

FORM 1

UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF NEW YORK

FILED
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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

NOTICE OF INTERCOLUTORY APPEAL

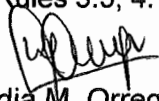
20CV3361 (JMA) (AYS)
Docket No.

-----X
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) Illegal retention/seal documents since October 9, 2023, and illegally rejected filing papers in violation of the Due Process of Law, FRCP, and Local Civil Rules. See ECF Id. [170][173] [177].
- 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 1-144.

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. 20CV3361(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. 20-143 and the Law.

2) The annexed D. Judge Joan M. Azrack's orders are illegal, discriminatory, and retaliatory (P. 9-12) 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. 9-12.

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) On the contrary, I am trying to END this case since the Default Judgment filed on July 2022 ECF Id. [57] and Motion Declaratory Relief on January 2023 ECF Id. [73] illegally denied by Registered Judge Anne Y. Shields, who has no jurisdiction over Dispositive Motions because I never consented that she would take all the procedures in this case. In plain words, I hold Rule 73. Magistrate Judges: Trial by Consent; Appeal.

6) My Motion Declaratory Relief on January 2023 ECF Id. [73] well-supported by Defendants' documentary evidence, my co-worker Rebeca Uzcategui, aka Lugo's interview dated November 21, 2018, when she CONFIRMED all the 70 facts (P. 13-16) on my Amended Complaint ECF Id. [8]. WITH THIS EVIDENCE, IT IS DEMONSTRATED BEYOND A REASONABLE DOUBT THAT MY CLAIMS HAVE MERIT.

7) Judge Gary R. Brown was recused on May 2023 see 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.

8) 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. See annexed P. 17-18.

Likewise, Judge Brown's order on September 2021 ECF Id. [30] confirms that this is NOT frivolous litigation. WHICH District Judge Azrack's order does NOT make any sense.

9) 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, Lidia M. Orrego filed the Amended Complaint ECF Id. [8] as Pro Se Non-Attorney. See Kelsey Whitt that § 1927 "applies only to attorneys" (P. 17-18)

10) 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. 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 ECF Id. [177].

11) District Azrack concealed all the evidence of several violations from Defendants and their Counsel GRSM 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. 9-12.

12) I am attaching the most critical documents concealed or rejected that show District Judge Azrack's impropriety ruling illegal "retroactive orders." See annexed pages 20-143.

13) Judge Joan M. Azrack and her staff illegally retained or sealed documents since October 9, 2023, and 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 seals and alteration of evidence and filed my report how Defendants and their counsel GRSM lied all these years about this case. See ECF Id. [175] [176] annexed P. 120-132.

14) 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. [173] [175] [177]. See annexed P. 108-143.

15) District Judge Joan M. Azrack and her staff illegally retained documents since October 9, 2023. They illegally 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 seals and alteration of evidence. The only way to prevent me from reaching JUSTICE is by rejecting the documents and evidence with fraudulent misrepresentations. See ECF Id. [173] [175] [176] [177] and annexed documents were illegally rejected. P. 20-143.

16) District Judge Joan M. Azrack's disturbing, egregious, unlawful, discriminatory, and retaliatory orders in Violation of Civil Rights of 1962 encouraged the Court's Employees to mistreat me at the Courthouses and refuse to give instructions to file my overwhelming evidence for dispositive motions of Exhibits Total: +249; Documentary Evidence +5,000 pages; Recordings total 26; Pictures total: 821; Videos Total: 172 to prevent the Justice in my favor in violation for the FRCP 11, Local Civil Rules 12.1, 56.2 among others. See annexed P. 108-119.

17) 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 annexed P. 86-107.

18) District Judge Azrack's 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. 9-107.

19) 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.

20) 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. 9-143.

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 November, 20 23


Notary Public

YAKUBSHOLOM ISKHAKOV
Notary Public, State of New York
No. 01IS6137786
Qualified in Queens County
Commission Expires December 05, 2028

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

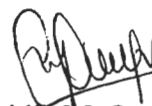
Chuck Schumer
U.S. Senator for New York
780 Third Avenue, Suite 2301
New York, NY 10017

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

11/20/23, 10:33 PM

Gmail - Activity in Case 2:20-cv-03361-JMA-AYS Orrego v. Knipfing et al Order



Lidia Orrego <liorrego@gmail.com>

Activity in Case 2:20-cv-03361-JMA-AYS Orrego v. Knipfing 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

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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. Knipfing et al

Case Number: 2:20-cv-03361-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 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

11/20/23, 10:33 PM

Gmail - Activity in Case 2:20-cv-03361-JMA-AYS Orrego v. Knipping et al Order

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)

2:20-cv-03361-JMA-AYS Notice has been electronically mailed to:

Kuuku Angate Minnah-Donkoh kminnahdonkoh@grsm.com, pguerrero@grsm.com, vls_nysupport@grsm.com

Brian P. McLaughlin bmclaughlin@nassaucountyny.gov

Alex Dumas adumas@grsm.com, dlrivera@grsm.com

Edward E. Warnke ewarnke@grsm.com, tgalarza@grsm.com, vcanarte@grsm.com

Lidia M. Orrego liorrego@gmail.com

2:20-cv-03361-JMA-AYS Notice will not be electronically mailed to:

10/30/23, 10:39 AM

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Lidia Orrego <liorrego@gmail.com>

Activity in Case 2:20-cv-03361-JMA-AYS Orrego v. Knipfing et al Order on Motion to Unseal Document

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Mon, Oct 30, 2023 at 9:46 AM

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U.S. District Court

Eastern District of New York

Notice of Electronic Filing

The following transaction was entered on 10/30/2023 at 9:46 AM EDT and filed on 10/30/2023

Case Name: Orrego v. Knipfing et al
Case Number: 2:20-cv-03361-JMA-AYS
Filer:
Document Number: No document attached

Docket Text:

ORDER denying [173] Motion to Unseal Document. Pro Se Plaintiff's application to unseal documents is denied. Ordered by Judge Joan M. Azrack on 10/30/2023. (JSB)

2:20-cv-03361-JMA-AYS Notice has been electronically mailed to:

Kuuku Angate Minnah-Donkoh kminnahdonkoh@grsm.com, pguerrero@grsm.com, vls_nysupport@grsm.com

Brian P. McLaughlin bmclaughlin@nassaucountyny.gov

Alex Dumas adumas@grsm.com, dlrivera@grsm.com

Edward E. Warnke ewarnke@grsm.com, tgalarza@grsm.com, vcanarte@grsm.com

Lidia M. Orrego liorrego@gmail.com

2:20-cv-03361-JMA-AYS Notice will not be electronically mailed to:

10/30/23, 10:28 AM

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Lidia Orrego <liorrego@gmail.com>

Activity in Case 2:20-cv-03361-JMA-AYS Orrego v. Knipfing 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>
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Mon, Oct 30, 2023 at 9:43 AM

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U.S. District Court

Eastern District of New York

Notice of Electronic Filing

The following transaction was entered on 10/30/2023 at 9:43 AM EDT and filed on 10/30/2023

Case Name: Orrego v. Knipfing et al
Case Number: 2:20-cv-03361-JMA-AYS
Filer:
Document Number: No document attached

Docket Text:

ORDER denying [174] 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 uploading of voluminous and/or improper documents on Box.com in her other case pending under Docket Number 23-CV-3507 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)

2:20-cv-03361-JMA-AYS Notice has been electronically mailed to:

Kuuku Angate Minnah-Donkoh kminnahdonkoh@grsm.com, pguerrero@grsm.com, vls_nysupport@grsm.com

Brian P. McLaughlin bmclaughlin@nassaucountyny.gov

Alex Dumas adumas@grsm.com, dlivera@grsm.com

Edward E. Warnke ewarnke@grsm.com, tgalarza@grsm.com, vcanarte@grsm.com

Lidia M. Orrego liorrego@gmail.com

2:20-cv-03361-JMA-AYS Notice will not be electronically mailed to:



RYDANSECURITY

— — — — —
I N V E S T I G A T I O N S

INVESTIGATIVE MEMO

To: John Keil

From: Kevin Flanagan

Re: Rebecca Lugo-Uzcategui Interview

Date: November 21, 2018

ASSIGNMENT

John Keil ("the client") retained Rydan Security, Inc. ("Rydan") to conduct an in-person interview of Rebecca Lugo-Uzcategui ("Lugo" or "the subject").

INTERVIEW DETAILS

Rebecca Lugo-Uzcategui was interviewed by a Rydan investigator on November 20, 2018. The following are the notes from this interview:

- Lugo states that she has been working for the James family for three years. She states that her primary duty is being the nanny for S [REDACTED]. Lugo takes S [REDACTED] to school for 9:15 AM and picks her up at 12 PM. Lugo does not return to the residence while S [REDACTED] is in school. After pick-up, Lugo takes S [REDACTED] out to eat or to the park. They return home at approximately 2:30 PM.
- According to Lugo the only problem in the household is Taz. Lugo states that Taz does not want anyone speaking Spanish in the house. However, since S [REDACTED] is bilingual, it creates a problem when Lugo speaks to her in Spanish at the house.
- S [REDACTED]'s parents have no issues with Lugo speaking in Spanish. According to Lugo, Mr. and Mrs. James have told her she can do "whatever she wants" with regards to

speaking/teaching Spanish. Lugo states that Taz went as far as telling a Spanish-speaking priest who came to the house to not speak Spanish within the residence.

- Lugo states when Lidia first came to work for the family Lugo was bossy with her because she felt that she did not understand her duties and was, "complicated." She was also initially jealous of Lidia's relationship with S [REDACTED] and her having a second nanny. However, after she saw S [REDACTED] was happy with Lidia, she then felt okay with the Lidia and the overall situation.
- Lugo admits to meeting Lidia with her mother and daughter outside of the house at a diner. This was after Lidia complained to her about how she was being treated by Taz. She states that at the diner they discussed the way Taz was treating them.
- During the interview, Lugo does not mention speaking to Lidia regarding any discrimination lawsuit that day at the diner but did tell Lidia she would speak to Mr. James. Lugo also states that she had a feeling that Lidia recorded the conversation. They spent approximately two hours at the diner.
- Lugo states that Lidia never told her that she was recording Taz. Lugo also claims that if there are in fact any recordings, she has never heard them.
- Lugo states that she never recorded Taz or anyone else.
- In the past, Lugo has told Lidia that she should stand up for herself with regards to Taz and inform her boss of mistreatment.
- Early in the interview, Lugo suggested she was feeling uncomfortable and may want to continue in the presence of a lawyer. When asked why she would need a lawyer she responded she did not understand what the purpose of the interview. Later in the interview she was asked if she did in fact have an attorney and, if she did, what the reason was for having one if she did not plan on litigation like a lawsuit. She stated she does not have a lawyer and was just saying it because she was unsure/uncomfortable in the moment.
- Lugo admits during the interview that she has had arguments in the past in and outside of the house with Taz because of her mistreatment. According to Lugo, Taz mimics her and makes fun of the way she speaks English.
- Lugo and Taz have also had arguments involving S [REDACTED]. Arguments have taken place after Taz told S [REDACTED] that she is not part of the family because she is cared for by Lugo. A specific incident of mistreatment Lugo recalls was when S [REDACTED] was going to a Nickelodeon "Marshmallow" show and was crying out for Lugo. Taz grabbed S [REDACTED] and put her in the car seat. As Taz was putting S [REDACTED] in her car seat, she was telling her she wasn't part of the family. Lugo states that Taz called her and apologized after the incident.
- Lugo was asked whether or not she gives the child candy as a bribe to get S [REDACTED] to comply, like using candy as a "bribe" to get S [REDACTED] to brush her teeth. Lugo denied this.

Privileged and Confidential

She states that there may be candy in the house like Halloween candy but she is not aware of any hidden candy because she doesn't check the draws.

- Lugo admits to approaching Mr. James with regards to the way Taz was treating her about a year ago. Afterwards, things were somewhat better. However, the situation reverted back to the way they were a short time later.
- Lugo states that the children are well cared for and there is no physical abuse. She does however feel that there is some emotional abuse caused by Taz. This is caused by things she says and does when she is in a bad mood.
- Lugo states that Taz home schools K [REDACTED] and feels that she is a good teacher. She added that Taz was very smart. However, she should be more consistent in using the classroom as a setting to teach rather than teaching him in the kitchen or other parts of the residence.
- Lugo states that Taz can be an aggressive driver, especially when she is mad at Lugo or the kids. If Taz does become upset while driving to a location she will turn back around and take everyone home. Lugo claims that Taz sometimes drives fast in the truck. Lugo states she has been in the car with Taz on many occasions and has never been pulled over by the police. Lugo also states that Taz has never been in a verbal altercation or road rage incident with other drivers in her presence.
- Lugo states that Taz loves the kids but talks poorly about Lugo in front of the kids. K [REDACTED] has told her in the past, "you're a bad nanny, I don't want to sit next to you." S [REDACTED] asks Lugo, "Taz love you," and S [REDACTED] also says, "No Beca." Taz doesn't allow the other kids to talk to Lugo.
- Lugo states that cameras inside the residents only record video and do not pickup audio.
- Lugo states that Taz hates her because of her relationship with S [REDACTED].
- Lugo admits to having a strong personality and isn't afraid of, "anyone but God".

End of report

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the court will not award what “could have been avoided or was self-imposed.”⁵⁸

Once the court awards reasonably incurred costs, expenses, and fees, the following question arises: Who has to pay? The language of the statute indicates that “[a]ny attorney or other person admitted to conduct cases . . . may be required by the court to satisfy personally.”⁵⁹ The language is clear that the offending attorney will be the financially responsible party.⁶⁰ However, the statute also applies to “other person[s] admitted to conduct cases.”⁶¹ Pursuant to statute, parties may appear pro se in federal courts, but the statute does not indicate that litigants who appear pro se in federal courts are admitted to conduct cases.⁶² While scholars contend that lawyers are the only persons to whom 28 U.S.C. § 1927 may be applied,⁶³ the circuits are split as to whether 28 U.S.C. § 1927 allows costs, expenses, and fees to be assessed against pro se litigants.⁶⁴

C. The Second Circuit Disallows § 1927 Sanctions Against Pro Se Litigants

In *Sassower v. Field*, the United States Court of Appeals for the Second Circuit considered whether 28 U.S.C. § 1927 sanctions could be applied

58. JOSEPH, *supra* note 45, at 411.

59. 28 U.S.C. § 1927.

60. JOSEPH, *supra* note 45, at 379.

61. 28 U.S.C. § 1927.

62. 28 U.S.C. § 1654 (2000).

63. *See, e.g.*, JOSEPH, *supra* note 45, at 379 (noting that pro se litigants “are not ‘admitted to conduct cases,’ as § 1927 requires, but merely permitted by statute to ‘conduct their own cases’”).

64. The Second Circuit has held that 28 U.S.C. § 1927 does not apply against pro se litigants, while the Ninth Circuit has held that pro se litigants may be sanctioned under the statute. *See infra* Parts II.C-D. Other circuits have not been quite as clear. The Seventh and Third Circuits have recognized the split but have refused to resolve the issue because the court could sanction under its inherent authority. *See Inst. for Motivational Living, Inc. v. Doulos Inst. for Strategic Consulting, Inc.*, 110 F. App’x 283, 286-87 (3d Cir. 2004); *Alexander v. United States*, 121 F.3d 312, 316 (7th Cir. 1997). The Tenth Circuit has commented that “§ 1927 is available against only attorneys,” *Steinert v. Winn Group, Inc.*, 440 F.3d 1214, 1222 (10th Cir. 2006), but has never considered the issue with respect to pro se litigants. The Fifth Circuit has noted that 28 U.S.C. § 1927 sanctions may only be imposed against attorneys; the clients “may not be ordered to pay.” *Matta v. May*, 118 F.3d 410, 413-14 (5th Cir. 1997). In an unpublished opinion, the Sixth Circuit ordered a pro se appellant to pay attorneys’ fees as a sanction on appeal but did not consider whether a pro se litigant could be sanctioned under 28 U.S.C. § 1927. *Blachy v. Butcher*, 142 F. App’x 919, 920 (6th Cir. 2005). Finally, the First, Fourth, Eighth, Eleventh, D.C., and Federal Circuits have not expressed an opinion.

against a pro se litigant.⁶⁵ Doris and Elena Sassower filed a suit claiming a Fair Housing Act violation in 1988.⁶⁶ After the jury found for the defendants, the district court imposed 28 U.S.C. § 1927 sanctions⁶⁷ for the Sassowers' "tactics of delay, oppression and harassment."⁶⁸ When determining whether to impose a sanction, the district court considered that the Sassowers engaged in the following activities during litigation: filed "unsupported bias recusal motions," made "personal attacks on the opposing parties and counsel," filed numerous motions to reargue if they lost a ruling, "filed two improper interlocutory appeals," made a motion for a new trial that essentially reargued the merits, "attempted to communicate directly with the defendants rather than through counsel," and committed several discovery abuses.⁶⁹ The district court judge awarded the defendants \$42,000 under 28 U.S.C. § 1927.⁷⁰

On appeal, the Second Circuit agreed that the Sassowers' conduct was unreasonable and vexatious.⁷¹ The district court judge decided that 28 U.S.C. § 1927 could be "applied against non-lawyer pro se litigants," a decision with which the Second Circuit disagreed.⁷² The district court judge reasoned that pro se litigants were "person[s] admitted to conduct cases because they had been granted permission to proceed pro se."⁷³ In reversing the district court's decision that pro se litigants could be sanctioned under 28 U.S.C. § 1927, the appellate panel noted that pro se litigants have the right to appear without representation pursuant to federal statute.⁷⁴ In this case, when the Sassowers' former attorney withdrew from the case, the Sassowers did not have to obtain permission from the court before appearing pro se.⁷⁵ Therefore, the Second Circuit concluded that "the word 'admitted' . . . suggest[ed] application to those who, like attorneys, gain approval to appear in a lawyerlike capacity"

65. 973 F.2d 75 (2d Cir. 1992).

66. *Id.* at 77. More specifically, the Sassowers claimed that the owner of a cooperative apartment building "had discriminated against them by rejecting their application to acquire an apartment in the building" because they were "single, Jewish women." *Id.*

67. The court also imposed sanctions under Rule 11 and the court's inherent power. *Id.*

68. *Id.* (internal quotation marks omitted). The district court judge noted that "[t]he Sassowers pursued this litigation as if it was [sic] a holy war and not a court proceeding." *Id.* at 78.

69. *Id.* With respect to the discovery abuses, the magistrate judge recommended dismissal of the case because Doris Sassower refused to be deposed and was uncooperative when she finally was deposed. *Id.* In addition, Doris Sassower assisted in conducting the harassing depositions. *Id.*

70. *Id.* at 80.

71. *Id.*

72. *Id.* (emphasis omitted).

73. *Id.* (emphasis omitted) (internal quotation marks omitted).

74. *Id.*

75. *Id.*

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rather than to pro se litigants.⁷⁶ In addition, the court concluded that Congress did not intend for pro se litigants to be sanctioned under 28 U.S.C. § 1927 because of the statute's language.⁷⁷ Under the prior version of the statute, the sanctions applied against "any attorney, proctor, or other person admitted."⁷⁸ The court determined that the prior language of the statute suggested that Congress intended "other person" [to] cover[] only those admitted to act in a lawyerlike capacity."⁷⁹ The court also recognized that the United States Supreme Court mentioned, without elaboration or "disagreement, . . . that section 1927 'applies only to attorneys.'"⁸⁰ Thus, the Second Circuit reversed the 28 U.S.C. § 1927 sanction award against Elena Sassower.⁸¹ However, the court upheld the award against Doris Sassower because she was a licensed attorney representing herself at the time of the litigation and the purpose of the statute is to "curb abusive tactics by lawyers."⁸²

D. The Ninth Circuit Allows § 1927 Sanctions Against Pro Se Litigants

The United States Court of Appeals for the Ninth Circuit considered whether 28 U.S.C. § 1927 sanctions could be applied against a pro se litigant in *Wood v. Santa Barbara Chamber of Commerce, Inc.*⁸³ This case came to the circuit court from a dismissal of Wood's complaint.⁸⁴ The case was "a consolidation of 36 suits filed by Wood throughout the country" and "[was] the latest in a series of suits brought by Wood . . . arising out of the same or similar alleged incidents."⁸⁵ Wood filed a complaint against 300 defendants charging "copyright infringement, common-law unfair competition, violation of the Sherman Act, and conspiracy to commit trade libel."⁸⁶ The first complaint was incomprehensible, so the district court allowed Wood to orally state the complaint in court because he was a pro se litigant.⁸⁷ Then, the court told Wood how to amend the complaint to comply with the Federal Rules of

76. *Id.*

77. *Id.*

78. *Id.* (citing *Motion Picture Patents Co. v. Steiner*, 201 F. 63, 64 (2d Cir. 1912)).

79. *Id.*

80. *Id.* (citing *Chambers v. NASCO, Inc.*, 501 U.S. 32, 41 (1991)).

81. *Id.*

82. *Id.* The court noted, however, that Doris Sassower's status as a member of the bar, at the time of the appeal, was in doubt. *Id.* at 77.

83. 699 F.2d 484 (9th Cir. 1983) (per curiam).

84. *Id.* at 485.

85. *Id.*

86. *Id.*

87. *Id.*

Exhibit 4

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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,

Defendant(s).

X

M. Judge Joan M. Azrack

EDNY 20CV3361 (JMA) (AYS)

NOTICE OF MOTION

- a) Disqualify Opposite Counsel for
Ethical Violation, Conflict of Interest,
Fraud, Perjury, Organized Crime
- b) Preliminary Injunction
- c) Protective Order d) Strike Pleadings

PLEASE TAKE NOTICE that upon the annexed affirmation of Lidia M. Orrego well-supported with Memoranda of Law and 13 Exhibits, **total pages 73**, sworn to or affirmed November 13, 2023, and upon the complaint herein, the Plaintiff will move this Court according to her Constitutional Right to Due Process of Law and Freedom of Speech, District Judge Joan M. Azrack U.S.J., in room 920, United States Courthouse, 100 Federal Plaza, Central Islip, NY, 11722, **on the day 30 of November 2023, at 10:30 am** or as soon thereafter as counsel can be heard, for orders to protect her Right to Due Process a) Disqualify Opposite Counsel for Gross Ethical Violation, Conflict of Interest, Fraud, Perjury, Organized Crime; b) Preliminary Injunction; c) Protective or Restraining Order against Gordon Rees Scully Mansukhani LLC; d) Strike ALL Fraudulent Pleadings and Motions filed by Defendants due Gross Ethical Violations.

