AYS) ECF Id. [119] because he cannot sustain his illegal orders and threaten false sanctions to TERRIFY as District Judge Joan M. Azrack is doing in her illegal order dated November 14, 2023.

6) District Judge Brown recused himself on May 18, 2023, under 28 U.S.C. § 455 (a) because he could not explain the threats to apply sanctions and all his disturbing, egregious, unlawful orders evident partiality and favoritism to help the Defendants and their counsel GRSM's fraud, perjury and obstruction of justice.

7) District Judge Azrack's order must not survive an appeal since The Court of Appeals Second Circuit “DISALLOWS” 28 U.S.C. § 1927 sanctions to Pro Se Litigants because it only applies to Attorneys or Pro Se Attorneys; I filed Complaint ECF Id. [1] as Pro Se Non-Attorney. The sanctions can only apply to Pro Se-Attorneys. See Kelsey Whitt that § 1927 “applies only to attorneys”.

8) On October 28, 2023, I filed the letter to District Judge Azrack with the report and evidence of Defendants' fraud and perjury on or upon the Court with their counsel, Gordon Rees Scully Mansukhani LLC, since 2019. Judge Joan M. Azrack allowed letters, motions, and motions since August 3, 2023, until I filed evidence from the NY State Court Kings

County Supreme Court Index 502640/2012; New York County Supreme Court 50188/2018 that proves the Defendants' fraud, obstruction of justice, and perjury, among others. See annexed P. 28-40.

9) District Azrack concealed all the evidence of several violations from Defendants and their Counsel GRSM in State Court for "Legal malpractice" until she issued the disturbing, egregious, unlawful "retroactive" orders to reject motions and evidence that I filed with conclusive evidence of Defendants' fraud, obstruction of justice, and perjury and among others. See annexed P. 28-40.

10) I am attaching the most critical documents concealed or rejected that show District Judge Azrack's impropriety ruling illegal "retroactive orders." See annexed pages 9-69.

11) Judge Joan M. Azrack and her staff illegally retained or evidence spoliations since October 9, 2023. They unlawfully rejected the documents in violation of the Due Process of Law, FRCP 11, 26, 37, 5.2, and Local Civil Rules 12.1, 56.2 when I complained about the illegal spoliation of evidence and filed my report about how Defendants and their counsel GRSM lied all these years about both cases. See annexed P. 28-69.

12) The only way to prevent me from reaching JUSTICE is with an unlawfully retroactive order and reject the documents and evidence with fraudulent misrepresentations. See ECF Id. [26] [27] [28]. See annexed P. 28-69.

13) District Judge Joan M. Azrack and her staff illegally retained documents and evidence spoliation of 18 Exhibits (P. 14-27) since October 11, 2023, see ECF Id. [26]. Judge Azrack illegally rejected the documents violating the Due Process of Law, FRCP 11, 26, 37, 5.2, and Local Civil Rules 12.1, 56.2 when I complained about the spoliation of evidence. The only way to prevent me from reaching JUSTICE is by rejecting the documents and evidence with fraudulent misrepresentations. ECF Id. [26] [27] [28] and annexed documents were illegally rejected. P. 9-69.

14) District Judge Joan M. Azrack makes a disturbing and egregious misrepresentation that I cannot file "length documents." This is ridiculous and outrageous since the FRCP Due Process of Law, FRCP 11, 26, 37, 5.2, and Local Civil Rules 12.1, 56.2 allow PRO SE parties to file unlimited evidence when they are facing dispositive motions.

15) The illegal order trying to refrain from filing conclusive and preponderance evidence makes it more difficult for Defendants to file their “Motion to Dismiss” in December 2023, according to District Judge Azrack, dated November 1, 2023.

16) District Judge Azrack's unlawful treatment and despicable orders constitute a gross violation of the Fifth Amendment's Due Process Clause requiring the United States government to practice equal protection. The Fourteenth Amendment's Equal Protection Clause requires states to practice equal protection. See annexed P. 9-69.

17) I have the right to file all the evidence that supports my Complaint ECF Id. [1] District Judge Azrack illegally altered my filing ECF Id. [26] without limitations on the length or quantity of evidence (evidence spoliation) that proves clearly that D. Judge Azrack has favoritism and partiality in the Defendants' favor.

18) The heinous order must be reversed entirely since the “stay” order, in this case, is a poor excuse to avoid the impossible mission of the Defendants to file “affirmative defenses” without supported evidence because it would be insufficient to grant any dispositive motion in Defendants' favor. Violation 28 U.S.C. § 455 (a) Judge Azrack must recuse herself from both cases.

19) Therefore, District Judge Azrack is providing the “foundation” for Defendants to begin frivolous litigation and continue the abuse in the legal system through perjured statements, obstruction of justice, and fraud such as case 20CV3361 (JMA) (AYS) that should have already been finished a long time ago settled through a Settlement or Summary Judgment and Trial. See annexed P. 9-69.

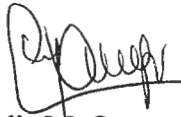
20) District Judge Joan M. Azrack's disturbing, egregious, unlawful, discriminatory, and retaliatory orders caused me stroke symptoms; due to her heinous order, the Courthouse employees in Brooklyn, instead of assisting me, threatened me with jail. See Court of Appeal Docket 23-1114 Id. [26].

21) The Supreme Court established that everyone is welcome in the Courthouses. Judge Azrack is ruling against me, deprivation for accommodations because I am Hispanic, LEP person, woman, and Pro Se to help me finish my case and file all my evidence.

22) I will file the Brief and Evidentiary Record in the Appeal with all the heinous violations from District Judge Joan M. Azrack pursuant to 28 U.S.C. § 332. (d) (3), Code of Conduct for the United States Judges Cannons 1, 2, 3, The Judicial Conduct and Disability Act Of 1980, 28 U.S.C. §§ 351-364, NYS Rules Professional Conduct Rules 3.5; 4.1 among others. See annexed P. 9-69.

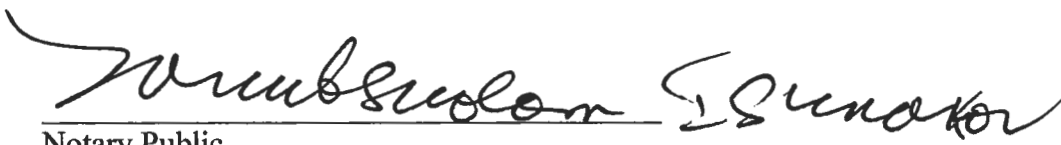
I, Lidia M. Orrego, Plaintiff Pro se Non-Attorney, once again swear that the information in my sworn statement above is a complete representation of the facts to the best of my knowledge.

Dated: November 29, 2023
Rego Park, New York


Lidia M. Orrego
Plaintiff Pro Se Non-Attorney
95-08 Queens Blvd. 3E
Rego Park NY 11374
Phone (347)453-2234
Email: liorrego@gmail.com

STATE OF NEW YORK
COUNTY OF QUEENS

Sworn to and subscribed to
Before me this the day of 29 November, 2023



Notary Public

YAKUBSHOLOM ISKHAKOV
Notary Public, State of New York
No. 011S6137786
Qualified in Queens County
Commission Expires December 06, 2025

CERTIFICATE OF SERVICE

I, Lidia M. Orrego, declare under penalty of perjury that I served a copy of the attached **“Affidavit in Support Appeal to the Heinous-Shocking Illegal, Discriminatory, and Retaliatory Order dated October 30, 2023, and November 14, 2023, by District Judge Joan M. Azrack under United States Constitution - Documentary Evidence - Total pages 5.”** upon the following Government Bodies or Agencies:

Judicial Council of the Second Circuit
Thurgood Marshall United States Courthouse
40 Foley Square, Room 2904
New York, New York 1000
Complaints:
Pursuant to 28 U.S.C. § 332. (d) (3)
Complaint Filed Under
The Judicial Conduct and Disability
Act Of 1980, 28 U.S.C. §§ 351-364

Nassau & Suffolk Counties
Grievance Committee for the Tenth Judicial District
150 Motor Parkway, Suite 102
Hauppauge, NY 11788
Complaint Pursuant to NYS Rules
Professional Conduct Rules 3.5; 4.1

Anne T. Donnelly, District Attorney
Nassau County District Attorney
262 Old Country Road
Mineola, NY 11501

FBI
26 Federal Plaza, 23rd Floor
New York, NY 10278-0004

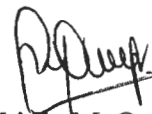
Kirsten Gillibrand
U.S. Senator for New York
780 Third Ave, Ste 2601
New York, NY 10017

Chuck Schumer
U.S. Senator for New York
780 Third Avenue, Suite 2301
New York, NY 10017

Consulate General of the Republic of Paraguay in New York, NY
United States of America
801 2nd. Avenue
Suite 600
New York - NY – 10017
Mr. Santiago Peña - President of the Republic of Paraguay
Mr. Carlos Ortiz - Ambassador of the Republic of Paraguay in New York, NY
United States of America
Mr. Silvio Ovelar - Senator of the Republic of Paraguay

I declare under penalty of perjury that the foregoing is true and correct.

Dated: November 29, 2023
Rego Park, New York



Lidia M. Orrego
Plaintiff Pro Se Non-Attorney
95-08 Queens Blvd. 3E
Rego Park NY 11374
Phone (347)453-2234
Email: liorrego@gmail.com

11/15/23, 8:38 AM

Gmail - Activity in Case 2:23-cv-06507-JMA-AYS Orrego v. Pasternack Tilker Ziegler Walsh Stanton & Romano LLP et al Order



Lidia Orrego <lorrego@gmail.com>

Activity in Case 2:23-cv-06507-JMA-AYS Orrego v. Pasternack Tilker Ziegler Walsh Stanton & Romano LLP et al Order

1 message

ecf_bounces@nyed.uscourts.gov <ecf_bounces@nyed.uscourts.gov>

Tue, Nov 14, 2023 at 8:52 AM

To: nobody@nyed.uscourts.gov

This is an automatic e-mail message generated by the CM/ECF system. Please DO NOT RESPOND to this e-mail because the mail box is unattended.

*****NOTE TO PUBLIC ACCESS USERS***** Judicial Conference of the United States policy permits attorneys of record and parties in a case (including pro se litigants) to receive one free electronic copy of all documents filed electronically, if receipt is required by law or directed by the filer. PACER access fees apply to all other users. To avoid later charges, download a copy of each document during this first viewing. However, if the referenced document is a transcript, the free copy and 30 page limit do not apply.

U.S. District Court

Eastern District of New York

Notice of Electronic Filing

The following transaction was entered on 11/14/2023 at 8:52 AM EST and filed on 11/14/2023

Case Name: Orrego v. Pasternack Tilker Ziegler Walsh Stanton & Romano LLP et al

Case Number: 2:23-cv-06507-JMA-AYS

Filer:

Document Number: No document attached

Docket Text:

ORDER. Plaintiff Lidia M. Orrego ("Plaintiff") has filed two separate actions in this court (20-CV-3361 and 23-CV-6507), each arising from or relating to her former employment with the defendants in 20-CV-3361. On August 3, 2023, Plaintiff filed a Notice of Interlocutory Appeal in 20-CV-3361 seeking review of this Court's July 11, 2023 and July 20, 2023 Orders. (See 23-1114 (2d Cir. Aug. 4, 2023)). Of note, the July 11, 2023 Order denied Plaintiff's motions for reconsideration, to set aside, and to vacate Judge Brown's Order adopting the Report and Recommendation of Magistrate Judge Shields that denied Plaintiff's motion for a declaratory judgment and to change venue. Plaintiff had already made similar motions which Judge Brown denied by Order dated March 28, 2023 where he warned: "PLAINTIFF IS CAUTIONED ONCE AGAIN THAT THE CONTINUED FILING OF BLOATED AND WHOLLY UNSUPPORTED MOTIONS MAY SUBJECT HER TO THE IMPOSITION OF SANCTIONS FOR ENGAGING IN FRIVOLOUS LITIGATION CONDUCT UNDER 28 U.S.C. § 1927." Undeterred, Plaintiff has continued to file voluminous, repetitive, and unsupported motions in both of her cases. Indeed, since Judge Brown's March 28, 2023 warning, Plaintiff has filed an additional 26 motions in 20-CV-3361 alone, including a motion to certify an interlocutory appeal which this Court denied by Order dated July 28, 2023. Further, on October 31, 2023, Plaintiff has filed a 151-page "Petition for a Writ of Mandamus, Certiorari, and Prohibition" against the undersigned and Magistrate Judge Shields in the Second Circuit complaining of conduct alleged to have occurred in 20-CV-3361. See 23-7643 (2d Cir. Oct. 31, 2023). Accordingly, given Plaintiff's pending appeals and in an abundance of caution in light of her pro se status, the Court STAYS these matters pending resolution of the appeals. To be clear, Plaintiff SHALL NOT file any additional papers in either 20-CV-3361 or 23-CV-6507 and any submissions received via box.com, in person at the Clerks Office, or through the mail will

11/15/23, 8:38 AM

Gmail - Activity in Case 2:23-cv-06507-JMA-AYS Orrego v. Pasternack Tilker Ziegler Walsh Stanton & Romano LLP et al Order

not be considered or docketed. Plaintiff also SHALL NOT continue to contact the undersigned's chambers. Further, any papers the Clerk has received since August 3, 2023 in each case that have not yet been docketed shall be returned to Plaintiff. If any such filing exceeds 5 pages, the Clerk of the Court shall reference the returned document in a return letter and include only the first page of such submission. The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this Order would not be taken in good faith and therefore in forma pauperis status is denied for the purpose of any appeal. See Coppedge v. United States, 369 U.S. 438, 444-45 (1962). Ordered by Judge Joan M. Azrack on 11/14/2023. (JSB)

2:23-cv-06507-JMA-AYS Notice has been electronically mailed to:

David Stephen Wilck david.wilck@rivkin.com

Andrew Hamelsky ahamelsky@stradley.com

Jenifer Ann Scarcella jscarcella@stradley.com

Jason M. Biegel jason.biegel@rivkin.com

Lidia M. Orrego liorrego@gmail.com

2:23-cv-06507-JMA-AYS Notice will not be electronically mailed to:

10/30/23, 11:29 AM

Gmail - Activity in Case 2:23-cv-06507-JMA-AYS Orrego v. Pasternack Tilker Ziegler Walsh Stanton & Romano LLP et al Order



Lidia Orrego <lorrego@gmail.com>

Activity in Case 2:23-cv-06507-JMA-AYS Orrego v. Pasternack Tilker Ziegler Walsh Stanton & Romano LLP et al Order

ecf_bounces@nyed.uscourts.gov <ecf_bounces@nyed.uscourts.gov>
To: nobody@nyed.uscourts.gov

Mon, Oct 30, 2023 at 10:12 AM

This is an automatic e-mail message generated by the CM/ECF system. Please DO NOT RESPOND to this e-mail because the mail box is unattended.

*****NOTE TO PUBLIC ACCESS USERS***** Judicial Conference of the United States policy permits attorneys of record and parties in a case (including pro se litigants) to receive one free electronic copy of all documents filed electronically, if receipt is required by law or directed by the filer. PACER access fees apply to all other users. To avoid later charges, download a copy of each document during this first viewing. However, if the referenced document is a transcript, the free copy and 30 page limit do not apply.

U.S. District Court

Eastern District of New York

Notice of Electronic Filing

The following transaction was entered on 10/30/2023 at 10:12 AM EDT and filed on 10/30/2023

Case Name: Orrego v. Pasternack Tilker Ziegler Walsh Stanton & Romano LLP et al

Case Number: 2:23-cv-06507-JMA-AYS

Filer:

Document Number: No document attached

Docket Text:

ORDER. Defendants filed pre-motion conference letters regarding anticipated motions to dismiss on 10/10/2023 (ECF No. [13]) and 10/13/2020 (ECF No. [19]). Under the Courts Individual Rules, Pro Se Plaintiff's responses to these letters were due 10/17/2023 and 10/20/2023, respectively, but to date, no response has been filed. Accordingly, Pro Se Plaintiff shall respond to Defendants' letters, in letters not to exceed three pages, by 11/10/2023. Failure to comply with this order may result in dismissal of this action for failure to prosecute. Out of an abundance of caution, the Clerk of Court is directed to mail a copy of this Order and ECF Nos. 13 and 19 to the Pro Se Plaintiff at her address of record. Ordered by Judge Joan M. Azrack on 10/30/2023. (JSB)

[Quoted text hidden]

11/15/23, 8:27 AM

Gmail - Activity in Case 2:23-cv-06507-JMA-AYS Orrego v. Pasternack Tilker Ziegler Walsh Stanton & Romano LLP et al Order o...



Lidia Orrego <liorrego@gmail.com>

Activity in Case 2:23-cv-06507-JMA-AYS Orrego v. Pasternack Tilker Ziegler Walsh Stanton & Romano LLP et al Order on Motion for Leave to Allow Pro Se to Electronically File

1 message

ecf_bounces@nyed.uscourts.gov <ecf_bounces@nyed.uscourts.gov>
To: nobody@nyed.uscourts.gov

Mon, Oct 30, 2023 at 10:03 AM

This is an automatic e-mail message generated by the CM/ECF system. Please DO NOT RESPOND to this e-mail because the mail box is unattended.

*****NOTE TO PUBLIC ACCESS USERS***** Judicial Conference of the United States policy permits attorneys of record and parties in a case (including pro se litigants) to receive one free electronic copy of all documents filed electronically, if receipt is required by law or directed by the filer. PACER access fees apply to all other users. To avoid later charges, download a copy of each document during this first viewing. However, if the referenced document is a transcript, the free copy and 30 page limit do not apply.

