

ORIGINAL

UNITED STATES DISTRICT COURT
Eastern District of New York

_____ X

Lidia M. Orrego

NOTICE OF APPEAL

Plaintiff(s),

23-cv-6507

SJB)(AYS)

-against-

Pasternack Tilker Ziegler Walsh Stanton &
Romano LLP et al.

Defendant(s).

_____ X



Lidia M. Orrego _____ (name all parties
taking the appeal)*

appeal to the United States Court of Appeals for the Second Circuit from the **order**

Injunction Order DE [102] _____ (describe the order)

entered on August 14, 2025 _____ (state the date that the order was entered).

Signature

Name

Lidia M. Orrego

Prison ID

Address

9508 Queens Blvd., Apt. 3E

Rego Park, NY 11374

Phone

(347) 453-2234

Email

liorrego@gmail.com

{Note to inmate filers: If you are an inmate confined in an institution and you seek the timing benefit of Fed. R. App. P. (4)(c)(1), complete Form 7 (Declaration of Inmate Filing) and file that declaration with this Notice of Appeal.}

*See Rule 3(c) of the Federal Rules of Appellate Procedure for permissible ways of identifying appellants.

REC'D IN PRO SE OFFICE
SEP 11 '25 PM3:56

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

-----X

LIDIA M. ORREGO,

Plaintiff,

v.

PASTERNAK TILKER ZIEGLER
WALSH STANTON & ROMANO LLP ET AL.,

Defendants.

-----X

Case No. 23-cv-6507-SJB-AYS

INFORMATIONAL STATEMENT REGARDING INTERLOCUTORY APPEAL

This statement provides background for Plaintiff Lidia M. Orrego's interlocutory appeal to the United States Court of Appeals for the Second Circuit from the pre-filing injunction order entered on August 14, 2025 (DE 102) by Honorable Sanket J. Bulsara, United States District Judge, and the constructive denial of pending motions (e.g., DE 68, filed July 15, 2025, ignored since March 2025 per Writ of Mandamus petition 25-1810). Unlike Case No. 24-cv-7247 (which alleges mail/wire fraud under 18 U.S.C. §§ 1341/1343, falsification under § 1519, false statements under § 1001, and related state claims against Savitsky/Old Westbury LLC), this case (23-cv-6507) focuses on distinct claims against the Pasternack law firm. The Appeal was filed pro se in person on September 11, 2025, within the 30-day deadline under Fed. R. App. P. 4(a)(1), despite court delays and restrictions.

Background and Basis for Appeal:

On August 14, 2025, Judge Bulsara issued an order (DE 102) prohibiting Plaintiff from filing new motions or initiating proceedings in the Eastern District of New York without leave, citing repetitive and meritless motions for reconsideration (Dkts. 65, 68, 78, 79, 80) of a June 23, 2025. The order limits leave requests to 100 words, bars new requests while prior ones pend, and directs

the Clerk to disregard non-compliant filings, except briefing on the motion to substitute (per Judge Shields's Order dated July 28, 2025). This followed a warning in case 20-CV-3361 on July 8, 2025.

Plaintiff's motions (e.g., DE 78 filed July 29, 2025; DE 79 filed August 2, 2025; DE 80 filed August 4, 2025) introduced new evidence and facts, such as defendants' bad faith evasion (e.g., denied access on July 25, 2025, ignored emails on July 28, 2025), supporting renewed requests for alternative service under Fed. R. Civ. P. 4. These facts were distinct from prior motions and addressed ignored controlling laws (e.g., FRCP, EDNY Local Rules). The court misrepresented these as repetitive, ignoring new evidence and the Writ of Mandamus petition (25-1810, filed July 23, 2025) alleging failures to rule on motions since March 2025 (e.g., DE 68), refusal to review voluminous evidence (26 audios, 172 videos, 821 photos, over 6,000 pages, May 14, 2025 Legal Opinion), and no pre-motion conferences.

The claims in Case No. 23-cv-6507 include violation of the Civil RICO (Racketeer Influenced and Corrupt Organizations) Act under 18 U.S.C. § 1964, which provides not only criminal penalties for racketeering but civil remedies as well. Forms of RICO violations in this case include but are not limited to fraud, obstruction of justice, false statements and writings, conspiracy to commit filing false documents, statements and writings, perjury, and tampering witnesses, alongside 42 U.S.C. § 1981 (racial discrimination/retaliation) and constitutional violations (e.g., due process under 5th/14th Amendments).

Grounds for Appeal:

1. **Erroneous Repetitive Finding and Misrepresentation:** DE 78, 79, 80, and prior motions (e.g., DE 68) present new evidence of defendants' fraud and bad faith filings, contradictory affidavits in Federal and State Courts, new evidence of fraud filed by Attorney General Letitia

James in State Courts; the evidence ignored is not baseless and also not too conclusory. The court ordered a conference in November on motions ordered already, among other procedural errors or violations of due process, distinct from earlier filings, justifying alternative service. The Court's characterization as repetitive is erroneous and misrepresents the motions, which include new facts supporting claims under 18 U.S.C. § 1962(c) (Civil RICO), 42 U.S.C. § 1981, and constitutional violations, while ignoring controlling laws (e.g., FRCP 4, EDNY Local Rules).

2. Constitutional Violations:

2a. Due Process and First Amendment Violations: The 100-word limit and filing bar infringe First Amendment petition rights and Fifth Amendment due process, exacerbated by the court's delays in ruling on motions since March 2025 (e.g., DE 68), obstructing access to justice. This delay violates due process by risking forfeiture of rights, as undue judicial delays infringe procedural fairness.

2b. Potential Seventh Amendment Violation: The order risks violating the Seventh Amendment by obstructing Plaintiff's right to a jury trial on her federal claims (e.g., Civil RICO, § 1981), preventing advancement toward merits adjudication where such a right would apply.

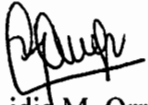
3. Overbroad Injunction and Appeal Rights Violation: The injunction's restriction, combined with unresolved motions (e.g., DE 68), violates 28 U.S.C. § 1292(a)(1) and Fed. R. App. P. 4(a)(1) by preventing timely filing of an interlocutory appeal against the injunction itself. The delay and bar on new requests lack evidence of vexatious litigation, infringing Plaintiff's statutory right to appeal and constituting an overbroad restriction.

4. IFP Denial Prejudice: Prior IFP denials misrepresent Plaintiff's financial hardship, exacerbating prejudice in service issues.

Relief Sought:

Plaintiff requests the Second Circuit reverse the injunction, compel rulings on pending motions (e.g., DE 68) and evidence review per Writ of Mandamus (25-1810), vacate service denials, and ensure Plaintiff's right to a jury trial and timely appeal are not foreclosed, addressing the due process, statutory, and constitutional violations.

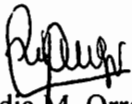
Dated: September 11, 2025
Rego Park, New York



Lidia M. Orrego
Plaintiff Pro Se
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Email: liorrego@gmail.com

Certificate of Service

I certify that on September 11, 2025, I filed this statement with the Clerk of the District Court in person at the Eastern District of New York.



Lidia M. Orrego
Plaintiff Pro Se

EXHIBIT 1

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

Lidia M. Orrego,

Plaintiff,

-against-

Affirmation of Service

23cv6507 (SJB) (AYS)

Pasternack Tilker Zieegler Walsh
Stanton & Romano LLP, et al.

Defendants.