Respectfully submitted,

Dated: November 13, 2023

Rego Park, New York



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

Notice: COURT upholds the FRCP and Local Civil Rule under Due Process of Law; Plaintiff has the right to file the Reply to Defendants' Opposition before the RETURN DAY.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

X

Lidia M. Orrego

Plaintiff,

-against-

AFFIRMATION IN SUPPORT
PLAINTIFF'S MOTION

Case No. 20CV3361(JMA)(AYS)

Kevin Knipfing a/k/a Kevin James,
Stephanieanna James-Knipfing a/k/a Steffiana
de la Cruz, Old Westbury EDDIE LLC,
Old Westbury, LLC, Teresa A. Zantua

District Judge Joan M. Azrack

Defendant(s).

X

PLAINTIFF'S MOTION a) DISQUALIFY OPPOSITE COUNSEL FOR ETHICAL VIOLATION, CONFLICT OF INTEREST, FRAUD, PERJURY, ORGANIZED CRIME; b) PERMANENT INJUNCTION; c) PROTECTIVE OR RESTRAINING ORDER AGAINST GORDON REES SCULLY MANSUKHANI LLC; d) STRIKE ALL FRAUDULENT PLEADINGS AND MOTIONS FILED BY DEFENDANTS RELATED USE OF WORK-PRODUCT" FROM WORKERS COMPENSATION BOARD ("WCB") CASE NO. G 2584330

Lidia M. Orrego makes the following affirmation under the penalties of perjury:

I, Lidia M. Orrego, the plaintiff in the above-entitled action, respectfully move this Court to issue an order for simultaneous motions:

a) Disqualify Opposite Counsel **Gordon Rees Scully Mansukhani LLC** (GRSM") for Ethical Violation, Conflict Of Interest, Fraud, Perjury, Organized Crime;

b) Preliminary Injunction Under FRCP Rule 65;

c) Protective or Restraining Order against GRSM under FRCP Rule 65;

d) Strike All Fraudulent Pleadings And Motions Filed By Defendants Related to the Use of "Work-Product" from WCB Case No. G 2584330 Under FRCP Rule 11.

I. PRELIMINARY STATEMENT

According to the corrupt New York State Attorney General Letitia James' speech this week over the Trial against former US President Donald Trump, she stated several times the only matters in a case are the FACTS and evidence.

Corrupt New York State Attorney General Letitia James has double speech and selective prosecution since her office ignored the Plaintiff's Complaint against her Workers' Compensation counsel [Pasternack Tilker Ziegler Walsh Stanton & Romano LLP, Pasternack Tilker Weitz & Luxenberg LLP](#) ("Law Firm"), for fraud and organized crime since July 2021. See annexed [Exhibit 1](#), P.14.

Explanation of the Facts Docket 20CV3361 (JMA) (AYS), related cases WCB G2584330 and Docket 23CV6507 (JMA) (AYS): "Plaintiff was subjected to pervasive and severe physical and emotional assaults, verbal abuse, harassment, retaliation, victimization, violence, etc. according to plenty documentary evidence such as text messages, emails, recordings, transcriptions, medical records, etc. during her employment with Defendants as evidence based on her race by Zantua, Defendants Knipfings and the Corporations (one unregistered corporation "Old Westbury LLC" under the Defendants Knipfings). The Knipfings and Corporations failed to address and/ or take against Zantua for creating a dangerous work environment affecting Plaintiff's physical and emotional well-being, resulting in irreversible damages and in retaliation, Plaintiff was terminated within days after filing her complaint." See [Plaintiff's Amended Complaint ECF Id. \[1\]](#).

Plaintiff retained the Law Firm on September 5, 2019, to represent her at the [WCB case G2584330](#), but the Law Firm purposely lost the case because she never turned in the docket ALL Plaintiff's medical records or evidence. The Law Firm never mentioned in any pleadings the transcript of the recording to destroy the false Independent Medical Examiner ("IME") report fabricated by Jason Hochfelder, MD.

a) **Defendants' Relationship with Plaintiff's lawyers WCB case G2584330**

Facts: On October 28, 2023, Plaintiff discovered that her lawyer, the Law Firm, has been a current client of the Defendants' counsel since 2012, Gordon Rees Scully Mansukhani LLP ("GRSM").

Evidence: Plaintiff discovered that the Defendants' counsel, GRSM, has been the Law Firm counsel since 2012 in Supreme State cases for legal malpractice and employment cases:

Exhibit 2: Supreme Court New York County - Notice of Appearance filed June 19, 2018, GRSM as counsel of the Law Firm Index No. 150188/2018. NYSCEF Id. [8]. See annexed P. 15-16.

Exhibit 3: Supreme Court NY County - Notice Entry Index No. 150188/2018 filed April 21, 2021, GRSM as counsel of the Law Firm. NYSCEF Id. [100]. See annexed P. 17-18.

Exhibit 4: Supreme Court NY County - Notice Entry Index No. 150188/2018 filed March 28, 2023, GRSM as counsel of the Law Firm. NYSCEF Id. [100]. See annexed P. 19-20.

Exhibit 5: Plaintiff's Letter Report to District Judge Azrack dated October 28, 2023, and evidence that she discovered the client-lawyer relationship between the Defendants' counsel GRSM and her counsel Law Firm. See annexed P. 21-32.

Exhibit 6: January 28, 2021: Transcription of the communication between Plaintiff and her WC Counsel Joseph Mercurio- Law Firm. Mr. Mercurio FALSELY confirmed that ALL the evidence was filed in her case; see annexed P. 33-35.

Exhibit 7: June 17, 2021: Law Firm's Letter confirms they lost the First Appeal WCB G2584330. Also, the Law Firm continues her representation at the WCB level, and for any questions, she can call the Law Firm. See annexed P.36.

Exhibit 8: June 24, 2021: Law Firm Letter explained that they never filed all the evidence in her case. The goal was to ruin the WCB case G2584330 because they are in a client-lawyer relationship with GRSM, the Defendants' counsel. Law Firm was working all the time for the Defendants in this case. See annexed P. 37-42.

Exhibit 9: July 6, 2021: Law Firm filed Form OC400.17, "Attorney/Licensed Representative Request To Withdraw From Representation," but lying in the form signed by Matthew Funk- Law Firm. See annexed P. 43-44.

b) Pertinent Background

Fact: Law Firm lost the Plaintiff's case on March 5, 2021, and June 17, 2021, and left the case without filing the RB89.2 - Application For Reconsideration / Full Board Review on July 2021 without a Court order to ruin Plaintiff WCB case G2584330. The Law Firm lied to the Plaintiff until today about the case and how they helped the Defendants and their Counsel, GRSM, fabricate a "leverage" to ruin the WCB case G2584330 and, after, this case.

Evidence: Exhibit 10: April 1, 2022: Edgar Romano-Law Firm lied; they never disclosed their relationship with Defendants' counsel GRSM and never filed all the evidence. Falsely stated: "We undertook your representation because we believed in your case, and we provided substantial legal services to protect your interests. We did so on a contingency basis, and according to the Retainer, an appeal of such a decision is excluded. **Thus, when the WCB's Decision came down, we were likewise disappointed with the findings**" See annexed P. 45-46.

Exhibit 11: December 14, 2022: Transcription of the call between Plaintiff and her WC Counsel Matthew Funk - Law Firm. Mr. Funk rejected helping Plaintiff several times during her Appeal since they lost the case to support their lawyer, GRSM, and their real client, actor Kevin James, a/k/a Kevin Knipfing. See annexed P. 47-51.

Fact: The law firm never made the full disclosure, and they simultaneously shared representation with the Defendant's counsel, [GRSM](#). Law Firm knew precisely who the Plaintiff was all the time; they were pretending to give her "legal services to protect her interests" when Law Firm's common goal with the Defendants' Counsel GRSM was to ruin her case and her reputation.

Evidence: Exhibit 12: November 6, 2023: Plaintiff requested that Diana Maxfield Kearse, Chief Counsel of Committee Grievance Second Department, reopen File No. K- 908-21 and Disbarment of [Pasternack Tilker Ziegler Walsh Stanton & Romano LLP, Pasternack Tilker Weitz & Luxenberg LLP](#) ("Law Firm"). See annexed P. 52-55.

Exhibit 13: November 2023: Plaintiff filed simultaneous complaints reporting all the Fraud at [WCB G2584330 and the Docket 535740](#) at Appellate Division Third Department. See annexed P. 56-72.

II. PLAINTIFF'S SIMULTANEOUS MOTIONS

a) DISQUALIFY OPPOSITE COUNSEL GORDON REES SCULLY MANSUKHANI LLC FOR ETHICAL VIOLATION, CONFLICT OF INTEREST, FRAUD, PERJURY, ORGANIZED CRIME

GRSM and Law Firm 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 outrageous 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 have been established in the first hearing. See annexed Exhibit 5, P. 21-32.

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. See Exhibit 5, P. 21-32.

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. See EDNY 23CV6507 (JMA) (AYS) -Exhibit 10, 11, 12 13, P. 45-72.

The Law Firm's "work-product" was loyal to their lawyer, GRSM, and breached the duty of confidentiality and loyalty to the Plaintiff and violated the sacred client-lawyer relationship. See annexed Exhibit 10, 11, 12 13, P. 45-72.

The Law Firm's actions show SELF-INTERES in providing services to GRSM and their Defendants actor Kevin James as Client, not to the Plaintiff.

Rule 1.7(a)(2) of the Rules of Professional Conduct prohibits a lawyer from accepting employment if her exercise of professional judgment on behalf of her client will or reasonably may be affected by the lawyer's own personal interests.

The outcome of WCB G2584330 is that the Law Firm is self-interested and adverse to the Plaintiff's interest, and the evidence shows they harmed her case and reputation, leading to malpractice claims. Plaintiff can prove the Law Firm's work product and loyalty are adversely affected by the Law Firm's own conflicting interests. See annexed Exhibits 1, 2, 3, 4, 5, P. 14-32.

[GRSM](#) cannot represent the Defendants in this case since their client, "Law Firm' work product," is part of the Plaintiff's "Evidentiary Record" of the WCB case G2584330: " Pursuant to [Rule 3.7 of the Rules of Professional Conduct](#), an attorney may not act as an advocate in a matter "where it is likely that [he or she] will be called as a witness on a significant issue other than on behalf of the client, and it is apparent that the testimony may be prejudicial to the client, or where the attorney

knows he or she is likely to be a witness on a significant issue of fact on the client's behalf."

GRSM is automatically disqualified since they are in continuous and simultaneous representation between Plaintiff and Defendant's adverse interest in this case. GRSM was stalking and harassing Plaintiff for YEARS with their client, the Law Firm, in violation of the sacred client-lawyer relationship and revealed all Plaintiff's secrets to their OWN benefit with their "mafia connections."

b) PRELIMINARY INJUNCTION UNDER FRCP RULE 65

Plaintiff filed the first ECF Id. [74] Preliminary Injunction was due to the GRSM's fraud in this action, and the Court denied the motion with a defective order, lack of specificity, and overlooking the FACTS+EVIDENCE to protect the organized crime of GRSM. See Exhibit 1, P. 14.

Plaintiff requests in this motion for the second time an Order Preliminary Injunction against GRSM to prevent the use against her of the LAW FIRM's "work-product and outcome" in the WCB case G2584330 and Appeal Docket 535740 – Appellate Division Third Department in Plaintiff's prejudice, continue GRSM's fraud or upon Court, perjury and obstruction of justice. See Exhibits 1-13 P. 14-72.

c) PROTECTIVE OR RESTRAINING ORDER AGAINST GORDON REES SCULLY MANSUKHANI LLC UNDER FRCP RULE 65

Plaintiff requested a Protective Order from GRSM not to use her secrets that her counsel, the "Law Firm," violated and shared with them to help their common client, the actor Kevin James, and all the Defendants. See annexed Exhibit 1, P. 14.

Plaintiff requests a protective order against GRSM so that they do not continue to harass and abuse her in this process; it is clear that GRSM is well-connected and has influence financial, social, or political over judges and Government Agencies to issue orders against the FACTS + EVIDENCE. See Exhibits 1-13 P. 14-72.

**d) STRIKE ALL FRAUDULENT PLEADINGS AND MOTIONS FILED BY
DEFENDANTS RELATED USE OF WORK-PRODUCT”
FROM WCB CASE NO. G 2584330 UNDER FRCP RULE 11**

Plaintiff requests a Motion to Strike all the pleadings and motions filed by GRSM that include work-product LAW FIRM “work-product and outcome” in the WCB case G2584330 and Appeal Docket 535740 – Appellate Division Third Department in Plaintiff’s prejudice based on Law Firm fraud at WCB G2584330 in violation of the FRCP Rule 11.

GRSM cannot use the outcome or work product of their client “Law Firm” against the Plaintiff’s case since they violated ethical rules under [Rule 3.7](#) .

CONCLUSION

Plaintiff requests for all the reasons above and to protect her Constitutional Rights of Due Process to preserve the Court's Integrity and Transparency.

Judges and GRSM have turned this case into a CIRCUS with their mafia connections that have no slightest shame. See annexed Exhibit 1, P. 14.

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.

Plaintiff reserves all rights to file Dispositive Motions.

Plaintiff's request to disqualify GRSM is not because they are competent at all. It is because they are dangerously fraudulent and criminals. See annexed Exhibits 1-13 P. 14-72.

Attorney General Letitia James' corrupt and selective prosecution constantly states only the **FACTS + EVIDENCE** matters.

Former President Donald Trump is lucky because his lawyer, Ms. Alina Habba, has a microphone and can report all the corruption in the "Legal System." Not everyone has a lawyer like her who puts jealousy in her representation and advocates for his client.

Plaintiff was deceived for years in her Good Faith because she is Hispanic and a woman and fell into the trap when she signed the retainer with criminals, the Law Firm Pasternack Tilker Ziegler Walsh Stanton & Romano LLP, Pasternack Tilker Weitz & Luxenberg LLP, and their counsel and associate in the criminal enterprise or organized crime of GRSM to ruin her Worker Compensation case G2584330 and this case.

WHEREFORE, Plaintiff respectfully requests that the court GRANT the within the simultaneous motions, as well as such other and further relief that may be just and proper.

Respectfully submitted,

Date: November 13, 2023
Rego Park, New York


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

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

X

Lidia M. Orrego

Plaintiff,

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, Teresa A. Zantua

Defendant(s).

X

**MEMORANDA OF LAW
IN SUPPORT MOTION**

Case No. 20CV3361(JMA)(AYS)

District Judge Joan M. Azrack

NOW COMES the above-named, Lidia M. Orrego, the plaintiff petitioner herein, and moves to a) Disqualify Opposite Counsel for Ethical Violation; Conflict of Interest, Fraud, Perjury, Organized Crime; b) Permanent Injunction; c) Protective or Restraining Order against Gordon Rees Scully Mansukhani LLC; d) Strike ALL Fraudulent Pleadings and Motions filed by Defendants due Gross Ethical Violations under FRCP Rules, 65 & 11 from the above-entitled matter.

PLAINTIFF'S SIMULTANEOUS MOTIONS-STANDING

"A party seeking to disqualify another party's attorney on conflict of interest grounds must have standing to do so based on either being a present or former client of the subject attorney. (*Campbell v McKeon*, [75 AD3d 479](#) [1st Dept 2010]; *A.F.C. Enter., Inc. v New York School Constr. Auth.*, [33 AD3d 736](#) [2d Dept 2006])." Plaintiff proves the existence of a lawyer-client relationship between her counsel, the "Law Firm, and the Defendants' counsel, GRSM.

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.

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.

a) DISQUALIFY OPPOSITE COUNSEL FOR ETHICAL VIOLATION, CONFLICT OF INTEREST, FRAUD, PERJURY, ORGANIZED CRIME

Plaintiff's Counsel Law Firm has been a current client of the Defendants' Counsel GRSM since 2012. Gross Conflict of Interest, Ethical Violations, Fraud, Perjury, and Organized Crime are part of the GRSM's services for their clients to the Plaintiff's prejudice.

"As an attorney owes a duty of confidentiality and loyalty to his or her client, the attorney must avoid not only the fact, but the appearance of representing conflicting interests. (*Tekni-Plex, Inc. v Meyner and Landis*, [89 NY2d 123](#) [1996]).

"Thus, pursuant to section 1.7 of the Rules of Professional Conduct, an attorney may not act as an advocate in a matter where he or she has a conflict of interest with his or her current client."

"As disqualification conflicts with the policy favoring a party's representation of counsel of its choice, the party moving for disqualification must establish that: (1) a prior attorney-client relationship existed between the moving party and opposing counsel, (2) the matters involved in both representations are substantially related, and (3) the interests of the present and former client are materially adverse. (*Tekni-Plex, Inc.*, [89 NY2d at 131](#))."

"Whether to disqualify an attorney from continuing to represent his or her client lies within the sound discretion of the court, and **doubts as to the existence of a conflict of interest must be resolved in favor of disqualification to avoid the appearance of impropriety.** (*Delaney v Roman*, [175 AD3d 648](#) [2d Dept 2015])."

b) PRELIMINARY INJUNCTION UNDER FRCP RULE 65

Plaintiff's case is in danger since GRSM committed fraud on or upon the Court and obstruction of justice among the others in this case and has financial, social or political influence in judges' decisions against the FACTS + Evidence.

"See Doe v. Axelrod, 73 N.Y.2d 748, 750 (1988). **Federal Standard:** Federal Injunctions are governed by Federal Rule of Civil Procedure 65. "To prevail on a motion for a preliminary injunction, '[t]he moving party must show

1. irreparable harm **and** ; 2. either (a) likelihood of success on the merits **or** (b) sufficiently serious questions going to the merits **and**;

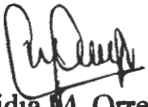
3. a balance of hardships tipping decidedly toward the party seeking the injunctive relief.' . . . 'Such relief, however, is an extraordinary and drastic remedy, one that should not be granted unless the movant, by a clear showing, carries the burden of persuasion.'" See Johnson v. Burge, 506 Fed. Appx. 10, 11 (2d Cir. 2012)."

Plaintiff's FACTS+EVIDENCE: See Exhibits 1-13, P. 14-72, which successfully proves all the elements to reach the standard for an Order for Preliminary Injunction.

WHEREFORE, Plaintiff respectfully requests that the court GRANT the simultaneous motions, as well as such other and further relief that may be just and proper.

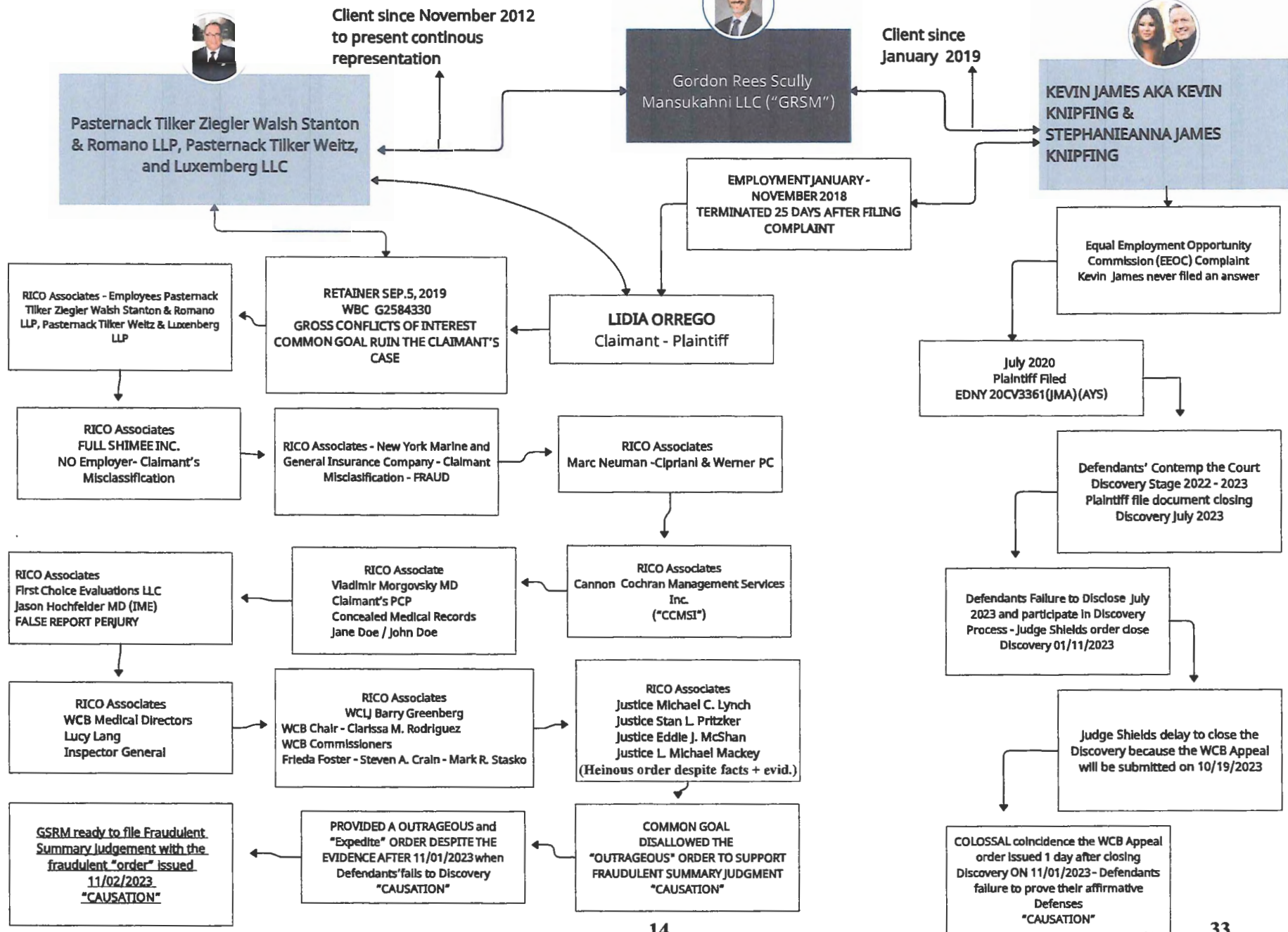
Respectfully submitted,

Date: November 13, 2023
Rego Park, New York


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

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

EXHIBIT 1



FILED: NEW YORK COUNTY CLERK 06/19/2018 11:27 AM

INDEX NO. 150188/2018

NYSCEF DOC. NO. 8

RECEIVED NYSCEF: 06/19/2018

EXHIBIT 2

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

----- X

GINAMARIE DEFRANCO and DANIEL
DEFRANCO,

Index No.: 150188/2018

Plaintiffs,

-against-

NOTICE OF APPEARANCE

NAPOLI BERN RIPKA SHKOLNIK, LLP; NAPOLI
SHKOLNIK, PLLC (as successor firm); BERN RIPKA LLP
(as successor firm); PAUL J. NAPOLI, ESQ.; MARC J. BERN,
ESQ.; VINCENT L. GONZALEZ, ESQ.; GONZALEZ LAW
GROUP, PLLC; BRECHER, FISHMAN, PASTERNAK,
HELLER, WALSH & TILKER, P.C.; BRECHER FISHMAN
PASTERNAK POPISH HELLER REIFF & WALSH, P.C.;
BRECHER, FISHMAN, PASTERNAK, WALSH, TILKER
& ZIEGLER, P.C.; BRECHER, FISHMAN, PASTERNAK,
POPISH, FUT, HELLER, RUBIN & REIFF, P.C.; BRECHER,
FISHMAN, PASTERNAK, HELLER, REIFF, WALSH, &
TILKER, P.C.; BRECHER, FISHMAN, FEIT, HELLER,
RUBIN & TANNENBAUM, P.C.; BRECHER, FISHMAN,
PASTERNAK, POPISH, HELLER, RUBIN & REIFF, P.C.;
LAW OFFICE OF BRECHER, FISHMAN, PASTERNAK;
PASTERNAK TILKER ZIEGLER WALSH STANTON &
ROMANO, LLP; PASTERNAK TILCKER ZIEGLER
WALSH STANTON & ROMANO, LLP; CHARLES
NOLET, ESQ.; and, PASTERNAK TILKER NAPOLI
BERN LLP,;

Defendants.