U.S. District Court

Eastern District of New York

Notice of Electronic Filing

The following transaction was entered on 10/30/2023 at 10:03 AM EDT and filed on 10/30/2023

Case Name: Orrego v. Pasternack Tilker Ziegler Walsh Stanton & Romano LLP et al

Case Number: 2:23-cv-06507-JMA-AYS

Filer:

Document Number: No document attached

Docket Text:

ORDER denying [27] Motion for Leave to Allow Pro Se to Electronically File. Before the Court is an application from pro se Plaintiff Lidia Orrego seeking permission for electronic case filing via the Court's Electronic Case filing system ("ECF"). The application is denied without prejudice. Plaintiff has demonstrated her ability to upload and submit documents utilizing the Court's electronic mailbox, Box.com, and her submissions have promptly been uploaded to the public docket where appropriate. However, Plaintiff's frequent uploading of voluminous and/or improper documents on Box.com gives the Court pause. In the absence of Plaintiff alleging any prejudice as a result of the current system, her application is denied without prejudice. Ordered by Judge Joan M. Azrack on 10/30/2023. (JSB)

2:23-cv-06507-JMA-AYS Notice has been electronically mailed to:

David Stephen Wilck david.wilck@rivkin.com

Andrew Hamelsky ahamelsky@stradley.com

Jenifer Ann Scarcella jscarcella@stradley.com

Jason M. Biegel jason.biegel@rivkin.com

Lidia M. Orrego liorrego@gmail.com

2:23-cv-06507-JMA-AYS Notice will not be electronically mailed to:

10/30/23, 10:48 AM

Gmail - Activity in Case 2:23-cv-06507-JMA-AYS Orrego v. Pasternack Tilker Ziegler Walsh Stanton & Romano LLP et al Order



Lidia Orrego <liorrego@gmail.com>

Activity in Case 2:23-cv-06507-JMA-AYS Orrego v. Pasternack Tilker Ziegler Walsh Stanton & Romano LLP et al Order

ecf_bounces@nyed.uscourts.gov <ecf_bounces@nyed.uscourts.gov>
To: nobody@nyed.uscourts.gov

Mon, Oct 30, 2023 at 10:01 AM

This is an automatic e-mail message generated by the CM/ECF system. Please DO NOT RESPOND to this e-mail because the mail box is unattended.

*****NOTE TO PUBLIC ACCESS USERS***** Judicial Conference of the United States policy permits attorneys of record and parties in a case (including pro se litigants) to receive one free electronic copy of all documents filed electronically, if receipt is required by law or directed by the filer. PACER access fees apply to all other users. To avoid later charges, download a copy of each document during this first viewing. However, if the referenced document is a transcript, the free copy and 30 page limit do not apply.

U.S. District Court

Eastern District of New York

Notice of Electronic Filing

The following transaction was entered on 10/30/2023 at 10:01 AM EDT and filed on 10/30/2023

Case Name: Orrego v. Pasternack Tilker Ziegler Walsh Stanton & Romano LLP et al

Case Number: 2:23-cv-06507-JMA-AYS

Filer:

Document Number: No document attached

Docket Text:

ORDER. Before the Court is the voluminous October 12, 2023 submission from pro se plaintiff Lidia Orrego via Box.com, DE [26]. Notably, apart from the two-page letter to the Court, the additional 356 pages appear to be documentary discovery that does not comply with the Local Rules of this Court. See Local Civil Rule 5.1. Accordingly, the Clerk of the Court shall docket only the first two pages of this submission and shall delete the balance of Plaintiff's submission from Box.com. Plaintiff is cautioned that document submission via Box.com is a privilege but may be revoked if abused. Should Plaintiff continue to upload lengthy submissions in contravention of the Court's rules, she may be required to file papers in hard copy via the mail and/or in person. Ordered by Judge Joan M. Azrack on 10/30/2023. (JSB)

2:23-cv-06507-JMA-AYS Notice has been electronically mailed to:

David Stephen Wilck david.wilck@rivkin.com

Andrew Hamelsky ahamelsky@stradley.com

Jenifer Ann Scarcella jscarcella@stradley.com

Jason M. Biegel jason.biegel@rivkin.com

Lidia M. Orrego liorrego@gmail.com

2:23-cv-06507-JMA-AYS Notice will not be electronically mailed to:

10/11/23, 10:17 PM

Gmail - EDNY 2:23-cv-06507-JMA-AYS Orrego v. Pasternack Tilker Ziegler Walsh Stanton & Romano LLP et al



Lidia Orrego <liorrego@gmail.com>

EDNY 2:23-cv-06507-JMA-AYS Orrego v. Pasternack Tilker Ziegler Walsh Stanton & Romano LLP et al

1 message

Lidia Orrego <liorrego@gmail.com>
To: ahamelsky@stradley.com, jscarcella@stradley.com
Cc: Lidia Orrego <liorrego@gmail.com>

Wed, Oct 11, 2023 at 10:16 PM

Proof of Service Pursuant FRCP and Local Civil Rule Meet and Confer and Federal Rule of Evidence Rule 901 - Authentication or identification

Good evening Scarcella, Esq. and Hamelsky, Esq., I will file my response to Defendants' Pre-conference Motion ECF doc. [13] according to District Judge Azrack Individual Rules on or before October 17, 2023.

I object to Defendants' Pre-conference Motion ECF doc. [13] because it contains misrepresentations and intentional omissions or frivolous arguments by not mentioning or leaving out important facts in violation of FRCP Rule 11 (a) (b) (c) and will ask for sanctions if Defendants continue on this path.

For the record, the Complaint ECF doc. [1] is based on the case law EDNY McGee v. State Farm Mutual Automobile Insurance Com and New York Supreme Court for the County of Queens, Bermejo v. Amsterdam & 76th Associates, LLC, et al., No. 23985/2009 issue "that doctors and medical exam companies conspired for "independent" sham exams and reports designed cut off treatment for patients." This is criminal behavior.

The First case is a Civil Rico, which shows the elements and damages, and the second case is Justice Duane Hart's recommendation to file a RICO lawsuit against IME Dr. Katz, who lied in Court and committed perjury.

Insurance companies willfully (mens rea) fabricate a false report to deny all benefits to honest injured workers and medical care.

The Complaint ECF doc. [1] complies with all the elements and review standards for RICO Civil, where the standard to meet is to proceed to a Jury Trial because the facts and evidence support my Complaint. See McGee v. State Farm Mutual Automobile Insurance Com.

Therefore, the Complaint ECF doc. [1] complies with the standard "In alleging fraud or mistake, a party must state with particularity the circumstances constituting fraud or mistake. Malice, intent, knowledge, and other conditions of a person's mind may be alleged generally". Every fact in the

14

10/11/23, 10:17 PM

Gmail - EDNY 2:23-cv-06507-JMA-AYS Orrego v. Pasternack Tilker Ziegler Walsh Stanton & Romano LLP et al

Complaint shows particularity supported by documentary evidence.

Under FRCP Rule 11 (b) (3) and Federal Rule of Evidence Rule 901, I request the authenticity of the following documentary evidence, including but not limited to documents issued by Defendants First Choice Evaluations, LLC and Dr. Jason Hochfelder and pleadings of Court Proceedings at Workers Compensation Board (WCB) case G2584330 with specificity and particularity date and time for each Defendant's criminal activity:

a) WCB case G2584330 documents "closed-ended continuity" and "open-ended continuity" (Plaintiff=Claimant)

[1] ATTY-CORR from Pasternack, Tilker, Ziegler, Walsh, Stanton & Romano L.L.P. & HIPAA forms, filed 6/23/20 (Document ID# 342128438) transmitted via email 06/23/2020 at 3:58 pm

[2] 73. Claimant's Notice of Independent Medical Examination filed 9/28/2020 (Document ID# 346138122) transmitted via email 9/28/2020 at 9:59 am by Third Party "CCMSI" – Provision" "You have the right to videotape or otherwise record the examination. You also have the right to be accompanied during the exam by an individual or individuals of your choosing." Specific requested "DOES NOT INTEND TO RECORD OR VIDEOTAPE THIS EXAMINATION"

[3] IME examination Recording speakers Lidia Orrego, Dr. Hochfelder, and Celeste Bueno (WCB Spanish Interpreter) length 5 min. 3 sec. – REQUIRE AUTHENTICATION FROM DR. HOCHFELDER

[4] First Choice Evaluations, LLC by Denise Giuffrida sent the instructions to Dr. Hochfelder, "Independent Examiner's Report Of Request For Information/Response To Request Regarding Independent Medical Examination." - First Choice Evaluations, LLC instruction including not tape the examination transmitted via FAX 10/21/2020 at 8:48 am

[5] **FABRICATE AND FALSE – DR. HOCHFELDER' PERJURY Complaint ECF doc. [1]- Exhibit 5:** Independent Medical Examination Report (Jason Hochfelder, M.D.) filed 10/21/20 (Document ID# 347239977) **transmitted via FAX 10/21/2020 at 8:49 am**

First Choice Evaluations, LLC and Dr. Jason Hochfelder related 20 minutes "examination" and signed under perjury penalty **CPLR 2106** the recording [3] and transcription challenge the

10/11/23, 10:17 PM

Gmail - EDNY 2:23-cv-06507-JMA-AYS Orrego v. Pasternack Tilker Ziegler Walsh Stanton & Romano LLP et al

following false First Choice Evaluations, LLC and Dr. Hochfelder's statements:

"On 10/14/2020, I, Dr. Jason Hochfelder, performed an Independent Orthopedic Medical Evaluation on claimant, Lidia Orrego.

Interpreter present for the entire exam. Claimant examined from 10:30 to 10:50.

Twenty-five minutes spent reviewing the medical records"

"On examination today, she is walking with a normal gait" (recording item [3] shows Dr. Hochfelder never requested to walk)

"Her neck examination reveals flexion of 40 degrees, extension of 30 degrees, lateral rotation of 40 degrees. No motor or sensory deficits in the upper extremities." (recording item [3] shows Dr. Hochfelder never examined the "spine lumbar")

"Left shoulder reveals abduction and forward elevation to 120 degrees, external rotation to 70 degrees. internal rotation to 90 degrees." (recording item [3] shows Dr. Hochfelder never examined the "spine lumbar")

"Lumbar spine exam reveals flexion of 50, extension of 15. No motor or sensory deficits in the lower extremities." (recording item [3] shows Dr. Hochfelder never examined the "spine lumbar")

[See FRAUD and Gross Violation of SECTION 137 Independent medical examinations Workers' Compensation \(WKC\) CHAPTER 67, ARTICLE 7](#)

[6]_October 25, 2020: Plaintiff's letter to her former lawyers Pasternack Tilker Ziegler Walsh Stanton & Romano LLP, Pasternack Tilker Weitz & Luxenberg LLP - Sam Cohen, for the next hearing a WCB to challenge to report Dr. Hochfelder's fraud and perjury, that instead of making a complete examination as "Independent" according to New York State Law ("NYSL"), what he did was "frame" the request of his employer the Carrier, New York Marine & General Insurance Company, to deny the treatment of the Claimant. The recording and transcription of 5 minutes 3 seconds shows that Dr. Hochfelder was not interested in collecting medical information since May 2018, when the Claimant's illness began, nor the hours of work without rest during his employment, nor the details of his duties to give an "opinion " professional. He limited himself to getting a bought opinion. Filed 10/28/2020 (Document ID# 4000321056) **transmitted to WCB by Plaintiff's former lawyer.**

[7] October 28, 2020: Transcription Hearing at WCB Plaintiff's former lawyers Pasternack Tilker Ziegler Walsh Stanton & Romano LLP, Pasternack Tilker Weitz & Luxenberg LLP - Sam Cohen. Plaintiff's former lawyers never mentioned First Choice Evaluations, LLC and Dr. Jason Hochfelder, Filed 10/28/2020 (Document ID# 355997008) **by WCB.**

10/11/23, 10:17 PM

Gmail - EDNY 2:23-cv-06507-JMA-AYS Orrego v. Pasternack Tilker Ziegler Walsh Stanton & Romano LLP et al

[8] December 18, 2020: First Choice Evaluations, LLC and Dr. Jason Hochfelder "Addendum Request" "SECOND" fraudulent report, false, fabricated, and signed under perjury penalty CPLR 2106. Sent to CCMSI in New Jersey, Filed 12/28/2020 (Document ID# 350289308) "8 Pgs. Transmitted"

[9] **Complaint ECF doc. [1]- Exhibit 6:** January 8, 2021: Plaintiff sent to her former lawyers Pasternack Tilker Ziegler Walsh Stanton & Romano LLP, Pasternack Tilker Weitz & Luxenberg LLP - Sam Cohen an email Evidence IME Transcription - Perjury - Claimant: Lidia Orrego / WCB case # G2584330 with the transcription of the recording item [3]. The Plaintiff's former lawyers never filed this document. Plaintiff filed the Appeal at WCB form RB89.2 in July 2021 (Document ID# 359553898)

[10] January 18, 2021: First Choice Evaluations, LLC and Dr. Jason Hochfelder's deposition PERJURY IN A LEGAL PROCEEDING AT WCB. Stated the same evaluation item [5]. THIRD TIME COMMITTED A CRIME UNDER CIVIL RICO with the Plaintiff's former lawyers Pasternack Tilker Ziegler Walsh Stanton & Romano LLP, Pasternack Tilker Weitz & Luxenberg LLP assisted in committing RICO violations in this case including but not limited to Fraud, Obstruction of Justice, False Statements and Writings, Conspiracy to Commit Filing False Documents, Statements and Writings, Perjury, and Tampering witnesses." Filed 01/18/2021 (Document ID# 351098253)

[11] **Complaint ECF doc. [1]- Exhibit 7:** Notice WCB – Barry Greenberg WCLJ Barry Greenberg's decision: "The claimant's testimony that she was injured in the course of her employment was not credible. The Carrier's IME doctor's opinion that the Claimant did not seem to have had an injury resulting from work activity was more credible than the opinions of the claimant's doctors. Her claim seems to have been an afterthought related to other issues involving her employment." Filed 03/08/2021 (Document ID# 353327283) based on based on First Choice Evaluations, LLC and Dr. Jason Hochfelder's fraud and perjury see items [5]. [6]. [7]. [8]. [9]. [10].

[12] April 9, 2021: form RB-89 (Application for Board Review) was filed by Claimant's counsel, Pasternack Tilker Ziegler Walsh Stanton & Romano LLP, Pasternack Tilker Weitz & Luxenberg LLP - Mr. Andrew Ziemiansky. The pleading was weak and did not refer to the fraud of First Choice Evaluations, LLC and Dr. Jason Hochfelder (IME doctor). The conspiracy to disallow the case was evident. Appealed from WCLJ Barry Greenberg's outrageous decision dated March 5, 2021, based on

10/11/23, 10:17 PM

Gmail - EDNY 2:23-cv-06507-JMA-AYS Orrego v. Pasternack Tilker Ziegler Walsh Stanton & Romano LLP et al

First Choice Evaluations, LLC and Dr. Jason Hochfelder's fraud and perjury see items [5].[6].[7].[8].[9].[10]. Filed 4/09/2021 (Document ID# 355167304)

[13] July 9, 2021: Form OC-400.17 (Attorney/Licensed Representative Request to Withdraw from Representation) filed by Mr. Matt Funk - Claimant's counsel after Pasternack Tilker Ziegler Walsh Stanton & Romano LLP, Pasternack Tilker Weitz & Luxenberg LLP, received three complaints by email from the Claimant demanding an explanation why they were acting as a "trojan horse" destroying her case, including but not limited to the protection of First Choice Evaluations, LLC and Dr. Jason Hochfelder's criminal activity in their false report. Pasternack Tilker Ziegler Walsh Stanton & Romano L.L.P. never sent a copy of Form OC-400.17; Mr. Funk lied when he stated, "In good faith, they attempted that the Claimant sign the form." This never happened. Filed 7/08/2021 (Document ID# 359184649) via WCB@PAS.com

[14] July 14, 2021: RB-89.2 (Application for Reconsideration/Full Board Review) after the betrayal and dumped by her counsel, the Claimant began to research and filed the RB-89.2 form Full Review that must have been filed by Pasternack Tilker Ziegler Walsh Stanton & Romano L.L.P. according to the agreement. Decision appealed from Memorandum of Board Panel filed June 16, 2021. Filed 07/14/2021 via WCB web. (Document ID# 359553898) 391-Pages

b) Appeal Docket 535740 Appellate Division Third Department ("open-ended continuity"): FABRICATE AND FALSE – DR. HOCHFELDER' PERJURY Complaint ECF doc. [1]- Exhibit 5:

[15] NYSCEF 535740 doc. [13] – Exhibit in support Plaintiff's Motion Preliminary Injunction: "Notice To Cease & Desist – Harassment, Defamation, And Illegal Interference" based on First Choice Evaluations, LLC and Dr. Jason Hochfelder's fraud and perjury see items [5].[6].[7].[8].[9].[10].

"The false statement(s) that New York Marine and General Insurance Company and counsel Mr. Marc Neuman-Cipriani & Werner PC made is reckless and highly defamatory and has caused me to suffer including but limited to:

- Substantial harm
- Economic harm
- Reputational harm
- Denial my benefits under Workers Compensation Law Occupational Disease
- Irreversible damages, pain & suffering, and denial of compensatory benefits, among other
- Harm to my/our business
- Harm to my/our character and reputation."

10/11/23, 10:17 PM

Gmail - EDNY 2:23-cv-06507-JMA-AYS Orrego v. Pasternack Tilker Ziegler Walsh Stanton & Romano LLP et al

[16] NYSCEF 535740 doc. [78] Respondents: Kevin and Stephanieanna Knipfing, New York Marine and General Insurance Company and counsel Mr. Marc Neuman – Cipriani & Werner PC’s “Motion To Strike Record On Appeal And Dismiss” based on First Choice Evaluations, LLC and Dr. Jason Hochfelder’s fraud and perjury see items [5]-[6]-[7]-[8]-[9]-[10].

[17] NYSCEF 535740 doc. [122] Respondents: Kevin and Stephanieanna Knipfing, New York Marine and General Insurance Company and counsel Mr. Marc Neuman – Cipriani & Werner PC’s “Respondents’ Brief” based on First Choice Evaluations, LLC and Dr. Jason Hochfelder’s fraud and perjury see items [5]-[6]-[7]-[8]-[9]-[10].