I, Lidia M. Orrego, declare under penalty of perjury that I served a copy of the attached Notice of Appeal Order DE [102] dated September 11, 2025, upon the Defendant(s) or attorney whose physical address:

Via ECF & Notice has been electronically mailed

Stradley Ronon Stevens & Young, LLP

100 Park Avenue, Suite 2000

New York, New York 10017

Phone: 862-682-7246

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

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

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Phone: 516-357-3000

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

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

Attorneys for Defendants Pasternack Tilker Ziegler Walsh Stanton &

Romano LLP and Pasternack Tilker Weitz & Luxenberg LLP

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

Dated: September 11, 2025
Rego Park, New York

/s/ Lidia M. Orrego

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

ORIGINAL

September 11, 2025

Honorable Sanket J. Bulsara
United States District Judge
Eastern District of New York
Central Islip, New York
Filed in Person and ECF Pro Se Office

Case No. 23-cv-6507-SJB-AYS - Orrego v. Pasternack Tilker Ziegler Walsh Stanton & Romano LLP et al.

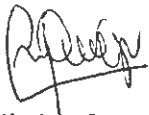
Re: Request for Leave to File Notice of Interlocutory Appeal of Filing Injunction Order (DE [102]) Not Covered by Injunction

Dear Clerk:

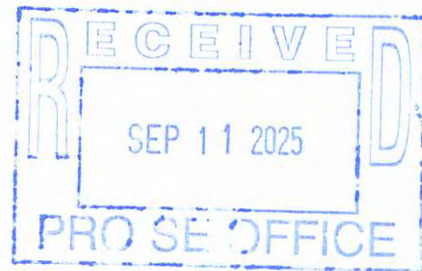
I seek leave to file a notice of interlocutory appeal under 28 U.S.C. § 1292(a)(1) of Judge Bulsara's Aug. 14, 2025, order (DE [102] attached) imposing filing injunction, automatically appealable without District Court certification, as it affects substantive rights. Grounds: violates 1st Amendment access to courts, 5th/14th Amendment due process; erroneous as motions not repetitive (DE 28/30 include new service evasion facts); court's non-response to DE [30] (pending since Aug. 15) exacerbates obstruction. This appeal not covered by injunction.

Count word: 79.

Respectfully submitted,



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Notice: I have not served this on Defendants, as they remain unserved, per Judge Bulsara's rules (Section VIII.B).

Attachments: Notice of Appeal, Informational Statement, Exhibit 1, Affirmation of Service. Total 12-Page.

APPEAL,NPROSE,PROSENEF

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

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

Assigned to: Judge Sanket J. Bulsara
Referred to: Magistrate Judge Anne Y. Shields

related Cases: 2:20-cv-03361-SJB-AYS

2:25-cv-00736-SJB-AYS

2:25-cv-00769-SJB-AYS

2:24-cv-07247-SJB-AYS

Cause: 18:1964 Racketeering (RICO) Act

Plaintiff

Lidia M. Orrego

represented by **Lidia M. Orrego**
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PRO SE

V.

Defendant

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Stanton & Romano LLP**

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ATTORNEY TO BE NOTICED

Defendant

**Pasternack Tilker Weitz & Luxenberg
LLP**

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

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

Defendant

First Choice Evaluations LLC

represented by **Andrew Hamelsky**
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ATTORNEY TO BE NOTICED

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LEAD ATTORNEY
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Defendant

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

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

Defendant

John Doe

Defendant

Jane Doe

Defendant

Ginu Jacob, Esq.
Associate

Defendant

Sam Cohen, Esq.
Associate

Defendant

Joseph Mercurio, Esq.
Associate

Defendant

Andrew Ziemianski, Esq.
Associate

Defendant

Matthew Funk, Esq.
Associate

Defendant

Mariana Vizuite
Paralegal-Associate

Defendant

Lewis Heller, Esq.
Associate

Date Filed	#	Docket Text
08/31/2023	<u>1</u>	COMPLAINT against All Defendants Was the Disclosure Statement on Civil Cover Sheet completed –No., filed by Lidia M. Orrego. (Attachments: # <u>1</u> Exhibits, # <u>2</u> Civil Cover Sheet) (DC) (Entered: 08/31/2023)
08/31/2023	<u>2</u>	Summons Issued as to First Choice Evaluations LLC, Jason Hochfelder MD, Pasternack Tilker Weitz & Luxenberg LLP, Pasternack Tilker Ziegler Walsh Stanton & Romano LLP. (DC) (Entered: 08/31/2023)
08/31/2023	<u>3</u>	FILING FEE: \$ 402.00, receipt number 100009206 (DC) (Entered: 08/31/2023)
08/31/2023	<u>4</u>	In accordance with Rule 73 of the Federal Rules of Civil Procedure and Local Rule 73.1, the parties are notified that if all parties consent a United States magistrate judge of this court is available to conduct all proceedings in this civil action including a (jury or nonjury) trial and to order the entry of a final judgment. Attached to the Notice is a blank copy of the consent form that should be filled out, signed and filed electronically only if all parties wish to consent. The form may also be accessed at the following link: http://www.uscourts.gov/uscourts/FormsAndFees/Forms/AO085.pdf . You may withhold your consent without adverse substantive consequences. Do NOT return or file the consent unless all parties have signed the consent. (DC) (Entered: 08/31/2023)
08/31/2023	<u>5</u>	Notice of Related Case: 20-cv-3361-JMA-AYS The Civil Cover Sheet filed in this civil action indicates a related case. (DC) (Entered: 08/31/2023)
08/31/2023	<u>6</u>	Pro Se Consent to Electronic Notification by Lidia M. Orrego (DC) (Entered: 08/31/2023)
08/31/2023	<u>8</u>	Corrected Summons Reissued as to First Choice Evaluations LLC, Jason Hochfelder MD, Pasternack Tilker Weitz & Luxenberg LLP, Pasternack Tilker Ziegler Walsh Stanton & Romano LLP. (LF) (Entered: 09/05/2023)
09/01/2023	<u>7</u>	Updated Civil Cover Sheet. (LF) (Entered: 09/01/2023)
09/08/2023	<u>9</u>	ORDER: On August 31, 2023, Lidia Orrego ("Plaintiff"), acting pro se, filed a complaint together with the filing fee and summonses were issued. (ECF Nos. <u>1</u> – <u>3</u> .) Rule 4(m) of the Federal Rules of Civil Procedure provides:If a defendant is not served within 90 days after the complaint is filed, the court – on motion or on its own after notice to the plaintiff – must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period. Accordingly, if service is not made upon the defendants by November 29, 2023, or Plaintiff fails to show good cause why such service has not been effected, the complaint will be dismissed without prejudice. Plaintiff is to provide a copy of this Order to the defendants along with the summonses and complaint and shall file proof of service with the Court within fourteen (14) days of service. Plaintiff is required to advise the Clerk of Court of any changes of address. Failure to keep the Court informed of Plaintiff's current address may result in dismissal of the case. So Ordered by Judge Joan M. Azrack on 9/8/2023. c/ecf (LC) (Entered: 09/08/2023)
09/09/2023	<u>10</u>	Letter MOTION to Compel / <i>Plaintiff Requests clarification and alternative solution to comply with the Order ECF doc. 9</i> filed by Lidia M. Orrego. (LC) Modified on 9/11/2023 to correct file date (LC). (Entered: 09/11/2023)
10/02/2023	<u>15</u>	SUMMONS Returned Executed by Lidia M. Orrego. First Choice Evaluations LLC served on 9/22/2023, answer due 10/13/2023; Pasternack Tilker Weitz & Luxenberg LLP served on 9/22/2023, answer due 10/13/2023; Pasternack Tilker Ziegler Walsh Stanton & Romano LLP served on 9/22/2023, answer due 10/13/2023. (LJ) (Entered: 10/11/2023)
10/02/2023	<u>16</u>	Summons Returned Unexecuted by Lidia M. Orrego as to Jason Hochfelder MD. (LJ) (Entered: 10/11/2023)
10/09/2023	<u>11</u>	NOTICE of Appearance by Andrew Hamelsky on behalf of First Choice Evaluations LLC, Jason Hochfelder MD (aty to be noticed) (Hamelsky, Andrew) (Entered: 10/09/2023)