----- X

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that the undersigned attorneys, of the law offices of Gordon
Rees Scully Mansukhani, LLP, hereby files this Notice of Appearance in the above-referenced
action as counsel for Defendants, BRECHER, FISHMAN, PASTERNAK, HELLER, WALSH &
TILKER, P.C.; BRECHER FISHMAN PASTERNAK POPISH HELLER REIFF & WALSH, P.C.; BRECHER,
FISHMAN, PASTERNAK, WALSH, TILKER & ZIEGLER, P.C.; BRECHER, FISHMAN, PASTERNAK,
POPISH, FUT, HELLER, RUBIN & REIFF, P.C.; BRECHER, FISHMAN, PASTERNAK, HELLER, REIFF,
WALSH, & TILKER, P.C.; BRECHER, FISHMAN, FEIT, HELLER, RUBIN & TANNENBAUM, P.C.;

FILED: NEW YORK COUNTY CLERK 06/19/2018 11:27 AM

INDEX NO. 150188/2018

NYSCEF DOC. NO. 8

RECEIVED NYSCEF: 06/19/2018

BRECHER, FISHMAN, PASTERNAK, POPISH, HELLER, RUBIN & REIFF, P.C.; LAW OFFICE OF BRECHER, FISHMAN, PASTERNAK; PASTERNAK TILKER ZIEGLER WALSH STANTON & ROMANO, LLP; PASTERNAK TILCKER ZIEGLER WALSH STANTON & ROMANO, LLP, in this matter, and requests that copies of all briefs, motions, orders, correspondence and other papers be served on the undersigned at the office address stated below.

Dated: New York, New York
June 19, 2018

Respectfully submitted,

GORDON REES SCULLY MANSUKHANI, LLP

By: Joseph Salvo, Esq.

Joseph Salvo, Esq.

Samantha Litt, Esq.

Attorneys for Defendants

BRECHER, FISHMAN, PASTERNAK, HELLER, WALSH & TILKER, P.C.; BRECHER FISHMAN PASTERNAK POPISH HELLER REIFF & WALSH, P.C.; BRECHER, FISHMAN, PASTERNAK, WALSH, TILKER & ZIEGLER, P.C.; BRECHER, FISHMAN, PASTERNAK, POPISH, FUT, HELLER, RUBIN & REIFF, P.C.; BRECHER, FISHMAN, PASTERNAK, HELLER, REIFF, WALSH, & TILKER, P.C.; BRECHER, FISHMAN, FETT, HELLER, RUBIN & TANNENBAUM, P.C.; BRECHER, FISHMAN, PASTERNAK, POPISH, HELLER, RUBIN & REIFF, P.C.; LAW OFFICE OF BRECHER, FISHMAN, PASTERNAK; PASTERNAK TILKER ZIEGLER WALSH STANTON & ROMANO, LLP; PASTERNAK TILCKER ZIEGLER WALSH STANTON & ROMANO, LLP
1 Battery Park Plaza, 28th Floor
New York, New York 10004
Phone: (212) 269-5500
Fax: (212) 269-5505

FILED: NEW YORK COUNTY CLERK 04/21/2021 04:02 PM

INDEX NO. 150188/2018

NYSCEF DOC. NO. 100

RECEIVED NYSCEF: 04/21/2021

EXHIBIT 3

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

-----X
GINAMARIE DEFRANCO and DANIEL DEFRANCO,

Index No.: 150188/2018

Plaintiffs,

NOTICE OF ENTRY

-against-

NAPOLI BERN RIPKA SHKOLNIK, LLP; NAPOLI SHKOLNIK, PLLC (as successor firm); BERN RIPKA LLP (as successor firm); PAUL J. NAPOLI, ESQ.; MARC J. BERN, ESQ.; VINCENT L. GONZALEZ, ESQ.; GONZALEZ LAW GROUP, PLLC; BRECHER, FISHMAN, PASTERNAK, HELLER, WALSH & TILKER, P.C.; BRECHER FISHMAN PASTERNAK POPIH HELLER REIFF & WALSH, P.C.; BRECHER, FISHMAN, PASTERNAK, WALSH, TILKER & ZIEGLER, P.C.; BRECHER, FISHMAN, PASTERNAK, POPIH, FUT, HELLER, RUBIN & REIFF, P.C.; BRECHER, FISHMAN, PASTERNAK, HELLER, REIFF, WALSH, & TILKER, P.C.; BRECHER, FISHMAN, FEIT, HELLER, RUBIN & TANNENBAUM, P.C.; BRECHER, FISHMAN, PASTERNAK, POPIH, HELLER, RUBIN & REIFF, P.C.; LAW OFFICE OF BRECHER, FISHMAN, PASTERNAK; PASTERNAK TILKER ZIEGLER WALSH STANTON & ROMANO, LLP; PASTERNAK TILCKER ZIEGLER WALSH STANTON & ROMANO, LLP; CHARLES NOLET, ESQ.; and, PASTERNAK TILKER NAPOLI BERN LLP,

Defendants.

-----X

PLEASE TAKE NOTICE, that the within is a true and correct copy of the Decision and Order of Justice James Edward D'Auguste of the Supreme Court of the State of New York, New York County, dated April 14, 2021. This Decision and Order was duly entered into the Office of the Clerk of New York County on April 14, 2021.

FILED: NEW YORK COUNTY CLERK 04/21/2021 04:02 PM

INDEX NO. 150188/2018

NYSCEF DOC. NO. 100

RECEIVED NYSCEF: 04/21/2021

Dated: New York, New York
April 21, 2021

GORDON REES SCULLY
MANSUKHANI, LLP

By: 

Joseph Salvo, Esq.

Jared Mogil, Esq.

Attorneys for Defendants

Brecher, Fishman, Pasternack, Heller, Walsh
& Tilker, P.C.; Brecher Fishman Pasternack

Popish Heller Reiff & Walsh, P.C.; Brecher,
Fishman, Pasternack, Walsh, Tilker &

Ziegler, P.C.; Brecher, Fishman, Pasternack,
Popish, Feit, Heller, Rubin & Reiff, P.C.,

Brecher, Fishman, Pasternack, Heller, Reiff,
Walsh, & Tilker, P.C., Brecher, Fishman,

Feit, Heller, Rubin & Tannenbaum, P.C.,
Brecher, Fishman, Pasternack, Popish,

Heller, Rubin & Reiff, P.C., Law Office of
Brecher, Fishman, Pasternack; Pasternack

Tilker Ziegler Walsh Stanton & Romano,
LLP; and Pasternack Tilker Ziegler Walsh

Stanton & Romano, LLP

One Battery Park Plaza, 28th Floor

New York, New York 10004

(212) 269-5500

To: Bailey Law, P.C.
Attorneys for Plaintiffs
485 Underhil Blvd., Suite 308
Syosset, NY 11791
(516) 864-2100

Kaufman Borgeest & Ryan LLP
Attorneys for Defendants
Napoli Bern Ripka Shkolnik, LLP
Pasternack Tilker Napoli Bern, LLP
Paul J. Napoli, Esq.
Marc J. Bern, Esq.
Vincent L. Gonzales, Esq.
& Charles Nolet, Esq.
120 Broadway, 14th Floor
New York, New York 10271

FILED: NEW YORK COUNTY CLERK 03/28/2023 04:41 PM

INDEX NO. 150188/2018

NYSCEF DOC. NO. 161

RECEIVED NYSCEF: 03/28/2023

EXHIBIT 4

SUPREME COURT OF THE STATE OF NEW
YORK COUNTY OF NEW YORK

GINAMARIE DEFRANCO and DANIEL DEFRANCO,

Plaintiffs,

Index No. 150188/2018

-against-

Order with Notice of Entry

NAPOLI BERN RIPKA SHKOLNIK, LLP; NAPOLI SHKOLNIK, PLLC (as successor firm); BERN RIPKA LLP (as successor firm); PAUL J. NAPOLI, ESQ.; MARC J. BERN, ESQ.; VINCENT L. GONZALEZ, ESQ.; GONZALEZ LAW GROUP, PLLC; BRECHER, FISHMAN, PASTERNAK, HELLER, WALSH & TILKER, P.C.; BRECHER FISHMAN PASTERNAK POPIH HELLER REIFF & WALSH, P.C.; BRECHER, FISHMAN, PASTERNAK, WALSH, TILKER & ZIEGLER, P.C.; BRECHER, FISHMAN, PASTERNAK, POPIH, FUT, HELLER, RUBIN & REIFF, P.C.; BRECHER, FISHMAN, PASTERNAK, HELLER, REIFF, WALSH, & TILKER, P.C.; BRECHER, FISHMAN, FEIT, HELLER, RUBIN & TANNENBAUM, P.C.; BRECHER, FISHMAN, PASTERNAK, POPIH, HELLER, RUBIN & REIFF, P.C.; LAW OFFICE OF BRECHER, FISHMAN, PASTERNAK; PASTERNAK TILKER ZIEGLER WALSH STANTON & ROMANO, LLP; PASTERNAK TILCKER ZIEGLER WALSH STANTON & ROMANO, LLP; CHARLES NOLET, ESQ.; and, PASTERNAK TILKER NAPOLI BERN LLP,

Defendants.

COUNSEL:

PLEASE TAKE NOTICE, that the within is a true copy of the Decision and Order dated March 28, 2023, duly signed by the Honorable James d'Auguste, J.S.C. of the Supreme Court, New York County, and electronically filed on March 28, 2023.

Dated: New York, New York
March 28, 2023

FILED: NEW YORK COUNTY CLERK 03/28/2023 04:41 PM

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NYSCEF DOC. NO. 161

Case 23-1114, Document 26-5, 11/16/2023, 3591059, Page 20 of 73

RECEIVED NYSCEF: 03/28/2023

Very Truly Yours,

Kevin Volkommer, Esq.
GORDON REES SCULLY
MANSUKHANI, LLP
1 Battery Park Plaza, 28th Floor
New York, New York 10004
Attorneys for Pasternack Defendants

TO ALL PARTIES VIA NYSCEF

EXHIBIT 5

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. Knipfing et al.
Docket No. 20CV3361(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 12.- 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 accomplices 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

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JOSEPH SALVO

PARTNER

PRACTICES

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

CONTACT

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- (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

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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

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- (212) 453-0702

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- mcolwin@grsm.com

Attorney Biography

Mercedes Colwin, a highly successful trial attorney, is the founding partner of GRSM's 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

PARTNER PRACTICES

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

Attorney Biography

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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.

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

Case 23-1114, Document 26-5, 11/16/2023, 2591059, Page28 of 73



BRIAN E. MIDDLEBROOK

PARTNER PRACTICES

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

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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

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NYSCEF - New York State Courts Electronic Filing

Case Search Results

Case Type: **Torts - Other Professional Malpractice**
 Business/Organization Name: **pasternack**

Sort By: Claim/Index #

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 Yasinowski - v. - Pasternack Tilker Ziegler Walsh Stanton & Romano, LLP	Nassau County Supreme Court Torts - Other Professional Malpractice

10/27/23, 10:31 PM

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

Case Search ResultsCase 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 & Reiff, 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>

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NYSCEF - New York State Courts Electronic Filing (Help Pages)

Case Search ResultsCase Type: **Commercial - Other**Business/Organization Name: **Pasternack Tilker**

Sort By: Claim/Index #



651243/2020 02/25/2020	Full Participation Recorded Active	Evelyn Quiles v. Pasternack Tilker Ziegler Walsh Stanton & Romano LLP et al	New York County Supreme Court Commercial - Other
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EXHIBIT 6



CONTACT INFO: 1-888-999-8628

EMAIL: INFO@TRANSAPTION.COM

Certification of Transcription Accuracy

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Signature: *Ren Varghese*



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275 New North Road, Islington, London, N1 7AA. United Kingdom

HEARING WORKERS COMPENSATION CASE # G-2584330 (WCB)

DATE: JANUARY 28, 2021 TIME: 2:43 PM

Speaker 1: Joseph Mercurio

Speaker 2: Lidia Orrego

Speaker 1: Joseph Mercurio (00:00):Just wanted to call and let you know what happened. Um, just in case it was on, as we said, Dr. Rosner had, he testified this morning. Um, so obviously the judge, the minutes of trans, so the judge particularly over couple of week to March 5th at 11 o'clock.

Speaker 2: Lidia Orrego (00:20): mm-hmm.

Speaker 1: Joseph Mercurio (00:21): Insurance company only, they have no more questions for you. Um, so we're pretty much done in terms of we've closed. The, our evidence taken all our testimony and the next hearing, the will make a decision on your case, will make oral arguments that the hearing on March 5th and then the judge, um, will make to determination. Okay.

Speaker 2: Lidia Orrego (00:42): Oh, okay. Okay. I think it's all be clear. I think <laugh> okay. But they don't, they don't take, um, they don't finish my deposition. Right. The other side?

Speaker 1: Joseph Mercurio (00:55): So Yeah, they, they complete, you're talking about the, from you asking you questions.

Speaker 2: Lidia Orrego (01:02): Sorry.

Speaker 1: Joseph Mercurio (01:04): Are you saying, in terms of them asking you questions, you asking you questions?

Speaker 2: Lidia Orrego (01:09): No. If the other side, the other lawyers, they want more ask me something more next hearing.

Speaker 1: Joseph Mercurio (01:18): They, they're not gonna ask you anymore question.

Speaker 2: Lidia Orrego (01:20): Uh, I think it, they all is very clear right now. <laugh>

Speaker 1: Joseph Mercurio (01:25): right. Yeah. I think you've explained it enough, produced enough evidence that we really don't. They don't really need to question you anymore.

Speaker 2: Lidia Orrego (01:32): Uh, okay. But in the other case, they call me delusional. In the other case, in the federal case.

Speaker 1: Joseph Mercurio (01:39): Yeah.

Speaker 2: Lidia Orrego (01:39): They call me liar. Oh my goodness. I don't know how.

Speaker 1: Joseph Mercurio (01:43): oh wow.

Speaker 2: Lidia Orrego (01:45): I have the mental illness. They put in the federal lawsuit and.

Speaker 1: Joseph Mercurio (01:50): yeah,

Speaker 2: Lidia Orrego (01:50): is for that, I made the, the, this transcription because I made sure what happens in that day. <laugh> and I discovered all this. Oh, thank you so much. I, I am very happy. All this is working good,

Speaker 1: Joseph Mercurio (02:05): But we're moving and we'll have a decision then a couple of us. Okay.

Speaker 2: Lidia Orrego (02:14): We're I am, I am very fine with that. Thank you so much for helping me. If you need, please call me.

Speaker 1: Joseph Mercurio (02:22): You got it. You got it. Keep posted.

Speaker 2: Lidia Orrego (02:26): Okay. Be safe. Be safe. Thank you so much.

Speaker 1: Joseph Mercurio (02:30): Bye.

Speaker 2: Lidia Orrego (02:30): Bye. Bye.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

Lidia M. Orrego

Plaintiff,

-against-

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

Defendant(s).

Case No. 20CV3361(JMA)(AYS)

District Judge Joan M. Azrack

Total Pages: 6.-
FRCP Rule 5.2
Public Right Access

**PLAINTIFF'S CERTIFICATE GOOD FAITH No. 1
INCOMPLETE DISCOVERY RESPONSES
DEFENDANTS FAILURE FEDERAL RULE CIVIL PROCEDURE
("FRCP") RULES 26, 37, LOCAL RULES AND INDIVIDUAL RULES**

I, Lidia M. Orrego, Plaintiff, file Certificate Good Faith No. 1 Incomplete Discovery Responses due to the Discovery stage closed on November 1, 2023, to proceed to file Dispositive Motions.

Plaintiff filed the following documents: Defendants' Failure with Court Order to Meet and Confer FRCP Rule 26(f) Dated July 25, 2023, and Magistrate Judge Shields' Individuals Rules VIII. Settlement Conferences A, B, C:

ECF Id. [160] on July 27, 2023: Compliance Magistrate Judge Shields' Order dated July 25, 2023, Status Report Conference Scheduled July 31, 2023, at 10:30 am Meeting ID 79764125671.

ECF Id. [162] on August 1, 2023: Plaintiff's Reply to Defendants' Letter ECF Id. [161] Status Report Conference - Magistrate Judge Shields' Order dated July 25, 2023.

ECF Id. [168] on August 2, 2023: Plaintiff's Letter Clarification on Defendants Failure to Comply with the Magistrate Judge Shields' Individuals Rules VIII. Settlement Conferences A, B, C & request to comply the rules, ignored by Magistrate Judge Shields.

Despite the fraudulent misrepresentation of Magistrate Judge Shields in her scheduling order dated August 2, 2023, Defendants are in Contempt of Court because they refuse to meet and confer with the Plaintiff.

Defendant's gross Failure to comply with the undersigned Individuals Rules "VIII. Settlement Conferences A. Exchange of Demand and Offer; B. Settlement Statements; C. Settlement Conference" Parties and insurers with authority must attend."

Plaintiff filed [ECF Id. \[168\]](#) to support her [Amended Complaint ECF Id. \[8\]](#) the case [Osorio v. Source Enters 2007 WL 683985 \(S.D.N.Y. 2007\)](#) has merit.

Additionally, the Plaintiff is filing a recent case LAW that supports her Amended Complaint under claims of Hostile Work Environment and Retaliation; see attached the U.S. District Court for the Southern District of New York [Case Robinson v. De Niro, 1:19-cv-09156-LJL-KHP](#) - JURY TRIAL.

Defendants failed on, or before Discovery closed on November 1, 2023, any law case that supports their position, and Defendants are in Contempt of Court for the second time; therefore, the offer of "ZERO" has no merits under the case law filed by the Plaintiff.

Respectfully submitted,

Dated: November 13, 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

11/10/23, 7:48 AM

Robert De Niro's Company Is Found Liable for Gender Discrimination - The New York Times

The New York Times <https://www.nytimes.com/2023/11/09/arts/robert-de-niro-trial-gender-discrimination.html>

Robert De Niro's Company Is Found Liable for Gender Discrimination

Graham Chase Robinson, a former assistant of Mr. De Niro's, was awarded \$1.3 million by a jury. She said she was assigned "stereotypically female" job responsibilities.

By Julia Jacobs
Nov. 9, 2023

A federal jury in Manhattan on Thursday found Robert De Niro's company liable for gender discrimination against a former employee who claimed that the actor assigned her "stereotypically female" job responsibilities such as washing his sheets and attending to his home even as she climbed the ranks of his company, awarding her \$1.3 million in damages.

Mr. De Niro and his former employee, Graham Chase Robinson, had been locked in a legal battle for the past four years over her claims, as well as the assertions by Canal Productions that Ms. Robinson had improperly spent tens of thousands of dollars of company money on food, travel and other personal charges, and had also co-opted roughly 4.5 million airline miles using company credit card points.

The jury of seven people, who reached a unanimous decision, did not find Ms. Robinson liable for Canal's claims against her.

After five hours of deliberations, the jury also found Mr. De Niro's company liable for Ms. Robinson's claim of retaliation, which revolved around a dispute in 2019 between her and Mr. De Niro's girlfriend that ultimately resulted in Ms. Robinson's resignation from the company she had worked at for more than a decade. The jury did not find Mr. De Niro as an individual liable for either gender discrimination or retaliation.

Outside the courtroom, a lawyer for Mr. De Niro and his company, Richard C. Schoenstein, said he was pleased that the jury did not find Mr. De Niro himself at fault, saying, "Mr. De Niro has been exonerated." He said he was not yet sure whether Canal would appeal the ruling. Mr. De Niro was not in the courtroom for the verdict.

Ms. Robinson hugged a member of her legal team after the verdict was read. She declined to comment to reporters afterward.

"Not only did Ms. Robinson win her case against Canal, but the jury completely vindicated Ms. Robinson by finding Mr. De Niro's claims against her to be without merit," said David Sanford, chairman of the law firm that represented Ms. Robinson.

The trial put on public display the business practices and personal life of Mr. De Niro, who is one of Hollywood's most recognizable actors and is currently in theaters with a prominent role in Martin Scorsese's film "Killers of the Flower Moon."

In more than six hours of sometimes colorful and explosive testimony, Mr. De Niro fiercely denied any wrongdoing and dismissed Ms. Robinson's claims as "nonsense," though he acknowledged that he could have called Ms. Robinson a "bitch" and a "brat" when she was his employee. He also addressed Ms. Robinson's claim that Mr. De Niro asked her to scratch his back on occasion, saying that it may have happened one or twice, but that there was never any "disrespect" or "lewdness" attached to it.

"It is so ridiculous — it is every little thing she is trying to get on me," Mr. De Niro testified. "It is like she implies that she is out in front of the building scrubbing the floors on her knees."