Complaint ECF doc. [1] : “Basis for Jurisdiction: Violation of Civil RICO (Racketeer Influenced and Corrupt Organizations) Act statute 18 U.S.C. 1964 not only provides criminal penalties for racketeering charges but civil remedies as well. Forms of RICO violations in this case include but are not limited to Fraud, Obstruction of Justice, False Statements and Writings, Conspiracy to Commit Filing False Documents, Statements and Writings, Perjury, and Tampering witnesses.”

I reserve all rights to file supplemental documentary evidence that supports the Complaint ECF doc. [1].

In order to establish a RICO violation, four basic elements must be proven: a pattern of racketeering activity, a culpable person with the requisite mens rea, an enterprise, and an effect on interstate commerce (New York, New Jersey, and elsewhere). The Complaint ECF doc. [1] and documentary evidence exceeds the standard of proof.

A “pattern” of racketeering activity can be established in two ways. In order to establish “closed-ended continuity,” a plaintiff must demonstrate that a series of related predicate acts were committed over a substantial period of time. Alternatively, in order to establish “open-ended continuity,” a plaintiff must demonstrate a threat of continuing criminal activity that extends beyond the initial period of time when the predicate acts were originally committed (See Appeal Docket 535740 Appellate Division Third Department: reputational damages, loss medical treatment of occupational diseases, irreversible damages that continues and affects the Plaintiff’s quality of life and longevity, among others). This determination is based upon the nature of the enterprise and the type of prohibited acts committed. The Complaint ECF doc. [1] and documentary evidence exceeds the standard of proof.

10/11/23, 10:17 PM

Gmail - EDNY 2:23-cv-06507-JMA-AYS Orrego v. Pasternack Tilker Ziegler Walsh Stanton & Romano LLP et al

All the documentary evidence that supports all the facts at Complaint ECF doc. [1] meet and exceed the standard requirements for “civil RICO claims are governed by the preponderance of evidence standard. Under this legal standard, a plaintiff only needs to prove that it is “more likely than not” that their damages were caused by the defendant’s civil RICO violation (less burdensome preponderance of evidence standard (more likely than not standard) is the appropriate standard of liability in a civil RICO lawsuit.).”

In plain words, I would not have suffered any damages if the Defendants had not committed Civil Rico Violation see Complaint ECF doc. [1] and continues to cause damage in the present and future. See documents annexed from Appeal Docket 535740 Appellate Division Third Department.

Notice: The attached documents, recordings, transcriptions, transcripts, official papers, etc., are only the main documents, and additional evidence for authentication will serve in the Discovery Process.

I request that the Defendants authenticate the facts and evidence in the Complaint ECF doc. [1] on or before 10/16 to file my response to Defendants’ Pre-conference Motion ECF doc. [13].

In the case that the Defendants do not send a written answer addressed to the matter in this email and signed by the Defendants on or before October 17, 2023. In that case, all the attached evidence and facts will be admitted without prejudice to supplemental and documentary evidence.

In a show of good faith, I am available for any conversation with the defendants to resolve this matter without Court intervention in the light of the documentary evidence that includes but is not limited to the attached documents and recording.

If you have any questions, please do not hesitate to reach out only via email for all parties' safety.

Thank you for your attention in this matter.

Respectfully submitted,

Date: October 11, 2023
Rego Park, New York

Lidia M. Orrego
Plaintiff Pro Se

10/11/23, 10:17 PM

Gmail - EDNY 2:23-cv-06507-JMA-AYS Orrego v. Pasternack Tilker Ziegler Walsh Stanton & Romano LLP et al

95-08 Queens Blvd. Apart 3E
Rego Park, NY, 11374
Phone (347) 4532234
Email: liorrego@gmail.com

Via ECF & Email

Stradley Ronon Stevens & Young, LLP
100 Park Avenue, Suite 2000
New York, New York 10017
Phone: 862-682-7246
Andrew I. Hamelsky, Esq.
ahamelsky@stradley.com
Jenifer A. Scarcella, Esq.
jscarcella@stradley.com
Attorney for Defendant,
First Choice Evaluations, LLC and
Dr. Jason Hochfelder

CC via ECF:

Honorable District Judge Joan M. Azrack
United States District Court Eastern District
of New York
100 Federal Plaza, Central Islip, NY 11722

-  [1] [69] ATTY-CORR [06-23-2020] [342128438]_Red...
-  [2] [73] IME-5 [09-28-2020] [346138122].pdf
-  [3] Part IV 5m3s - 2020-10-14-10-08-001 Dr. Jas...
-  [4] [78] IME-3 [10-21-2020] [347240129].pdf
-  [5] Ex. 5 - IME-4 [10-21-2020] [347239977]_Reda...
-  [6] [81] EXHIBIT [10-28-2020] [4000321056]_Reda...
-  [7] [80] HEARMINS [10-28-2020] [355997008].pdf
-  [8] [93] IME-3 [12-28-2020] [350289308].pdf
-  [9] Ex. 6 - 01-08-2021 Gmail - URGENT Evidence ...
-  [10] DEPOSITION [01-18-2021] [351098253]_Redact...
-  [11] Ex. 7 - 03-10-2021 WCB NOTICE DECISION - C...
-  [12] [108] RB-89 [04-09-2021] [355167304].pdf
-  [13] [111] OC-400.17 [07-08-2021] [359184649].pdf
-  [14] [112] RB-89.2 [07-14-2021] [359553898]_Red...
-  [15] 535740_Matter_of_Orrego_v_Knipfing_EXHIBIT...
-  [16] 535740_Matter_of_Orrego_v_Knipfing_NOTICE_...
-  [17] 535740_Matter_of_Orrego_v_Knipfing_RESPOND...

November 7, 2023

District Judge Joan M. Azrack
United States District Court Eastern District of New York (EDNY)
100 Federal Plaza, Central Islip, NY 11722
Attn: Pro Se Office - via Pro Se Electronic Document Submission

Caption: Orrego v. Pasternack Tilker Ziegler Walsh Stanton & Romano LLP et al
Docket No. 23CV06507(JMA)(AYS)

Re: **Plaintiff's Objection and Letter MOTION to VACATE** order due to Court's misrepresentation of the Local Rule 5.1 to justify spoliation of evidence - Total Pages filed 6.- unseal under Federal Rule Civil Procedure ("FRCP") Rule 5.2.-

District Judge Azrack,

Plaintiff Lidia M. Orrego objects to the annexed order dated October 30, 2023, to the Court's misrepresentation and misapplying the [Local Civil Rule 5.1](#) on [ECF Id. \[26\]](#) the document is not a motion, and Plaintiff is not seeking any relief from the Court.

Under her right to Freedom of Speech, Plaintiff states that this Court's purpose, with this heinous misrepresentation of the Local Civil Rules, constitutes an excuse to proceed with the [spoliation of evidence](#). The Court does not have the power to modify or make "alterations" of documents filed by Plaintiff without her knowledge or consent because only it is against the Defendants. This Court violated the Constitutional Right of Due Process. THIS IS BEHAVIOR UNACCEPTABLE.

Plaintiff is entitled to submit "LENGTH or ANY EVIDENCE" that she considers proper, as she has been doing filings since July 2020 up to +500 pages in her motions and other forums, evidence of up to +2500 pages, and no one has tried to "alter this evidence" because that is illegal. See [Local Civil Rule 12.1 – Notice for Pro Se Litigants](#).

This Court's heinous "order" does NOT make sense because each party is entitled to choose what evidence to file in their pleadings, letters-motions, or motions.

Plaintiff objects to the heinous order, which threatens to violate her Constitutional right of Due Process, just because this Court wants to protect the Defendants because they will file Motions to Dismiss with [Affirmative Defenses](#) without any evidence.

If Defendants file their Motions to Dismiss without evidence, their affirmative defense is void or not credible. "The party raising the affirmative defense has the burden of proof on establishing that it applies."

Plaintiff objects to the heinous order because [ECF Id. \[26\]](#) contains conclusive and irrefutable evidence that Plaintiff's Complaint [ECF Id. \[1\] \[1-1\]](#) has MERIT.

Plaintiff is entitled to submit ALL the evidence since the Defendants filed the Pre-Motion Letters [ECF Id. \[13\] \[19\]](#) to move a Motion to Dismiss under [FRCP Rule 12](#), therefore under ["Local Civil Rule 12.1. Notice to Pro Se Litigant Who Opposes a Rule 12 Motion Supported by Matters Outside the Pleadings"](#) states and allows her to:

"In short, Rule 56 provides that **you may NOT oppose** the defendant's motion **simply by relying upon the allegations in your complaint.** Rather, **you must submit evidence, such as witness statements or documents, countering the facts asserted by the defendant and raising specific facts that support your claim.** If you have proof of your claim, **now is the time to submit it.** Any witness statements must be in the form of affidavits. An affidavit is a sworn statement of fact based on personal knowledge stating facts that would be admissible in evidence at trial. You may submit your own affidavit and the affidavits of others. You may submit affidavits that were prepared specifically in response to defendant's motion." Plaintiff's friendly reminder to this Court, as Pro Se, she has no obligation to raise the same standards as the lawyer.

Plaintiff **OBJECTS** the Court's heinous and fraudulent misrepresentations as an abuse of the Box. Com, and request to this Court to stop threatening her with violating her Due Process of Law because, relying on the conclusive evidence, any Jury will decide against Defendants because the Law, facts, and evidence are in Plaintiff's favor.

WHEREFORE, Plaintiff requests **GRANT** within [Letter Motion Local Rule 7.1\(d\)](#) to vacate the annexed heinous and fraudulent order and REFILE the [ECF Id. \[26\]](#) including the total of 358 pages in the DOCKET because the authentication request was for the Defendants [ECF Id. \[26\]](#) & [ECF Id. \[22\]](#) to prove their BAD FAITH to continue with a frivolous litigation.

Respectfully submitted,

Dated: November 7, 2023
Rego Park, New York

/s/ Lidia M. Orrego
Plaintiff Pro Se
95-08 Queens Blvd. 3E
Rego Park, NY 11374
Phone (347)453-2234
Email: liorrego@gmail.com

CC: Via ECF & Mail
Judge Margo K. Brodie, Chief Judge
Eastern District of New York - EDNY
Cadman Plaza East Brooklyn, New York 11201
Attn: Pro Se Office - via Pro Se Electronic Document Submission
Eastern District of New York - EDNY
100 Federal Plaza, Central Islip, NY 11722

10/30/23, 11:26 AM

Gmail - Activity in Case 2:23-cv-06507-JMA-AYS Orrego v. Pasternack Tilker Ziegler Walsh Stanton & Romano LLP et al Order



Lidia Orrego <liorrego@gmail.com>

Activity in Case 2:23-cv-06507-JMA-AYS Orrego v. Pasternack Tilker Ziegler Walsh Stanton & Romano LLP et al Order

ecf_bounces@nyed.uscourts.gov <ecf_bounces@nyed.uscourts.gov>
To: nobody@nyed.uscourts.gov

Mon, Oct 30, 2023 at 10:01 AM

This is an automatic e-mail message generated by the CM/ECF system. Please DO NOT RESPOND to this e-mail because the mail box is unattended.

*****NOTE TO PUBLIC ACCESS USERS***** Judicial Conference of the United States policy permits attorneys of record and parties in a case (including pro se litigants) to receive one free electronic copy of all documents filed electronically, if receipt is required by law or directed by the filer. PACER access fees apply to all other users. To avoid later charges, download a copy of each document during this first viewing. However, if the referenced document is a transcript, the free copy and 30 page limit do not apply.

U.S. District Court

Eastern District of New York

Notice of Electronic Filing

The following transaction was entered on 10/30/2023 at 10:01 AM EDT and filed on 10/30/2023

Case Name: Orrego v. Pasternack Tilker Ziegler Walsh Stanton & Romano LLP et al

Case Number: 2:23-cv-06507-JMA-AYS

Filer:

Document Number: No document attached

Docket Text:

ORDER. Before the Court is the voluminous October 12, 2023 submission from pro se plaintiff Lidia Orrego via Box.com, DE [26]. Notably, apart from the two-page letter to the Court, the additional 356 pages appear to be documentary discovery that does not comply with the Local Rules of this Court. See Local Civil Rule 5.1. Accordingly, the Clerk of the Court shall docket only the first two pages of this submission and shall delete the balance of Plaintiff's submission from Box.com. Plaintiff is cautioned that document submission via Box.com is a privilege but may be revoked if abused. Should Plaintiff continue to upload lengthy submissions in contravention of the Court's rules, she may be required to file papers in hard copy via the mail and/or in person. Ordered by Judge Joan M. Azrack on 10/30/2023. (JSB)

2:23-cv-06507-JMA-AYS Notice has been electronically mailed to:

David Stephen Wilck david.wilck@rivkin.com

Andrew Hamelsky ahamelsky@stradley.com

Jenifer Ann Scarcella jscarcella@stradley.com

Jason M. Biegel jason.biegel@rivkin.com

Lidia M. Orrego liorrego@gmail.com

2:23-cv-06507-JMA-AYS Notice will not be electronically mailed to:

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

_____x

Lidia M. Orrego,

Plaintiff,

-against-

Affirmation of Service

23CV6507 (JMA) (AYS)

Pasternack Tilker Ziegler Walsh Stanton &
Romano LLP, Pasternack Tilker Weitz &
Luxenberg LLP, First Choice Evaluations LLC,
Jason Hochfelder MD, John Doe, Jane Doe.

Defendants.

_____x

I, Lidia M. Orrego, declare under penalty of perjury that I served a copy of the attached "Plaintiff's Objection and Letter MOTION to VACATE order due to Court's misrepresentation of the Local Rule 5.1 to justify spoliation of evidence - Total Pages filed 6.- unseal under Federal Rule Civil Procedure ("FRCP") Rule 5.2." upon the defendant(s) or attorney whose physical address:

Via ECF & Notice has been electronically mailed

Stradley Ronon Stevens & Young, LLP

100 Park Avenue, Suite 2000

New York, New York 10017

Phone: 862-682-7246

Andrew I. Hamelsky, Esq.: ahamelsky@stradley.com

Jenifer A. Scarcella, Esq.: jscarcella@stradley.com

Attorney for Defendants First Choice Evaluations, LLC and Dr. Jason Hochfelder

Rivkin Radler LLP

926 RXR Plaza Uniondale

New York 11556

Phone: 516-357-3000

David Wilck, Esq.: david.wilck@rivkin.com

Jason M. Biegel Esq.: jason.biegel@rivkin.com

Attorneys for Defendants Pasternack Tilker Ziegler Walsh Stanton &
Romano LLP and Pasternack Tilker Weitz & Luxenberg LLP

I declare under penalty of perjury that the foregoing is true and correct.

Dated: November 7, 2023
Rego Park, New York

/s/ Lidia M. Orrego
Plaintiff - Pro Se
95-08 Queens Blvd. 3E
Rego Park, NY 11374
Phone (347) 4532234

CC: District Judge Joan M. Azrack – Via ECF

Plaintiff files via Pro Se Electronic Document Submission
<https://edny.app.box.com/f/0f6348c6cb5242409fe345811278b2ca>

October 28, 2023

District Judge Joan M. Azrack
United States District Court Eastern District of New York (EDNY)
100 Federal Plaza, Central Islip, NY 11722
Attn: Pro Se Office - via Pro Se Electronic Document Submission

Caption: Orrego v. Pasternack Tilker Ziegler Walsh Stanton & Romano LLP et al
Docket No. 23CV06507(JMA)(AYS)

Re: Plaintiff's Report NEWLY Discovery the Client-Lawyer Relationship between Pasternack Tilker Ziegler Walsh Stanton & Romano LLP, Pasternack Tilker Weitz & Luxenberg LLP and Kevin James' aka Knipfing's counsel Gordon Rees Scully Mansukhani LLP since 2012, GROSS violation of Model Rules of Professional Conduct Rule 1.7: Conflict of Interest.- Total Pages filed 13.- UNSEAL under Federal Rule Civil Procedure ("FRCP") Rule 5.2.-

Dear District Judge Azrack,

Plaintiff Pro Se, Lidia M. Orrego, reports that she is investigating to find other victims of the same crimes under the RICO Act in this lawsuit and has discovered that the Defendants Pasternack Tilker Ziegler Walsh Stanton & Romano LLP, Pasternack Tilker Weitz & Luxenberg LLP who are still CURRENT attorneys for Plaintiff since they were never authorized to withdraw from case WCB G2584330 under [12 NYCRR 300.17\(b\)\(2\)](#).

Defendants Pasternack Tilker Ziegler Walsh Stanton & Romano LLP, Pasternack Tilker Weitz & Luxenberg LLP ("[Law Firm](#)"), and Gordon Rees Scully Mansukhani LLP ("[GRSM](#)") lawyers from the Defendants in the related case [20CV3361 \(JMA\) \(AYS\)](#) are in a CLIENT-LAWYER relationship since 2012.

This relationship is a gross violation of [Model Rules of Professional Conduct Rule 1.7: Conflict of Interest](#) because the Plaintiff will never retain the Law Firm if they disclose to her the relationship as clients of GRSM because the Rule 1.7 is clear "the representation in from the Law Firm in the Plaintiff's [WCB case G2584330](#) was prohibited by LAW". This outrage fact is not only an ethical but also a moral violation of the trust that Plaintiff gave the Law Firm to handle her case, which should be established in the first hearing.

If Plaintiff had not hired the Law Firm, it would not have suffered all the irreversible damages, nor would it be in an appeal [Docket 535740](#) Appellate Division Third Department.

The Law Firm protected Defendants First Choice Evaluations LLC and Jason Hochfelder MD in all predicated acts, including but not limited to perjury, obstruction of justice, conspiracy, and fraud, among others, from September 2019 to August 2021.

The Law Firm was not interested in winning the Plaintiff's case, which is why they did not file the medical evidence in addition to other facts not in this lawsuit, and the Plaintiff reserves the right to file claims under State Laws for all her damages.