		10/09/2023)
10/09/2023	<u>12</u>	NOTICE of Appearance by Jenifer Ann Scarcella on behalf of First Choice Evaluations LLC, Jason Hochfelder MD (aty to be noticed) (Scarcella, Jenifer) (Entered: 10/09/2023)
10/10/2023	<u>13</u>	MOTION for pre motion conference by First Choice Evaluations LLC, Jason Hochfelder MD. (Scarcella, Jenifer) (Entered: 10/10/2023)
10/10/2023	<u>14</u>	CERTIFICATE OF SERVICE by First Choice Evaluations LLC, Jason Hochfelder MD (Scarcella, Jenifer) (Entered: 10/10/2023)
10/11/2023	<u>23</u>	SUMMONS Returned Executed by Lidia M. Orrego. Jason Hochfelder MD served on 9/26/2023, answer due 10/17/2023. (LC) (Entered: 10/18/2023)
10/12/2023	<u>17</u>	NOTICE of Appearance by Jason M. Biegel on behalf of Pasternack Tilker Weitz & Luxenberg LLP, Pasternack Tilker Ziegler Walsh Stanton & Romano LLP (aty to be noticed) (Biegel, Jason) (Entered: 10/12/2023)
10/12/2023	<u>18</u>	NOTICE of Appearance by David Stephen Wilck on behalf of Pasternack Tilker Weitz & Luxenberg LLP, Pasternack Tilker Ziegler Walsh Stanton & Romano LLP (aty to be noticed) (Wilck, David) (Entered: 10/12/2023)
10/12/2023	<u>26</u>	Letter dated 10/12/2023 from Lidia Orrego to Judge Azrack re Plaintiff's request for Defendants' Authentication or Identification of Evidence under FRCP and Evidence Rules before filing her response to ECF doc. <u>13</u> and future pleadings. (LF) (Entered: 10/27/2023)
10/13/2023	<u>19</u>	Letter MOTION for pre motion conference by Pasternack Tilker Weitz & Luxenberg LLP, Pasternack Tilker Ziegler Walsh Stanton & Romano LLP. (Wilck, David) (Entered: 10/13/2023)
10/16/2023	<u>20</u>	Letter by First Choice Evaluations LLC, Jason Hochfelder MD (Scarcella, Jenifer) (Entered: 10/16/2023)
10/16/2023	<u>21</u>	Letter <i>re follow up to the Firm's pre-motion letter</i> by Pasternack Tilker Weitz & Luxenberg LLP, Pasternack Tilker Ziegler Walsh Stanton & Romano LLP (Wilck, David) (Entered: 10/16/2023)
10/16/2023	<u>22</u>	LETTER dated 10/16/2023 from Lidia Orrego to Judge Azrack re "Plaintiff's request for Defendants' Authentication or Identification of Evidence under FRCP and Evidence Rules before filing her response to ECF doc. <u>19</u> and future pleadings." (LC) (Entered: 10/17/2023)
10/16/2023	<u>24</u>	Plaintiff's Response and Opposition to Defendants' Letter ECF Id. <u>13</u> for an order to file a Motion to Dismiss filed by Lidia M. Orrego. (LC) (Entered: 10/26/2023)
10/17/2023	<u>25</u>	Plaintiff's Response and Opposition to Defendants' Letter ECF Id. <u>19</u> for an order to file a Motion to Dismiss filed by Lidia M. Orrego. (LC) (Entered: 10/26/2023)
10/26/2023	<u>27</u>	MOTION for leave to allow Pro Se to Electronically File by Lidia M. Orrego. (LF) (Entered: 10/27/2023)
10/30/2023		ORDER. Before the Court is the voluminous October 12, 2023 submission from <u>pro se</u> plaintiff Lidia Orrego via Box.com, DE <u>26</u> . Notably, apart from the two-page letter to the Court, the additional 356 pages appear to be documentary discovery that does not comply with the Local Rules of this Court. <u>See</u> Local Civil Rule 5.1. Accordingly, the Clerk of the Court shall docket only the first two pages of this submission and shall delete the balance of Plaintiff's submission from Box.com. Plaintiff is cautioned that document submission via Box.com is a privilege but may be revoked if abused. Should Plaintiff continue to upload lengthy submissions in contravention of the Court's rules, she may be required to file papers in hard copy via the mail and/or in person. Ordered by Judge Joan M. Azrack on 10/30/2023. (JSB) (Entered: 10/30/2023)
10/30/2023		ORDER denying <u>27</u> Motion for Leave to Allow Pro Se to Electronically File. Before the Court is an application from <u>pro se</u> Plaintiff Lidia Orrego seeking permission for electronic case filing via the Court's Electronic Case filing system ("ECF"). The

		application is denied without prejudice. Plaintiff has demonstrated her ability to upload and submit documents utilizing the Court's electronic mailbox, Box.com, and her submissions have promptly been uploaded to the public docket where appropriate. However, Plaintiff's frequent uploading of voluminous and/or improper documents on Box.com gives the Court pause. In the absence of Plaintiff alleging any prejudice as a result of the current system, her application is denied without prejudice. Ordered by Judge Joan M. Azrack on 10/30/2023. (JSB) (Entered: 10/30/2023)
11/01/2023		ORDER: The Court waives the pre-motion conference requirement for Defendants' anticipated motions to dismiss and accordingly DENIES Defendants' pre-motion conference requests for those motions at DEs <u>13</u> and <u>19</u>. Defendants shall serve (but not file) their motions to dismiss by 12/1/2023, Plaintiff shall serve (but not file) her opposition papers by 1/19/2024, and Defendants shall serve their reply papers by 2/7/2024. Defendants shall <i>file</i> all motion papers on 2/7/2024. <u>See</u> District Judge Joan M. Azrack's Individual Practice Rule ("Rule") IV.G.2. The parties are reminded that memoranda of law in support of, and in opposition to, motions are limited to 25 pages, and reply memoranda are limited to 15 pages. <u>See</u> Rule IV.C. Defendants shall comply with their obligation under Local Civil Rule 7.2 to provide Plaintiff with copies of authorities Defendants cite that are "unpublished or reported exclusively on computerized databases." Plaintiff's motion at DE <u>10</u> seeking "clarification" regarding anticipated service of process is DENIED AS MOOT given that proof of service was subsequently filed. <u>See</u> DE <u>15</u>. Ordered by Judge Joan M. Azrack on 11/1/2023. (CB) (Entered: 11/01/2023)
11/14/2023		ORDER. Plaintiff Lidia M. Orrego ("Plaintiff") has filed two separate actions in this court (20-CV-3361 and 23-CV-6507), each arising from or relating to her former employment with the defendants in 20-CV-3361. On August 3, 2023, Plaintiff filed a Notice of Interlocutory Appeal in 20-CV-3361 seeking review of this Court's July 11, 2023 and July 20, 2023 Orders. (<u>See</u> 23-1114 (2d Cir. Aug. 4, 2023)). Of note, the July 11, 2023 Order denied Plaintiff's motions for reconsideration, to set aside, and to vacate Judge Brown's Order adopting the Report and Recommendation of Magistrate Judge Shields that denied Plaintiff's motion for a declaratory judgment and to change venue. Plaintiff had already made similar motions which Judge Brown denied by Order dated March 28, 2023 where he warned: "PLAINTIFF IS CAUTIONED ONCE AGAIN THAT THE CONTINUED FILING OF BLOATED AND WHOLLY UNSUPPORTED MOTIONS MAY SUBJECT HER TO THE IMPOSITION OF SANCTIONS FOR ENGAGING IN FRIVOLOUS LITIGATION CONDUCT UNDER 28 U.S.C. § 1927." Undeterred, Plaintiff has continued to file voluminous, repetitive, and unsupported motions in both of her cases. Indeed, since Judge Brown's March 28, 2023 warning, Plaintiff has filed an additional 26 motions in 20-CV-3361 alone, including a motion to certify an interlocutory appeal which this Court denied by Order dated July 28, 2023. Further, on October 31, 2023, Plaintiff has filed a 151-page "Petition for a Writ of Mandamus, Certiorari, and Prohibition" against the undersigned and Magistrate Judge Shields in the Second Circuit complaining of conduct alleged to have occurred in 20-CV-3361. <u>See</u> 23-7643 (2d Cir. Oct. 31, 2023). Accordingly, given Plaintiff's pending appeals and in an abundance of caution in light of her <u>pro se</u> status, the Court STAYS these matters pending resolution of the appeals. To be clear, Plaintiff SHALL NOT file any additional papers in either 20-CV-3361 or 23-CV-6507 and any submissions received via box.com, in person at the Clerks Office, or through the mail will not be considered or docketed. Plaintiff also SHALL NOT continue to contact the undersigned's chambers. Further, any papers the Clerk has received since August 3, 2023 in each case that have not yet been docketed shall be returned to Plaintiff. If any such filing exceeds 5 pages, the Clerk of the Court shall reference the returned document in a return letter and include only the first page of such submission. The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this Order would not be taken in good faith and therefore <u>in forma pauperis</u> status is denied for the purpose of any appeal. <u>See Coppedge v. United States</u>, 369 U.S. 438, 444-45 (1962). Ordered by Judge Joan M. Azrack on 11/14/2023. (JSB) (Entered: 11/14/2023)
11/14/2023	<u>28</u>	Letter from Pro Se Office to pro se plaintiff Lidia M. Orrego: Pursuant to Judge Azrack's Electronic Order dated November 14, 2023, the enclosed documents are being returned to you without docketing or consideration. (LF) (Entered: 11/14/2023)