Over an eight-day trial, the trove of evidence — including dozens of text messages and emails to and from Mr. De Niro — painted a picture of a deteriorating relationship between Ms. Robinson, who started in Mr. De Niro's office as his assistant in 2008, and his girlfriend, Tiffany Chen, who started dating Mr. De Niro after meeting him on the set of the movie "The Intern," in which she had a role as a tai chi instructor.

11/10/23, 7:48 AM

Robert De Niro's Company Is Found Liable for Gender Discrimination - The New York Times



Ms. Robinson began as Mr. De Niro's personal assistant in 2008. She was the vice president of production and finance at his company Canal Productions when she resigned in 2019. David Dee Delgado/Getty Images

In 2018, when Mr. De Niro and Ms. Chen were preparing to move into a townhouse on the Upper East Side, Ms. Robinson was assigned to help set up the rental — a responsibility that she testified was outside the job description she and Mr. De Niro had discussed when he promoted her to vice president of production and finance. She testified that she grew increasingly unhappy with doing the “personal taking-care-of-people work” for Mr. De Niro, including picking out sofa fabrics and setting up for a birthday party for Mr. Scorsese.

“I kept on being given these jobs and objecting to them, objecting to wanting to be involved in setting up his home,” Ms. Robinson testified. “You do that with your girlfriend. Do that with your wife. You don’t do that with your female V.P. of production.”

After a series of disputes with Ms. Chen over Ms. Robinson’s work on the townhouse, she told a lawyer for the company that she felt she was the target of “downright harassment” by Mr. De Niro’s girlfriend, later raising the conflict directly to Mr. De Niro. In an email to Mr. De Niro about the issue that Ms. Robinson had raised, Ms. Chen said it was “so manipulative and nasty that she has the gall to place blame on me for her lies,” adding, with obscenities, that Ms. Robinson “needs to get put in her place.”

Not long after, she was taken off the townhouse project, and Ms. Chen sent emails to other Canal employees instructing them to limit their communications with her, which she testified had only been intended to narrowly remove her from work involving Ms. Chen. Ms. Robinson resigned soon after.

Lawyers for Ms. Robinson argued that Ms. Chen’s direction was retaliation fueled by gender discrimination, citing text messages from Ms. Chen to Mr. De Niro accusing Ms. Robinson of imagining a “fantasy relationship” with her boss. (Ms. Robinson said she never had any romantic interest in Mr. De Niro.)

“She thought she was your wife,” Ms. Chen texted Mr. De Niro in 2019 after Ms. Robinson informed her former employer that she would be seeking legal representation unless the company resolved her request for severance pay, recommendation letters and other items. “I saw it from the beginning.”

“The balls, the nerve, the chutzpah,” Mr. De Niro responded. “The sense of entitlement. How dare her.”

Lawyers for Mr. De Niro, 80, portrayed Ms. Robinson, 41, as someone who exploited the trust and generosity of her boss, who had already given her significant perks and gifts — including a Rolex watch and part of a vacation in Hawaii — while also agreeing to pay her a salary of \$300,000 per year in 2019, far more than other Canal office workers were paid. They

11/10/23, 7:48 AM

Robert De Niro's Company Is Found Liable for Gender Discrimination - The New York Times

argued that even though she received title changes, per her own request, her job responsibilities remained that of a personal assistant throughout her 11-year employment, and they repeatedly underscored the fact that she had not made any formal complaint over gender discrimination until she had been accused of financial improprieties.

After Ms. Robinson's resignation, Canal employees scrutinized her spending on a company Amex card; the company ultimately alleged in its lawsuit that in the final two years or so of her employment, Ms. Robinson improperly spent more than \$12,600 of the company's money at an Italian restaurant near her home on the Upper East Side, about \$32,000 on car services and nearly \$9,000 on personal food items. The company also objected to her charging it for 62 vacation days that she claimed were unused over about three years.

Several current and former employees at Canal testified that there were no written policies around expenses, with Mr. De Niro testifying that his policies included "common sense" and the "honor system."

Ms. Robinson asserted that nothing she charged had been unauthorized and that her company credit card also reflected charges by and for others at the office. She testified that she and her boss had had several discussions about the perks she was allowed, which she said included converting Canal's credit card points into personal airline miles and ordering Ubers instead of using the subway so she could always be available for his calls. (Once, she testified, he called at around 11 p.m. asking for a martini from Nobu, the upscale restaurant franchise of which Mr. De Niro is a founder.)

She also testified that Mr. De Niro had agreed to let her transfer all of the company's credit card points over to airline miles, though the actor acknowledged allowing only a certain number of miles, testifying that it had perhaps been "a million or two."

"I wanted her to do it within reason," he testified, "not to take five million miles."

Punctuated by evidence of name-calling on both sides, the trial was animated by audio of phone calls between Ms. Robinson and former colleagues whom, she acknowledged, she recorded without their knowledge as her position at Canal became increasingly tenuous.

The jury made its decision based on the preponderance of the evidence, a lower standard than for criminal trials, which asks jurors to decide who has established the greater weight of the evidence. The gender discrimination and retaliation claims were brought under New York City's Human Rights Law.

Testifying for nearly 13 hours, Ms. Robinson told the jury that she had been consumed by stress and anxiety since leaving Canal, and that she had had trouble eating, sleeping and getting another job — particularly because of the headlines when the lawsuit by Mr. De Niro's company made claims of financial improprieties.

"I've been so humiliated and embarrassed, and I feel so judged," she testified. "I feel just so damaged, in a way"

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

NOV 29 2023 PM 1:07

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

Affirmation of Service

20CV3361 (JMA) (AYS)

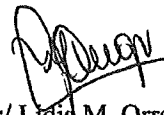
I, Lidia M. Orrego, declare under penalty of perjury that I served a copy of the attached PLAINTIFF'S CERTIFICATE GOOD FAITH No. 1 DEFENDANTS FAILURE FEDERAL RULE CIVIL PROCEDURE ("FRCP") RULES 26, 37 AND INDIVIDUAL RULES upon the defendant(s) or attorney whose physical address:

Law Firm Gordon Rees Scully Mansukhani, LLP
One Battery Park Plaza, 28th Floor
New York, NY 10004

Via ECF & Notice has been electronically mailed to: kminnahdonkoh@grsm.com;
kminnahdonkoh@gordonrees.com; ddrivera@grsm.com; pcella@grsm.com

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

Dated: November 13, 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

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

X

Lidia M. Orrego

Plaintiff,

-against-

Case No. 20CV3361(JMA)(AYS)

District Judge Joan M. Azrack

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

Defendant(s).

X

Total Pages Filed: 13.-
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**PLAINTIFF'S CERTIFICATE GOOD FAITH No. 2
INCOMPLETE DISCOVERY RESPONSES
DEFENDANTS FAILURE FEDERAL RULE CIVIL PROCEDURE
("FRCP") RULES 26, 37, LOCAL RULES AND INDIVIDUAL RULES**

I, Lidia M. Orrego, Plaintiff, file Certificate Good Faith No. 2 Incomplete Discovery Responses due to the Discovery stage closed on November 1, 2023, to proceed to file Dispositive Motions.

Defendants Failed to file any letter or communicate any deficiency on "Plaintiff Evidentiary Record" from May 2022 to the Discovery date close due November 1, 2023, see [ECF Id. \[165\] dated August 3, 2023](#), [ECF Id. \[157\] July 27, 2023](#), and [ECF Id. \[165\] August 3, 2023](#), therefore, Defendants waive their right to oppose any evidence, now considered **TRUE**, to support Plaintiff's Dispositive Motions.

Attached is the email from [Gordon Rees Scully Mansukhani LLC](#), dated [November 1, 2023, at 9:08 pm](#), that proves the Defendant's BAD Faith, fraud, and perjury, among others, they committed in this case. See annexed P. 4.

Plaintiff replied with her objection well-supported by documentary evidence on November 1, 2023, and November 2, 2023. Plaintiff never received any reply. See annexed P. 6-12.

APPEAL,PROSENEF

**U.S. District Court
Eastern District of New York (Central Islip)
CIVIL DOCKET FOR CASE #: 2:20-cv-03361-JMA-AYS**

Orrego v. Knipfing et al
Assigned to: Judge Joan M. Azrack
Referred to: Magistrate Judge Anne Y. Shields
related Case: 2:23-cv-06507-JMA-AYS
Cause: 42:2000e Job Discrimination (Employment)

Date Filed: 07/23/2020
Jury Demand: Plaintiff
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: Federal Question

Movant

County Attorney, Nassau County

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Plaintiff

Lidia M. Orrego

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V.

Defendant

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Employer
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Kevin James

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TERMINATED: 10/19/2020
ATTORNEY TO BE NOTICED

Defendant

Stephanieanna James-Knipfing
Employer
also known as
Steffiana de la Cruz

represented by **Alex Dumas**
(See above for address)
ATTORNEY TO BE NOTICED

Alex Spiro
(See above for address)
TERMINATED: 10/19/2020
ATTORNEY TO BE NOTICED

Edward E. Warnke
(See above for address)
ATTORNEY TO BE NOTICED

Kuuku Angate Minnah-Donkoh
(See above for address)
ATTORNEY TO BE NOTICED

Maaren Shah
(See above for address)
TERMINATED: 10/19/2020
ATTORNEY TO BE NOTICED

Defendant

Old Westbury EDDIE LLC
Company/Payroll owner Kevin Knipfing

represented by **Alex Dumas**
(See above for address)
ATTORNEY TO BE NOTICED

Alex Spiro
(See above for address)
TERMINATED: 10/19/2020
ATTORNEY TO BE NOTICED

Edward E. Warnke
(See above for address)
ATTORNEY TO BE NOTICED

Kuuku Angate Minnah-Donkoh
(See above for address)
ATTORNEY TO BE NOTICED

Maaren Shah
(See above for address)
TERMINATED: 10/19/2020
ATTORNEY TO BE NOTICED

Defendant

Old Westbury LLC
Unknown Entity under registration in NY State

represented by **Alex Dumas**
(See above for address)
ATTORNEY TO BE NOTICED

Alex Spiro
(See above for address)
TERMINATED: 10/19/2020
ATTORNEY TO BE NOTICED

Edward E. Warnke
(See above for address)
ATTORNEY TO BE NOTICED

Kuuku Angate Minnah-Donkoh
(See above for address)
ATTORNEY TO BE NOTICED

Maaren Shah
(See above for address)
TERMINATED: 10/19/2020
ATTORNEY TO BE NOTICED

Defendant

Steve Savitsky
Business Manager, Old Westbury LLC

represented by **Alex Dumas**
(See above for address)
ATTORNEY TO BE NOTICED

Alex Spiro
(See above for address)
TERMINATED: 10/19/2020
ATTORNEY TO BE NOTICED

Edward E. Warnke
(See above for address)
ATTORNEY TO BE NOTICED

Kuuku Angate Minnah-Donkoh
(See above for address)

ATTORNEY TO BE NOTICED

Maaren Shah

(See above for address)

TERMINATED: 10/19/2020

ATTORNEY TO BE NOTICED

Defendant**Teresa A. Zantua**represented by **Alex Dumas**

(See above for address)

ATTORNEY TO BE NOTICED

Alex Spiro

(See above for address)

TERMINATED: 10/19/2020

ATTORNEY TO BE NOTICED

Edward E. Warnke

(See above for address)

ATTORNEY TO BE NOTICED

Kuuku Angate Minnah-Donkoh

(See above for address)

ATTORNEY TO BE NOTICED

Maaren Shah

(See above for address)

TERMINATED: 10/19/2020

ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
07/23/2020	<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> Cover Letter, # <u>2</u> Service Instructions, # <u>3</u> Civil Cover Sheet) (Cox, Dwayne) (Entered: 07/31/2020)
07/23/2020	<u>2</u>	MOTION for Leave to Proceed in forma pauperis by Lidia M. Orrego. (Cox, Dwayne) (Entered: 07/31/2020)
07/23/2020	<u>3</u>	MOTION to Appoint Counsel by Lidia M. Orrego. (Attachments: # <u>1</u> Certificate of Service, # <u>2</u> Certificate of Service) (Cox, Dwayne) (Entered: 07/31/2020)
07/23/2020	<u>4</u>	Pro Se Consent to Electronic Notification by Lidia M. Orrego (Cox, Dwayne) (Entered: 07/31/2020)
07/27/2020		FILING FEE: \$ 400.00, receipt number 29946 (Cox, Dwayne) (Entered: 07/31/2020)
07/27/2020	<u>5</u>	Summons Issued as to All Defendants. (Cox, Dwayne) (Entered: 07/31/2020)
07/31/2020	<u>6</u>	In accordance with Rule 73 of the Federal Rules of Civil Procedure and Local Rule 73.1, the parties are notified that <i>if</i> 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. (Cox, Dwayne) (Entered: 07/31/2020)
08/05/2020	<u>7</u>	Letter to pro se litigant Lidia Orrego from the Pro Se Office acknowledging receipt of civil action. (Tirado, Chelsea) (Entered: 08/05/2020)
08/17/2020	<u>8</u>	AMENDED COMPLAINT against Stepanieanna James-Knipfing, Kevin Knipfing, Old Westbury EDDIE LLC, Old Westbury LLC, Steve Savitsky, Teresa A. Zantua, filed by Lidia M. Orrego. (Tirado, Chelsea) (Main Document 8 replaced on 8/21/2020)

		to include missing pages referenced in DE <u>9</u> Letter) (Tirado, Chelsea). Modified on 8/21/2020 (Tirado, Chelsea). (Entered: 08/19/2020)
08/20/2020	<u>9</u>	Letter to the Court from pro se plaintiff Lidia Orrego re: Requesting assistance in correcting <u>8</u> Amended Complaint. (Tirado, Chelsea) (Entered: 08/20/2020)
09/14/2020	<u>10</u>	NOTICE of Appearance by Alexander B. Spiro on behalf of Stephanieanna James–Knipfing, Kevin Knipfing, Old Westbury EDDIE LLC, Old Westbury LLC, Steve Savitsky, Teresa A. Zantua (aty to be noticed) (Spiro, Alexander) (Entered: 09/14/2020)
09/14/2020	<u>11</u>	NOTICE of Appearance by Maaren Shah on behalf of Stephanieanna James–Knipfing, Kevin Knipfing, Old Westbury EDDIE LLC, Old Westbury LLC, Steve Savitsky, Teresa A. Zantua (aty to be noticed) (Shah, Maaren) (Entered: 09/14/2020)
09/14/2020	<u>12</u>	AFFIDAVIT of Service for Individual Practice Rules of Judge Gary R. Brown / <i>served by hand and electronic mail</i> / served on Lidia M. Orrego on September 12, 2020, filed by Stephanieanna James–Knipfing, Kevin Knipfing, Old Westbury EDDIE LLC, Old Westbury LLC, Steve Savitsky, Teresa A. Zantua. (Shah, Maaren) (Entered: 09/14/2020)
09/14/2020	<u>13</u>	SUMMONS Returned Executed by Lidia M. Orrego. Stephanieanna James–Knipfing served on 8/24/2020, answer due 9/14/2020; Kevin Knipfing served on 8/24/2020, answer due 9/14/2020; Old Westbury EDDIE LLC served on 8/24/2020, answer due 9/14/2020; Old Westbury LLC served on 8/27/2020, answer due 9/17/2020; Steve Savitsky served on 8/26/2020, answer due 9/16/2020; Teresa A. Zantua served on 8/24/2020, answer due 9/14/2020. (Tirado, Chelsea) (Entered: 09/14/2020)
09/14/2020	<u>14</u>	Letter MOTION for pre motion conference <i>regarding Defendants' Motion to Dismiss the Complaint 8</i> by Stephanieanna James–Knipfing, Kevin Knipfing, Old Westbury EDDIE LLC, Old Westbury LLC, Steve Savitsky, Teresa A. Zantua. (Shah, Maaren) (Entered: 09/14/2020)
09/15/2020		ORDER granting <u>14</u> Motion for Pre Motion Conference. A pre–motion telephone conference is scheduled for October 9, 2020 at 2:00 p.m. before Judge Gary R. Brown, at which time the parties should be prepared to address defendants' anticipated motion pursuant to Rule 12 of the Federal Rules of Civil Procedure, DE 14. Counsel are to call (888) 363–4734 using ACCESS CODE 4132441 five minutes prior to the designated time. The parties are on notice that in appropriate cases, the pre–motion letter and the response, along with counsels' arguments made at the pre–motion conference, may be construed at the discretion of the Court as the motion itself. Arguments not raised in the pre–motion letters or during the pre–motion conference shall be deemed waived. <i>See In re Best Payphones, Inc.</i>, 450 F. App'x 8, 15 (2d Cir. 2011). At the conference, the Court will issue a briefing schedule if necessary. Plaintiff is directed to respond to DE 14 in accordance with the undersigned's individual rules by September 30, 2020. Before requesting an adjournment, the parties shall meet and confer and submit a joint letter with several proposed dates. Ordered by Judge Gary R. Brown on 9/15/2020. (Meil, Stephen) (Entered: 09/15/2020)
09/18/2020	<u>15</u>	Letter MOTION to Appoint Counsel <i>and provide an Interpreter for October 9th conference</i> by Lidia M. Orrego. (Tirado, Chelsea) (Entered: 09/21/2020)
09/22/2020		ORDER finding as moot <u>2</u> Motion for Leave to Proceed in forma pauperis in light of pro se plaintiff's payment of the filing fee. Ordered by Judge Gary R. Brown on 9/22/2020. (Meil, Stephen) (Entered: 09/22/2020)
09/22/2020		SCHEDULING ORDER: the pre–motion conference scheduled for October 9, 2020 is hereby ADJOURNED without date. The Court waives its pre–motion conference requirement, and establishes the following briefing schedule: defendants are directed to serve plaintiff with their motion on or before October 22, 2020; plaintiff is directed to serve defendants with her opposition to the motion on or before November 23,

	2020; and defendants are directed to serve plaintiff with any reply memorandum and to file the fully briefed motion on or before December 11, 2020. The parties are reminded to consult the undersigned's individual rules regarding motions, including bundling and page limits for Memoranda of Law, before filing their respective briefs. The Clerk of the Court is respectfully directed to mail a copy of this Order to the pro se plaintiff. Ordered by Judge Gary R. Brown on 9/22/2020. (Meil, Stephen) (Entered: 09/22/2020)
09/22/2020	ORDER denying <u>15</u> Motion to Appoint Counsel. Before the Court is pro se plaintiff Lidia M. Orrego's ("plaintiff") renewed motion for the appointment of pro bono counsel to represent her in this case. DE 15. Pursuant to 28 U.S.C. § 1915(e)(1), courts may appoint an attorney to represent someone who is unable to afford counsel. Courts possess broad discretion when determining whether appointment is appropriate, subject to the requirement that it be "guided by sound legal principle." <i>Cooper v. A. Sargenti Co., Inc.</i>, 877 F.2d 170, 171–72 (2d Cir. 1989) (internal quotation marks and citation omitted). The Second Circuit set forth the principle as follows: [T]he district judge should first determine whether the indigents position seems likely to be of substance. If the claim meets this threshold requirement, the court should then consider the indigents ability to investigate the crucial facts, whether conflicting evidence implicating the need for cross-examination will be the major proof presented to the fact finder, the indigents ability to present the case, the complexity of the legal issues and any special reason in that case why appointment of counsel would be more likely to lead to a just determination. <i>Hodge v. Police Officers</i>, 802 F.2d 58, 61–62 (2d Cir. 1986). The Second Circuit also held that these factors are not restrictive, and that "[e]ach case must be decided on its own facts." <i>Id.</i> at 61. A developed record assists the court in this regard. <i>See Brooks v. State of New York</i>, 1992 WL 320402, at *3 (S.D.N.Y. Oct. 29, 1992) (denying, without prejudice, appointment of counsel based on failure to satisfy requisite showing of likely merit). Further, "the Second Circuit has interpreted [28 U.S.C. § 1915(e)(1)] to require that the plaintiff be unable to obtain counsel before appointment will even be considered." <i>Ahmad v. White Plains City School Dist.</i>, 2020 WL 3972274, at *2 (S.D.N.Y. July 14, 2020) (internal quotation marks and citation omitted); <i>see also Justice v. Kuhnappel</i>, 982 F. Supp. 2d 233, 235 (E.D.N.Y. 2013) ("A plaintiff requesting appointment of counsel must show that she is unable to obtain counsel before appointment will even be considered.") (internal quotation marks and citation omitted). Here, plaintiff has paid the filing fee and has not demonstrated her indigence. Apart from this, however, even presuming that the threshold requirement of <i>Hodge</i> is satisfied, the Court is unable, at this juncture, to conclude -- after considering the <i>Hodge</i> factors in the context of plaintiff's application and the complaint as well as the record as a whole -- that the appointment of counsel is warranted. Specifically, despite plaintiff's claim that she needs the assistance of counsel because she does not know the procedures and rules that apply in Federal Court as well as her claimed disabilities that make her unable to handle the stressful situations to carry the case alone (Docket Entry 3 at 2), the Court concludes that plaintiff is able at this stage of the litigation to prosecute her case and that there is no special reason to appoint counsel. Accordingly, plaintiff's application for appointment of pro bono counsel is denied without prejudice to plaintiff renewing the application, if circumstances warrant such an application, at a later stage in these proceedings. This denial also is without prejudice to plaintiff hiring her own counsel to represent her in this matter. Additionally, in light of this Court's order adjourning the pre-motion conference and waiving the pre-motion conference requirement, plaintiff's application for an interpreter to be present at the conference is denied as moot. Although plaintiff paid the filing fee, the Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that, should plaintiff seek leave to appeal <i>in forma pauperis</i>, any appeal