The Law Firm will be represented virtually free of charge by GRSM since they ruined the Plaintiff's case through predicate acts at WCB with the help and protection of the State Agency's employees, including but not limited to [Workers Compensation Judge Law Barry Greenberg](#), and Commissioners [Freida Foster](#), [Steven A. Crain](#), and [Mark Stasko](#) who disallowed the Plaintiff's WCB case G2584330 in violation of Workers Compensation Laws, despite medical and factual evidence based on the fraud committed by the Defendants and their associates since September 2019 to the present.

In fact, the last case for legal malpractice against the Law Firm [514717/2023](#) involved crooked and corrupt [Workers Compensation Judge Law Barry Greenberg](#), the same judge in the Plaintiff's WC case who committed gross violations of Workers' Compensation Law and proceedings [WCB Case G2584330, currently Docket No. 535740 at Appellate Division Third Department](#).

The GRSM's lawyers that represent The Law Firm include but are not limited to Joseph Salvo, Mercedes Colwin, Brian E. Middlebrook, and Benjamin A. Levine. See annexed P. 5 - 8.

The Law Firm has been represented by GRSM since 2012 in the State Court; the cases are public via NYSCEF (See annexed P. 9 - 11), including but not limited to:

1) [502640/2012](#) - Kings County Supreme Court
 Short Caption: ROBERT LOMBARDI - v. - BRECHER, FISHMAN,
 PASTERNAK, POPISH, HELLER, REIFF & WALSH, P.C. et al. Case Type: Tort
 Case Status: Disposed
 Defendants: [Pasternack Tilker Ziegler Walsh Stanton & Romano LLC](#)
 Lawyers for Defendants:
[Salvo, Joseph](#) on 11/09/2012 [Gordon & Rees, LLP](#)
[Middlebrook, Brian E](#) on 07/29/2013 [Gordon & Rees, LLP](#)
 Levine, Benjamin Aaron on 12/03/2013 [Gordon & Rees, LLP](#)

2) [504112/2012](#) - Kings County Supreme Court
 Short Caption: Emil Tkhorovskiy et al. - v. - Pasternack Tilker Walsh Stanton &
 Romano LLP Case Type: Tort
 Case Status: Disposed
 Defendants: [Pasternack Tilker Ziegler Walsh Stanton & Romano LLC](#)
 Lawyers for Defendants:
[Salvo, Joseph](#) on 08/02/2013 [Gordon & Rees, LLP](#); [Middlebrook, Brian E](#) on
 08/02/2013 [Gordon & Rees, LLP](#); Vollbrecht, Michael John on 01/03/2013 [Levine,](#)
[Benjamin Aaron](#) on 12/03/2013 [Gordon & Rees, LLP](#)

- 3) [150188/2018](#) - New York County Supreme Court
Short Caption: **Ginamarie DeFranco et al. - v. - Napoli Bern Ripka Shkolnik LLP et al.** Case Type: Torts - Other Professional Malpractice (**Legal Malpractice**)
Case Status: **Active**
Defendants: [Pasternack Tilker Ziegler Walsh Stanton & Romano LLC](#)
Lawyers for Defendants:
[Salvo, Joseph](#) on 06/19/2018 [Gordon & Rees, LLP](#)
[Volkommer, Kevin Scott](#) on 06/07/2022 [Gordon Rees Scully Mansukhani, LLP](#)
- 4) [651243/2020](#) - New York County Supreme Court
Short Caption: Evelyn Quiles v. Pasternack Tilker Ziegler Walsh Stanton & Romano LLP et al. Case Type: Commercial - Other (Employment)
Case Status: Active
Defendants: [Pasternack Tilker Ziegler Walsh Stanton & Romano LLC](#)
Lawyers for Defendants:
[Colwin, Mercedes](#) on 10/09/2020 [Gordon & Rees, LLP](#)
[Primavera, Brittany L.](#) on 05/12/2022 [Gordon Rees Scully Mansukhani, LLP](#)
- 5) [2023-02286](#) - Appellate Division - 1st Dept
Short Caption: Ginamarie DeFranco et al. v. Napoli Bern Ripka Shkolnik LLP et al.
Case Type in Court of Original Instance: Civil Action - General
New York Supreme Civil Index Number: 150188/2018
Defendants: [Pasternack Tilker Ziegler Walsh Stanton & Romano LLC](#)
Lawyers for Defendants:
[Salvo, Joseph](#) on 05/09/2023 [Gordon & Rees, LLP](#)
[Volkommer, Kevin Scott](#) on 05/09/2023 [Gordon Rees Scully Mansukhani, LLP](#)
- 6) Other cases against Pasternack Tilker Ziegler Walsh Stanton & Romano LLP, Pasternack Tilker Weitz & Luxenberg LLP for legal malpractice, and others torts in the State Court including but not limited to NYSCEF [2020/05603](#); [602661/2020](#); [609058/2016](#) and the last case [514717/2023](#) involve the crooked and corrupt [Workers Compensation Judge Law Barry Greenberg](#), same judge in the Plaintiff's WC case who committed gross violations of Workers Compensation Law and proceedings [WCB CASE G2584330, currently Docket No. 535740 at Appellate Division Third Department](#).

Also, Plaintiff discovered lawsuits against First Choice Evaluations LLC and Jason Hochfelder MD for fraud, conspiracy, tortious interference, and medical malpractice at State Court via NYSCEF.

Plaintiff has already contacted one of the victims and has offered his testimony and all his evidence without asking for anything in return because we must SHUTDOWN ALL the ENTERPRISE = Defendants + Associates.

Plaintiff has filed all the evidence since October 2020 and will file again the present NEWLY evidence to [Letitia James - Attorney General Office NYS](#); [Lucy Lang - Inspector General NYS](#); [Keith Longden, Deputy General Counsel - Office of General Counsel - NYS Workers' Compensation Board](#) to request criminal prosecution, revocation and disbar from the law and medical practice against ALL Defendants in their associates.

Suppose any Agency acts IMMEDIATELY against the Defendants or Enterprise. In that case, Plaintiff will file an Article 78 proceedings to compel action by agencies of New York State and local governments for fraud, perjury, obstruction of justice, and spoliation of evidence, among others, and Plaintiff reserves all the rights.

District Judge Azrack, all of the above and the evidence in this report is conclusive that the Defendants The Law Firm means rea accepted the Plaintiff's WCB case G2584330 only to ruin her case and help their lawyers GRSM to win based on racketeering activity the case 20CV3361 (JMA) (AYS) which they use as "leverage" that Plaintiff's claim is frivolous and that the GRSM's offer is zero without any case law that support their ridiculous offer.

The Law Firm accepted the Plaintiff's WC case on September 5, 2019; therefore, with the plan to destroy her case, life, and reputation, this proof "means rea" and affirms that Plaintiff's Complaint ECF Id. [1] has merit and meets all the elements to win the case under the Civil RICO Act since the damages are also measurable because they are part of the Plaintiff's medical expenses.

Any Jury will decide in Plaintiff's favor based on the preponderance of evidence.

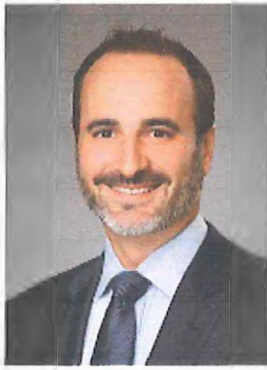
Respectfully submitted,

Dated: October 28, 2023
Rego Park, New York

/s/ Lidia M. Orrego
Plaintiff Pro Se
95-08 Queens Blvd. 3E
Rego Park, NY 11374
Phone (347)453-2234
Email: liorrego@gmail.com

10/27/23, 9:04 PM

Joseph Salvo



JOSEPH SALVO

PARTNER

PRACTICES

- Product & General Liability
- Professional Liability Defense
- Employment Law
- Commercial Litigation
- Environmental/Toxic Tort
- Cyber, Privacy & Data Security
- Technology Litigation

CONTACT

New York

Long Island

- (212) 453-0725

Email

- jsalvo@grsm.com

Attorney Biography

Joseph Salvo is a partner in the GRSM New York office. His practice focuses on privacy/data security and technology litigation where he is the co-chair of the firm's Technology Litigation group, as well as professional liability defense and complex commercial and product liability litigation. Mr. Salvo's practice involves defending a broad range of clients including insurance agents and brokers, attorneys, accountants, architects, engineers, directors and officers of both large and small businesses, health care facilities, manufacturers, distributors and employers against claims of civil liability in New York's state and federal courts. Mr. Salvo also has significant experience arguing appeals on behalf of clients in New York's Appellate Divisions and the Second Circuit Court of Appeals.

Before joining GRSM, Mr. Salvo was a pre-trial and trial attorney with the Office of the Corporation Counsel, defending the City of New York in civil law suits. In connection with his representation of the City of New York, Mr. Salvo litigated extensively and successfully by achieving multiple defense verdicts and favorable resolutions of claims prior to reaching a verdict. Mr. Salvo's past trial experience with the Office of the Corporation Counsel makes him a unique addition to the GRSM team.

Prior to attending law school, Mr. Salvo served as an aide and speechwriter to New York State Senator, Thomas P. Morahan.

10/27/23, 10:59 PM

Mercedes Colwin



MERCEDES COLWIN

PARTNER PRACTICES

- Employment Law
- Commercial Litigation
- Professional Liability Defense
- Product & General Liability
- Class Action
- D&O and Shareholder Litigation
- Cyber, Privacy & Data Security

CONTACT

New York

Long Island

Florham Park

- (212) 453-0702

Email

- mcolwin@grsm.com

Attorney Biography

Mercedes Colwin, a highly successful trial attorney, is the founding partner of GRSM' New York City Office. She handles a wide variety of litigation, including employment law, commercial litigation, class actions, products liability, professional liability, wage and hour class actions, defamation and related First Amendment claims, civil rights violations and criminal law.

Ms. Colwin has defended thousands of cases throughout the country to a favorable result and won over ninety percent of her numerous trials and arbitrations. She regularly litigates business disputes and defends corporations and executives of Fortune 500 companies accused of wrongdoing, including claims of sexual misconduct.

Prior to private practice, Ms. Colwin served as an Administrative Law Judge for the New York State Division of Human Rights. During these nine years of service, while a partner at a major regional New York law firm, she presided over three thousand cases brought under federal and state discrimination laws.

Ms. Colwin has received several significant honors. Forbes Business American Airlines named Ms. Colwin one of the six most influential women in America. The list includes dignitaries such as former U.S. Secretary of State Madeleine Albright. Notre Dame Law School presented Ms. Colwin with the prestigious Graciela Olivarez Award for outstanding achievement as a leading Hispanic lawyer of the highest ethical and moral standards. Supreme Court Justice Sonia Sotomayor received the same award. *MultiCultural Law* magazine also profiled Ms. Colwin in a Leadership Interview titled, *Reaching Back to Diversify the Legal Professional*. *Human Resources Magazine* named Ms. Colwin as one of the Nation's Most Powerful Rising Employment Attorneys.

Widely regarded as a top national legal analyst, she regularly appears on television to discuss critical legal issues affecting the nation.

10/27/23, 11:07 PM

Benjamin A. Levine



BENJAMIN A. LEVINE

PARTNER PRACTICES

- Employment Law
- Entertainment & Recreation Law
- Professional Liability Defense
- Commercial Litigation

Attorney Biography

Benjamin Levine's practice primarily focuses on complex litigation in the areas of sports, entertainment, employment, professional liability, and commercial law in state, federal and administrative courts. Mr. Levine zealously advocates on behalf of a wide range of clients including professional athletes, NCAA Athletes, coaches, sports agents, employers, professionals, municipalities, and businesses.

Prior to joining GRSM, Mr. Levine participated in a fellowship with the New York State Department of Financial Services where he worked in their Financial Frauds and Consumer Protection Division. In connection with his fellowship he oversaw and assisted in various investigations to halt deceptive business practices impacting the public.

Mr. Levine was also competitively selected to serve as a judicial intern for the Hon. Dennis Cavanaugh in the United States District Court of New Jersey.

CONTACT

New York

Florham Park

Washington, D.C.

- (212) 453-0710

Email

- blevine@grsm.com

Publications & Presentations

Presentations

- Panelist, *The Confines of the Commissioner's Disciplinary Power: Tom Brady and "Deflategate"*, New York Law School Sports Law Colloquium (March 25, 2016)
- Panelist, *Antitrust Issues In Sports*, New York Law School Sports Law Symposium (March 24, 2016)
- Panelist, *An Analysis of Domestic & Sexual Violence In Sports & Society*, Fordham Sports Law Symposium (April 1, 2015)
- Panelist, *Collective Bargaining*, New York Law School Sports Law Symposium (February 26, 2015)

Publications

- *MLBers Have Little to Gain, Much to Lose in Al Jazeera Suits*, Law360 (January 7, 2016)
- *College Athletics Puts Title IX in the Spotlight*, Law360 (September 11, 2015)

Admissions

New Jersey

New York

U.S. District Courts, Southern and Eastern Districts of New York

U.S. District Court of New Jersey

Washington, D.C.

10/27/23, 11:05 PM

Brian E. Middlebrook



BRIAN E. MIDDLEBROOK

PARTNER PRACTICES

- Professional Liability Defense
- Commercial Litigation
- Product & General Liability
- Cyber, Privacy & Data Security
- Technology Litigation
- Health Care
- Artificial Intelligence

CONTACT

New York

- (212) 453-0708

Email

- bmiddlebrook@grsm.com

Attorney Biography

Brian Middlebrook is a partner in the New York office of GRSM and co-chair of the firm's Cyber, Privacy & Data Security group.

His practice focuses on cybersecurity, technology and media litigation, as well as professional liability and complex commercial litigation. He also regularly advises clients on data privacy and cybersecurity incident response. He represents a broad range of clients, including individuals, insurance agents and brokers, attorneys, accountants, corporations, directors and officers, health care facilities, manufacturers, retailers, insurance carriers, and

municipalities against claims of civil liability in state and federal courts in New York and throughout the United States.

Mr. Middlebrook also regularly counsels clients on a broad range of cyber liability and risk avoidance issues, seeking to minimize exposure to regulatory action and litigation by assisting in the preparation of privacy policies, programs, and procedures, as well as a broad range of commercial agreements.

Prior to joining GRSM, Mr. Middlebrook was lead associate to U.S. counsel for several multinational corporations, managing all aspects of complex product liability, commercial, and general defense litigation throughout the United States. Mr. Middlebrook also previously served as Assistant Corporation Counsel with the New York City Law Department, where he successfully defended the City as a trial attorney.

Publications & Presentations

Publications

- [GRSM Privacy & Data Security Law Update – New York Expands Scope of Data Breach Notification and Cybersecurity Requirements and Enacts SHIELD Act \(August 2019\)](#)
- [Cybersecurity and the Lawyer's Standard of Care, ABA Commercial and Business Litigation Spring 2018 Newsletter \(May 2018\)](#)

10/27/23, 10:26 PM

Case Search Results

NYSCEF - New York State Courts Electronic Filing (Live System)

Case Search Results

Case Type: Torts - Other Professional Malpractice

Business/Organization Name: **pasternack**

Sort By: Claim/Index #

Case Received Date	eFiling Status Case Status	Caption	Court Case Type
150188/2018 01/08/2018	Partial Participation Recorded Active	Ginamarie DeFranco et al - v. - Napoli Bern Ripka Shkolnik LLP et al	New York County Supreme Court Torts - Other Professional Malpractice
514717/2023 05/17/2023	Full Participation Recorded Active	Madelyne Lopez v. Pasternack, Tilker, Ziegler, Walsh, Stanton & Romano LLP et al	Kings County Supreme Court Torts - Other Professional Malpractice
602661/2020 02/20/2020	Full Participation Recorded Disposed-Court Date/Application Pending	Victoria Maursky v. Christopher D. Latham Esq. et al	Nassau County Supreme Court Torts - Other Professional Malpractice
609058/2016 11/21/2016	Full Participation Recorded Disposed	Dennis Yaslnoski - v. - Pasternack Tilker Ziegler Walsh Stanton & Romano, LLP	Nassau County Supreme Court Torts - Other Professional Malpractice

10/27/23, 10:31 PM

Case Search Results

NYSCEF - New York State Courts Electronic Filing (Live System)

Case Search Results

Case Type: Tort

Business/Organization Name: Pasternack Tilker

Sort By: Claim/Index #

Case Received Date	eFiling Status Case Status	Caption	Court Case Type
150001/2008 01/02/2008	Waiting for Consent <i>Disposed</i>	Armando Manna vs Brecher, Fishman, Pasternack, Popish, Heller, Rubin & Relff, P.C. et al	New York County Supreme Court <i>Tort</i>
502640/2012 09/05/2012	Full Participation Recorded <i>Disposed</i>	ROBERT LOMBARDI - v. - BRECHER, FISHMAN, PASTERNAK, POPISH, HELLER, REIFF & WALSH, P.C. et al	Kings County Supreme Court <i>Tort</i>
504112/2012 12/05/2012	Full Participation Recorded <i>Disposed</i>	Emil Tkhorovskiy et al - v. - Pasternack Tilker Walsh Stanton & Romano LLP	Kings County Supreme Court <i>Tort</i>

10/27/23, 10:33 PM

Case Search Results

NYSCEF - New York State Courts Electronic Filing (Live System)

Case Search Results

Case Type: Commercial - Other

Business/Organization Name: Pasternack Tilker

Sort By: Claim/Index #

Case	eFiling Status	Court
Received Date	Case Status	Case Type
651243/2020	Full Participation	Evelyn Quiles v. Pasternack Tilker Ziegler Walsh
02/25/2020	Recorded	New York County
	Active	Supreme Court
		Commercial - Other

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

Lidia M. Orrego,

Plaintiff,

-against-

Pasternack Tilker Ziegler Walsh Stanton &
Romano LLP, Pasternack Tilker Weitz &
Luxenberg LLP, First Choice Evaluations LLC,
Jason Hochfelder MD, John Doe, Jane Doe.