11/17/2023	<u>29</u>	LETTER dated 11/17/2023 from Pro Se Office to Lidia M. Orrego. Pursuant to Judge Azrack's Electronic Order dated November 14, 2023, the enclosed documents are being returned to you without docketing or consideration. As Judge Azrack instructed, we have enclosed the first page of your submissions. (LC) (Entered: 11/20/2023)
11/29/2023	<u>30</u>	NOTICE OF INTERLOCUTORY APPEAL as to Order on Motion for Leave to Allow Pro Se to Electronically File and Order by Lidia M. Orrego. (CL) (Main Document 30 replaced on 11/29/2023) (CL). (Entered: 11/29/2023)
11/29/2023	<u>31</u>	USCA Appeal Fees received \$ 505 receipt number 200002639 re <u>30</u> Notice of Interlocutory Appeal filed by Lidia M. Orrego (CL) (Entered: 11/29/2023)
11/29/2023		Electronic Index to Record on Appeal sent to US Court of Appeals. <u>30</u> Notice of Interlocutory Appeal Documents are available via Pacer. For docket entries without a hyperlink or for documents under seal, contact the court and we'll arrange for the document(s) to be made available to you. (CL) (Entered: 11/29/2023)
11/29/2023		First Supplemental Electronic Index to Record on Appeal sent to US Court of Appeals. <u>30</u> Notice of Interlocutory Appeal: Document replaced on docket. Documents are available via Pacer. For docket entries without a hyperlink or for documents under seal, contact the court and we'll arrange for the document(s) to be made available to you. (CL) Modified on 11/29/2023 (CL). (Entered: 11/29/2023)
02/21/2024	<u>32</u>	LETTER dated 2/21/2024 from Lidia Orrego to Judge Azrack Re: Interlocutory Appeal Docket 23-1114 under 28 U.S.C. § 1292 erroneously denied under 28 U.S.C. § 1291 (final order). The case should remain stayed according to the order dated November 14, 2023, until the motion pending at the Court of Appeals Second Circuit is granted and the Plaintiff receives the filing fee reimbursement according to the law NY General Business Law § 349 and the case will continue after the pending resolution of the Interlocutory Appeal in 20-CV-3361 seeking a review of this Court's July 11, 2023, and July 20, 2023. (LC) (Entered: 02/21/2024)
02/27/2024		ORDER. On February 21, 2021, Plaintiff, using Box.com, filed an 18-page letter bearing only district court docket number 23-CV-6507(JMA)(AYS) and appellate court docket number 23-1114, wherein Plaintiff requests that the district court case "remain as stay[ed] according to the order dated November 14, 2023." <u>See</u> ECF No. 32 in 23-6507. By Electronic Order dated November 14, 2023, this Court "STAY[ED]" these matters [23-CV-6507 and 20-CV-3361] pending resolution of the appeals" and made "clear [that] 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." <u>See</u> Elec. Order, dated November 14, 2023. Given that the stay has not been lifted, her letter is improper and should not have been accepted by the Clerk of the Court. Rather than return it, Plaintiff is reminded that no further filings shall be made in these cases until her Interlocutory Appeals in both cases are resolved. The Clerk of the Court is directed to return any such filings to Plaintiff without docketing or consideration. The Court is aware that, by Mandate issued on February 13, 2024, the Second Circuit Court of Appeals dismissed the Interlocutory Appeal filed in 20-CV-3361. <u>See</u> ECF No. 180 in 20-CV-3361. However, the Interlocutory Appeal filed in 23-CV-6507 remains pending. <u>See</u> ECF No. 30 in 23-CV-6507. Plaintiff shall file a letter not exceeding three pages requesting that the stay be lifted upon resolution of the remaining interlocutory appeal. 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 2/27/2024. (JSB) (Entered: 02/27/2024)
05/15/2024	<u>33</u>	MANDATE of USCA as to <u>30</u> Notice of Interlocutory Appeal filed by Lidia M. Orrego. This Court has sua sponte determined that it lacks jurisdiction over this appeal because the districtcourt has not issued a final order as contemplated by 28 U.S.C. § 1291. <u>See Petrello v. White</u> , 533 F.3d 110, 113 (2d Cir. 2008). Upon due consideration, it is hereby ORDERED that the appealis DISMISSED. (CL) (Entered: 05/15/2024)
12/06/2024	<u>34</u>	Notice of Related Cases: 20-cv-3361-JMA-AYS and 24-cv-7247-JMA-AYS The Case was directly assigned as a related Pro Se/Habeas Case. (DC) (Entered: 12/06/2024)