		from this Order would be an improper interlocutory appeal not taken in good faith. Therefore <i>in forma pauperis</i> status is denied for the purpose of any appeal. See <i>Coppedge v. United States</i> , 369 U.S. 438, 444–45 (1962). The Clerk of the Court is respectfully directed to mail a copy of this Order to the pro se plaintiff. Ordered by Judge Gary R. Brown on 9/22/2020. (Meil, Stephen) (Entered: 09/22/2020)
09/29/2020	<u>16</u>	Letter from pro se plaintiff Lidia Orrego re Responding to Defendants' pre-motion conference letter dated 9/15/2020. (Tirado, Chelsea) (Entered: 09/29/2020)
09/30/2020	<u>17</u>	MOTION to Substitute Attorney by Stephanieanna James–Knipfing, Kevin Knipfing, Old Westbury EDDIE LLC, Old Westbury LLC, Steve Savitsky, Teresa A. Zantua. (Minnah–Donkoh, Kuuku) (Entered: 09/30/2020)
09/30/2020	<u>18</u>	CERTIFICATE OF SERVICE by Stephanieanna James–Knipfing, Kevin Knipfing, Old Westbury EDDIE LLC, Old Westbury LLC, Steve Savitsky, Teresa A. Zantua re <u>17</u> MOTION to Substitute Attorney (Minnah–Donkoh, Kuuku) (Entered: 09/30/2020)
10/19/2020		ORDER granting <u>17</u> Motion to Substitute Attorney. Attorney Maaren Shah and Alexander B. Spiro terminated. Ordered by Magistrate Judge A. Kathleen Tomlinson on 10/19/2020. (Ameri, Mana) (Entered: 10/19/2020)
10/19/2020	<u>19</u>	Letter MOTION to Compel <i>the Court to give permission to Order Service by Publication to the Defendants</i> by Lidia M. Orrego. (Tirado, Chelsea) (Entered: 10/21/2020)
10/19/2020	<u>20</u>	Letter from Lidia M. Orrego titled "Proof of Service" requesting confirmation from the Court on the deadline for defendants to respond to the Summons and Complaint. (Tirado, Chelsea) (Entered: 10/21/2020)
10/21/2020	<u>21</u>	NOTICE of Appearance by Alex Dumas on behalf of All Defendants (aty to be noticed) (Dumas, Alex) (Entered: 10/21/2020)
10/23/2020		ORDER re <u>19</u> Letter MOTION to Compel. Pro se plaintiff's letter motion, DE 19, is respectfully referred to the assigned Magistrate Judge in accordance with the undersigned's individual rules. See II.e. The Clerk of the Court is respectfully directed to mail a copy of this Order to the pro se plaintiff. Ordered by Judge Gary R. Brown on 10/23/2020. (Meil, Stephen) (Entered: 10/23/2020)
12/11/2020	<u>22</u>	Fully Briefed MOTION to Dismiss for Failure to State a Claim by Stephanieanna James–Knipfing, Kevin Knipfing, Old Westbury EDDIE LLC, Old Westbury LLC, Steve Savitsky. (Attachments: # <u>1</u> Declaration of Alex Dumas in Support of Motion to Dismiss, # <u>2</u> Exhibit A – Offer Letter, # <u>3</u> Memorandum in Support of Motion to Dismiss, # <u>4</u> Certificate of Service of Motion to Dismiss, # <u>5</u> Memorandum in Opposition of Motion to Dismiss, # <u>6</u> Affidavit of Service of Opposition, # <u>7</u> Exhibit 34, # <u>8</u> Reply Memorandum of Law in Support of Motion to Dismiss, # <u>9</u> Reply Certificate of Service) (Dumas, Alex) (Entered: 12/11/2020)
12/16/2020	<u>23</u>	Letter MOTION for pre motion conference by Lidia M. Orrego. (Tirado, Chelsea) (Entered: 12/18/2020)
12/22/2020		ORDER denying <u>23</u> Motion for Pre Motion Conference. In her letter, pro se plaintiff appears to request a proceeding akin to a trial, wherein the parties would have the opportunity to present evidence and examine witnesses. In light of the fact that this case is far from trial-ready and still in its early stages – as indicated, for example, by the recent filing of defendants' fully briefed motion to dismiss – plaintiff's request is accordingly DENIED. The Clerk of the Court is respectfully directed to mail a copy of this Order to the pro se plaintiff. Ordered by Judge Gary R. Brown on 12/22/2020. (Meil, Stephen) (Entered: 12/22/2020)
09/08/2021	<u>24</u>	MOTION for Leave to File Document <i>Amended Complaint</i> by Lidia M. Orrego. (Tirado, Chelsea) (Entered: 09/08/2021)
09/13/2021	<u>25</u>	RESPONSE in Opposition re <u>24</u> MOTION for Leave to File Document <i>Amended Complaint</i> filed by Stephanieanna James–Knipfing, Kevin Knipfing, Old Westbury EDDIE LLC, Old Westbury LLC, Steve Savitsky, Teresa A. Zantua. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u>

		Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I) (Minnah–Donkoh, Kuuku) (Entered: 09/13/2021)
09/17/2021	<u>26</u>	OBJECTION to <u>25</u> Opposition to <u>24</u> MOTION for Leave to File <i>Amended Complaint</i> filed by Lidia M. Orrego. (Coleman, Laurie) Modified on 9/20/2021 to revise docket text (Coleman, Laurie). (Entered: 09/20/2021)
09/20/2021	<u>27</u>	AMENDED OBJECTION to <u>25</u> Opposition to <u>24</u> MOTION for Leave to File <i>Amended Complaint</i> filed by Lidia M. Orrego. (Coleman, Laurie) (Entered: 09/20/2021)
09/21/2021	<u>28</u>	ORDER denying <u>19</u> Motion to Compel, without prejudice. SEE ATTACHED ORDER. Counsel for Defendants is directed to serve a copy of this Order on the Pro Se Plaintiff forthwith and to file proof of such service on ECF by September 24, 2021. Ordered by Magistrate Judge A. Kathleen Tomlinson on 9/21/2021. (Tomlinson, A.) (Entered: 09/21/2021)
09/23/2021	<u>29</u>	CERTIFICATE OF SERVICE by Stephanieanna James–Knipfing, Kevin Knipfing, Old Westbury EDDIE LLC, Old Westbury LLC, Steve Savitsky, Teresa A. Zantua re <u>28</u> Order on Motion to Compel, (Minnah–Donkoh, Kuuku) (Entered: 09/23/2021)
09/30/2021	<u>30</u>	ORDER granting in part and denying in part <u>22</u> Motion to Dismiss for Failure to State a Claim. For the reasons set forth in the attached Memorandum & Order, it is hereby Ordered that defendants' motion is GRANTED as to plaintiff's claims under the NYCHRL, the New York Labor Law, the New York Penal Law, and plaintiff's claims for discrimination under 42 U.S.C. § 1981 and the NYSHRL; additionally, defendants' motion is GRANTED as to plaintiff's retaliation claims against Savitsky and Zantua and plaintiff's hostile work environment claims against Savitsky. Otherwise, defendants' motion is DENIED. The Clerk of the Court is respectfully directed to mail a copy of this Order to the pro se plaintiff. Ordered by Judge Gary R. Brown on 9/30/2021. (Meil, Stephen) (Entered: 09/30/2021)
09/30/2021		ORDER denying <u>24</u> Motion for Leave to File. The allegations which <i>pro se</i> plaintiff apparently seeks to add in a contemplated amended complaint appear to relate only to claims dismissed in this Court's earlier Order of September 30, 2021. Accordingly, plaintiff's motion is DENIED as any such amendment would be futile. The Clerk of the Court is respectfully directed to mail a copy of this Order to the pro se plaintiff. Ordered by Judge Gary R. Brown on 9/30/2021. (Meil, Stephen) (Entered: 09/30/2021)
10/04/2021	<u>31</u>	Letter by Stephanieanna James–Knipfing, Kevin Knipfing, Old Westbury EDDIE LLC, Old Westbury LLC, Steve Savitsky, Teresa A. Zantua (Minnah–Donkoh, Kuuku) (Entered: 10/04/2021)
10/04/2021	<u>32</u>	NOTICE of Appearance by Edward E. Warnke on behalf of All Defendants (aty to be noticed) (Warnke, Edward) (Entered: 10/04/2021)
10/14/2021	<u>33</u>	ANSWER to <u>8</u> Amended Complaint, by Stephanieanna James–Knipfing, Kevin Knipfing, Old Westbury EDDIE LLC, Old Westbury LLC, Teresa A. Zantua. (Warnke, Edward) (Entered: 10/14/2021)
10/26/2021		NOTICE: The Initial Conference scheduled for November 2, 2021 is adjourned without date pending reassignment of this action to another Magistrate Judge. Counsel for Defendants is directed to serve a copy of this Order on the Pro Se Plaintiff forthwith and to file proof of such service on ECF by October 28, 2021. (Ameri, Mana) (Entered: 10/26/2021)
10/26/2021	<u>34</u>	CERTIFICATE OF SERVICE by Stephanieanna James–Knipfing, Kevin Knipfing, Old Westbury EDDIE LLC, Old Westbury LLC, Steve Savitsky, Teresa A. Zantua (Minnah–Donkoh, Kuuku) (Entered: 10/26/2021)
11/02/2021	<u>35</u>	MOTION to Withdraw <u>33</u> Answer to Amended Complaint (<i>pages 19 & 20</i>) by Lidia M. Orrego. (Tirado, Chelsea) (Entered: 11/02/2021)
11/05/2021	<u>36</u>	Letter <i>Opposition to PS Motion to Strike</i> by Stephanieanna James–Knipfing, Kevin Knipfing, Old Westbury EDDIE LLC, Old Westbury LLC, Teresa A. Zantua (Warnke, Edward) (Entered: 11/05/2021)

11/09/2021	<u>37</u>	Letter replying to <u>36</u> Defendants' Opposition to Motion to Withdraw by Lidia M Orrego. (Tirado, Chelsea) (Entered: 11/09/2021)
11/16/2021		ORDER denying <u>35</u> Motion to Withdraw Answer to Amended Complaint (pages 19 & 20). Affording plaintiff the special solicitude accorded to pro se litigants, the Court construes plaintiff's November 2, 2021 letter, DE 35, as a motion to strike the defenses asserted in defendants' answer to the Amended Complaint. Defendants' defenses include, <i>inter alia</i>, that the amended complaint fails to state a claim upon which relief may be granted, that actions taken by defendants were for non-retaliatory reasons, and plaintiff is pursuing this matter in bad faith for vexatious reasons, citing a number of other suits filed by plaintiff that have been dismissed. DE 33 at 19-20. Under Federal Rule of Civil Procedure 12(f), "[t]he court may strike from a pleading an insufficient defense or any redundant, immaterial, impertinent, or scandalous matter." "Accordingly, [t]he standard to prevail on a motion to strike is demanding, requiring that the moving party demonstrate that (1) there may be no question of fact which might allow the defense to succeed; (2) there may be no substantial question of law, a resolution of which could allow the defense to succeed; and (3) the party would be prejudiced by the inclusion of the defense." <i>Grewal v. Cuneo</i>, No. 13-CV-6836(RA), 2016 WL 308803, at *4 (S.D.N.Y. Jan. 25, 2016) (citations and internal quotation marks omitted). Plaintiff argues that defendants improperly referred to her other lawsuits because they remain pending, and the documentary evidence will ultimately prove her case. While these arguments may go to the merits of her claim, plaintiff has failed to establish that she is prejudiced by the inclusion of the asserted defenses or that there is no question of fact which might allow these defenses to succeed. Thus, plaintiff's motion to strike the defenses asserted in defendants' answer to the amended complaint is DENIED. The Court has reconsidered its decision regarding appointment of counsel. While plaintiff is not entitled to counsel as of right, the Pro Se Department is respectfully directed to find counsel for plaintiff from this Court's pro bono panel. Ordered by Judge Gary R. Brown on 11/16/2021. c/ecf (Tahbaz, Joseph) (Entered: 11/16/2021)
11/22/2021	<u>38</u>	ORDER – Accordingly, the Court appoints The Dratch Law Firm, PC, by Brian M Dratch, Esq., to represent Plaintiff. Counsel shall file a Notice of Appearance and contact Plaintiff forthwith. The Clerk of the Court is directed to mail a copy of this Order to the Plaintiff and to Mr. Dratch. SO Ordered by Judge Gary R. Brown on 11/22/2021. (Tirado, Chelsea) (Entered: 11/22/2021)
11/22/2021	<u>39</u>	Letter to Judge Brown from pro se plaintiff Lidia M Orrego submitting "Clarification Letter". (Tirado, Chelsea) (Entered: 11/23/2021)
11/23/2021		Case randomly reassigned to Magistrate Judge Anne Y. Shields. Magistrate Judge A. Kathleen Tomlinson no longer assigned to the case. Please download and review the Individual Practices of the assigned Judges, located on our website . Attorneys are responsible for providing courtesy copies to judges where their Individual Practices require such. (Florio, Lisa) (Entered: 11/23/2021)
11/30/2021	<u>40</u>	NOTICE of Appearance by Brian Michael Dratch on behalf of Lidia M. Orrego (aty to be noticed) (Dratch, Brian) (Entered: 11/30/2021)
12/02/2021	<u>41</u>	ORDER: Initial Conference set for 2/14/2022 at 11:30 AM before Magistrate Judge Anne Y. Shields. The parties are directed to call the ATTteleconferencing center at (877) 810-9415 and to enter Access Code 9005911 when prompted. See order and attachments. So Ordered by Magistrate Judge Anne Y. Shields on 12/2/2021. (Attachments: # <u>1</u> AYS Rules, # <u>2</u> Joint Letter Requirements, # <u>3</u> Employment Protocols) (Torres, Jasmine) (Entered: 12/02/2021)
02/10/2022	<u>42</u>	CASE MANAGEMENT STATEMENT <i>for Employment Cases with Discovery Plan Worksheet</i> (Attachments: # <u>1</u> Proposed Order) (Warnke, Edward) (Entered: 02/10/2022)

02/11/2022		SCHEDULING ORDER: In light of the filing of the initial letter, the initial conference scheduled for February 14, 2022 is CANCELED . Counsel are directed to complete the Employment Protocols found in the undersigned's Individual Rules by the April 12, 2022 date described in the joint letter and on April 13, 2022, submit a joint status letter stating with particularity, the precise discovery necessary and dates for completion thereof, for this matter to be trial or dispositive motion practice ready. A telephone status conference has been scheduled for April 19, 2022 at 12:00 PM. Counsel are directed to call the AT&T Teleconference Center at (877) 810-9415 at the time of the conference and enter Access Code 9005911 when prompted. So Ordered by Magistrate Judge Anne Y. Shields on 2/11/2022. (Mucciaccio, Dina) (Entered: 02/11/2022)
02/14/2022	<u>43</u>	Letter MOTION to Substitute Attorney , <i>new bilingual counsel/attorney</i> by Lidia M. Orrego. (Tirado, Chelsea) (Entered: 02/15/2022)
02/17/2022	<u>45</u>	AFFIDAVIT/DECLARATION in Support re <u>43</u> Letter MOTION to Substitute Attorney , <i>new bilingual counsel/attorney</i> filed by Lidia M. Orrego. (Tirado, Chelsea) (Entered: 02/24/2022)
02/18/2022		SCHEDULING ORDER: A telephone conference regarding Plaintiff's motion to substitute counsel has been scheduled for March 8, 2022 at 1:30 PM. Plaintiff and Plaintiff's counsel are directed to call the AT&T Teleconference Center at (877) 810-9415 at the time of the conference and enter Access Code 9005911 when prompted. Plaintiff's counsel is directed to serve a copy of this order on Plaintiff and provide proof of service on ECF by February 22, 2022. So Ordered by Magistrate Judge Anne Y. Shields on 2/18/2022. (Mucciaccio, Dina) (Entered: 02/18/2022)
02/22/2022	<u>44</u>	AFFIDAVIT of Service for Copy of Order <i>scheduling telephone conference on 03/08/2022</i> served on Lidia Orrego on 02/18/2022, filed by Lidia M. Orrego. (Dratch, Brian) (Entered: 02/22/2022)
02/22/2022	<u>46</u>	Letter to Judge Shields from pro se plaintiff Lidia M Orrego regarding 3/8/2022 Telephone Conference (Tirado, Chelsea) (Entered: 02/24/2022)
03/08/2022		ORDER granting in part and denying in part <u>43</u> Motion to Substitute Attorney. As set forth on the record during the conference held on March 8, 2022, Plaintiff's motion for substitution of counsel is GRANTED in part and DENIED in part. Plaintiff's appointed counsel, Mr. Dratch, is relieved as Plaintiff's counsel and the Clerk of the Court is directed to terminate his appearance on the docket herein. However, Plaintiff's request to have new bilingual counsel appointed is denied without prejudice to renewal to the District Judge. To be clear, if Plaintiff wishes to request new counsel be appointed, she must make a new pro bono counsel motion to the Honorable Gary R. Brown. The Court further orders that this matter be stayed for a period of 60 days for Plaintiff to either: (1) request appointment of new pro bono counsel; or (2) obtain new counsel; or (3) for Plaintiff to decide to proceed pro se. Plaintiff is directed to communicate with this Court via letter on or before May 9, 2022 stating how Plaintiff will proceed in this matter. Plaintiff is advised that failure to communicate with this Court may result in this Court's recommendation to the District Court that the case be dismissed for failure to prosecute. Further, the Court encourages all pro se litigants to consult with the Hofstra Law Pro Se Clinic located in the Central Islip Courthouse, which can provide free information, advice, and limited scope legal assistance to non-incarcerated pro se litigants. The Court notes that the Pro Se Clinic is not part of, nor affiliated with, the United States District Court. The Clinic offers services such as: providing brief legal counseling; advising you about potential federal claims prior to filing suit; explaining federal court rules and procedures; and reviewing and editing draft pleadings and correspondence with the Court. Additionally, the Clinic may aid you during the discovery process, and, in appropriate circumstances, may represent you at deposition or in the settlement process. Consultations with the Pro Se Clinic can be conducted remotely via telephone. If you wish to contact the Pro Se Clinic to make an appointment, email them at PSLAP@Hofstra.edu or leave a message at (631) 297-2575. Plaintiff's outgoing counsel is directed to serve a copy of this Order on Plaintiff and provide proof of service on ECF by March 10, 2022. So Ordered by Magistrate Judge Anne Y. Shields on 3/8/2022. (Mucciaccio, Dina) (Entered: 03/08/2022)

03/08/2022		Attorney Brian Michael Dratch terminated. So Ordered by Magistrate Judge Anne Y. Shields on 3/8/2022. (Mucciaccio, Dina) (Entered: 03/08/2022)
03/08/2022	<u>49</u>	Minute Entry for proceedings held before Magistrate Judge Anne Y. Shields: Motion Hearing held on 3/8/2022 re <u>43</u> Letter MOTION to Substitute Attorney , <i>new bilingual counsel/attorney</i> filed by Lidia M. Orrego (FTR Log #1:33-1:38.) (Torres, Jasmine) (Entered: 03/15/2022)
03/09/2022	<u>47</u>	AFFIDAVIT/AFFIRMATION re Order on Motion to Substitute Attorney,,,,,,, of service by Lidia M. Orrego (Dratch, Brian) (Entered: 03/09/2022)
03/10/2022	<u>48</u>	Letter to Judge Shields from pro se plaintiff Lidia M Orrego in response to 3/8/2022 Electronic Order. (Tirado, Chelsea) (Entered: 03/10/2022)
03/14/2022		ORDER re <u>48</u> Plaintiff's Letter for Reconsideration. Plaintiff's request for reconsideration of this Court's Order denying Plaintiff's application for new bilingual pro bono counsel to be appointed is DENIED. As stated during the conference and in the Order, if Plaintiff wishes to request new counsel be appointed, she must make a new pro bono counsel motion to the Honorable Gary R. Brown on or before May 9, 2022. Any new pro bono application will not be deemed to be made in bad faith as the Court has instructed Plaintiff to make such a request. Plaintiff is reminded that by May 9, 2022, Plaintiff must communicate to the Court, by letter, that she either: (1) requests appointment of new pro bono counsel; or (2) has obtained new counsel; or (3) has decided to proceed pro se. Plaintiff is advised that failure to communicate with this Court may result in this Court's recommendation to the District Court that the case be dismissed for failure to prosecute. So Ordered by Magistrate Judge Anne Y. Shields on 3/14/2022. c/m pltf 3/14/2022. (Mucciaccio, Dina) (Entered: 03/14/2022)
03/17/2022	<u>50</u>	Letter to Judge Shields from pro se plaintiff Lidia M Orrego in response to 3/14/2022 Order. (Tirado, Chelsea) (Entered: 03/17/2022)
04/14/2022	<u>51</u>	Letter to Judge Shields from pro se plaintiff Lidia M Orrego informing the Court of proceeding pro se, requesting to remove <u>42</u> from the docket, and requesting an interpreter for future conferences. (Tirado, Chelsea) (Entered: 04/18/2022)
04/19/2022	<u>52</u>	SCHEDULING ORDER: The Court is in receipt of Plaintiff's notification found in docket entry No. <u>51</u> . That notification advises the Court that Plaintiff wishes to proceed pro se, and that she is currently seeking the limited representation assistance provided by the Hofstra University School of Law legal assistance program. With respect to Plaintiff's request to remove docket entry No. <u>42</u> from the docket, the Court notes that it cannot remove items from the public docket. <u>See Gambale v. Deutsche Bank AG</u> , 377 F.3d 133, 144 (2d Cir. 2004) (noting that once "the genie is out of the bottle," courts "have not the means to put the genie back."). However, the Court interprets Plaintiff's request as a request to vacate its initial conference order found at docket entry No. <u>41</u> , effectively rendering docket entry No. <u>42</u> moot. In accord with that interpretation, the Court therefore will vacate that initial conference order. The request for a Spanish interpreter in this civil case has been made, and it is once again, denied. The Court does not provide interpreters for civil cases. Plaintiff is certainly free to retain her own interpreter, at her own expense, for any future conferences. She may also raise this issue with the Hofstra clinic. While they are not required to provide interpreting services, they may be able to assist Plaintiff. See attached Order for additional details as well as for the Tier I Discovery Schedule. So Ordered by Magistrate Judge Anne Y. Shields on 4/19/2022. c/m pltf on 4/19/2022 (Mucciaccio, Dina) (Entered: 04/19/2022)
04/22/2022	<u>53</u>	Letter to Judge Brown from pro se plaintiff Lidia M Orrego informing the Court of name change, but deciding to proceed as Lidia M. Orrego. (Tirado, Chelsea) (Entered: 04/26/2022)
04/26/2022	<u>54</u>	Letter to Judge Shields from pro se plaintiff Lidia M Orrego re <u>52</u> Orders (Tirado, Chelsea) (Entered: 04/26/2022)
04/27/2022	<u>55</u>	Mail receipt to Lidia M Orrego – Date of Delivery: 4/22/2022 (Tirado, Chelsea) (Entered: 04/28/2022)
05/02/2022		SCHEDULING ORDER: In light of Plaintiff's letter dated April 22, 2022 and found at docket entry No. <u>54</u> , this Court VACATES its April 19, 2022 Order, found at docket entry No. <u>52</u> . To be clear, the Tier I Discovery schedule set forth in the April 19, 2022