Defendants.

Affirmation of Service

23CV6507 (JMA) (AYS)

I, Lidia M. Orrego, declare under penalty of perjury that I served a copy of the attached Plaintiff's Report NEWLY Discovery the Client-Lawyer Relationship between Pasternack Tilker Ziegler Walsh Stanton & Romano LLP, Pasternack Tilker Weitz & Luxenberg LLP and Kevin James' aka Knipfing's counsel Gordon Rees Scully Mansukhani LLP since 2012, GROSS violation of Model Rules of Professional Conduct Rule 1.7: Conflict of Interest. Total Pages filed 13.- UNSEAL under Federal Rule Civil Procedure ("FRCP") Rule 5.2.-documents upon the defendant(s) or attorney whose physical address:

Via ECF & Notice has been electronically mailed

Stradley Ronon Stevens & Young, LLP

100 Park Avenue, Suite 2000

New York, New York 10017

Phone: 862-682-7246

Andrew I. Hamelsky, Esq.: ahamelsky@stradley.com

Jenifer A. Scarcella, Esq.: jscarcella@stradley.com

Attorney for Defendants First Choice Evaluations, LLC and Dr. Jason Hochfelder

Rivkin Radler LLP

926 RXR Plaza Uniondale

New York 11556

Phone: 516-357-3000

David Wilck, Esq.: david.wilck@rivkin.com

Jason M. Biegel Esq.: jason.biegel@rivkin.com

Attorneys for Defendants Pasternack Tilker Ziegler Walsh Stanton &
Romano LLP and Pasternack Tilker Weitz & Luxenberg LLP

I declare under penalty of perjury that the foregoing is true and correct.

Dated: October 28, 2023
Rego Park, New York

/s/ Lidia M. Orrego
Plaintiff - Pro Se
95-08 Queens Blvd. 3E
Rego Park, NY 11374
Phone (347) 4532234

CC: District Judge Joan M. Azrack – Via ECF

Plaintiff files via Pro Se Electronic Document Submission on
<https://edny.app.box.com/f/0f6348c6cb5242409fe345811278b2ca>

November 7, 2023

District Judge Joan M. Azrack
United States District Court Eastern District of New York (EDNY)
100 Federal Plaza, Central Islip, NY 11722
Attn: Pro Se Office - via Pro Se Electronic Document Submission

Caption: Orrego v. Pasternack Tilker Ziegler Walsh Stanton & Romano LLP et al
Docket No. 23CV06507(JMA)(AYS)

Re: Plaintiff's Letter Motion - Objection to Vacate Court's Order
misrepresentation regarding her failure to file Defendants' Opposition Pre-Motion Letters
ECF Id. [13] [19] - Total Pages filed 7.- unseal under Federal Rule Civil Procedure
("FRCP") Rule 5.2.-

District Judge Azrack,

Plaintiff Lidia M. Orrego objects to the Court's misrepresentation of the annexed
Order dated October 30, 2023, that states she failed to timely oppose the Defendants' Pre-
Motion Letter to Dismiss the Complaint [ECF Id. \[13\] \[19\]](#). See annexed P. 3.

The plaintiff filed her Oppositions [ECF Id. \[24\]](#) and [\[25\]](#) on October 16, 2023, and
October 17, 2023, but the Pro Se Office uploaded to the Docket after almost **10 (ten) days**
on October 26, 2023. See annexed P. 4-5.

Plaintiff called several times to the Pro Se office and spoke with several Court
employees, including but not limited to Mike Kramer, Dwayne, Eric, etc. Even though she
went in person, nobody could upload the documents. This Court can verify each Court's
employee and the phone call records; also, Plaintiff, if it is necessary, can file the evidence
upon the Court's request.

Plaintiff was sure that this Court would make any decision to **her prejudice** due to
the delay of the Pro Se Office in sending the documents to the Docketing Department.

For all this situation, Plaintiff filed her Motion to E-filing for permission to E-file
her own documents [ECF Id. \[27\]](#) because the Pro Se Office is not in control of uploading
the documents on time; in fact, this Court has illegally manipulated, destroyed evidence,
and sealed documents illegally to cover up all the Defendants' fraud.

The Plaintiff requests that this Court stop making false statements, distortion of law, rules, and evidence spoliation.

Plaintiff is aware that this Court will use any technical mistake to dismiss her case even though she has answered on time and the facts and conclusive evidence are in her favor.

WHEREFORE, Plaintiff requests **GRANT** within [Letter Motion Local Rule 7.1\(d\)](#) to VACATE the annexed order since she never failed to file HER opposition to Defendants' Pre-Motion Letter to Dismiss the Complaint [ECF Id. \[13\] \[19\]](#).

Respectfully submitted,

Dated: November 7, 2023
Rego Park, New York

/s/ Lidia M. Orrego
Plaintiff Pro Se
95-08 Queens Blvd. 3E
Rego Park, NY 11374
Phone (347)453-2234
Email: liorrego@gmail.com

CC: Via ECF & Mail
Judge Margo K. Brodie, Chief Judge
Eastern District of New York - EDNY
Cadman Plaza East Brooklyn, New York 11201
Attn: Pro Se Office - via Pro Se Electronic Document Submission
Eastern District of New York - EDNY
100 Federal Plaza, Central Islip, NY 11722

10/30/23, 11:29 AM

Gmail - Activity in Case 2:23-cv-06507-JMA-AYS Orrego v. Pasternack Tilker Ziegler Walsh Stanton & Romano LLP et al Order



Lidia Orrego <liorrego@gmail.com>

Activity in Case 2:23-cv-06507-JMA-AYS Orrego v. Pasternack Tilker Ziegler Walsh Stanton & Romano LLP et al Order

ecf_bounces@nyed.uscourts.gov <ecf_bounces@nyed.uscourts.gov>
To: nobody@nyed.uscourts.gov

Mon, Oct 30, 2023 at 10:12 AM

This is an automatic e-mail message generated by the CM/ECF system. Please DO NOT RESPOND to this e-mail because the mail box is unattended.

*****NOTE TO PUBLIC ACCESS USERS***** Judicial Conference of the United States policy permits attorneys of record and parties in a case (including pro se litigants) to receive one free electronic copy of all documents filed electronically, if receipt is required by law or directed by the filer. PACER access fees apply to all other users. To avoid later charges, download a copy of each document during this first viewing. However, if the referenced document is a transcript, the free copy and 30 page limit do not apply.

U.S. District Court

Eastern District of New York

Notice of Electronic Filing

The following transaction was entered on 10/30/2023 at 10:12 AM EDT and filed on 10/30/2023

Case Name: Orrego v. Pasternack Tilker Ziegler Walsh Stanton & Romano LLP et al

Case Number: 2:23-cv-06507-JMA-AYS

Filer:

Document Number: No document attached

Docket Text:

ORDER. Defendants filed pre-motion conference letters regarding anticipated motions to dismiss on 10/10/2023 (ECF No. [13]) and 10/13/2020 (ECF No. [19]). Under the Courts Individual Rules, Pro Se Plaintiff's responses to these letters were due 10/17/2023 and 10/20/2023, respectively, but to date, no response has been filed. Accordingly, Pro Se Plaintiff shall respond to Defendants' letters, in letters not to exceed three pages, by 11/10/2023. Failure to comply with this order may result in dismissal of this action for failure to prosecute. Out of an abundance of caution, the Clerk of Court is directed to mail a copy of this Order and ECF Nos. 13 and 19 to the Pro Se Plaintiff at her address of record. Ordered by Judge Joan M. Azrack on 10/30/2023. (JSB)

[Quoted text hidden]

10/16/23, 7:57 PM

Box

Success! Your file has been submitted.



10/17/23, 10:07 PM

Box

Success! Your file has been submitted.



UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

Lidia M. Orrego,

Plaintiff,

-against-

Pasternack Tilker Ziegler Walsh Stanton &
Romano LLP, Pasternack Tilker Weitz &
Luxenberg LLP, First Choice Evaluations LLC,
Jason Hochfelder MD, John Doe, Jane Doe.

Defendants.

Affirmation of Service

23CV6507 (JMA) (AYS)

x

I, Lidia M. Orrego, declare under penalty of perjury that I served a copy of the attached "Plaintiff's Letter Motion - Objection to Vacate Court's Order misrepresentation regarding her failure to file Defendants' Opposition Pre-Motion Letters ECF Id. [13] [19] - Total Pages filed 7.-unseal under Federal Rule Civil Procedure ("FRCP") Rule 5.2., Constitutional Right of Due Process and Freedom of Speech" upon the defendant(s) or attorney whose physical address:

Via ECF & Notice has been electronically mailed

Stradley Ronon Stevens & Young, LLP

100 Park Avenue, Suite 2000

New York, New York 10017

Phone: 862-682-7246

Andrew I. Hamelsky, Esq.: ahamelsky@stradley.com

Jenifer A. Scarcella, Esq.: jscarcella@stradley.com

Attorney for Defendants First Choice Evaluations, LLC and Dr. Jason Hochfelder

Rivkin Radler LLP

926 RXR Plaza Uniondale

New York 11556

Phone: 516-357-3000

David Wilck, Esq.: david.wilck@rivkin.com

Jason M. Biegel Esq.: jason.biegel@rivkin.com

Attorneys for Defendants Pasternack Tilker Ziegler Walsh Stanton &
Romano LLP and Pasternack Tilker Weitz & Luxenberg LLP

I declare under penalty of perjury that the foregoing is true and correct.

Dated: November 7, 2023
Rego Park, New York

/s/ Lidia M. Orrego
Plaintiff - Pro Se
95-08 Queens Blvd. 3E
Rego Park, NY 11374
Phone (347) 4532234

CC: District Judge Joan M. Azrack – Via ECF

Plaintiff files via Pro Se Electronic Document Submission
<https://edny.app.box.com/f/0f6348c6cb5242409fe345811278b2ca>

November 8, 2023

District Judge Joan M. Azrack
United States District Court Eastern District of New York (EDNY)
100 Federal Plaza, Central Islip, NY 11722
Attn: Pro Se Office - via Pro Se Electronic Document Submission

Caption: Orrego v. Pasternack Tilker Ziegler Walsh Stanton & Romano LLP et al
Docket No. 23CV06507(JMA)(AYS)

Re: **Plaintiff's Objection and Letter MOTION to VACATE** the order due to the Court's misrepresentation in the order on Motion for Permission For Electronic Case Filing [ECF Id. \[27\]](#) - Total Pages filed 8.- unseal under Federal Rule Civil Procedure ("FRCP") Rule 5.2, Constitutional Right of Due Process and Freedom of Speech

District Judge Azrack,

Plaintiff Lidia M. Orrego objects to the annexed order dated October 30, 2023, to the Court's misrepresentation on her Motion for Permission For Electronic Case Filing [ECF Id. \[27\]](#) for the following reasons:

Fact 1: It is NOT true that Plaintiff's submissions via Box.com or in person are "promptly" "to the public docket is appropriate." Plaintiff submitted on October 28, 2023, the letter with **irrefutable** evidence document "Report NEWLY Discovery the Client-Lawyer Relationship between Pasternack Tilker Ziegler Walsh Stanton & Romano LLP, Pasternack Tilker Weitz & Luxenberg LLP and Kevin James' aka Knipfing's counsel Gordon Rees Scully Mansukhani LLP since 2012, GROSS violation of Model Rules of [Professional Conduct Rule 1.7: Conflict of Interest](#)" total pages **filed 13.-**

This Court has been hiding the Plaintiff's report for **over a week** because she is making the follow-up, and the letter was sent to the Docket Depart. on October 30, 2023. Reason: [Workers Compensation Board case G2584330 was a HOAX – NYSCEF Id. \[136\]](#).

Evidence on Fact 1: See attached Exhibit 1 " diagram ["Racketeer Influenced and Corrupt Organizations - RICO Act SCHEME - "ENTERPRISE" WELL - SUPPORTED BY GORDON REES SCULLY MANSUKHANI LLC"](#) shows all the Associates. P. 5.
See attached Exhibit 2 Box.com submission filed October 28, 2023. P. 6.

Plaintiff wonders if this Court is making the subsequent illegal alteration or seal to prevent the People from performing a detailed examination of the evidence against the Defendants of organized crime and their "association" since 2012 continuously until the present.

Fact 2: This Court is doing evidence spoliation making "illegal alterations" or "illegal seals" without Plaintiff's consent or knowledge in violation of the Due Process, FRCP Rule 5.2 because the evidence proves that the Plaintiff is correct and without these documents, this Court can make fraudulent misrepresentations and misapplying the Law and Rules without the view of the Public Scrutiny in violation of the US Constitution.

Evidence on Fact 2: Illegal alteration on [ECF \[26\]](#) under [FRCP Rule 12](#), "[Local Civil Rule 12.1. Notice to Pro Se Litigant Who Opposes a Rule 12 Motion Supported by Matters Outside the Pleadings](#)" due Defendants request Dismiss pursuant FRCP Rule 12.

The Department of Justice must investigate the conflict of interest, including financial, political, or social influence on Government Agencies Employees and the Judicial System, such as corruption within the Workers Compensation Board, Attorney General Letitia James' Office, Lucy Lang Inspector General, Department Financial Services, Appellate Division Third Department Justices among others.

WHEREFORE, Plaintiff requests **GRANT** within this Letter Motion under [Local Civil Rule 7.1\(d\)](#) to vacate the annexed order dated October 30, 2023, and Grant permission to Plaintiff Pro Se to file electronically to avoid a Miscarriage of Justice and spoliation of evidence.

"JUSTICE DELAYED IS JUSTICE DENIED"

Respectfully submitted,

Dated: November 8, 2023

Rego Park, New York

/s/ Lidia M. Orrego
Plaintiff Pro Se
95-08 Queens Blvd. 3E
Rego Park, NY 11374
Phone (347)453-2234
Email: liorrego@gmail.com

CC: Via ECF & Mail
Judge Margo K. Brodie, Chief Judge
Eastern District of New York - EDNY
Cadman Plaza East Brooklyn, New York 11201
Attn: Pro Se Office - via Pro Se Electronic Document Submission
Eastern District of New York - EDNY
100 Federal Plaza, Central Islip, NY 11722

10/30/23, 10:45 AM

Gmail - Activity in Case 2:23-cv-06507-JMA-AYS Orrego v. Pasternack Tilker Ziegler Walsh Stanton & Romano LLP et al Order ...



EXHIBIT 1

Lidia Orrego <liorrego@gmail.com>

Activity in Case 2:23-cv-06507-JMA-AYS Orrego v. Pasternack Tilker Ziegler Walsh Stanton & Romano LLP et al Order on Motion for Leave to Allow Pro Se to Electronically File

ecf_bounces@nyed.uscourts.gov <ecf_bounces@nyed.uscourts.gov>
To: nobody@nyed.uscourts.gov

Mon, Oct 30, 2023 at 10:03 AM

This is an automatic e-mail message generated by the CM/ECF system. Please DO NOT RESPOND to this e-mail because the mail box is unattended.

*****NOTE TO PUBLIC ACCESS USERS***** Judicial Conference of the United States policy permits attorneys of record and parties in a case (including pro se litigants) to receive one free electronic copy of all documents filed electronically, if receipt is required by law or directed by the filer. PACER access fees apply to all other users. To avoid later charges, download a copy of each document during this first viewing. However, if the referenced document is a transcript, the free copy and 30 page limit do not apply.