12/19/2024		Email Notification Test – DO NOT REPLY (GO) (Entered: 12/19/2024)
01/31/2025		Case reassigned to Judge Sanket J. Bulsara. Judge Joan M. Azrack 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. (LF) (Entered: 01/31/2025)
02/06/2025	<u>35</u>	MOTION to Compel <i>Re: Plaintiffs Request to Lift the Stays in the 2020 and 2023 Cases and Reinstate Motions</i> by Lidia M. Orrego. (AMF) (Entered: 02/06/2025)
02/10/2025		ORDER: The motion to lift the stay <u>35</u> is granted. Any future motions must comply with the Individual Practices of the undersigned and the Local Rules effective January 2, 2025. Any non-dispositive matters, including any discovery matters, are to be directed to Magistrate Judge Shields. So Ordered by Judge Sanket J. Bulsara on 2/10/2025. (YEP) (Entered: 02/10/2025)
02/11/2025	<u>36</u>	Proposed MOTION to Dismiss for Failure to State a Claim <i>re Request for Briefing Schedule</i> by First Choice Evaluations LLC, Jason Hochfelder MD. (Scarcella, Jenifer) (Entered: 02/11/2025)
02/11/2025	<u>37</u>	RESPONSE to Motion re <u>36</u> Proposed MOTION to Dismiss for Failure to State a Claim <i>re Request for Briefing Schedule The Pasternack Firm Joins the Application to Request an Updated Briefing Schedule</i> filed by Pasternack Tilker Ziegler Walsh Stanton & Romano LLP, Pasternack Tilker Weitz & Luxenberg LLP. (Biegel, Jason) (Entered: 02/11/2025)
02/12/2025	<u>38</u>	Notice of Related Case: 25-cv-00736 The Case was directly assigned as a related Pro Se/Habeas Case. (KS) (Entered: 02/12/2025)
02/12/2025		ORDER: Defendants are directed to meet and confer with the Plaintiff to jointly propose a briefing schedule for their respective motions to dismiss by 2/26/2025 . So Ordered by Judge Sanket J. Bulsara on 2/12/2025. (YEP) (Entered: 02/12/2025)
02/14/2025	<u>39</u>	Notice of Related Case: 25-cv-00769 The Case was directly assigned as a related Pro Se/Habeas Case. (KS) (Entered: 02/14/2025)
02/25/2025	<u>40</u>	Letter <i>with joint proposed briefing schedule for Defendants' respective motions to dismiss</i> by Pasternack Tilker Weitz & Luxenberg LLP, Pasternack Tilker Ziegler Walsh Stanton & Romano LLP (Biegel, Jason) (Entered: 02/25/2025)
02/26/2025		ORDER: The Court adopts the parties' proposed briefing schedule <u>40</u> for Plaintiff's Amended Complaint and Defendants' respective motions to dismiss. If Plaintiff chooses to amend, Plaintiff must submit an Amended Complaint for filing and forward a copy of the Amended Complaint to Defendants' counsel via email by 3/20/2025 . Defendants must serve, but not file, their respective motions to dismiss by forwarding a copy to Plaintiff via physical mail and email and file proof of service upon Plaintiff on the docket by 4/23/2025 . Plaintiff must serve, but not file, her opposition to Defendants' respective motions to dismiss by forwarding a copy to Defendants' counsel via email by 5/21/2025 . Defendants' counsel must file proof of service of Plaintiff's opposition upon Defendants by 5/23/2025 . Defendants must serve their respective replies in further support of their motions to dismiss by forwarding a copy to Plaintiff via physical mail and email; file proof of service upon Plaintiff on the docket; file Defendants' respective moving papers in support of their motions to dismiss, Plaintiff's opposition, and Defendants' respective replies; and forward courtesy copies of each Memoranda of Law in support and opposition to the Court, all by 6/11/2025 . So Ordered by Judge Sanket J. Bulsara on 2/26/2025. (YEP) (Entered: 02/26/2025)
03/21/2025	<u>41</u>	AMENDED COMPLAINT against Jane Doe, John Doe, First Choice Evaluations LLC, Jason Hochfelder MD, Pasternack Tilker Weitz & Luxenberg LLP, Pasternack Tilker Ziegler Walsh Stanton & Romano LLP, Ginu Jacob, Esq., Sam Cohen, Esq., Joseph Mercurio, Esq., Andrew Ziemianski, Esq., Matthew Funk, Esq., Mariana Vizuete, Lewis Heller, Esq., filed by Lidia M. Orrego. (AMF) (Entered: 03/21/2025)
04/10/2025	<u>42</u>	Letter from Pro Se Litigant Lidia M. Orrego to Judge Bulsara, dated 4/10/25 Re: Subject: Acknowledgment of Amended Complaint and Waiver of Additional Service (GO) (Entered: 04/10/2025)

04/11/2025	<u>43</u>	Letter MOTION to Compel <i>that Counsel Accept Service and for New Scheduling Order</i> by Lidia M. Orrego. (AMF) (Entered: 04/11/2025)
04/11/2025	<u>44</u>	RESPONSE to Motion re <u>43</u> Letter MOTION to Compel <i>that Counsel Accept Service and for New Scheduling Order</i> filed by Pasternack Tilker Weitz & Luxenberg LLP, Pasternack Tilker Ziegler Walsh Stanton & Romano LLP. (Biegel, Jason) (Entered: 04/11/2025)
04/15/2025		ORDER: The Court declines the request <u>44</u> of counsel for the appearing Defendants Pasternack Tilker Ziegler Walsh Stanton & Romano, LLP and Pasternack Tilker Weitz & Luxenberg LL to delay briefing on any motion to dismiss until conclusion of service on any new Defendant. As such, the Court adopts Plaintiff's proposed briefing schedule <u>43</u> for all appearing Defendants' motions to dismiss: Defendants must serve, but not file, their respective motions to dismiss by forwarding a copy to Plaintiff via physical mail and email and file proof of service upon Plaintiff on the docket by 6/20/2025 . Plaintiff must serve, but not file, her opposition to Defendants' respective motions to dismiss by forwarding a copy to Defendants' counsel via email by 7/21/2025 . Defendants' counsel must file proof of service of Plaintiff's opposition upon Defendants by 7/23/2025 . Defendants must serve their respective replies in further support of their motions to dismiss by forwarding a copy to Plaintiff via physical mail and email; file proof of service upon Plaintiff on the docket; file Defendants' respective moving papers in support of their motions to dismiss, Plaintiff's opposition, and Defendants' respective replies; and forward courtesy copies of each Memoranda of Law in support and opposition to the Court, all by 8/11/2025 . So Ordered by Judge Sanket J. Bulsara on 4/15/2025. (YEP) (Entered: 04/15/2025)
05/06/2025	<u>45</u>	MOTION for Leave to Proceed in forma pauperis , MOTION to Vacate , MOTION for Sanctions , MOTION for Extension of Time to File <i>Rule 4(m) Service Deadline</i> , MOTION to Compel <i>Defendants' Counsel to File Substitution Motion for deceased Defendant</i> by Lidia M. Orrego. (AMF) (Entered: 05/07/2025)
05/07/2025	<u>46</u>	RESPONSE to Motion re <u>45</u> MOTION for Leave to Proceed in forma pauperis MOTION to Vacate MOTION for Sanctions MOTION for Extension of Time to File <i>Rule 4(m) Service Deadline</i> MOTION to Compel <i>Defendants' Counsel to File Substitution Motion for deceased Defendant</i> filed by Pasternack Tilker Weitz & Luxenberg LLP, Pasternack Tilker Ziegler Walsh Stanton & Romano LLP. (Biegel, Jason) (Entered: 05/07/2025)
05/08/2025	<u>47</u>	Letter MOTION for Extension of Time to File <i>Rule 4(m) service deadline from June 18, 2025, to July 18, 2025 and permission to proceed with my motion filed on May 6, 2025</i> by Lidia M. Orrego. (AMF) (Entered: 05/08/2025)
05/08/2025	<u>48</u>	AFFIDAVIT of Service for DE <u>47</u> – Letter Motion Requesting Extension of Time for Rule 4(M) Service Deadline, Permission To Proceed with Motion for Relief (DE <u>45</u>) or For A Conference, and Reply To Defendants' Letter (DE <u>46</u>) served on Stradley Ronon Stevens & Young, LLP, and Rivkin Radler LLP, filed by Lidia M. Orrego. (AMF) (Entered: 05/09/2025)
05/09/2025		ORDER: The Court denies Plaintiff Orrego's request <u>45</u> to vacate the Order from April 15, 2025, which granted an extension to the briefing schedule for Defendants' motions to dismiss. The deadlines in the briefing schedule will remain as previously ordered. As to Plaintiff's motion <u>47</u> filed May 8, 2025, the Court grants Plaintiff's request to proceed with her motion <u>45</u> filed May 6, 2025, but denies the request to reply to the response from Defendants Pasternack Tilker Weitz & Luxenberg LLP and Pasternack Tilker Ziegler Walsh Stanton & Romano LLP <u>46</u> . The Court respectfully refers all other matters in Plaintiff's requests which concern pretrial management for decision by Judge Shields. So Ordered by Judge Sanket J. Bulsara on 5/9/2025. (YEP) (Entered: 05/09/2025)
05/13/2025	<u>49</u>	RESPONSE to Motion re <u>45</u> MOTION for Leave to Proceed in forma pauperis MOTION to Vacate MOTION for Sanctions MOTION for Extension of Time to File <i>Rule 4(m) Service Deadline</i> MOTION to Compel <i>Defendants' Counsel to File Substitution Motion for deceased Defendant</i> filed by Pasternack Tilker Weitz & Luxenberg LLP, Pasternack Tilker Ziegler Walsh Stanton & Romano LLP. (Biegel, Jason) (Entered: 05/13/2025)