		order is VACATED . An in-person initial conference has been scheduled for July 5, 2022 in courtroom 840 of the Central Islip courthouse. All discovery in this case is STAYED pending the in-person July 5, 2022 conference. A new discovery schedule will be issued at the in-person conference. If Plaintiff wishes, she may bring a personal interpreter to the in-person conference. So Ordered by Magistrate Judge Anne Y. Shields on 5/2/2022. c/m pltf 5/2/2022 (Mucciaccio, Dina) (Entered: 05/02/2022)
05/02/2022		SCHEDULING ORDER: The July 5, 2022 in-person initial conference is scheduled for 10:30 AM in courtroom 840 of the Central Islip courthouse. So Ordered by Magistrate Judge Anne Y. Shields on 5/2/2022. c/m pltf on 5/2/2022 (Mucciaccio, Dina) (Entered: 05/02/2022)
07/05/2022		SCHEDULING ORDER:As set forth on the record during the conference held today, the Court clarifies that a hostile work environment claim remains against Mr. Knipfing. Further, Plaintiff has agreed that all service in this matter may proceed via email.The following Phase I discovery schedule was entered: By August 1, 2022, the parties shall exchange all documents/recordings/video relating to Plaintiff's employment. The production shall include, but is not limited to, the non-disclosure agreement executed by Plaintiff, all documents referenced in Plaintiff's amended complaint such as the relevant portions of her diary, as well as Plaintiffs November complaint to Mr. Knipfing, and any emails and text messages, as well as any other documents relating to Plaintiff's employment. To be clear, these documents are to be exchanged by all parties regardless of how that party came into possession of the document.On August 15, 2022, the parties are directed to submit one joint status letter setting forth whether this paper discovery has been completed. Defendants shall file the joint status letter. Upon receipt of the August 15, 2022 joint status letter the Court will enter an order as to the remainder of discovery so that this case can proceed. If the parties need additional time, they are directed to communicate with each other via email, and after reaching an agreement, submit a letter notifying this Court as to their agreement. So Ordered by Magistrate Judge Anne Y. Shields on 7/5/2022. (Mucciaccio, Dina) (Entered: 07/05/2022)
07/05/2022	<u>56</u>	Minute Entry for proceedings held before Magistrate Judge Anne Y. Shields:Initial Conference Hearing held on 7/5/2022 (FTR Log #10:50–11:23.) (Torres, Jasmine) (Entered: 07/06/2022)
07/08/2022	<u>57</u>	NOTICE of Motion of Default Judgment by Lidia M. Orrego. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Affidavit in Support) (Cubano, Jazmin) (Entered: 07/08/2022)
07/11/2022		SCHEDULING ORDER: As Plaintiff has filed a motion for default against the Defendants, in order to ensure efficient, speedy and just motion practice, the following briefing schedule is now in effect: Defendants' opposition must be served and filed on or before August 11, 2022. Plaintiff's reply to the opposition shall be served and filed on or before August 25, 2022. Plaintiff is NOT to serve and file a reply until after receiving Defendants' opposition. The Discovery Schedule issued during the July 5, 2022 conference REMAINS IN EFFECT. So Ordered by Magistrate Judge Anne Y. Shields on 7/11/2022. (Mucciaccio, Dina) (Entered: 07/11/2022)
07/26/2022	<u>58</u>	First MOTION for Extension of Time to Complete Discovery (<i>To Serve Defendants' Initial Document Production</i>) by Stephanieanna James–Knipfing, Kevin Knipfing, Old Westbury EDDIE LLC, Old Westbury LLC, Teresa A. Zantua. (Minnah–Donkoh, Kuuku) (Entered: 07/26/2022)
07/27/2022	<u>59</u>	RESPONSE in Opposition re <u>58</u> First MOTION for Extension of Time to Complete Discovery (<i>To Serve Defendants' Initial Document Production</i>) filed by Lidia M. Orrego. (Cubano, Jazmin) (Entered: 07/27/2022)
07/28/2022		ORDER denying <u>58</u> Motion for Extension of Time to Complete Discovery. Defendants' request for a two week extension of time for the current discovery deadlines and briefing schedule is DENIED. The discovery deadlines were set during the in-person conference held on July 5, 2022. At that conference the parties were asked whether they objected to the deadlines or would have any problems meeting the proposed deadlines. Defense counsel did not object nor did he indicate meeting the deadlines would be problematic. As such, Defendants' request for the extension lacks the requisite good cause needed for such an adjournment. Schedules and deadlines of

		other cases do not warrant an extension of time in this case, especially when the instant deadlines were not imposed without first seeking to accommodate counsel and Plaintiff's schedules. Accordingly, the extension request is denied. All previously ordered deadlines remain in effect. So Ordered by Magistrate Judge Anne Y. Shields on 7/28/2022. (Mucciaccio, Dina) (Entered: 07/28/2022)
08/11/2022	<u>60</u>	MEMORANDUM in Opposition re <u>57</u> Notice (Other) filed by Stephanieanna James-Knipfing, Kevin Knipfing, Old Westbury EDDIE LLC, Old Westbury LLC, Teresa A. Zantua. (Minnah-Donkoh, Kuuku) (Entered: 08/11/2022)
08/11/2022	<u>61</u>	MEMORANDUM in Opposition re <u>57</u> Notice (Other) filed by Stephanieanna James-Knipfing, Kevin Knipfing, Old Westbury EDDIE LLC, Old Westbury LLC, Teresa A. Zantua. (Attachments: # <u>1</u> Declaration, # <u>2</u> Exhibit A) (Minnah-Donkoh, Kuuku) (Entered: 08/11/2022)
08/12/2022	<u>65</u>	Letter MOTION to Compel <i>Challenging the Confidentiality of Documents of the Defendants Initial Discovery dated August 1, 2022</i> , by Lidia M. Orrego. (Ortiz, Grisel) (Entered: 08/18/2022)
08/15/2022	<u>62</u>	Letter to Judge Regarding Joint Status by Stephanieanna James-Knipfing, Kevin Knipfing, Old Westbury EDDIE LLC, Old Westbury LLC, Teresa A. Zantua (Minnah-Donkoh, Kuuku) (Entered: 08/15/2022)
08/16/2022		SCHEDULING ORDER: In view of the completion of the voluntary exchange of the Court ordered category of documents the parties are directed to move forward with depositions. All depositions must be completed by February 28, 2023. Plaintiff shall be deposed first. Plaintiff and defense counsel are directed to confer regarding the number of depositions and the timing of the depositions. The parties may to agree to conduct the depositions either in-person or remotely. Upon the conclusion of the depositions, the parties may agree to seek additional documentary discovery. A joint status letter shall be filed on March 2, 2023. So Ordered by Magistrate Judge Anne Y. Shields on 8/16/2022. (Mucciaccio, Dina) (Entered: 08/16/2022)
08/17/2022	<u>63</u>	Preliminary Statement: Reply Memoranda of Law in Support Plaintiff's Motion Default Judgment, filed by Pro Se Litigant Lidia M. Orrego dated 8/17/2022. (Ortiz, Grisel) Modified on 10/11/2022- pro se contacted the clerks office, added the additional language description to the document. (GO). (Entered: 08/17/2022)
08/17/2022	<u>64</u>	Letter from Pro Se Litigant to Judge Shields dated 8/17/2022 Re: 8/16/2022 Scheduling Order. (Ortiz, Grisel) (Entered: 08/17/2022)
08/22/2022	<u>66</u>	RESPONSE to Motion re <u>65</u> Letter MOTION to Compel <i>Challenging the Confidentiality of Documents of the Defendants Initial Discovery dated August 1, 2022</i> , filed by Stephanieanna James-Knipfing, Kevin Knipfing, Old Westbury EDDIE LLC, Old Westbury LLC, Teresa A. Zantua. (Attachments: # <u>1</u> Exhibit Exhibit A (Track-changed revisions to form Stipulation and Order of Confidentiality), # <u>2</u> Exhibit B (Clean version of Exhibit A)) (Minnah-Donkoh, Kuuku) (Entered: 08/22/2022)
08/24/2022	<u>67</u>	REPLY to Response to Motion re <u>65</u> Letter MOTION to Compel <i>Challenging the Confidentiality of Documents of the Defendants Initial Discovery dated August 1, 2022</i> , filed by Lidia M. Orrego. (Cubano, Jazmin) (Entered: 08/25/2022)
10/03/2022		ORDER : All pretrial proceedings, including DE 65, are hereby referred to the assigned Magistrate Judge. In addition, any dispositive pretrial motions are referred to the assigned Magistrate Judge for a Report and Recommendation. In accordance with Rule 73 of the Federal Rules of Civil Procedure and Local Rule 73.1, the parties are reminded that, if all parties consent, a United States Magistrate Judge may: (1) conduct all proceedings in this civil action (including a jury or nonjury trial) and to order the entry of a final judgment; or (2) conduct all proceedings and enter a final order on a particular motion. A consent form should be signed and filed electronically only if all parties wish to consent and it is signed by all parties. Consent forms may be accessed at the following links: http://www.uscourts.gov/uscourts/FormsAndFees/Forms/AO085.pdf

		http://www.uscourts.gov/uscourts/FormsAndFees/Forms/AO085A.pdf. You may withhold your consent without adverse substantive consequences. DO NOT return or file a consent form unless all parties have signed the consent. The Clerk of Court is directed to mail a copy of this Order to the pro se plaintiff. Ordered by Judge Gary R. Brown on 10/3/2022. c/ecf (LJ) (Entered: 10/03/2022)
10/11/2022	<u>68</u>	LETTER dated 10/10/2022 from Lidia M. Orrego to Judge Brown re Request that the Court grant the motion ECF doc. <u>57</u> & <u>63</u> duly supported by a statement of facts, laws, and documentary evidence, pursuant to Federal Rules of Civil Procedure Rule 26 & 37. (LC) (Entered: 10/17/2022)
11/21/2022	<u>69</u>	Letter MOTION for Sanctions by Lidia M. Orrego. (Attachments: # <u>1</u> Documents in Support, # <u>2</u> Affirmation of Service) (JC) (Entered: 11/23/2022)
02/10/2023	<u>70</u>	Letter MOTION for Preliminary Injunction by Lidia M. Orrego. (GO) (Entered: 02/10/2023)
02/10/2023	<u>71</u>	RESPONSE to Motion re <u>70</u> Letter MOTION for Preliminary Injunction filed by Stephanieanna James-Knipfing, Kevin Knipfing, Old Westbury EDDIE LLC, Old Westbury LLC, Teresa A. Zantua. (Minnah-Donkoh, Kuuku) (Entered: 02/10/2023)
02/13/2023	<u>72</u>	Affirmation in REPLY to Defendants Response in Opposition to Plaintiff's Motion re <u>70</u> Letter MOTION for Preliminary Injunction filed by Lidia M. Orrego. (JC) (Entered: 02/13/2023)
02/13/2023	<u>73</u>	Notice of MOTION for Declaratory Judgment <i>with affirmation and exhibits attached</i> by Lidia M. Orrego. (JC) (Entered: 02/13/2023)
02/13/2023	<u>74</u>	Amended MOTION to Compel <i>for Injunctive Relief, Rulings on DE's <u>69</u> and <u>57</u>, and reschedule discovery process</i> by Lidia M. Orrego. (JC) (Entered: 02/13/2023)
02/13/2023	<u>75</u>	Letter from Lidia Orrego to Judge Brown dtd 1/13/2023 requesting EMERGENCY Conference with digital audio recording for rulings regarding motions, and Motion for Declaratory Relief. (JC) (Entered: 02/13/2023)
02/22/2023	<u>76</u>	NOTICE of Appearance by Jennifer A Gundlach on behalf of Lidia M. Orrego (aty to be noticed) (Gundlach, Jennifer) (Entered: 02/22/2023)
02/24/2023		ORDER. Plaintiff is reminded that the undersigned's individual rules prohibit parties from sending ex parte email communications – or email communications of any kind – to the Court's email without the Court's prior permission. So Ordered by Magistrate Judge Anne Y. Shields on 2/24/2023. (DM) (Entered: 02/24/2023)
02/27/2023	<u>77</u>	Letter MOTION to Change Venue <i>Request that the court grant the change to the District and Magistrate Judge and the Venue to Brooklyn Courthouse</i> , by Lidia M. Orrego. (GO) (Entered: 02/27/2023)
02/28/2023	<u>78</u>	RESPONSE in Opposition re <u>77</u> Letter MOTION to Change Venue <i>Request that the court grant the change to the District and Magistrate Judge and the Venue to Brooklyn Courthouse</i> , filed by Stephanieanna James-Knipfing, Kevin Knipfing, Old Westbury EDDIE LLC, Old Westbury LLC, Teresa A. Zantua. (Minnah-Donkoh, Kuuku) (Entered: 02/28/2023)
02/28/2023	<u>79</u>	MOTION to Withdraw as Attorney by <i>Limited Scope Pro Bono Counsel</i> by Lidia M. Orrego. (Gundlach, Jennifer) (Entered: 02/28/2023)
03/01/2023	<u>80</u>	Letter MOTION to Compel <i>to report new misconduct and fraudulent concealment or misrepresentation from Mr. Kuuku Minnah-Donkoh, Defendants' counsel</i> , by Lidia M. Orrego. (GO) (Entered: 03/01/2023)
03/02/2023	<u>81</u>	Letter <i>Status Letter to the Court</i> by Stephanieanna James-Knipfing, Kevin Knipfing, Old Westbury EDDIE LLC, Old Westbury LLC, Teresa A. Zantua (Attachments: # <u>1</u> Exhibit Exhibit A-Email) (Minnah-Donkoh, Kuuku) (Entered: 03/02/2023)
03/02/2023	<u>82</u>	Objection letter to <u>81</u> Status Letter to the Court filed by Lidia M. Orrego. (LF) (Main Document 82 replaced on 3/6/2023) (LF). (Entered: 03/03/2023)

03/03/2023	<u>83</u>	Letter from Lidia M. Orrego to Magistrate Judge Shields to report the status of Deposition and other discovery to develop after receiving the ruling on Motion Default Judgment ECF <u>57</u> . (LF) (Main Document 83 replaced on 3/6/2023) (LF). (Entered: 03/03/2023)
03/06/2023	<u>84</u>	Letter to Judge Shields from Lidia M. Orrego dtd 3/3/2023 in accordance with 8/16/2022 Scheduling Order to file this letter in connection to Defendant's Depositions. (JC) (Entered: 03/06/2023)
03/06/2023	<u>85</u>	REPLY to Response to Motion re <u>77</u> , <u>78</u> Letter MOTION to Change Venue <i>Request that the court grant the change to the District and Magistrate Judge and the Venue to Brooklyn Courthouse</i> , filed by Lidia M. Orrego. (JC) (Entered: 03/07/2023)
03/06/2023	<u>86</u>	RESPONSE to Motion re <u>80</u> Letter MOTION to Compel <i>to report new misconduct and fraudulent concealment or misrepresentation from Mr. Kuuku Minnah–Donkoh, Defendants' counsel</i> , filed by Lidia M. Orrego. (JC) (Entered: 03/07/2023)
03/09/2023		SCHEDULING ORDER: Defense counsel is directed to provide a complete copy of Plaintiff's February 27, 2023 deposition transcript for the Court's review. The transcript must be emailed to shields_chambers@nyed.uscourts.gov by 5:00 PM on Friday, March 10, 2023. So Ordered by Magistrate Judge Anne Y. Shields on 3/9/2023. (DM) (Entered: 03/09/2023)
03/09/2023	<u>87</u>	REPORT AND RECOMMENDATIONS re <u>73</u> Notice of MOTION for Declaratory Judgment <i>with affirmation and exhibits attached</i> filed by Lidia M. Orrego, <u>77</u> Letter MOTION to Change Venue <i>Request that the court grant the change to the District and Magistrate Judge and the Venue to Brooklyn Courthouse</i> , filed by Lidia M. Orrego. For the reasons set forth in the Order and Report and Recommendation, it is respectfully recommended that Plaintiff's motions for a declaratory judgment in her favor, and the motion to change venue to the Brooklyn Courthouse, be denied. A copy of this Order and Report and Recommendation is being provided to all counsel and Plaintiff via ECF. Any written objections to this Report and Recommendation portion must be filed with the Clerk of the Court within fourteen (14) days of filing of this report. Entered by Magistrate Judge Anne Y. Shields on 3/9/2023. (DM) (Entered: 03/09/2023)
03/10/2023	<u>88</u>	ORDER denying <u>65</u> Motion to Compel; denying <u>69</u> Motion for Sanctions; denying <u>70</u> Motion for Preliminary Injunction; denying <u>74</u> Motion to Compel; denying <u>79</u> Motion to Withdraw as Attorney; denying <u>80</u> Motion to Compel. For the reasons set forth in the attached Order, Plaintiff's motions appearing at docket entries <u>57</u> , <u>65</u> , <u>69</u> , <u>70</u> , <u>74</u> and <u>80</u> are denied. The proposed confidentiality order appearing as docket entry No. [66–1] is So Ordered. Defendants' motion for additional time in which to depose Plaintiff, appearing as docket entry No. <u>81</u> , is denied without prejudice to renew upon providing the Court with the transcript of Plaintiff's deposition. Finally, Limited Scope Counsel's motion appearing as docket entry No. <u>79</u> is denied without prejudice to renew in accord with this Order. So Ordered by Magistrate Judge Anne Y. Shields on 3/9/2023. (DM) (Entered: 03/10/2023)
03/10/2023	<u>89</u>	Letter from Lidia M. Orrego to Judge Shields dtd 3/10/2023 Plaintiff's depositions served on March 10, 2023 – Lack of review or approval. (JC) (Entered: 03/13/2023)
03/13/2023		SCHEDULING ORDER: Based upon Counsel's request, the Court's review of the transcript and the reference of the Court reporter to the time of testimony, the Court directs Plaintiff to appear for an additional 2 hours of deposition testimony. The deposition must be completed by April 7, 2023. Limited scope counsel is granted one week in which to determine whether to renew its request to be relieved from representation. In the event that no motion is made the Court will assume that limited scope counsel will represent Plaintiff at her continued deposition. In any event there will be no extension of the April 7, 2023 deadline. So Ordered by Magistrate Judge Anne Y. Shields on 3/13/2023. (DM) (Entered: 03/13/2023)
03/14/2023	<u>90</u>	Letter MOTION to Compel <i>to terminate or limit plaintiff's depositions/modify 3/13/2023 Scheduling Order</i> by Lidia M. Orrego. (JC) (Entered: 03/14/2023)
03/14/2023	<u>91</u>	Letter from Lidia M. Orrego dtd 3/14/23 requesting clarification regarding communication between the Court and the Defendants. (JC) (Entered: 03/14/2023)

03/15/2023	<u>92</u>	ORDER granting in part and denying in part <u>90</u> Motion to Compel. To the extent that Plaintiff's motion is one for reconsideration of this Court's prior ruling directing Plaintiff to appear for an additional 2 hours of deposition testimony, the motion for reconsideration is GRANTED. To the extent that Plaintiff seeks to modify the existing order directing her to appear for an additional 2 hours of deposition testimony, the motion is DENIED. Upon reconsideration, the Court adheres to its original ruling and directs Plaintiff to appear for an additional 2 hours of deposition testimony to be completed by April 7, 2023. For reference, attached is a copy of Plaintiff's February 27, 2023 deposition transcript as well as a copy of an email from the deposition court reporter to Plaintiff confirming the length of the February 27, 2023 deposition. So Ordered by Magistrate Judge Anne Y. Shields on 3/15/2023. (Attachments: # <u>1</u> Exhibit) (DM) (Entered: 03/15/2023)
03/15/2023	<u>93</u>	Notice of MOTION to Withdraw as Attorney <i>Renewed</i> by Lidia M. Orrego. (Gundlach, Jennifer) (Entered: 03/15/2023)
03/15/2023	<u>94</u>	Letter MOTION to Vacate <u>88</u> Order on Motion to Compel,,,,, Order on Motion for Sanctions,,,,, Order on Motion for Preliminary Injunction,,,,,,, Order on Motion to Withdraw as Attorney,,,,,,, by Lidia M. Orrego. (JC) (Entered: 03/17/2023)
03/16/2023		ORDER granting <u>93</u> Motion to Withdraw as Attorney. The request by Plaintiff's Limited Scope Counsel to withdraw is GRANTED. Attorney Jennifer A Gundlach terminated. So Ordered by Magistrate Judge Anne Y. Shields on 3/16/2023. (DM) (Entered: 03/16/2023)
03/17/2023	<u>95</u>	Letter Motion to Vacate from Lidia Orrego to Judge Shields dtd 3/16/2023 re: Letter Motion to Vacate Order DE <u>88</u> on "Letter Motion Challenging the Confidentiality DE (65) unrelated to the Unconscionable "Confidentiality Agreement" [66-1]. (JC) Modified on 3/21/2023 (JT). (Entered: 03/17/2023)
03/20/2023	<u>98</u>	Letter MOTION to Vacate <u>88</u> Order on Motion to Compel,,,,, Order on Motion for Sanctions,,,,, Order on Motion for Preliminary Injunction,,,,,,, Order on Motion to Withdraw as Attorney,,,,,,, by Lidia M. Orrego. (Attachments: # <u>1</u> Exhibit) (GO) (Entered: 03/22/2023)
03/21/2023		ORDER denying <u>95</u> Motion to Vacate <u>95</u> MOTION to Vacate. Plaintiff's request that this Court vacate the order found at docket entry No. <u>88</u> is DENIED. To be clear, the Court adheres to its original ruling with regard to the documents designated as confidential and the Order of Confidentiality entered to govern discovery herein. So Ordered by Magistrate Judge Anne Y. Shields on 3/21/2023. (DM) (Entered: 03/21/2023)
03/21/2023	<u>96</u>	Notice of MOTION to Vacate <i>the Challenged Order</i> by Lidia M. Orrego. (JC) (Entered: 03/22/2023)
03/22/2023	<u>97</u>	Letter Notice of Motion to Vacate the Challenged Order DE <u>88</u> . (JC) (Entered: 03/22/2023)
03/22/2023	<u>99</u>	MOTION for Extension of Time to File Response/Reply as to <u>73</u> Notice of MOTION for Declaratory Judgment <i>with affirmation and exhibits attached</i> , <u>77</u> Letter MOTION to Change Venue <i>Request that the court grant the change to the District and Magistrate Judge and the Venue to Brooklyn Courthouse</i> , by Lidia M. Orrego. (JC) (Entered: 03/23/2023)
03/22/2023	<u>100</u>	Notice of MOTION to Vacate <u>88</u> Order on Motion to Compel,,,,, Order on Motion for Sanctions,,,,, Order on Motion for Preliminary Injunction,,,,,,, Order on Motion to Withdraw as Attorney,,,,,,, by Lidia M. Orrego. (Attachments: # <u>1</u> Exhibit) (GO) (Entered: 03/24/2023)
03/23/2023	<u>101</u>	NOTICE ENTRY PLAINTIFF'S OBJECTIONS/ OBJECTION to <u>87</u> Report and Recommendations, filed by Lidia M. Orrego. (GO) (Entered: 03/24/2023)
03/23/2023	<u>102</u>	Amended MOTION to Vacate <u>88</u> Order on Motion to Compel,,,,, Order on Motion for Sanctions,,,,, Order on Motion for Preliminary Injunction,,,,,,, Order on Motion to Withdraw as Attorney,,,,,,, by Lidia M. Orrego. (GO) (Entered: 03/24/2023)
03/23/2023	<u>103</u>	Amended MOTION to Vacate <u>96</u> Notice of MOTION to Vacate <i>the Challenged Order</i> /AMENDED ECF <u>96</u> NOTICE OF MOTION VACATE THE CHALLENGED ORDER,