U.S. District Court

Eastern District of New York

Notice of Electronic Filing

The following transaction was entered on 10/30/2023 at 10:03 AM EDT and filed on 10/30/2023

Case Name: Orrego v. Pasternack Tilker Ziegler Walsh Stanton & Romano LLP et al

Case Number: 2:23-cv-06507-JMA-AYS

Filer:

Document Number: No document attached

Docket Text:

ORDER denying [27] Motion for Leave to Allow Pro Se to Electronically File. Before the Court is an application from pro se Plaintiff Lidia Orrego seeking permission for electronic case filing via the Court's Electronic Case filing system ("ECF"). The application is denied without prejudice. Plaintiff has demonstrated her ability to upload and submit documents utilizing the Court's electronic mailbox, Box.com, and her submissions have promptly been uploaded to the public docket where appropriate. However, Plaintiff's frequent uploading of voluminous and/or improper documents on Box.com gives the Court pause. In the absence of Plaintiff alleging any prejudice as a result of the current system, her application is denied without prejudice. Ordered by Judge Joan M. Azrack on 10/30/2023. (JSB)

2:23-cv-06507-JMA-AYS Notice has been electronically mailed to:

David Stephen Wilck david.wilck@rivkin.com

Andrew Hamelsky ahamelsky@stradley.com

Jenifer Ann Scarcella jscarcella@stradley.com

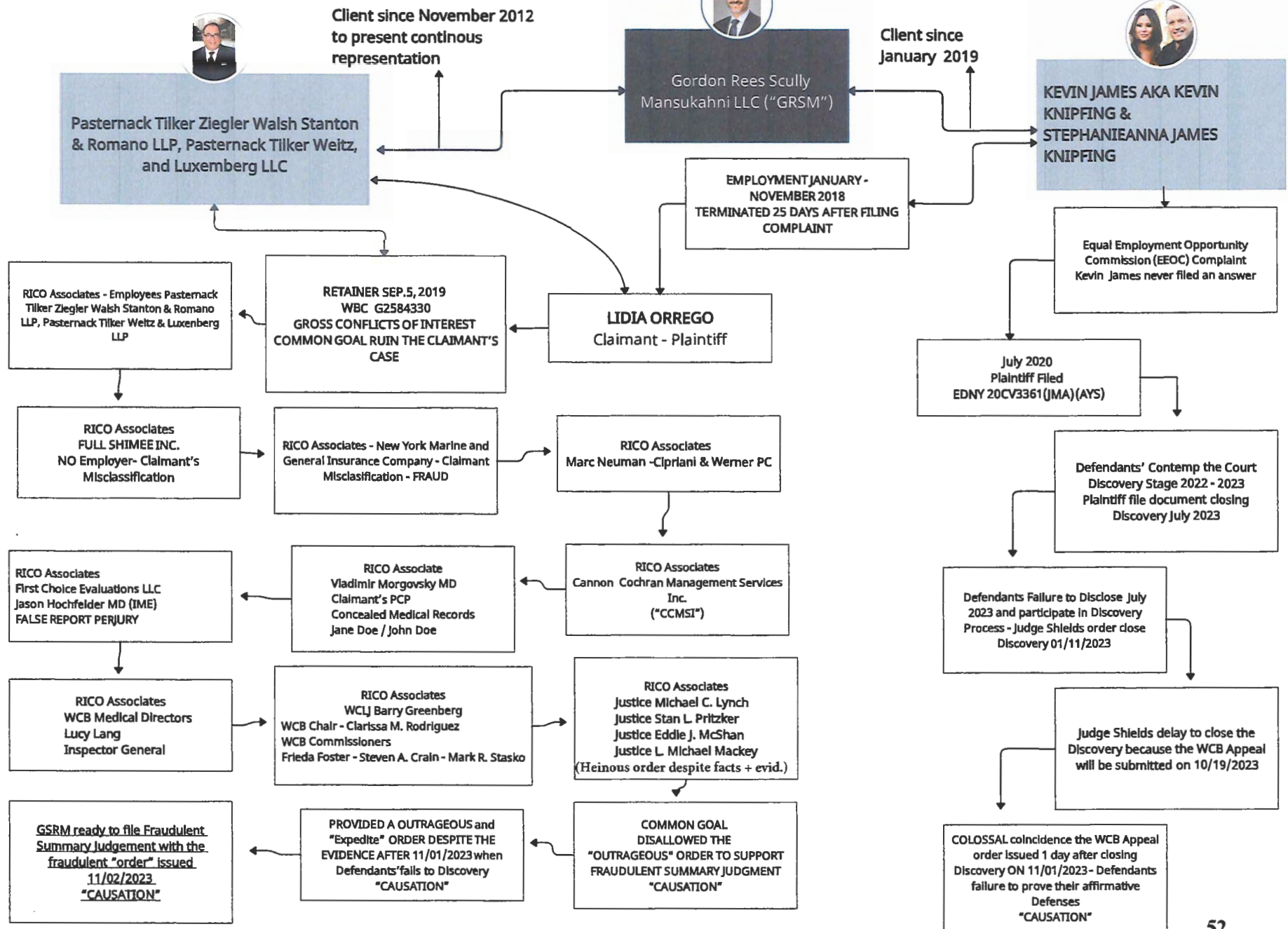
Jason M. Biegel jason.biegel@rivkin.com

Lidia M. Orrego liorrego@gmail.com

2:23-cv-06507-JMA-AYS Notice will not be electronically mailed to:

Racketeer Influenced and Corrupt Organizations - RICO Act SCHEME - "ENTERPRISE"
WELL - SUPPORTED BY GORDON REES SCULLY MANSUKHANI LLC

EXHIBIT 2



10/28/23, 7:17 AM

Box

EXHIBIT 3

Success! Your file has been submitted.



UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

Lidia M. Orrego,

Plaintiff,

-against-

Pasternack Tilker Ziegler Walsh Stanton &
Romano LLP, Pasternack Tilker Weitz &
Luxenberg LLP, First Choice Evaluations LLC,
Jason Hochfelder MD, John Doe, Jane Doe.

Defendants.

Affirmation of Service

23CV6507 (JMA) (AYS)

x

I, Lidia M. Orrego, declare under penalty of perjury that I served a copy of the attached "Plaintiff's Objection and Letter MOTION to VACATE the order due to the Court's misrepresentation in the order on Motion for Permission For Electronic Case Filing ECF Id. [27] - Total Pages filed 8.- unseal under Federal Rule Civil Procedure ("FRCP") Rule 5.2." upon the defendant(s) or attorney whose physical address:

Via ECF & Notice has been electronically mailed

Stradley Ronon Stevens & Young, LLP

100 Park Avenue, Suite 2000

New York, New York 10017

Phone: 862-682-7246

Andrew I. Hamelsky, Esq.: ahamelsky@stradley.com

Jenifer A. Scarcella, Esq.: jscarcella@stradley.com

Attorney for Defendants First Choice Evaluations, LLC and Dr. Jason Hochfelder

Rivkin Radler LLP

926 RXR Plaza Uniondale

New York 11556

Phone: 516-357-3000

David Wilck, Esq.: david.wilck@rivkin.com

Jason M. Biegel Esq.: jason.biegel@rivkin.com

Attorneys for Defendants Pasternack Tilker Ziegler Walsh Stanton &
Romano LLP and Pasternack Tilker Weitz & Luxenberg LLP

I declare under penalty of perjury that the foregoing is true and correct.

Dated: November 8, 2023
Rego Park, New York

/s/ Lidia M. Orrego
Plaintiff - Pro Se
95-08 Queens Blvd. 3E
Rego Park, NY 11374
Phone (347) 4532234

CC: District Judge Joan M. Azrack – Via ECF

Plaintiff files via Pro Se Electronic Document Submission
<https://edny.app.box.com/f/0f6348c6cb5242409fe345811278b2ca>

November 8, 2023

District Judge Joan M. Azrack
United States District Court Eastern District of New York (EDNY)
100 Federal Plaza, Central Islip, NY 11722
Attn: Pro Se Office - via Pro Se Electronic Document Submission

Caption: Orrego v. Pasternack Tilker Ziegler Walsh Stanton & Romano LLP et al
Docket No. 23CV06507(JMA)(AYS)

Re: Plaintiff's Objection to Defendants Letters Answer [ECF Id. \[20\]](#) [\[21\]](#)
improper and Bad Faith - Total Pages filed 10.- unseal under Federal Rule Civil
Procedure ("FRCP") Rule 5.2, Constitutional Right of Due Process and Freedom of
Speech

District Judge Azrack,

Plaintiff Lidia M. Orrego objects to the improper and fraudulent
misrepresentation to Defendants Letter Answer [ECF Id. \[20\]](#) [\[21\]](#) because the
request for authentication of the conclusive evidence see [ECF Id. \[22\]](#) [\[26\]](#),
Defendants MUST answer in Plaintiff Opposition to Motions to Dismiss under
[FRCP Rule 12](#), "[Local Civil Rule 12.1. Notice to Pro Se Litigant Who Opposes a
Rule 12 Motion Supported by Matters Outside the Pleadings](#)".

Defendants are aware that their Letters Answer [ECF Id. \[20\]](#) [\[21\]](#) are full of
nonsensical and both letters are identical with minimum differences because they
are part of the "organized crime" with Pasternack Tilker Ziegler Walsh Stanton &
Romano LLP, Pasternack Tilker Weitz & Luxenberg LLP and Kevin James' aka
Knipfing's counsel Gordon Rees Scully Mansukhani LLP.

The same lawyers are in the cases of legal malpractices, as Plaintiff detailed
in her Letter Dated October 28, 2023, illegally retained by this Court:

"Other cases against Pasternack Tilker Ziegler Walsh Stanton & Romano
LLP, Pasternack Tilker Weitz & Luxenberg LLP for legal malpractice, and others
torts in the State Court including but not limited to NYSCEF [2020/05603](#);

[602661/2020](#); [609058/2016](#) and the last case [514717/2023](#) involve the crooked and corrupt [Workers Compensation Judge Law Barry Greenberg](#), same judge in the Plaintiff's WC case who committed gross violations of Workers Compensation Law and proceedings [WCB CASE G2584330](#), currently [Docket No. 535740](#) at [Appellate Division Third Department](#).

Also, Plaintiff discovered lawsuits against First Choice Evaluations LLC and Jason Hochfelder MD for fraud, conspiracy, tortious interference, and medical malpractice at State Court via NYSCEF." This evidence will be filed in opposition to the Motion to Dismiss.

See attached Exhibit 1, P. 4 "diagram ["Racketeer Influenced and Corrupt Organizations - RICO Act SCHEME - "ENTERPRISE" WELL - SUPPORTED BY GORDON REES SCULLY MANSUKHANI LLC"](#) shows all the Associates with the "common goal" despite the ALL the facts and evidence "disallowed" the Plaintiff case WCB G2584330 through heinous order despite facts and evidence by they RICO Associates crooked and corrupts [Workers Compensation Judge Law Barry Greenberg](#) and Justice Michael C. Lynch, Justice Stan L. Pritzker, Justice Eddie J. McShan, Justice L. Michael Mackey's **Mental Disability or Mental Disorder** that affects the review conclusive evidence since the order lack of specificity because all facts and "evasive" answers to the questions presented see [Appellant's Brief NYSCEF Id. \[61\]](#), Record on Appeal NYSCEF Id. [\[62\]\[63\]](#) and Appellants [Reply NYSCEF Id. \[127\]](#) that proves the fraud in the case. The heinous order will also be filed in this case with their Motion to Dismiss.

See [Workers Compensation Board case G2584330 was a HOAX – NYSCEF Id. \[136\]](#). THE ENTIRE CASE MUST VOID for GROSS and disgusting ["Conflict of Interest"](#) working for "Kevin James, a/k/a Kevin Knipfing."

Plaintiff requested the DISBARMENT. See annexed Exhibit 2, P. 5 -8.-

If the Defendant's Motion to Dismiss and Answer with "affirmative defenses" fails to introduce evidence to support their documents, the Motions and Answer MUST be denied and striking the pleadings.

“JUSTICE DELAYED IS JUSTICE DENIED”

Respectfully submitted,

Dated: November 8, 2023

Rego Park, New York

/s/ Lidia M. Orrego
Plaintiff Pro Se
95-08 Queens Blvd. 3E
Rego Park, NY 11374
Phone (347)453-2234
Email: liorrego@gmail.com

CC: Via ECF & Mail

Judge Margo K. Brodie, Chief Judge

Eastern District of New York - EDNY

Cadman Plaza East Brooklyn, New York 11201

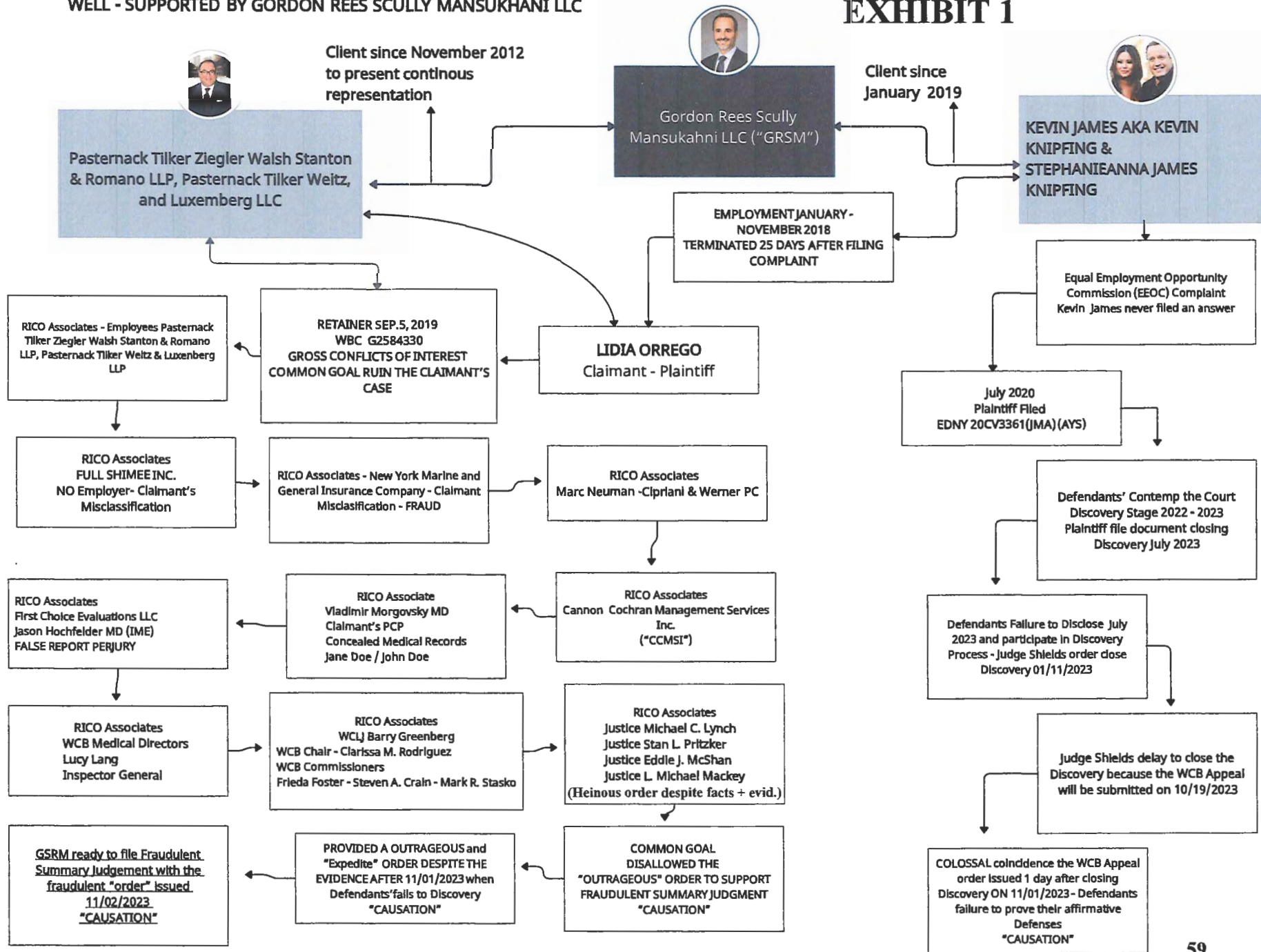
Attn: Pro Se Office - via Pro Se Electronic Document Submission

Eastern District of New York - EDNY

100 Federal Plaza, Central Islip, NY 11722

**Racketeer Influenced and Corrupt Organizations - RICO Act SCHEME - "ENTERPRISE"
WELL - SUPPORTED BY GORDON REES SCULLY MANSUKHANI LLC**

EXHIBIT 1



11/6/23, 7:15 PM

Gmail - File No. K- 908-21 - Reopening - Disbarment of Pasternack Tilker Ziegler Walsh Stanton & Romano LLP and Associates.



EXHIBIT 2

Lidia Orrego <liorrego@gmail.com>

File No. K- 908-21 - Reopening - Disbarment of Pasternack Tilker Ziegler Walsh Stanton & Romano LLP and Associates.

Lidia Orrego <liorrego@gmail.com>

Mon, Nov 6, 2023 at 10:00 AM

To: ad2-grv2@nycourts.gov

Cc: "wcb.sm.Office.of.General.Counsel" <officeofgeneralcounsel@wcb.ny.gov>, "wcb.sm.Appeals Lucy Cesare" <appeals@wcb.ny.gov>, Letitia James AG <letitia.james@ag.ny.gov>, "wcb inspector.general@ig.ny.gov" <inspector.general@ig.ny.gov>, Ferfunespy@gmail.com, secretariapamy@gmail.com, AD3ClerksOffice <AD3ClerksOffice@nycourts.gov>, 730am@abc.com.py, 7OnYourSideNina@abc.com, Alison Kent-Friedman <alison.kent-friedman@ag.ny.gov>, "Hamelsky, Andrew" <ahamelsky@stradley.com>, Bev Banks <beverly.banks@law360.com>, Eduardo Sanchez <sombragris@sombragris.org>, Elove@ltriallaw.com, FOX13tampanews@fox.com, JWhite@ltriallaw.com, "Scarcella, Jenifer" <jscarcella@stradley.com>, Lita Orrego <litaorrego@hotmail.com>, Marc Neuman <mneuman@cwlaw.com>, Ricardo.Villarini@nbcuni.com, "Thai, Kat (Thomson Reuters)" <Kat.Thai@thomsonreuters.com>, WCBMedicalDirectorsOffice@wcb.ny.gov, WCBappeals.Labor@ag.ny.gov, abarton@grsm.com, abcfm@abc.com.py, abcmmedia@abc.com.py, alex.mierjeski@propublica.org, amontgomery@grsm.com, ana.lezcano@abc.com.py, arturo@abc.com.py, asugarman@grsm.com, bbleichner@grsm.com, blevine@grsm.com, bmiddlebrook@grsm.com, bprimavera@grsm.com, brett.murphy@propublica.org, calo@abc.com.py, ceesss@gmail.com, chill@grsm.com, citydesk@houstonchronicle.com, ciudadano@abc.com.py, "claims@wcb.ny.gov WCB" <claims@wcb.ny.gov>, contact@towerbrook.com, daniel.arza@abc.com.py, dario.ibarra@abc.com.py, david.wilck@rivkin.com, dcominos@grsm.com, digital@nacionmedia.com, dmeppen@grsm.com, dtl@ltriallaw.com, eas@ltriallaw.com, ediaz@abc.com.py, editor@observer.com, emeryanibal@gmail.com, evillamayor@abc.com.py, fbenitez@abc.com.py, fgaffney@csgllplaw.com, fhardy@grsm.com, floyd2016@grsm.com, garayullon4@gmail.com, hello@propublica.org, help@bloomberglaw.com, help@cnn.com, hshearer@grsm.com, hugo.garay@abc.com.py, info@furtherglobal.com, inquiries@coactionspecialty.com, internet@abc.com.py, investigations@seattletimes.com, ireport@cnn.com, jason.biegel@rivkin.com, jbordelon@ccmsi.com, jhellman@rheingoldlaw.com, jlevy@observer.com, jmourgos@grsm.com, jnewsham@insider.com, oshua.kaplan@propublica.org, jratley@acfe.com, jsalvo@grsm.com, justin@propublica.org, karisa.king@dallasnews.com, ksatinvestigates@ksat.com, ksosa@abc.com.py, ldesantos@grsm.com, letters@washpost.com, mabel@abc.com.py, maria.anzoategui@abc.com.py, mcolwin@grsm.com, mguarino@ccmsi.com, mhalberg@observer.com, michael@kohanlawgroup.com, michael.okeeffe@newsday.com, miltons@abc.com.py, mstephens@grsm.com, ndatlowe@bloomberglaw.com, news.tips@abc.com, newsdesk@insurancejournal.com, newstips@khoul.com, newstips@statesman.com, noepablo@gmail.com, ntrina@ccmsi.com, "officeofsecretary@wcb.ny.gov WCB" <officeofsecretary@wcb.ny.gov>, onplus@hoy.es, paraguayacs@state.gov, paraguayusembassy@state.gov, pdorrian@bloomberglaw.com, pedro.dare@abc.com.py, rkoyfman@ltriallaw.com, rmartinez@ltriallaw.com, rtrichinelli@bloomberglaw.com, sambrose@dallasnews.com, sbitter@grsm.com, scao@observer.com, sdabholkar@ccmsi.com, sergio.valdez@abc.com.py, sgrady@c-wlaw.com, snahal@grsm.com, suscripciones@abc.com.py, tips@latimes.com, tips@propublica.org, tips@observer.com, tips@nbcuni.com, tips@texastribune.org, tips@nytimes.com, tips@thecity.nyc, tips@forbes.com, tqiinn@grsm.com, tryan@coactionspecialty.com, vtchin@rheingoldlaw.com, "wcb.sm.Advinjwkr WCB" <advinjwkr@wcb.ny.gov>, Lidia Orrego <liorrego@gmail.com>

November 6, 2023

DIANA MAXFIELD KEARSE

Chief Counsel

Renaissance Plaza

335 Adams Street - Suite 2400

Brooklyn, New York 11201-3745

Via email

Matter of Lidia Orrego v. Kevin Knipfing, Stephanieanna Knipfing,
New York Marine & General Insurance Company,
Workers Compensation Board
Docket #535740, WCB# G2584330

60

11/6/23, 7:15 PM

Gmail - File No. K- 908-21 - Reopening - Disbarment of Pasternack Tilker Ziegler Walsh Stanton & Romano LLP and Associates.