05/13/2025	<u>50</u>	MOTION to Compel <i>U.S. Marshal Service, compelling Substitution, Sanctions</i> , MOTION for Extension of Time to File <i>Rule 4(m) Service Deadling</i> by Lidia M. Orrego. (AMF) (Entered: 05/13/2025)
05/14/2025		ORDER denying <u>45</u> Motion for Leave to Proceed in forma pauperis; deferring ruling on <u>45</u> Motion for Sanctions; granting <u>45</u> Motion for Extension of Time to File; deferring ruling on <u>45</u> Motion to Compel; granting <u>47</u> Motion for Extension of Time to File; deferring ruling on <u>50</u> Motion to Compel; granting <u>50</u> Motion for Extension of Time to File. Plaintiff's applications are GRANTED in part and DENIED in part. To the extent that Plaintiff seeks an order directing the U.S. Marshals Service to serve the summons and Amended Complaint on Defendants, the motion is DENIED. Similarly, Plaintiff's request to serve Defendants by cost-reducing methods is likewise DENIED. Therefore, Plaintiff shall serve the summons and Amended Complaint in accord with the Federal Rules of Civil Procedure. However, Plaintiff's request for an extension of time to July 18, 2025 to effectuate service of process is GRANTED. The Court defers ruling on Plaintiff's requests seeking sanctions on defense counsel and an order directing Defendants' counsel to file a suggestion of death/substitution motion for defendant Lewis Heller, until defense counsel has submitted opposition to the requests. In that regard, by May 30, 2025, defense counsel shall submit opposition, if any, to Plaintiff's request for sanctions and request for an order directing counsel to file a substitution motion for defendant Lewis Heller. So Ordered by Magistrate Judge Anne Y. Shields on 5/14/2025. (DM) (Entered: 05/14/2025)
05/28/2025	<u>51</u>	Letter MOTION for Reconsideration re Order on Motion for Leave to Proceed in forma pauperis,,,,,, Order on Motion to Vacate,,,,,, Order on Motion for Sanctions,,,,,, Order on Motion for Extension of Time to File,,,,,, Order on Motion to Compel,,,,,, by Lidia M. Orrego. (GO) (Entered: 05/30/2025)
05/30/2025	<u>52</u>	AFFIDAVIT/DECLARATION in Opposition re <u>45</u> MOTION for Leave to Proceed in forma pauperis MOTION to Vacate MOTION for Sanctions MOTION for Extension of Time to File <i>Rule 4(m) Service Deadline</i> MOTION to Compel <i>Defendants' Counsel to File Substitution Motion for deceased Defendant</i> , <u>50</u> MOTION to Compel <i>U.S. Marshal Service, compelling Substitution, Sanctions</i> MOTION for Extension of Time to File <i>Rule 4(m) Service Deadling</i> filed by Pasternack Tilker Weitz & Luxenberg LLP, Pasternack Tilker Ziegler Walsh Stanton & Romano LLP. (Attachments: # <u>1</u> Ex. A – Email Correspondence Exchanged by the parties, # <u>2</u> Ex. B – Judge Kerrigan's Order sanctioning Ms. Orrego, # <u>3</u> Ex. C – October 30, 2024 letter to Judge Kerrigan and related Order, # <u>4</u> Ex. D – Ms. Orrego's April 14 email, # <u>5</u> Ex. E – Amended Complaint in the Legal Malpractice Action, # <u>6</u> Ex. F – Motion to Dismiss in the Legal Malpractice Action, # <u>7</u> Ex. G – April 4 letter to Judge Katsanos in the Legal Malpractice Action re Heller's death) (Wilck, David) (Entered: 05/30/2025)
05/30/2025	<u>53</u>	MEMORANDUM in Opposition re <u>45</u> MOTION for Leave to Proceed in forma pauperis MOTION to Vacate MOTION for Sanctions MOTION for Extension of Time to File <i>Rule 4(m) Service Deadline</i> MOTION to Compel <i>Defendants' Counsel to File Substitution Motion for deceased Defendant</i> , <u>50</u> MOTION to Compel <i>U.S. Marshal Service, compelling Substitution, Sanctions</i> MOTION for Extension of Time to File <i>Rule 4(m) Service Deadling</i> filed by Pasternack Tilker Weitz & Luxenberg LLP, Pasternack Tilker Ziegler Walsh Stanton & Romano LLP. (Wilck, David) (Entered: 05/30/2025)
06/02/2025	<u>54</u>	REPLY to Response to Motion re <u>51</u> Letter MOTION for Reconsideration re Order on Motion for Leave to Proceed in forma pauperis,,,,,, Order on Motion to Vacate,,,,,, Order on Motion for Sanctions,,,,,, Order on Motion for Extension of Time to File,,,,,, Order on Motion to Compel,,, filed by Lidia M. Orrego. (GO) (Entered: 06/02/2025)
06/03/2025	<u>55</u>	REPLY in Opposition re <u>54</u> Reply to Response to Motion, <i>and Request for Conference</i> filed by Pasternack Tilker Weitz & Luxenberg LLP, Pasternack Tilker Ziegler Walsh Stanton & Romano LLP. (Wilck, David) Modified to add a motion for hearing on 6/4/2025 (LF). (Entered: 06/03/2025)
06/03/2025	<u>56</u>	REPLY in Opposition to <u>55</u> REPLY in Opposition re: <u>54</u> Reply to Response to Motion, and Request for Conference, filed by Lidia M. Orrego. (GO) (Entered: 06/03/2025)
06/03/2025	<u>57</u>	AFFIDAVIT of Service for <u>56</u> Reply served on Stradley Ronon Stevens & Young, LLP and Rivkin Radler LLP on 6/3/2025, filed by Lidia M. Orrego. (GO) (Entered: 06/03/2025)