		by Lidia M. Orrego. (GO) (Entered: 03/24/2023)
03/23/2023	<u>104</u>	Amended MOTION to Vacate <u>97</u> Letter / <i>AMENDED ECF 97 NOTICE OF MOTION VACATE THE CHALLENGED ORDER DE 88</i> , by Lidia M. Orrego. (GO) (Entered: 03/24/2023)
03/24/2023	<u>105</u>	SECOND NOTICE ENTRY PLAINTIFF'S OBJECTIONS/ OBJECTION to <u>87</u> Report and Recommendations, filed by Lidia M. Orrego dated 3/24/2023. (GO) (Entered: 03/24/2023)
03/28/2023		ORDER ADOPTING REPORT AND RECOMMENDATIONS for <u>73</u> Motion for Declaratory Judgment filed by Lidia M. Orrego, <u>77</u> Motion to Change Venue filed by Lidia M. Orrego, adopting <u>87</u> Report and Recommendations. Presently before the Court is the Report and Recommendation dated March 9, 2023, DE 87, of United States Magistrate Judge Anne Y. Shields recommending that Plaintiff's motions for a declaratory judgment in her favor, and the motion to change venue to the Brooklyn Courthouse, be denied. In reviewing a Report and Recommendation, the district court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1). Where a party makes specific and timely objections to a Magistrate Judge's findings or recommendations as to dispositive motions, the district court must apply a de novo standard of review to the portions of the Report and Recommendation to which the objection is made. Fed. R. Civ. P. 72(b); <i>see LLC v. Doe 3</i>, 604 F.3d 110, 116 (2d Cir. 2010); <i>see also</i> 28 U.S.C. § 636(b)(1). However, "general or conclusory objections, or objections which merely recite the same arguments presented to the magistrate judge, are reviewed for clear error." <i>Caldarola v. Town of Smithtown</i>, No. 09-cv-272, 2011 U.S. Dist. LEXIS 37280, at *1 (E.D.N.Y. Apr. 4, 2011). On March 22, 2023, Plaintiff requested eight additional days to file her objections to the Report and Recommendation. DE 99. Whereas Plaintiff already filed objections to the Report and Recommendation on March 23 and March 24, 2023, <i>see</i> DEs 101, 105, the request for an extension of time is denied as moot. In her objections, Plaintiff argues that Magistrate Judge Anne Y. Shields "misapplied" the concept of the Plaintiff's motion for Declaratory Relief in order to protect the Defendant, <i>see</i> DE 101 at 5, and that transferring this case to Brooklyn would be a "win-win" because the Plaintiff will "try to seek justice in a forum that protects the working class" and "this Court will not have to deal with Plaintiff whom it has been rejecting after September 30, 2021," <i>see</i> DE 105 at 6. Although de novo review is not required, the Court has conducted a de novo review of the Report and Recommendation, and having reviewed the motion papers, the applicable law, and having conducted a careful review of the Report and Recommendation de novo, the Court has determined that Judge Shields correctly determined that the motion for declaratory judgment should be denied in light of this case's ongoing discovery and that this case was properly designated as a Long Island case. <i>See Orrego v. Knipping</i>, 564 F. Supp. 3d 273, 278-82 (E.D.N.Y. 2021) (summarizing allegations of misconduct against defendants in Nassau County). As such, the objections to the Report and Recommendation are OVERRULED and the Report and Recommendation dated March 9, 2023, DE 87, of United States Magistrate Judge Anne Y. Shields is ADOPTED in its entirety. The Clerk of Court is respectfully directed to mail a copy of this Order to the pro se Plaintiff. Ordered by Judge Gary R. Brown on 3/28/2023. (JT) (Entered: 03/28/2023)
03/28/2023		ORDER denying <u>99</u> Motion for Extension of Time to File Response/Reply. Ordered by Judge Gary R. Brown on 3/28/2023. c/ecf (JT) (Entered: 03/28/2023)
03/28/2023		ORDER denying <u>94</u> Motion to Vacate, <u>96</u> Notice of MOTION to Vacate, <u>98</u> Letter MOTION to Vacate, <u>100</u> Notice of MOTION to Vacate, <u>102</u> Amended MOTION to Vacate, <u>103</u> Amended MOTION to Vacate, <u>104</u> Amended MOTION to Vacate. Presently before the Court are a series of objections to the Orders of Magistrate Judge

		Anne Y. Shields dated March 9, 2023, DE 88. <i>See</i> DEs 94, 96, 98, 100, 102, 103, 104. Discovery orders by a magistrate judge are generally considered "nondispositive" of the litigation. <i>See Thomas E. Hoar, Inc. v. Sara Lee Corp.</i>, 900 F.2d 522, 525 (2d Cir. 1990). Accordingly, a district court must affirm such orders unless they are "clearly erroneous or contrary to law." 28 U.S.C. § 636(b)(1)(A); Fed. R. Civ. P. 72(a). This standard of review is "highly deferential," <i>see Thai Lao Lignite (Thai.) Co. v. Gov't of Lao People's Dem. Rep.</i>, 924 F. Supp. 2d 508, 511–12 (S.D.N.Y. 2013) (citations and internal quotation marks omitted), and "magistrates are afforded broad discretion in resolving discovery disputes," <i>see MASTR Adjustable Rate Mortgs. Tr. 2006–OA2 v. UBS Real Estate Secs. Inc.</i>, No. 12 Civ. 7322, 2013 WL 6840282, at *1 (S.D.N.Y. Dec. 27, 2013) (citation omitted). In a series of repetitive and verbose objections, Plaintiff principally argues that Judge Shields lacked the authority to issue the Orders in DE 88 and calls into question Judge Shields' impartiality. Whereas all of the Orders issued by Judge Shields concerned discovery matters and the allegations of bias are unsubstantiated, Plaintiff's objections are OVERRULED. 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. The Clerk of Court is respectfully directed to mail a copy of this Order to the pro se Plaintiff. Ordered by Judge Gary R. Brown on 3/28/2023. (JT) (Entered: 03/28/2023)
03/31/2023	<u>106</u>	Letter MOTION to Compel <i>defendants counsel to provide plaintiff with copies of numerous things</i> by Lidia M. Orrego. (JC) (Entered: 03/31/2023)
04/04/2023	<u>107</u>	Letter <i>In Response to Plaintiff's March 31, 2023 Letter Motion to Compel</i> by Stephanieanna James–Knipfing, Kevin Knipfing, Old Westbury EDDIE LLC, Old Westbury LLC, Teresa A. Zantua (Minnah–Donkoh, Kuuku) (Entered: 04/04/2023)
04/04/2023	<u>108</u>	Plaintiff Lidia M. Orrego's request for Judicial Notice Adjudicative of Facts, filed concurrently with Notice of Motion to take Judicial Notice Adjudicative of Facts and instruction to the Jury to accept the noticed fact as conclusive, granting relief to Plaintiff of the burden of proof in the Trial pursuant Fed. Rules of Evidence 201 (JC) (Entered: 04/05/2023)
04/06/2023	<u>109</u>	MOTION to Vacate <i>03/28/2023 ORDER denying 94 Motion to Vacate, 96 Notice of MOTION to Vacate, 98 Letter MOTION to Vacate, 100 Notice of MOTION to Vacate, 102 Amended MOTION to Vacate, 103 Amended MOTION to Vacate, 104 Amended MOTION to Vacate</i> by Lidia M. Orrego. (JC) (Entered: 04/06/2023)
04/10/2023		ORDER REFERRING MOTION: <u>106</u> Letter MOTION to Compel <i>defendants counsel to provide plaintiff with copies of numerous things</i> filed by Lidia M. Orrego. Plaintiff's motion (DE 106) is respectfully referred to the assigned Magistrate Judge for all appropriate action, if any. Ordered by Judge Gary R. Brown on 4/10/2023. Motions referred to Anne Y. Shields. (MR) (Entered: 04/10/2023)
04/10/2023		ORDER. Plaintiff's motion pursuant to Federal Rule of Evidence 201 (DE 108) is denied without prejudice to renewal at the time of trial. Ordered by Judge Gary R. Brown on 4/10/2023. (MR) (Entered: 04/10/2023)
04/10/2023		ORDER denying <u>109</u> Motion to Vacate. Plaintiff's motion, construed as an objection to the Court's previous rulings, is denied. Further, Plaintiff's motion, construed as again seeking to disqualify Magistrate Judge Shields is denied. Ordered by Judge Gary R. Brown on 4/10/2023. (MR) (Entered: 04/10/2023)
04/10/2023	<u>111</u>	Letter from Pro Se Litigant Lidia M. Orrego dated 4/10/2023 Re: respectfully request the issues of subpoenas pursuant the Federal Rules Civil Procedure Rule 45. Subpoena (3). (GO) (Entered: 04/13/2023)
04/11/2023	<u>110</u>	Notice of MOTION for Reconsideration <i>on Order entered March 28, 2023, at 4:45 pm, pursuant to Federal Rule Civil Procedure Rule (FRCP) Rule 7 (b)(1), Local Civil Rule 6.3, Title 18, U.S.C., Section 241</i> by Lidia M. Orrego. (Attachments: # <u>1</u> Exhibits

		1, # <u>2</u> Exhibits 2) (JC) (Entered: 04/11/2023)
04/12/2023		ORDER denying <u>106</u> Motion to Compel. Plaintiff's motion to compel Defendants to provide a copy of all cases or authorities since October 10, 2020 is DENIED. A review of the docket indicates that Defendants have complied with Local Civil Rule 7.2 which provides that "[i]n cases involving a pro se litigant, counsel shall, when serving a memorandum of law (or other submissions to the Court), provide the pro se litigant with copies of cases and other authorities cited therein that are unpublished or reported exclusively on computerized databases. Upon request, counsel shall provide the pro se litigant with copies of such unpublished cases and other authorities as are cited in a decision of the Court and were not previously cited by any party." Further, as Plaintiff never requested copies of any unpublished cases and/or authorities cited in any of the decisions of the Court from Defendants, Plaintiff's request is similarly denied. Going forward, should Plaintiff desire copies of such cases, Plaintiff must make a timely request to Defendants to provide such. So Ordered by Magistrate Judge Anne Y. Shields on 4/12/2023. (DM) (Entered: 04/12/2023)
04/13/2023	<u>112</u>	Letter from Pro Se Office to Pro Se Litigant Lidia M. Orrego, dated 4/13/2023 Re: Response to <u>111</u> Letter. (GO) (Entered: 04/13/2023)
04/13/2023	<u>113</u>	Notice of MOTION for Reconsideration <i>on Order entered April 10, 2023, on Judicial Notice ECF <u>108</u>, pursuant to Federal Rule of Evidence Rule 201 – Judicial Notice of Law and Adjudicative Facts, Federal Rule Civil Procedure Rule (FRCP) Rule 7 (b)(1), Local Civil Rule 6.3.</i> by Lidia M. Orrego. (JC) (Entered: 04/13/2023)
04/20/2023	<u>117</u>	Notice of MOTION for Reconsideration <i>and Objections on Denial Without Memorandum of Plaintiff's Motion to Vacate ECF <u>109</u> on improper Order ECF <u>88</u> by Judge Shields for Lack of Specificity and Legal Authorities – Order Entered April 10, 2023</i> by Lidia M. Orrego. (JC) (Entered: 04/27/2023)
04/22/2023	<u>114</u>	Notice of MOTION for Reconsideration <i>and Objections on Order entered on April 12, 2023 on Motion to Compel ECF <u>106</u></i> by Lidia M. Orrego. (JC) (Entered: 04/24/2023)
04/27/2023	<u>115</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings held on March 8, 2022, before Judge Anne Y. Shields. Transcriber Writer's Cramp, Inc., Telephone number 609-588-8043. Email address: wtrscrap@verizon.net. Transcript may be viewed at the court public terminal or purchased through the Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 5/18/2023. Redacted Transcript Deadline set for 5/29/2023. Release of Transcript Restriction set for 7/26/2023. (KS) (Entered: 04/27/2023)
04/27/2023	<u>116</u>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings held on July 5, 2022, before Judge Anne Y. Shields. Transcriber Writer's Cramp, Inc., Telephone number 609-588-8043. Email address: wtrscrap@verizon.net. Transcript may be viewed at the court public terminal or purchased through the Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. Redaction Request due 5/18/2023. Redacted Transcript Deadline set for 5/29/2023. Release of Transcript Restriction set for 7/26/2023. (KS) Modified on 4/27/2023 (KS). (Entered: 04/27/2023)
05/08/2023	<u>118</u>	NOTICE of Subpoenas by Lidia M. Orrego (JC) (Entered: 05/09/2023)
05/18/2023	<u>119</u>	ORDER OF RECUSAL. Judge Gary R. Brown recused. Case reassigned to Judge Joan M. Azrack for all further proceedings. So Ordered by Judge Gary R. Brown on 5/18/2023. (GO) Entry was deleted and re-docketed to correct a typographical error. (GO) (Entered: 05/19/2023)
05/24/2023	<u>120</u>	LETTER dated 5/24/2023 from Lidia M. Orrego to Judge Azrack re Submission of Affidavits for Subpoenas. (LC) (Entered: 05/24/2023)
05/25/2023	<u>121</u>	MOTION to Quash by County Attorney, Nassau County. (Attachments: # <u>1</u> Memorandum in Support DSS Response Letter/memo of law, # <u>2</u> Exhibit Subpoena) (McLaughlin, Brian) (Entered: 05/25/2023)
05/26/2023	<u>122</u>	Affirmation in Opposition to <u>121</u> MOTION to Quash Subpoena filed by Lidia M. Orrego. (LF) (Entered: 05/30/2023)

05/30/2023	<u>124</u>	MOTION to Compel / <i>Emergency Motion to Request a Court Order to Serve by affixing a true copy of subpoena to the door of said premises which is Rebeca Uzcategui's current Counsel's Office</i> by Lidia M. Orrego. (LC) (Main Document 124 replaced on 6/1/2023) (LC). (Entered: 06/01/2023)
05/31/2023	<u>123</u>	REPLY to Response to Motion re <u>121</u> MOTION to Quash <i>Reply to Plaintiff's Opposition</i> filed by County Attorney, Nassau County. (McLaughlin, Brian) (Entered: 05/31/2023)
06/02/2023	<u>125</u>	RESPONSE in Opposition re <u>124</u> MOTION to Compel / <i>Emergency Motion to Request a Court Order to Serve by affixing a true copy of subpoena to the door of said premises which is Rebeca Uzcategui's current Counsel's Office</i> filed by Stephanieanna James-Knipfing, Kevin Knipfing, Old Westbury EDDIE LLC, Old Westbury LLC, Teresa A. Zantua. (Minnah-Donkoh, Kuuku) (Entered: 06/02/2023)
06/02/2023	<u>126</u>	MOTION to Seal Document <u>121</u> MOTION to Quash by Stephanieanna James-Knipfing, Kevin Knipfing, Old Westbury EDDIE LLC, Old Westbury LLC, Teresa A. Zantua. (Minnah-Donkoh, Kuuku) (Entered: 06/02/2023)
06/02/2023	<u>127</u>	LETTER dated 6/2/2023 from Lida M. Orrego to Judge Shields re Affidavit of Service Subpoena refused by Gordon Rees Scully Mansukhani, LLP on behalf current client and witness Ms. Rebeca Uzcategui aka Lugo. (LC) (Entered: 06/06/2023)
06/02/2023	<u>128</u>	Plaintiff's "REPLY and Challenge the fraudulent misrepresentation Defendants Opposition ECF doc. <u>125</u> to Plaintiff's request for a Court Order to serve by affixing a true copy of the Subpoena ECF doc. <u>124</u> ." (LC) (Entered: 06/06/2023)
06/02/2023	<u>129</u>	MOTION to Set Aside , MOTION to Vacate <i>or cancel all the Orders by H. Judge Gary R. Brown denying the Plaintiff's Motion due to judicial bias and request to expedite the ruling on pending motions</i> by Lidia M. Orrego. (Attachments: # <u>1</u> Affirmation) (LC) (Entered: 06/06/2023)
06/06/2023	<u>130</u>	PLAINTIFF'S OBJECTION & OPPOSITION to <u>126</u> Motion Seal the <u>121</u> Motion to Quash Subpoena filed by Lindia M. Orrego. (LC) (Entered: 06/09/2023)
06/06/2023	<u>131</u>	MOTION to Vacate /" <i>Notice of Motion for an Order to Set Aside, Vacate or Cancel the H. Judge Gary R. Brown's Order Denying ECF doc. <u>35</u> Motion to Withdraw Answer to Amended Complaint (Pages 19 & 20) dated November 16, 2021 for Judicial Bians and Protective Order</i> " and Affirmation in Support. Filed by Lidia M. Orrego. (LC) (Entered: 06/09/2023)
06/13/2023		ORDER granting <u>121</u> Motion to Quash. Non-party Nassau County Department of Social Services ("DSS") motion to quash pursuant to Rule 45(d)(3)(3) of the Federal Rules of Civil Procedure is GRANTED. Plaintiff's subpoena seeks information that cannot be disclosed pursuant to N.Y. SOC. SERV. LAW. § 422(5). As Plaintiff does not qualify as one of the listed entities that the information may be disclosed to, her subpoena must be quashed. Whether Plaintiff is the "source" of the report is irrelevant. So Ordered by Magistrate Judge Anne Y. Shields on 6/13/2023. (DM) (Entered: 06/13/2023)
06/13/2023		ORDER granting <u>126</u> MOTION to Seal Document <u>121</u> MOTION to Quash . As the document found at docket entry No. [121-1] contains the names and identifying information of infants, the motion to seal the document is GRANTED and docket entry No. <u>121</u> is hereby SEALED. So Ordered by Magistrate Judge Anne Y. Shields on 6/13/2023. (DM) (Entered: 06/13/2023)
06/13/2023		ORDER denying <u>124</u> Motion to Compel. Plaintiff's motion for an order compelling defense counsel's office to accept a subpoena on behalf of non-party Rebecca Uzcategui ("Uzcategui") is DENIED. Uzcategui is a not a party to this litigation and defense counsel does not represent her in connection with this litigation. Therefore, defense counsel cannot accept a subpoena on her behalf. Further, Uzcategui is no longer employed by Defendants or under the control of any of the Defendants. Accordingly, Plaintiff's motion to compel is DENIED. So Ordered by Magistrate Judge Anne Y. Shields on 6/13/2023. (DM) (Entered: 06/13/2023)
06/14/2023	<u>132</u>	MOTION for Recusal <i>and Disqualification of Judge Anne Y. Shields</i> by Lidia M. Orrego. (LC) (Entered: 06/16/2023)

06/20/2023	<u>133</u>	RESPONSE in Opposition re <u>132</u> MOTION for Recusal <i>and Disqualification of Judge Anne Y. Shields</i> filed by Stephanieanna James-Knipfing, Kevin Knipfing, Old Westbury EDDIE LLC, Old Westbury LLC, Steve Savitsky, Teresa A. Zantua. (Minnah-Donkoh, Kuuku) (Entered: 06/20/2023)
06/20/2023	<u>134</u>	NOTICE OF SUBPOENA to T-Mobile filed by Lidia M. Orrego. (LC) (Entered: 06/22/2023)
06/21/2023		ORDER denying <u>132</u> Motion for Recusal. Plaintiff's motion requesting the recusal of the undersigned is DENIED. So Ordered by Magistrate Judge Anne Y. Shields on 6/21/2023. (DM) (Entered: 06/21/2023)
06/22/2023	<u>135</u>	Plaintiff's Reply to Defendants' improper Opposition to the Motion Recusal of M. Judge Anne Y. Shields ECF doc. <u>132</u> , filed by pro se litigant dated 6/22/2023. (GO) (Entered: 06/23/2023)
06/23/2023	<u>136</u>	CERTIFICATE OF SERVICE by Lidia M. Orrego re Plaintiffs' Motion to Recuse – ECF doc. <u>132</u> filed 06/14/2023 ; Defendants' Opposition improper "Letter Motion" ECF doc. <u>133</u> filed 06/20/2023; Plaintiff's Reply to improper Defendants' Opposition ECF doc. <u>135</u> filed 06/22/2023.. (LC) (Entered: 06/26/2023)
06/30/2023	<u>137</u>	NOTICE of Non-Opposition to Plaintiff's <u>129</u> MOTION to Set Aside, MOTION to Vacate <i>or cancel all the Orders by H. Judge Gary R. Brown denying the Plaintiff's Motion due to judicial bias and request to expedite the ruling on pending motions</i> (LC) (Entered: 07/06/2023)
06/30/2023	<u>138</u>	NOTICE of Non-Opposition to Plaintiff's Motion ECF doc. <u>131</u> for an Order to Set Aside, Vacate or Cancel the H. Judge Gary R. Brown's Order Denying ECF doc. <u>35</u> Motion to Withdraw Answer to Amended Complaint (Pages 19 & 20) dated November 16, 2021 for Judicial Bias and Protective Order. (LC) (Entered: 07/06/2023)
07/01/2023	<u>139</u>	NOTICE of Non-Opposition to Plaintiff's Letter Motion ECF doc. <u>64</u> for an Order to Modify the Scheduling Order Dated August 16, 2022. (LC) (Entered: 07/06/2023)
07/01/2023	<u>140</u>	NOTICE of Non-Opposition to Plaintiff's Letter Motion ECF doc. <u>91</u> for an Order to Clarify the Ex Parte Communications Between M. Judge Anne Y. Shields' Chambers and Defendants. (LC) (Entered: 07/06/2023)
07/02/2023	<u>141</u>	NOTICE of Non-Opposition to Plaintiff's Motion for Reconsideration & Objections ECF doc. <u>114</u> filed on April 12, 2023, for an Order to Compel ECF doc. <u>106</u> . (LC) (Entered: 07/06/2023)
07/11/2023		ORDER denying <u>110</u> Motion for Reconsideration, <u>113</u> Notice of MOTION for Reconsideration, <u>114</u> Notice of MOTION for Reconsideration, <u>117</u> Notice of MOTION for Reconsideration, <u>129</u> MOTION to Set Aside MOTION to Vacate, <u>131</u> MOTION to Vacate. Before the Court are several motions filed by Plaintiff for reconsideration of various orders issued by Judge Gary R. Brown and Magistrate Judge Anne Y. Shields. The standard for granting a motion for reconsideration is "strict," and "reconsideration will generally be denied unless the moving party can point to controlling decisions or data that the court overlooked—matters, in other words, that might reasonably be expected to alter the conclusion reached by the court." <i>Shrader v. CSX Transp., Inc.</i>, 70 F.3d 255, 257 (2d Cir. 1995) (citations omitted). "This strict standard is intended to ensure the finality of decisions and to prevent the practice of a losing party examining a decision and then plugging the gaps of a lost motion with additional matters." <i>Great Am. Ins. Co. v. Zelik</i>, 439 F. Supp. 3d 284, 286 (S.D.N.Y. 2020) (internal quotation marks and citations omitted). Accordingly, "a motion to reconsider should not be granted where the moving party seeks solely to relitigate an issue already decided." <i>Shrader</i>, 70 F.3d at 257. The Court has reviewed Plaintiff's submissions and concludes that she has not satisfied the "strict" standard for reconsideration. Accordingly, the motions are DENIED in their entirety. Ordered by Judge Joan M. Azrack on 7/11/2023. (SP) (Entered: 07/11/2023)
07/11/2023	<u>142</u>	MOTION for Reconsideration re Order on Motion to Quash,, "Notice of Motion for an Order to Set Aside, Vacate, or Cancel Order filed June 13, 2023 on Motion Quash