Re: File No. K- 908-21 - Reopening - Disbarment of Pasternack Tilker Ziegler Walsh Stanton & Romano LLP and Associates.

I request the reopening of File K-908-21 and the Disbarment of Pasternack Tilker Ziegler Walsh Stanton & Romano LLP and Associates for gross violation of **"sacred client-lawyer relationship."** Gross Violation [Rule 1.7 Conflict of Interest: Current Clients - Comment.](#)

Pasternack Tilker Ziegler Walsh Stanton & Romano LLP and Associates' betrayal always has been loyal to their own interest with their lawyers [Gordon Rees Scully Mansukhani LLC \("GRSM"\)](#), who is Kevin James' lawyer at the same time of their representation in my case.

Pasternack Tilker Ziegler Walsh Stanton & Romano LLP never disclosed the gross conflict of interest. For that reason, they lost my case and committed a despicable fraud at WCB# G2584330.

The Pasternack Tilker Ziegler Walsh Stanton & Romano LLP, Pasternack Tilker Weitz & Luxenberg LLP's "work-product privilege (or "work-product doctrine"), "loyalty duty," "fiduciary duty," "duty of care" and "confidentiality duty" was not for to me but for their lawyers GRSM and Kevin James aka Kevin Knipfing and Stephanieanna James Knipfing because among them there was FULL DISCLOSURE.

See NYSCEF Id. [136] states, "[Judge Joan M. Azrack dated October 28, 2023](#); with the NEWLY discovery that the Respondents, my employers Kevin and Stephanieanna Knipfing, share the exact attorney with [Pasternack Tilker Ziegler Walsh Stanton & Romano LLP, Pasternack Tilker Weitz & Luxenberg LLP](#), the law firm [Gordon Rees Scully Mansukhani LLC \("GRSM"\)](#) Appellant's lawyers at Workers Compensation Board G2584330, GROSS and disgusting , " failure to full disclosure before taking the Plaintiff's Representation, This was PROHIBITED. The Appellant would pursue Disbarment - [Part Rules 1200 Rules of Professional Conduct](#). See annexed P. 178-188."

See the links to access the documents:

https://drive.google.com/file/d/19Vd3AltO00oz4Dn4HYW5tEUPfjuQnwuZ/view?usp=drive_link

https://drive.google.com/file/d/1fDWQgoxrfWSQPPiLIZ5rE1FfO37ziddh/view?usp=drive_link

I requested Clarissa Rodriguez, Chair of WCB, to revoke [Pasternack Tilker Ziegler Walsh Stanton & Romano LLP, Pasternack Tilker Weitz & Luxenberg LLP](#)'s license since Pasternack Tilker Ziegler Walsh Stanton & Romano LLP and Associates abandoned my case without a Court order and without filing the RB89.2 under [12 NYCRR 300.17\(f\)](#).

See https://www.wcb.ny.gov/content/main/SubjectNos/sn046_976.jsp

11/6/23, 7:15 PM

Gmail - File No. K- 908-21 – Reopening - Disbarment of Pasternack Tilker Ziegler Walsh Stanton & Romano LLP and Associates.

“Approval by Workers’ Compensation Law Judge (WCLJ) or Conciliator

The request of an attorney or licensed representative to withdraw from representation must be approved by a WCLJ or conciliator to be effective. Upon the filing of Form OC-400.17, a WCLJ or conciliator will issue a proposed decision granting the request, denying the request, or setting a hearing in order to address the issue.

If the request to withdraw is approved by the WCLJ or conciliator, the attorney or licensed representative may then effectively cease representation of the claimant. Once cessation of representation has been formally approved, the attorney or licensed representative may also request a fee pursuant to 12 NYCRR 300.17(f).

Conclusion

The new Form OC-400.17 is available on the Board’s website. Please see the Board’s [Forms](#) page.

Please address any questions concerning the withdrawal from representation under 12 NYCRR 300.17, or Form OC-400.17 to the Board’s Office of General Counsel at officeofgeneralcounsel@wcb.ny.gov or (518) 486-9564.

Clarissa M. Rodriguez
Chair”

The WCB case G2584330 must be VOID entirely due to this Heinous and despicable Crime.

Date: November 6, 2023

Rego Park, NY 11374

Lidia M. Orrego
Appellant - Plaintiff Pro Se
Address: 95-08 Queens Blvd. 3E
Rego Park, NY 11374
Phone (347) 4532234
Email: liorrego@gmail.com

CC: Via ECF
District Judge Joan M. Azrack
United States District Court
Eastern District of New York (EDNY) Long Island Courthouse 100 Federal
Plaza Central Islip, NY 11722
EDNY 20CV3361 (JMA) (AYS) Orrego v. Knipfing et al.

11/6/23, 7:15 PM

Gmail - File No. K- 908-21 – Reopening - Disbarment of Pasternack Tilker Ziegler Walsh Stanton & Romano LLP and Associates.

EDNY 23CV6507 (JMA) (AYS) Orrego v. Pasternack Tilker Ziegler Walsh Stanton & Romano LLP et al.

CC: Via Email

Paraguay Consulate in New York

Ferfunespy@gmail.comsecretariaparny@gmail.com

Office of General Counsel

NYS Workers' Compensation Board 328 State Street,

4th Floor Schenectady, NY 12305

Email: officeofgeneralcounsel@wcb.ny.govLucy Cesare, Esq. email: appeals@wcb.ny.govLetitia James, NYS Attorney General – email: letitia.james@ag.ny.govLucy Lang WCB Inspector General- email: inspector.general@ig.ny.gov

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

Lidia M. Orrego,

Plaintiff,

-against-

Pasternack Tilker Ziegler Walsh Stanton &
Romano LLP, Pasternack Tilker Weitz &
Luxenberg LLP, First Choice Evaluations LLC,
Jason Hochfelder MD, John Doe, Jane Doe.

Defendants.

Affirmation of Service

23CV6507 (JMA) (AYS)

x

I, Lidia M. Orrego, declare under penalty of perjury that I served a copy of the attached Plaintiff's Objection to Defendants Letters Answer ECF Id. [20] [21] improper and Bad Faith - Total Pages filed 10.- unseal under Federal Rule Civil Procedure ("FRCP") Rule 5.2, Constitutional Right of Due Process and Freedom of Speech upon the defendant(s) or attorney whose physical address:

Via ECF & Notice has been electronically mailed

Stradley Ronon Stevens & Young, LLP

100 Park Avenue, Suite 2000

New York, New York 10017

Phone: 862-682-7246

Andrew I. Hamelsky, Esq.: ahamelsky@stradley.com

Jenifer A. Scarcella, Esq.: jscarcella@stradley.com

Attorney for Defendants First Choice Evaluations, LLC and Dr. Jason Hochfelder

Rivkin Radler LLP

926 RXR Plaza Uniondale

New York 11556

Phone: 516-357-3000

David Wilck, Esq.: david.wilck@rivkin.com

Jason M. Biegel Esq.: jason.biegel@rivkin.com

Attorneys for Defendants Pasternack Tilker Ziegler Walsh Stanton &
Romano LLP and Pasternack Tilker Weitz & Luxenberg LLP

I declare under penalty of perjury that the foregoing is true and correct.

Dated: November 8, 2023
Rego Park, New York

/s/ Lidia M. Orrego
Plaintiff - Pro Se
95-08 Queens Blvd. 3E
Rego Park, NY 11374
Phone (347) 4532234

CC: District Judge Joan M. Azrack – Via ECF

Plaintiff files via Pro Se Electronic Document Submission on
<https://edny.app.box.com/f/0f6348c6cb5242409fe345811278b2ca>

Case 2:23-cv-06507-JMA-AYS Document 29 Filed 11/17/23 Page 1 of 4 PageID #: 171

**UNITED STATES DISTRICT COURT
FOR THE
EASTERN DISTRICT OF NEW YORK**

Brenna B. Mahoney
Clerk of Court

August Marziliano
Chief Deputy, Brooklyn

Michael Kramer
Chief Deputy, Central Islip



**Theodore Roosevelt Federal Courthouse
Emanuel Celler Federal Courthouse**
225 Cadman Plaza East
Brooklyn, NY 11201
(718) 613-2270

Alfonse D'Amato Federal Courthouse
100 Federal Plaza
Central Islip, NY 11722
(631) 712-6060

**FILED
CLERK**

11:52 am, Nov 20, 2023

November 17, 2023

**U.S. DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
LONG ISLAND OFFICE**

Lidia M. Orrego
95-08 Queens Blvd.
Apt. 3E
Rego Park, NY 11374

RE: 23-CV-06507(JMA)(AYS) & 20-CV-03361(JMA)(AYS)

Dear Ms. Orrego:

Pursuant to Judge Azrack's Electronic Order dated November 14, 2023, the enclosed documents are being returned to you without docketing or consideration. As Judge Azrack instructed, we have enclosed the first page of your submissions.

Sincerely,

A handwritten signature in black ink, appearing to be "K. Santana".

Pro Se Office
By: K. Santana

Enc.
Copy mailed to litigant 11/17/2023

November 14, 2023

H. District Judge Joan M. Azrack
United States District Court Eastern District of New York (EDNY)
100 Federal Plaza, Central Islip, NY 11722
Attn: Pro Se Office
CC: Judicial Council of the Second Circuit

Caption: Lidia M. Orrego v. Kevin Knipfing a/k/a Kevin James,
Stephanicanna James-Knipfing a/k/a Steffiana, de la Cruz,
Old Westbury EDDIE LLC, Old Westbury LLC, Steve
Savitsky, Teresa A. Zantua
Docket No. 20CV3361(JMA)(AYS)

Re: Plaintiff's Letter Motion Clarification on Submissions via
Box. com. (Total Pages present document 39.- under Federal Rule Civil Procedure
("FRCP") Rule 5.2 (b) (4); Rule 11, Due Process of Law and Freedom of Speech

District Judge Azrack,

Plaintiff Lidia M. Orrego, in connection with the above-referenced action,
requests clarification regarding the attached documents filed since October 9, 2023;
according to the information she received from the Clerk's Office, the documents
are retained in the Chambers and not in the Docket in the Public View.

All the documents filed under FRCP Rule 11:

October 9, 2023: "PLAINTIFF'S OBJECTION AND MOTION TO
RECONSIDERATION OF THE ORDER DATED OCTOBER 7, 2023, ON
ORDER TO SHOW CAUSE (OSC) FOR PRELIMINARY INJUNCTION AND
TEMPORARY RESTRAINING ORDER ECF DOC. [170] AND 7 EXHIBITS
SEALED INCORRECTLY". Total pages filed 77. (Attached only first 18 pages)

October 28, 2023: Re: Plaintiff's Report NEWLY Discovery the Client-
Lawyer Relationship between Pasternack Tilker Ziegler Walsh Stanton & Romano
LLP, Pasternack Tilker Weitz & Luxenberg LLP and Kevin James' aka Knipfing's
counsel Gordon Rees Scully Mansukhani LLP since 2012, GROSS violation of
Model Rules of Professional Conduct Rule 1.7: Conflict of Interest.- Total Pages
filed 12.- UNSEAL under Federal Rule Civil Procedure ("FRCP") Rule 5.2.- Total
pages filed 12.-

H. District Judge Joan M. Azrack
United States District Court Eastern District of New York (EDNY)
100 Federal Plaza, Central Islip, NY 11722
Attn: Pro Se Office

November 14, 2023

Caption: Lidia M. Orrego v. Kevin Knipfing a/k/a Kevin James,
Stephanieanna James-Knipfing a/k/a Steffiana, de la Cruz,
Old Westbury EDDIE LLC, Old Westbury LLC, Steve
Savitsky, Teresa A. Zantua
Docket No. 20CV3361(JMA)(AYS)

Re: Plaintiff's Letter Motion Clarification on Motions, Pleadings or
other papers filed on November 13, 2023. Total Pages 13.- under Federal Rule Civil
Procedure ("FRCP") Rule 5.2 (b) (4), Due Process of Law and Freedom of Speech.

District Judge Azrack,

Plaintiff Lidia M. Orrego, in connection with the above-referenced action,
requests clarification regarding EDNY Central Islip Courthouse' impropriety:

Annexed are the documents that, according to Mr. Mike Kramer, are in
"consideration," the Chambers ordered the Clerk's Office to "stamp" the filing date
on the back of each paper.

The stamp on the back of each submission is improper because the party
cannot "prove" what document is being filed and how many pages since Judge
Azrack's Chambers is making alterations or seals without legitimate reasons.

ALL the annexed documents are correct filing under FRCP Rule 11, and each
document supports Summary Judgment and the Defendants Fraud in this lawsuit.

Under FRCP, Local Civil Rules, and Individual Rules, Plaintiff Pro Se has the
right to submit the paper without limitations of quantity pages. Indeed, all parties
can file the documents that support their case under the Constitutional Right to Due
Process.

H. District Judge Joan M. Azrack
United States District Court Eastern District of New York (EDNY)
100 Federal Plaza, Central Islip, NY 11722
Attn: Pro Se Office
CC: Judicial Council of the Second Circuit

November 14, 2023

RECEIVED
U.S. DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
NOV 14 AM 10:32

Caption: Lidia M. Orrego v. Kevin Knipfing a/k/a Kevin James,
Stephanieanna James-Knipfing a/k/a Steffiana, de la Cruz,
Old Westbury EDDIE LLC, Old Westbury LLC, Steve
Savitsky, Teresa A. Zantua
Docket No. 20CV3361(JMA)(AYS)

Re: Plaintiff's Letter Motion Clarification on Individuals Rules I
Electronic Filing (ECF) & III. Communications with Chambers. Total Pages 13.-
under Federal Rule Civil Procedure ("FRCP") Rule 5.2 (b) (4), Due Process of Law
and Freedom of Speech and under FRCP Rule 11.-

District Judge Azrack,

Plaintiff Lidia M. Orrego, in connection with the above-referenced action,
requests clarification regarding the Individuals Rules I Electronic Filing (ECF)
stated: **"E. Parties filing voluminous or non-text exhibits that are impracticable
to file electronically should contact Chambers prior to filing."** and,

**"III. Communications with Chambers: C. Urgent Communications:
Materials filed via ECF may not be reviewed the same day they are filed. If a
submission requires immediate attention, please notify Chambers by
telephone after filing on ECF."**

Attached are the first 4 pages of the THIRD letter submitted via Box.com on
November 10, 2023, requesting the instructions to file the voluminous Exhibits and
non-text exhibits to file dispositive motions according to the Court's Order.

The letters are missing from the docket, and Plaintiff unsuccessfully attempted
to communicate with the Chambers or Pro Se Office. Total pages submitted: 21.-

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

Lidia M. Orrego,

Plaintiff,

-against-

Pasternack Tilker Ziegler Walsh Stanton &
Romano LLP, Pasternack Tilker Weitz &
Luxenberg LLP, First Choice Evaluations LLC,
Jason Hochfelder MD, John Doe, Jane Doe.

Defendants.

Affirmation of Service

23CV6507 (JMA) (AYS)

x

I, Lidia M. Orrego, declare under penalty of perjury that I have served a copy of the attached Notice of Interlocutory Appeal dated November 29, 2023 Total 71 pages upon the defendant(s) or attorney whose physical address:

Via ECF & Notice has been electronically mailed

Stradley Ronon Stevens & Young, LLP

100 Park Avenue, Suite 2000

New York, New York 10017

Phone: 862-682-7246

Andrew I. Hamelsky, Esq.: ahamelsky@stradley.com

Jenifer A. Scarcella, Esq.: jscarcella@stradley.com

Attorney for Defendants First Choice Evaluations, LLC and Dr. Jason Hochfelder

Rivkin Radler LLP

926 RXR Plaza Uniondale

New York 11556

Phone: 516-357-3000

David Wilck, Esq.: david.wilck@rivkin.com

Jason M. Biegel Esq.: jason.biegel@rivkin.com

Attorneys for Defendants Pasternack Tilker Ziegler Walsh Stanton &
Romano LLP and Pasternack Tilker Weitz & Luxenberg LLP

I declare under penalty of perjury that the foregoing is true and correct.