		06/03/2025)
06/13/2025	<u>58</u>	Letter MOTION for pre motion conference by Lidia M. Orrego. (GO) (Entered: 06/13/2025)
06/13/2025	<u>59</u>	Letter MOTION for Extension of Time to Complete Discovery / <i>Adjournment of the briefing schedule for Defendant's motion to dismiss</i> , by Lidia M. Orrego. (GO) (Entered: 06/13/2025)
06/13/2025	<u>60</u>	Letter <i>Request for a Conference concerning ECF Document Nos. 58 and 59</i> by Pasternack Tilker Weitz & Luxenberg LLP, Pasternack Tilker Ziegler Walsh Stanton & Romano LLP (Biegel, Jason) Modified original letter entry into a motion on 6/16/2025 (LF). (Entered: 06/13/2025)
06/18/2025	<u>61</u>	Letter <i>confirming service of Motion to Dismiss</i> by Pasternack Tilker Weitz & Luxenberg LLP, Pasternack Tilker Ziegler Walsh Stanton & Romano LLP (Attachments: # <u>1</u> Email to Plaintiff enclosing motion papers) (Biegel, Jason) (Entered: 06/18/2025)
06/18/2025	<u>62</u>	Letter <i>confirming service of motion to dismiss on plaintiff</i> by First Choice Evaluations LLC, Jason Hochfelder MD (Hamelsky, Andrew) (Entered: 06/18/2025)
06/18/2025	<u>63</u>	Letter from Lidia Orrego to Judge Bulsara dated 6/18/2025 Re: Orrego v. Pasternack Tilker Ziegler Walsh Stanton & Romano LLP, et al., Case No. 23-cv-6507-SJB-AYE Second Letter-Motion to Affirm No Waiver of Pending Motions, Request Expedited Ruling on DE <u>59</u> , Seek Further Adjournment, and Address Excessive Favoritism and Gross Ethical Violations. (NF) (Entered: 06/20/2025)
06/19/2025	<u>64</u>	Notice of MOTION for Sanctions <i>And to Defer Motions to Dismiss Before District Judge Sanket J. Bulsara</i> by Lidia M. Orrego. (NF) (Entered: 06/20/2025)
06/23/2025		ORDER: The motion for adjournment of the briefing schedule for Defendants' motion to dismiss <u>59</u> is denied. So Ordered by Judge Sanket J. Bulsara on 6/23/2025. (YEP) (Entered: 06/23/2025)
06/24/2025	<u>65</u>	Letter MOTION for Reconsideration re Order on Motion for Extension of Time to Complete Discovery / <i>of Denial of Adjournment of Motion to Dismiss Briefing Schedule (DE 59)</i> by Lidia M. Orrego. (NF) (Entered: 06/24/2025)
06/24/2025	<u>66</u>	COPY OF <u>65</u> Letter MOTION for Reconsideration re Order on Motion for Extension of Time to Complete Discovery / <i>of Denial of Adjournment of Motion to Dismiss Briefing Schedule (DE 59)</i> by Lidia M. Orrego. (NF) (Entered: 06/24/2025)
07/01/2025		ORDER: Plaintiff's motion for reconsideration <u>65</u> is denied. Local Civil Rule 6.3 governs motions for reconsideration. It provides, "a notice of motion for reconsideration must be served within 14 days after the entry of the court's order being challenged. There must be served with the notice of motion a memorandum setting forth concisely the matters or controlling decisions which the moving party believes the court has overlooked." Reconsideration is "an extraordinary request that is granted only in rare circumstances, such as where the court failed to consider evidence or binding authority." <i>Van Buskirk v. United Grp. of Companies, Inc.</i>, 935 F.3d 49, 54 (2d Cir. 2019). "A motion for reconsideration should be granted only when the [moving party] identifies 'an intervening change of controlling law, the availability of new evidence, or the need to correct a clear error or prevent manifest injustice.'" <i>Kolel Beth Yechiel Mechil of Tartikov, Inc. v. YLL Irrevocable Tr.</i>, 729 F.3d 99, 104 (2d Cir. 2013) (quoting <i>Virgin Atl. Airways, Ltd. v. Nat'l Mediation Bd.</i>, 956 F.2d 1245, 1255 (2d Cir. 1992)). Plaintiff has failed to "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>Id.</i> (quoting <i>Shrader v. CSX Transp., Inc.</i>, 70 F.3d 255, 257 (2d Cir. 1995)). (See Mem. of Law in Supp. of Pl.'s Letter Mot. for Reconsideration dated June 24, 2025, Dkt. No. 65). This case has been pending for some time, and has not moved past its initial stages. Resolving the motions to dismiss will not prejudice Plaintiff's ability to serve any of the remaining parties and continue to litigate against them. The reasons proffered for further delay are without merit.

		Accordingly, the motion for reconsideration <u>65</u> is denied. So Ordered by Judge Sanket J. Bulsara on 7/1/2025. (YEP) (Entered: 07/01/2025)
07/08/2025		ORDER denying <u>51</u> Motion for Reconsideration. Plaintiff's motion for reconsideration is denied. The Court affirms its previous orders denying Plaintiff's request for an order directing the U.S. Marshals Service to serve the summons and Amended Complaint on Defendants. Similarly, the Court affirms its previous order denying Plaintiff's request to serve Defendants by cost-reducing methods. So Ordered by Magistrate Judge Anne Y. Shields on 7/8/2025. (DM) (Entered: 07/08/2025)
07/08/2025		ORDER denying <u>45</u> Motion for Sanctions; denying <u>45</u> Motion to Compel; denying <u>50</u> Motion to Compel. Plaintiff's motion to compel substitution of Defendant Heller is DENIED. Plaintiff may move the Court to amend the complaint to reflect the proper party, or, as a party to this litigation, may move for substitution herself. Plaintiff's motion for sanctions is also DENIED. Plaintiff's conclusory allegations of bad faith do not constitute the granting of sanctions pursuant to Fed. R. Civ. Pro. 11 and 28 U.S.C. §1927. Additionally, <i>pro se</i> litigants are not entitled to recover sanctions in the form of costs for time spent litigating a dispute. So Ordered by Magistrate Judge Anne Y. Shields on 7/8/2025. (DM) (Entered: 07/08/2025)
07/15/2025	<u>67</u>	MOTION to Vacate <i>DE 65 and expedite substitution, amend caption, issue new summons, and extend rule 4(m) deadline</i> by Lidia M. Orrego. (JC) (Entered: 07/15/2025)
07/15/2025	<u>68</u>	Amended MOTION to Vacate <i>DE 65 and expedite substitution, amend caption, issue new summons, and extend rule 4(m) deadline</i> by Lidia M. Orrego. (JC) (Entered: 07/15/2025)
07/15/2025	<u>70</u>	Letter from Lidia Orrego to Judge Bulsara dated 7/15/2025 re: inquire about my inability to access or view my Letter Motion to Vacate, docketed as DE <u>68</u> (NF) (Entered: 07/16/2025)
07/15/2025	<u>71</u>	Letter MOTION to Vacate <i>July 8, 2025 Orders (DE 45 , 51) , expedite substitution, amend caption, issue new summons, extend rule 4(m) deadline, recuse Magistrate Judge Anne Y. Shields, stay proceedings, and schedule conference</i> by Lidia M. Orrego. (NF) (Entered: 07/16/2025)
07/15/2025	<u>72</u>	COPY OF <u>71</u> Letter MOTION to Vacate <i>July 8, 2025 Orders (DE 45, 51) , expedite substitution, amend caption, issue new summons, extend rule 4(m) deadline, recuse Magistrate Judge Anne Y. Shields, stay proceedings, and schedule conference</i> by Lidia M. Orrego. (NF) (Entered: 07/16/2025)
07/16/2025	<u>69</u>	RESPONSE to Motion re <u>67</u> MOTION to Vacate <i>DE 65 and expedite substitution, amend caption, issue new summons, and extend rule 4(m) deadline</i> , <u>68</u> Amended MOTION to Vacate <i>DE 65 and expedite substitution, amend caption, issue new summons, and extend rule 4(m) deadline</i> filed by Pasternack Tilker Weitz & Luxenberg LLP, Pasternack Tilker Ziegler Walsh Stanton & Romano LLP. (Wilck, David) (Entered: 07/16/2025)
07/16/2025	<u>73</u>	REPLY to Response to Motion re <u>69</u> Response to Motion, AND request for adjournment of motions to dismiss (DE <u>61</u> , <u>62</u>) and Plaintiff's opposition to July 21, 2025 substitution of Dara Clarke, issuance of summonses, extension of rule 4(m) deadline, and recusal of District Judge Bulsara and Magistrate Judge Shields – service writ of mandamus filed 7/16/2025. filed by Lidia M. Orrego. (NF) (Entered: 07/17/2025)
07/18/2025		ORDER: The motion to vacate <u>67</u> <u>68</u> is denied. Plaintiff's motion is, in essence, a motion for reconsideration of the Court's Order on June 23, 2025. (See Order dated June 23, 2025). Local Civil Rule 6.3 governs motions for reconsideration. It provides, "a notice of motion for reconsideration must be served within 14 days after the entry of the court's order being challenged." More than 14 days have passed since the Court's Order. Additionally, motions for reconsideration may only be sought once. Plaintiff has already moved for reconsideration, (see Mot. for Reconsideration dated June 24, 2025, Dkt. No. 65), and the Court denied the motion. (See Order dated July 1, 2025). Accordingly, Plaintiff's motion is denied. So Ordered by Judge Sanket J. Bulsara on 7/18/2025. (YEP) (Entered: 07/18/2025)