		<i>Subpoena ECF doc. <u>121</u> " by Lidia M. Orrego. (LC) (Entered: 07/13/2023)</i>
07/12/2023	<u>143</u>	AMENDED MOTION for Reconsideration re Order on Motion to Quash,, "Notice of Motion for an Order to Set Aside, Vacate, or Cancel Order filed June 13, 2023 on Motion Quash Subpoena ECF doc. <u>121</u> " by Lidia M. Orrego. (GO) Modified on 7/14/2023- to correct the docket from Letter to Amended. (GO). (Entered: 07/14/2023)
07/14/2023	<u>144</u>	MOTION for Reconsideration /"For an Order to Set Aside, Vacate, or Cancel Order Filed June 13, 2023 on Motion to Compel Subpoena ECF doc. <u>124</u> ." by Lidia M. Orrego. (LC) (Entered: 07/17/2023)
07/18/2023	<u>145</u>	MOTION to Vacate Order on Motion for Recusal /Motion For An Order To Set Aside, Vacate, Or Cancel Order Filed June 21, 2023, Under FRCP Rule 54 (B) On Motion Recusal M. Judge Anne Y. Shields Ecf Doc. <u>132</u> , by Lidia M. Orrego. (GO) (Entered: 07/19/2023)
07/19/2023	<u>146</u>	MOTION to Compel /PLAINTIFF'S MOTION FOR CLARIFICATION ON DISCOVERY ORDERS, by Lidia M. Orrego. (GO) (Main Document 146 replaced on 8/4/2023) (LC). (Entered: 07/20/2023)
07/20/2023		ORDER denying <u>142</u> Motion for Reconsideration, <u>143</u> Letter MOTION for Reconsideration, <u>144</u> MOTION for Reconsideration, <u>145</u> MOTION to Vacate Order on Motion for Recusal. Before the Court are several objections filed by Plaintiff to various orders issued by Magistrate Judge Anne Y. Shields. Plaintiff styles these motions as seeking reconsideration -- apparently mistakenly -- under Fed. R. Civ. P. 54(b). However, she also states that she objects to Magistrate Judge Shields' orders. Accordingly, the Court construes Plaintiff's motions as presenting objections under Fed. R. Civ. P. 72(a), which provides that a district court may reverse a magistrate judge's decision on a non-dispositive matter only if that decision is "clearly erroneous or contrary to law." Upon consideration of Plaintiff's objections under this highly deferential standard of review, the Court finds that Magistrate Judge Shields' orders were not "clearly erroneous or contrary to law." Accordingly, Plaintiff's objections are OVERRULED. For the avoidance of doubt, even if the Court were to construe Plaintiff's motions as seeking reconsideration under Fed. R. Civ. P. 54(b) or 60, the motions would be denied because Plaintiff has not satisfied the strict standard for reconsideration. Ordered by Judge Joan M. Azrack on 7/20/2023. (SP) Modified on 7/21/2023- to correct a typographical error. (GO). (Entered: 07/20/2023)
07/20/2023	<u>147</u>	Letter MOTION for Reconsideration /PLAINTIFFS MOTION RIGHT TO FILE AT ANY TIME FOR AN ORDER UNDER FED. R. CIV. P. 54 (b), TO SET ASIDE, VACATE OR CANCEL THE NOT FINAL ORDER DATED JULY 11, 2023 ON MOTIONS ECF doc. <u>113</u> , ACCORDING TO THE COURT OF APPEALS SECOND CIRCUIT DECISION DATED MAY 18, 2023, by Lidia M. Orrego. (GO) (Entered: 07/21/2023)
07/20/2023	<u>148</u>	Letter MOTION for Reconsideration PLAINTIFFS MOTION RIGHT TO FILE AT ANY TIME FOR AN ORDER UNDER FED. R. CIV. P. 54 (b), TO SET ASIDE, VACATE OR CANCEL THE NOT FINAL ORDER DATED JULY 11, 2023 ON MOTIONS ECF doc. <u>110</u> , ACCORDING TO THE COURT OF APPEALS SECOND CIRCUIT DECISION DATED MAY 18, 2023 by Lidia M. Orrego. (GO) (Entered: 07/21/2023)
07/21/2023	<u>149</u>	MOTION to Vacate Order on Motion for Reconsideration,,,,,,,,,,,,,,,,,,,,, Order on Motion to Set Aside,,,,,,,,, Order on Motion to Vacate,,,,,,,,,,,,, PLAINTIFFS MOTION RIGHT TO FILE AT ANY TIME FOR AN ORDER UNDER FED. R. CIV. P. 54 (b), TO SET ASIDE, VACATE OR CANCEL THE NOT FINAL ORDER DATED JULY 11, 2023 ON MOTIONS ECF doc. <u>117</u> , ACCORDING TO THE COURT OF APPEALS SECOND CIRCUIT DECISION DATED MAY 18, 2023 by Lidia M. Orrego. (GO) (Entered: 07/24/2023)
07/21/2023	<u>150</u>	MOTION to Vacate Order on Motion for Reconsideration,,,,,,,,,,,,,,,,,,,,, Order on Motion to Set Aside,,,,,,,,, Order on Motion to Vacate,,,,,,,,,,,,, PLAINTIFFS MOTION RIGHT TO FILE AT ANY TIME FOR AN ORDER UNDER FED. R. CIV. P. 54 (b),

		TO SET ASIDE, VACATE OR CANCEL THE NOT FINAL ORDER DATED JULY 11, 2023 ON MOTIONS ECF doc. <u>129</u> , ACCORDING TO THE COURT OF APPEALS SECOND CIRCUIT DECISION DATED MAY 18, 2023 by Lidia M. Orrego. (GO) (Entered: 07/24/2023)
07/21/2023	<u>151</u>	MOTION to Vacate Order on Motion for Reconsideration,,,,,,,,,,,,, Order on Motion to Set Aside,,,,,,,,, Order on Motion to Vacate,,,,,,,,, <i>PLAINTIFFS MOTION RIGHT TO FILE AT ANY TIME FOR AN ORDER UNDER FED. R. CIV. P. 54 (b), TO SET ASIDE, VACATE OR CANCEL THE NOT FINAL ORDER DATED JULY 11, 2023 ON MOTIONS ECF doc. <u>131</u> , ACCORDING TO THE COURT OF APPEALS SECOND CIRCUIT DECISION DATED MAY 18, 2023 by Lidia M. Orrego. (GO) (Entered: 07/24/2023)</i>
07/21/2023	<u>152</u>	MOTION for Certificate of Appealability / <i>PLAINTIFF'S MOTION TO CERTIFY AN ORDER FOR INTERLOCUTORY APPEAL ON ORDERS DATED JULY 11, 2023, AND JULY 20, 2023 UNDER 28 U.S.C. 1292(b)</i> , by Lidia M. Orrego. (GO) Modified on 7/27/2023– document was inadvertently filed as Notice of Interlocutory Appeal instead of a Motion for Certificate of Appealability– Corrections have been made to the docket and the CA2 has been notified. (GO). (Entered: 07/27/2023)
07/21/2023		Incorrect Case/Document/Entry Information: The DE# <u>152</u> document was inadvertently filed as Notice of Interlocutory Appeal instead of a Motion for Certificate of Appealability. Corrections have been made to the docket and the Court of Appeals has been notified. There is NO Appeal filing fee due. (GO) (C/M via CM/ECF) (Entered: 07/27/2023)
07/23/2023	<u>153</u>	MOTION to Compel / <i>PLAINTIFF'S MOTION TO CLARIFY THE ORDER JULY 20, 2023</i> , by Lidia M. Orrego. (GO) (Entered: 07/24/2023)
07/24/2023	<u>154</u>	MOTION for Contempt / <i>PLAINTIFF'S MOTION FOR CONTEMPT OF COURT CIVIL AND CRIMINAL SANCTIONS AGAINST REBECA UZCATEGUI, A/K/A REBECA LUGO, FOR FAILURE TO COMPLY WITH A SUBPOENA ON JUNE 5, 2023 & OBSTRUCTION OF JUSTICE</i> by Lidia M. Orrego. (GO) (Entered: 07/25/2023)
07/25/2023		ORDER granting <u>146</u> Motion to Compel. Plaintiff's motion requesting clarification of prior discovery orders is granted. On December 7, 2021, this Court issued an initial conference order scheduling a telephonic initial conference to be held on February 14, 2022 and included this Court's individual rules and template discovery schedules as examples for the attorneys to review and confer about prior to submitting a joint proposed discovery schedule and joint initial letter for the Court's review before the scheduled initial conference. Upon review the Court declined to adopt the joint proposed discovery schedule. Rather, the Court directed counsel to complete the undersigned's Employment Protocols by April 12, 2022, cancelled the initial conference, and scheduled a status conference for April 19, 2022. However, on February 14, 2022, Plaintiff filed a letter requesting a substitution of counsel. As a result, a conference was held, Plaintiff's counsel was relieved, and Plaintiff ultimately proceeded in this case pro se. On April 19, 2022, in response to Plaintiff's request to remove this Court's prior discovery orders, the undersigned vacated the initial conference order which rendered the discovery scheduling order directing that the Employment Protocols be completed by April 12, 2022 moot. The undersigned also set forth a new Tier I discovery schedule. However, once again, due to Plaintiff's request for an in-person initial conference rather than a Tier I discovery schedule to initiate discovery, the undersigned vacated the newly issued Tier I discovery schedule and scheduled an in-person initial conference for July 5, 2022. During the July 5, 2022, all parties were given ample time to request any Phase I discovery they sought and a Phase I discovery schedule was entered. HIPAA authorizations were not requested. This Court does not order settlement conferences as part of discovery schedules. If all parties agree, they may request a settlement conference. In light of Plaintiff's representation that she is interested in a settlement conference, Plaintiff and defense counsel are directed to confer, and by August 1, 2023, submit a joint letter on ECF advising this Court whether all parties request such a conference. Finally, the following discovery schedule is now in effect: All discovery in this case shall be completed by November 1, 2023. Any party seeking to make a dispositive motion shall initiate that process, consistent with the undersigned's individual rules, on or before December 1, 2023. The joint proposed pre-trial order shall be filed on January 4,

		2024, or, in the event that a dispositive motion is made, 30 days after a final decision on the motion is rendered. So Ordered by Magistrate Judge Anne Y. Shields on 7/25/2023. (DM) (Entered: 07/25/2023)
07/26/2023	<u>155</u>	Letter <i>Opposition to Plaintiff's Petition/Motion for Certification of an Interlocutory Appeal</i> (ECF No. 152) by Stephanieanna James-Knipfing, Kevin Knipfing, Old Westbury EDDIE LLC, Old Westbury LLC, Teresa A. Zantua (Minnah-Donkoh, Kuuku) (Entered: 07/26/2023)
07/26/2023	<u>156</u>	Letter from Pro Se Litigant dated 7/26/2023 Re: COMPLIANCE ORDER M. JUDGE ANNE Y. SHIELDS ORDER DATED JULY 25, 2023. I, Lidia M. Orrego, Plaintiff, respectfully submit a copy of the email to schedule the conference with the Defendants. (GO) (Entered: 07/28/2023)
07/26/2023	<u>157</u>	Letter from Pro Se Litigant dated 7/27/2023 Re: PLAINTIFF'S CONFIRMATION OF CLOSING DISCOVERY AND REQUEST MOVE FOR SUMMARY JUDGMENT ON NOVEMBER 1, 2023. (GO) (Entered: 07/28/2023)
07/26/2023	<u>158</u>	Letter from Pro Se Litigant dated 7/26/2023 Re: PLAINTIFF'S PROPOSAL RETURN DAY ON PENDING MOTIONS. (GO) (Entered: 07/28/2023)
07/26/2023	<u>159</u>	Letter from Pro Se Litigant 7/26/2023 dated Re: PLAINTIFF'S CERTIFICATION ON HIPAA AUTHORIZATIONS & STATEMENT ON MAGISTRATE JUDGE SHIELDS' ORDER JULY 25, 2023. (GO) (Entered: 07/28/2023)
07/28/2023		ORDER denying <u>152</u> Motion for Certificate of Appealability. Under 28 U.S.C. § 1292(b), a district judge may certify an interlocutory appeal if the party seeking certification demonstrates that the order to be appealed from "involves a controlling question of law as to which there is substantial ground for difference of opinion and... an immediate appeal from the order may materially advance the ultimate termination of the litigation." The party seeking leave to appeal bears the burden of establishing all three substantive criteria. <i>See Casey v. Long Island R.R.</i>, 406 F.3d 142, 146 (2d Cir. 2005). Moreover, that party must show "exceptional circumstances to overcome the general aversion to piecemeal litigation and justify a departure from the basic policy of postponing appellate review until after the entry of a final judgment." <i>Robinson v. De Niro</i>, No. 19-CV-09156, 2023 WL 4561590, at *2 (S.D.N.Y. July 17, 2023) (internal quotations marks and citation omitted). Even where the statutory criteria are met, a district court retains "broad discretion to deny certification[.]" <i>Nat'l Asbestos Workers Med. Fund v. Philip Morris, Inc.</i>, 71 F. Supp. 2d 139, 166 (E.D.N.Y. 1999). Here, Plaintiff asserts that the Court's July 11, 2023 and July 20, 2023 Orders satisfy the requirements of § 1292(b). However, because the Court disagrees that there is "substantial ground for difference of opinion" regarding any legal issues raised in the Orders -- including the underlying orders of Judge Brown and Magistrate Judge Shields -- the Court declines Plaintiff's request to certify these Orders for immediate interlocutory appeal. In light of Plaintiff's <i>pro se</i> status, the Court notes that to the extent she appeals from an interlocutory order, <i>see</i> 28 U.S.C. § 1292(a)(1), she need not seek this Court's leave to file an appeal. Ordered by Judge Joan M. Azrack on 7/28/2023. (SP) (Entered: 07/28/2023)
07/31/2023	<u>160</u>	STATUS REPORT by Lidia M. Orrego. (LC) (Entered: 07/31/2023)
08/01/2023	<u>161</u>	STATUS REPORT by Stephanieanna James-Knipfing, Kevin Knipfing, Old Westbury EDDIE LLC, Old Westbury LLC, Teresa A. Zantua (Minnah-Donkoh, Kuuku) (Entered: 08/01/2023)
08/01/2023	<u>162</u>	LETTER dated 8/1/2023 from Lidia M. Orrego to Judge Shields re Plaintiff's Reply to Defendants' Letter ECF doc. <u>161</u> Status Report Conference – Magistrate Judge Shields Order dated July 25, 2023. (LC) (Entered: 08/02/2023)
08/01/2023	<u>163</u>	MOTION to Compel / <i>PLAINTIFF'S OBJECTION & MOTION TO CLARIFY THE ORDER JULY 28, 2023 ON MOTION FOR CERTIFICATE OF APPEALABILITY ECF DOC. <u>152</u></i> by Lidia M. Orrego. (GO) (Entered: 08/03/2023)

08/01/2023	<u>164</u>	Letter from Pro Se Litigant to Judge Shields dated 8/1/2023 Re: Re: Plaintiff's Reply to Defendants' Letter ECF doc. <u>161</u> Status Report Conference – Magistrate Judge Shields' Order dated July 25, 2023. (GO) (Entered: 08/03/2023)
08/02/2023		SCHEDULING ORDER: Upon review of the parties' letters it is clear that a settlement conference would not be fruitful. Accordingly, no settlement conference will be scheduled at this time. The parties are reminded that all discovery in this case must be completed by November 1, 2023 and any party seeking to make a dispositive motion shall initiate that process, consistent with the undersigned's individual rules, on or before December 1, 2023. So Ordered by Magistrate Judge Anne Y. Shields on 8/2/2023. (DM) (Entered: 08/02/2023)
08/02/2023	<u>168</u>	LETTER dated 8/2/2023 from Lidia M. Orrego to Judge Shields Re: Plaintiff's Letter Clarification on Defendants Failure to Comply with the Magistrate Judge Shields' Individuals Rules VIII. Settlement Conferences A, B, C & request to comply the rules. (LC) (Entered: 08/07/2023)
08/03/2023	<u>165</u>	Letter from Pro Se Litigant to Judge Shields dated 8/3/2023 Re: Re: Plaintiff's Letter Motion request instructions to submit evidentiary records "Plaintiff's Records" to comply with Order dated August 2, 2023. (GO) (Entered: 08/04/2023)
08/03/2023	<u>166</u>	NOTICE OF INTERLOCUTORY APPEAL by Lidia M. Orrego. (CL) (Entered: 08/04/2023)
08/04/2023	<u>167</u>	USCA Appeal Fees received \$ 505 receipt number 200002102 re <u>166</u> Notice of Interlocutory Appeal filed by Lidia M. Orrego (CL) (Entered: 08/04/2023)
08/04/2023		Electronic Index to Record on Appeal sent to US Court of Appeals. <u>166</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: 08/04/2023)
08/11/2023	<u>169</u>	Letter from Pro Se Office to Pro Se Litigant dated 8/11/2023 Re: the enclosed disk is being returned without docketing or consideration. (GO) (Entered: 08/11/2023)
10/04/2023	<u>170</u>	MOTION for Order to Show Cause <i>FOR PRELIMINARY INJUNCTION AND TEMPORARY RESTRAINING ORDER</i> by Lidia M. Orrego. (GO) (Additional attachment(s) added on 10/6/2023: # <u>1</u> Exhibit 1–2, # <u>2</u> Sealing Cover Sheet) (GO). (Attachment 2 replaced on 10/6/2023) (GO). (Entered: 10/06/2023)
10/06/2023		ORDER denying <u>170</u> Motion for Order to Show Cause. On October 4, 2023, Plaintiff motioned for an order to show cause for a preliminary injunction and a temporary restraining order. Based on the representations in DE <u>170</u> , the motion is denied. Plaintiff's current filing is the improper vehicle to raise discovery disputes. Ordered by Judge Joan M. Azrack on 10/6/2023. (JSB) (Entered: 10/06/2023)
10/12/2023	<u>171</u>	LETTER dated 10/12/2023 from Lidia M. Orrego to Judge Azrack re "Plaintiff's Request for Admissions served to Defendants". (LC) (Entered: 10/17/2023)
10/16/2023		Incorrect Case/Document/Entry Information. The 172 Letter has been deleted from the above-referenced case as it was entered in the incorrect case number; the document has been docketed in 23–cv–6507. (LC) (Entered: 10/17/2023)
10/23/2023	<u>173</u>	Letter MOTION to Unseal Document <u>170</u> MOTION for Order to Show Cause <i>FOR PRELIMINARY INJUNCTION AND TEMPORARY RESTRAINING ORDER</i> filed by Lidia M. Orrego (<i>exhibits 1 to 7</i>) by Lidia M. Orrego. (LF) (Entered: 10/27/2023)
10/26/2023	<u>174</u>	MOTION for leave to allow Pro Se to Electronically File by Lidia M. Orrego. (LF) (Entered: 10/27/2023)
10/30/2023		ORDER denying <u>174</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 uploading of voluminous and/or improper documents on Box.com in her other case pending under Docket Number 23–CV–3507 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)
10/30/2023		ORDER denying <u>173</u> Motion to Unseal Document. <u>Pro Se</u> Plaintiff's application to unseal documents is denied. Ordered by Judge Joan M. Azrack on 10/30/2023. (JSB) (Entered: 10/30/2023)
11/03/2023	<u>175</u>	LETTER dated 11/2/2023 from Pro Se Office to pro se litigant. The enclosed document is being returned without docketing or consideration for the following reason(s): The papers appear to be intended for another court or agency. (LC) (Entered: 11/03/2023)
11/03/2023	<u>176</u>	NOTICE OF PETITION OF WRIT SERVED TO COURT OF APPEALS – 23-7643 – Lidia M. Orrego. (CL) (Entered: 11/07/2023)
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>177</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)
11/29/2023	<u>178</u>	NOTICE OF INTERLOCUTORY APPEAL as to Order on Motion to Unseal Document, Order, Order on Motion for Leave to Allow Pro Se to Electronically File by Lidia M. Orrego. (Attachments: # <u>1</u> Notice of Appeal – Part 2, # <u>2</u> Notice of Appeal – Part 3) (CL) (Entered: 11/29/2023)
11/29/2023	<u>179</u>	USCA Appeal Fees received \$ 505 receipt number 200002638 re <u>178</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>178</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)