Dated: November 29, 2023
Rego Park, New York



/s/ Lidia M. Orrego
Plaintiff - Pro Se
95-08 Queens Blvd. 3E
Rego Park, NY 11374
Phone (347) 4532234

APPEAL,NPROSE,PROSENEF

**U.S. District Court
Eastern District of New York (Central Islip)
CIVIL DOCKET FOR CASE #: 2:23-cv-06507-JMA-AYS**

Orrego v. Pasternack Tilker Ziegler Walsh Stanton & Romano
LLP et al
Assigned to: Judge Joan M. Azrack
Referred to: Magistrate Judge Anne Y. Shields
related Case: 2:20-cv-03361-JMA-AYS
Cause: 18:1964 Racketeering (RICO) Act

Date Filed: 08/31/2023
Jury Demand: Plaintiff
Nature of Suit: 470 Racketeer/Corrupt
Organization
Jurisdiction: Federal Question

Plaintiff

Lidia M. Orrego

represented by **Lidia M. Orrego**
95-08 Queens Blvd
Apt 3E
Rego Park, NY 11374
347-453-2234
Email: liorrego@gmail.com
PRO SE

V.

Defendant

**Pasternack Tilker Ziegler Walsh
Stanton & Romano LLP**

represented by **David Stephen Wilck**
Rivkin Radler LLP
926 Rexcorp Plaza
Uniondale, NY 11556
516-357-3000
Fax: 516-357-3000
Email: david.wilck@rivkin.com
ATTORNEY TO BE NOTICED

Jason M. Biegel
Rivkin Radler LLP
1320 World Avenue
Elmont, NY 11003
516-644-0607
Email: jason.biegel@rivkin.com
ATTORNEY TO BE NOTICED

Defendant

**Pasternack Tilker Weitz & Luxenberg
LLP**

represented by **David Stephen Wilck**
(See above for address)
ATTORNEY TO BE NOTICED

Jason M. Biegel
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

First Choice Evaluations LLC

represented by **Andrew Hamelsky**
Stradley Ronon Stevens & Young, LLP
101 Park Avenue
Suite 2000
New York, NY 10019
212-404-0636
Email: ahamelsky@stradley.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jenifer Ann Scarcella
 White & Williams LLP
 One Penn Plaza
 250 W 34th Street, Suite 4110
 New York, NY 10119
 212-714-3064
 Fax: 212-868-4841
 Email: jscarcella@stradley.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant**Jason Hochfelder MD**

represented by **Andrew Hamelsky**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Jenifer Ann Scarcella
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant**John Doe****Defendant****Jane Doe**

Date Filed	#	Docket Text
08/31/2023	<u>1</u>	COMPLAINT against All Defendants Was the Disclosure Statement on Civil Cover Sheet completed -No., filed by Lidia M. Orrego. (Attachments: # <u>1</u> Exhibits, # <u>2</u> Civil Cover Sheet) (DC) (Entered: 08/31/2023)
08/31/2023	<u>2</u>	Summons Issued as to First Choice Evaluations LLC, Jason Hochfelder MD, Pasternack Tilker Weitz & Luxenberg LLP, Pasternack Tilker Ziegler Walsh Stanton & Romano LLP. (DC) (Entered: 08/31/2023)
08/31/2023	<u>3</u>	FILING FEE: \$ 402.00, receipt number 100009206 (DC) (Entered: 08/31/2023)
08/31/2023	<u>4</u>	In accordance with Rule 73 of the Federal Rules of Civil Procedure and Local Rule 73.1, the parties are notified that if all parties consent a United States magistrate judge of this court is available to conduct all proceedings in this civil action including a (jury or nonjury) trial and to order the entry of a final judgment. Attached to the Notice is a blank copy of the consent form that should be filled out, signed and filed electronically only if all parties wish to consent. The form may also be accessed at the following link: http://www.uscourts.gov/uscourts/FormsAndFees/Forms/AO085.pdf . You may withhold your consent without adverse substantive consequences. Do NOT return or file the consent unless all parties have signed the consent. (DC) (Entered: 08/31/2023)
08/31/2023	<u>5</u>	Notice of Related Case: 20-cv-3361-JMA-AYS The Civil Cover Sheet filed in this civil action indicates a related case. (DC) (Entered: 08/31/2023)
08/31/2023	<u>6</u>	Pro Se Consent to Electronic Notification by Lidia M. Orrego (DC) (Entered: 08/31/2023)
08/31/2023	<u>8</u>	Corrected Summons Reissued as to First Choice Evaluations LLC, Jason Hochfelder MD, Pasternack Tilker Weitz & Luxenberg LLP, Pasternack Tilker Ziegler Walsh Stanton & Romano LLP. (LF) (Entered: 09/05/2023)
09/01/2023	<u>7</u>	Updated Civil Cover Sheet. (LF) (Entered: 09/01/2023)

09/08/2023	<u>9</u>	ORDER: On August 31, 2023, Lidia Orrego ("Plaintiff"), acting pro se, filed a complaint together with the filing fee and summonses were issued. (ECF Nos. <u>1</u> – <u>3</u> .) Rule 4(m) of the Federal Rules of Civil Procedure provides:If a defendant is not served within 90 days after the complaint is filed, the court – on motion or on its own after notice to the plaintiff – must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period. Accordingly, if service is not made upon the defendants by November 29, 2023, or Plaintiff fails to show good cause why such service has not been effected, the complaint will be dismissed without prejudice. Plaintiff is to provide a copy of this Order to the defendants along with the summonses and complaint and shall file proof of service with the Court within fourteen (14) days of service. Plaintiff is required to advise the Clerk of Court of any changes of address. Failure to keep the Court informed of Plaintiff's current address may result in dismissal of the case. So Ordered by Judge Joan M. Azrack on 9/8/2023. c/ecf (LC) (Entered: 09/08/2023)
09/09/2023	<u>10</u>	Letter MOTION to Compel / <i>Plaintiff Requests clarification and alternative solution to comply with the Order ECF doc. 9 filed by Lidia M. Orrego.</i> (LC) Modified on 9/11/2023 to correct file date (LC). (Entered: 09/11/2023)
10/02/2023	<u>15</u>	SUMMONS Returned Executed by Lidia M. Orrego. First Choice Evaluations LLC served on 9/22/2023, answer due 10/13/2023; Pasternack Tilker Weitz & Luxenberg LLP served on 9/22/2023, answer due 10/13/2023; Pasternack Tilker Ziegler Walsh Stanton & Romano LLP served on 9/22/2023, answer due 10/13/2023. (LJ) (Entered: 10/11/2023)
10/02/2023	<u>16</u>	Summons Returned Unexecuted by Lidia M. Orrego as to Jason Hochfelder MD. (LJ) (Entered: 10/11/2023)
10/09/2023	<u>11</u>	NOTICE of Appearance by Andrew Hamelsky on behalf of First Choice Evaluations LLC, Jason Hochfelder MD (aty to be noticed) (Hamelsky, Andrew) (Entered: 10/09/2023)
10/09/2023	<u>12</u>	NOTICE of Appearance by Jenifer Ann Scarcella on behalf of First Choice Evaluations LLC, Jason Hochfelder MD (aty to be noticed) (Scarcella, Jenifer) (Entered: 10/09/2023)
10/10/2023	<u>13</u>	MOTION for pre motion conference by First Choice Evaluations LLC, Jason Hochfelder MD. (Scarcella, Jenifer) (Entered: 10/10/2023)
10/10/2023	<u>14</u>	CERTIFICATE OF SERVICE by First Choice Evaluations LLC, Jason Hochfelder MD (Scarcella, Jenifer) (Entered: 10/10/2023)
10/11/2023	<u>23</u>	SUMMONS Returned Executed by Lidia M. Orrego. Jason Hochfelder MD served on 9/26/2023, answer due 10/17/2023. (LC) (Entered: 10/18/2023)
10/12/2023	<u>17</u>	NOTICE of Appearance by Jason M. Biegel on behalf of Pasternack Tilker Weitz & Luxenberg LLP, Pasternack Tilker Ziegler Walsh Stanton & Romano LLP (aty to be noticed) (Biegel, Jason) (Entered: 10/12/2023)
10/12/2023	<u>18</u>	NOTICE of Appearance by David Stephen Wilck on behalf of Pasternack Tilker Weitz & Luxenberg LLP, Pasternack Tilker Ziegler Walsh Stanton & Romano LLP (aty to be noticed) (Wilck, David) (Entered: 10/12/2023)
10/12/2023	<u>26</u>	Letter dated 10/12/2023 from Lidia Orrego to Judge Azrack re Plaintiff's request for Defendants' Authentication or Identification of Evidence under FRCP and Evidence Rules before filing her response to ECF doc. <u>13</u> and future pleadings. (LF) (Entered: 10/27/2023)
10/13/2023	<u>19</u>	Letter MOTION for pre motion conference by Pasternack Tilker Weitz & Luxenberg LLP, Pasternack Tilker Ziegler Walsh Stanton & Romano LLP. (Wilck, David) (Entered: 10/13/2023)
10/16/2023	<u>20</u>	Letter by First Choice Evaluations LLC, Jason Hochfelder MD (Scarcella, Jenifer) (Entered: 10/16/2023)

10/16/2023	<u>21</u>	Letter <i>re follow up to the Firm's pre-motion letter</i> by Pasternack Tilker Weitz & Luxenberg LLP, Pasternack Tilker Ziegler Walsh Stanton & Romano LLP (Wilck, David) (Entered: 10/16/2023)
10/16/2023	<u>22</u>	LETTER dated 10/16/2023 from Lidia Orrego to Judge Azrack re "Plaintiff's request for Defendants' Authentication or Identification of Evidence under FRCP and Evidence Rules before filing her response to ECF doc. <u>19</u> and future pleadings." (LC) (Entered: 10/17/2023)
10/16/2023	<u>24</u>	Plaintiff's Response and Opposition to Defendants' Letter ECF Id. <u>13</u> for an order to file a Motion to Dismiss filed by Lidia M. Orrego. (LC) (Entered: 10/26/2023)
10/17/2023	<u>25</u>	Plaintiff's Response and Opposition to Defendants' Letter ECF Id. <u>19</u> for an order to file a Motion to Dismiss filed by Lidia M. Orrego. (LC) (Entered: 10/26/2023)
10/26/2023	<u>27</u>	MOTION for leave to allow Pro Se to Electronically File by Lidia M. Orrego. (LF) (Entered: 10/27/2023)
10/30/2023		ORDER. Before the Court is the voluminous October 12, 2023 submission from <u>pro se</u> plaintiff Lidia Orrego via Box.com, DE <u>26</u> . Notably, apart from the two-page letter to the Court, the additional 356 pages appear to be documentary discovery that does not comply with the Local Rules of this Court. <u>See</u> Local Civil Rule 5.1. Accordingly, the Clerk of the Court shall docket only the first two pages of this submission and shall delete the balance of Plaintiff's submission from Box.com. Plaintiff is cautioned that document submission via Box.com is a privilege but may be revoked if abused. Should Plaintiff continue to upload lengthy submissions in contravention of the Court's rules, she may be required to file papers in hard copy via the mail and/or in person. Ordered by Judge Joan M. Azrack on 10/30/2023. (JSB) (Entered: 10/30/2023)
10/30/2023		ORDER denying <u>27</u> Motion for Leave to Allow Pro Se to Electronically File. Before the Court is an application from <u>pro se</u> Plaintiff Lidia Orrego seeking permission for electronic case filing via the Court's Electronic Case filing system ("ECF"). The application is denied without prejudice. Plaintiff has demonstrated her ability to upload and submit documents utilizing the Court's electronic mailbox, Box.com, and her submissions have promptly been uploaded to the public docket where appropriate. However, Plaintiff's frequent uploading of voluminous and/or improper documents on Box.com gives the Court pause. In the absence of Plaintiff alleging any prejudice as a result of the current system, her application is denied without prejudice. Ordered by Judge Joan M. Azrack on 10/30/2023. (JSB) (Entered: 10/30/2023)
11/01/2023		ORDER: The Court waives the pre-motion conference requirement for Defendants' anticipated motions to dismiss and accordingly DENIES Defendants' pre-motion conference requests for those motions at DEs <u>13</u> and <u>19</u> . Defendants shall serve (but not file) their motions to dismiss by 12/1/2023 , Plaintiff shall serve (but not file) her opposition papers by 1/19/2024 , and Defendants shall serve their reply papers by 2/7/2024 . Defendants shall <i>file</i> all motion papers on 2/7/2024 . <u>See</u> District Judge Joan M. Azrack's Individual Practice Rule ("Rule") IV.G.2. The parties are reminded that memoranda of law in support of, and in opposition to, motions are limited to 25 pages, and reply memoranda are limited to 15 pages. <u>See</u> Rule IV.C. Defendants shall comply with their obligation under Local Civil Rule 7.2 to provide Plaintiff with copies of authorities Defendants cite that are "unpublished or reported exclusively on computerized databases." Plaintiff's motion at DE <u>10</u> seeking "clarification" regarding anticipated service of process is DENIED AS MOOT given that proof of service was subsequently filed. <u>See</u> DE <u>15</u> . Ordered by Judge Joan M. Azrack on 11/1/2023. (CB) (Entered: 11/01/2023)
11/14/2023		ORDER. Plaintiff Lidia M. Orrego ("Plaintiff") has filed two separate actions in this court (20-CV-3361 and 23-CV-6507), each arising from or relating to her former employment with the defendants in 20-CV-3361. On August 3, 2023, Plaintiff filed a Notice of Interlocutory Appeal in 20-CV-3361 seeking review of this Court's July 11, 2023 and July 20, 2023 Orders. (<u>See</u> 23-1114 (2d Cir. Aug. 4, 2023)). Of note, the July 11, 2023 Order denied Plaintiff's motions for reconsideration, to set aside, and to vacate Judge Brown's Order adopting the Report and Recommendation of Magistrate Judge Shields that denied Plaintiff's motion for a declaratory judgment and to change venue. Plaintiff had already made similar motions which Judge Brown denied by Order dated March 28, 2023 where he warned: "PLAINTIFF IS CAUTIONED ONCE

		AGAIN THAT THE CONTINUED FILING OF BLOATED AND WHOLLY UNSUPPORTED MOTIONS MAY SUBJECT HER TO THE IMPOSITION OF SANCTIONS FOR ENGAGING IN FRIVOLOUS LITIGATION CONDUCT UNDER 28 U.S.C. § 1927." Undeterred, Plaintiff has continued to file voluminous, repetitive, and unsupported motions in both of her cases. Indeed, since Judge Brown's March 28, 2023 warning, Plaintiff has filed an additional 26 motions in 20-CV-3361 alone, including a motion to certify an interlocutory appeal which this Court denied by Order dated July 28, 2023. Further, on October 31, 2023, Plaintiff has filed a 151-page "Petition for a Writ of Mandamus, Certiorari, and Prohibition" against the undersigned and Magistrate Judge Shields in the Second Circuit complaining of conduct alleged to have occurred in 20-CV-3361. <u>See</u> 23-7643 (2d Cir. Oct. 31, 2023). Accordingly, given Plaintiff's pending appeals and in an abundance of caution in light of her <u>pro se</u> status, the Court STAYS these matters pending resolution of the appeals. To be clear, Plaintiff SHALL NOT file any additional papers in either 20-CV-3361 or 23-CV-6507 and any submissions received via box.com, in person at the Clerks Office, or through the mail will not be considered or docketed. Plaintiff also SHALL NOT continue to contact the undersigned's chambers. Further, any papers the Clerk has received since August 3, 2023 in each case that have not yet been docketed shall be returned to Plaintiff. If any such filing exceeds 5 pages, the Clerk of the Court shall reference the returned document in a return letter and include only the first page of such submission. The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this Order would not be taken in good faith and therefore <u>in forma pauperis</u> status is denied for the purpose of any appeal. <u>See Coppedge v. United States</u>, 369 U.S. 438, 444-45 (1962). Ordered by Judge Joan M. Azrack on 11/14/2023. (JSB) (Entered: 11/14/2023)
11/14/2023	<u>28</u>	Letter from Pro Se Office to pro se plaintiff Lidia M. Orrego: Pursuant to Judge Azrack's Electronic Order dated November 14, 2023, the enclosed documents are being returned to you without docketing or consideration. (LF) (Entered: 11/14/2023)
11/17/2023	<u>29</u>	LETTER dated 11/17/2023 from Pro Se Office to Lidia M. Orrego. Pursuant to Judge Azrack's Electronic Order dated November 14, 2023, the enclosed documents are being returned to you without docketing or consideration. As Judge Azrack instructed, we have enclosed the first page of your submissions. (LC) (Entered: 11/20/2023)
11/29/2023	<u>30</u>	NOTICE OF INTERLOCUTORY APPEAL as to Order on Motion for Leave to Allow Pro Se to Electronically File and Order by Lidia M. Orrego. (CL) (Main Document 30 replaced on 11/29/2023) (CL). (Entered: 11/29/2023)
11/29/2023	<u>31</u>	USCA Appeal Fees received \$ 505 receipt number 200002639 re <u>30</u> Notice of Interlocutory Appeal filed by Lidia M. Orrego (CL) (Entered: 11/29/2023)
11/29/2023		Electronic Index to Record on Appeal sent to US Court of Appeals. <u>30</u> Notice of Interlocutory Appeal Documents are available via Pacer. For docket entries without a hyperlink or for documents under seal, contact the court and we'll arrange for the document(s) to be made available to you. (CL) (Entered: 11/29/2023)
11/29/2023		First Supplemental Electronic Index to Record on Appeal sent to US Court of Appeals. <u>30</u> Notice of Interlocutory Appeal: Document replaced on docket. Documents are available via Pacer. For docket entries without a hyperlink or for documents under seal, contact the court and we'll arrange for the document(s) to be made available to you. (CL) Modified on 11/29/2023 (CL). (Entered: 11/29/2023)