07/21/2025	<u>74</u>	CERTIFICATE OF SERVICE of Plaintiff's Opposition to Defendant's Motion to Dismiss by Lidia M. Orrego (NF) (Entered: 07/22/2025)
07/21/2025	<u>75</u>	NOTICE from Lidia Orrego RE: Petition for Writ of Mandamus, Motion for Permission to Appeal In Forma Pauperis, and Certificate of Service, submitted to the United States Court of Appeals for the Second Circuit on 7/16/2025 (Attachments: # <u>1</u> Part 2, # <u>2</u> Part 3, # <u>3</u> Part 4) (NF) (Entered: 07/23/2025)
07/23/2025	<u>76</u>	Letter <i>confirming Plaintiff's Opposition to the Pasternack Firm's motion to dismiss was received on July 21, 2025</i> by Pasternack Tilker Weitz & Luxenberg LLP, Pasternack Tilker Ziegler Walsh Stanton & Romano LLP (Biegel, Jason) (Entered: 07/23/2025)
07/23/2025	<u>77</u>	Letter <i>confirming service of Plaintiff's opposition to motion to dismiss</i> by First Choice Evaluations LLC, Jason Hochfelder MD (Scarcella, Jenifer) (Entered: 07/23/2025)
07/28/2025		ORDER denying <u>67</u> Motion to Vacate ; denying <u>68</u> Motion to Vacate ; denying <u>71</u> Motion to Vacate. Plaintiff's motions for reconsideration are DENIED. The Court affirms its July 8, 2025 ruling. Plaintiff's request for an extension of time to August 5, 2025 to effectuate service of process is GRANTED. Plaintiff's request for recusal of the undersigned is DENIED. The court construes Plaintiff's request to substitute Dara Clarke as a request for permission to make a motion for substitution. Such request is GRANTED. The following briefing schedule regarding the motion for substitution is now in effect: Plaintiff shall serve her motion on Defendants and non-parties by August 29, 2025. Defendants and non-parties shall serve their opposition on Plaintiff by September 29, 2025. Plaintiff shall serve her reply on Defendants and non-parties by October 14, 2025. Each side shall file their papers on ECF. Counsel are reminded that the undersigned employs the "bundle" rule. Therefore, no papers shall be filed on ECF until the motion is fully-briefed. Counsel are further reminded that there is a 25 page limit and that footnotes are strongly discouraged and should be used sparingly. Defendants are directed to provide a courtesy copy of the entire fully-briefed motion to this Court on or before October 20, 2025. In accord with Rule 1(E) of this Court's Individual Rules, counsel is reminded that all copies must be marked "courtesy copy" "original filed ECF" and that courtesy copies of exhibits and appendices must be clearly labeled and tabbed. Voluminous documents should be submitted in clearly tabbed binders and should not be "velobound." So Ordered by Magistrate Judge Anne Y. Shields on 7/28/2025. (DM) (Entered: 07/28/2025)
07/28/2025		ORDER granting <u>55</u> Motion for Hearing; granting <u>58</u> Motion for Pre Motion Conference; granting <u>60</u> Motion for Hearing; granting in part and denying in part <u>64</u> Motion for Sanctions. A conference regarding the motions for sanctions has been scheduled for November 10, 2025 at 11:00 AM in courtroom 840 of the Central Islip courthouse. All parties should be prepared to argue their positions. So Ordered by Magistrate Judge Anne Y. Shields on 7/28/2025. (DM) (Entered: 07/28/2025)
07/29/2025	<u>78</u>	Letter MOTION to Vacate <i>Objection to District Judge Sanket J. Bulsara's Order Dated July 18, 2025 and Magistrate Judge Anne Y. Shields' Order Dated July 28, 2025; Request to Vacate Orders of July 10 and July 28 Under FRCP 54 (b) for Intentional Misrepresentation and Unauthorized Exercise of Jurisdiction; Request for Recusal of Both Judges Under 28 U.S.C. § 455(a) & (b)(1) for Permitting Improper Delegation of Dispositive Authority, Demonstrated Bias, and Alleged Conspiracy to Deprive Rights Under 18 U.S.C. § 241</i> by Lidia M. Orrego. (NF) (Entered: 07/29/2025)
08/02/2025	<u>79</u>	Letter MOTION to Compel <i>Motion and Objection to Vacate Improperly Issued July 18, 2025 Summons, to Correct the Caption, and for a 30-day extension to serve, with relief requested under FRCP 60(b), 54(b), 25(a), and 28 U.S.C. § 455</i> by Lidia M. Orrego. (Attachments: # <u>1</u> Part 2) (NF) (Entered: 08/04/2025)
08/04/2025	<u>80</u>	Letter MOTION to Compel <i>Vacate Order Dated July 28, 2025, Pursuant to FRCP 54(b) and Local Civil Rule 6.3; to Reaffirm Judicial Recusal Requests; and to Seek Injunctive and Other Appropriate Relief to Prevent Manifest Injustice, based on Evidence Submitted by the New York State Attorney General Letitia James</i> by Lidia M. Orrego. (NF) (Entered: 08/05/2025)
08/08/2025	<u>81</u>	MOTION to Dismiss for Failure to State a Claim by First Choice Evaluations LLC, Jason Hochfelder MD. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Declaration, #

		<u>3</u> Exhibit Complaint, # <u>4</u> Exhibit Defendants' Motion for Pre-Motion Conference, # <u>5</u> Exhibit Plaintiff's Letter Motion, # <u>6</u> Exhibit Amended Complaint, # <u>7</u> Exhibit Unpublished Decisions, # <u>8</u> Certificate of Service) (Hamelsky, Andrew) (Entered: 08/08/2025)
08/08/2025	<u>82</u>	MEMORANDUM in Opposition re <u>81</u> MOTION to Dismiss for Failure to State a Claim <i>from pro se plaintiff Lidia Orrego</i> , RESPONSE to Motion re <u>81</u> MOTION to Dismiss for Failure to State a Claim <i>from Lidia Orrego in response to First Choice and Dr. Hochfelder's motion to dismiss</i> filed by First Choice Evaluations LLC, Jason Hochfelder MD. (Attachments: # <u>1</u> Exhibit Audio files to be produced under separate cover) (Scarcella, Jenifer) (Entered: 08/08/2025)
08/08/2025	<u>83</u>	REPLY in Support re <u>81</u> MOTION to Dismiss for Failure to State a Claim filed by First Choice Evaluations LLC, Jason Hochfelder MD. (Scarcella, Jenifer) (Entered: 08/08/2025)
08/08/2025	<u>84</u>	AFFIDAVIT/DECLARATION in Support re <u>81</u> MOTION to Dismiss for Failure to State a Claim <i>and in reply</i> filed by First Choice Evaluations LLC, Jason Hochfelder MD. (Attachments: # <u>1</u> Exhibit A – Memo of Law in Opposition, # <u>2</u> Exhibit B – Affirmation in Opposition) (Scarcella, Jenifer) (Entered: 08/08/2025)
08/11/2025		ORDER: First Choice Evaluations LLC and Jason Hochfelder MD's memorandum of law in support of their motion to dismiss <u>81</u> and their reply memorandum of law <u>83</u> fail to comply with Local Rule 7.1, which requires a certificate of compliance with the word limits in either the Local Rules or Judge Bulsara's Individual Practices, and "must state the number of words in the document." <i>See</i> Local Civil Rule 7.1(c); Judge Bulsara's Individual Practices § VI(E). First Choice Evaluations LLC and Jason Hochfelder MD are directed to file the certificates for their two memoranda of law by 8/18/2025 . So Ordered by Judge Sanket J. Bulsara on 8/11/2025. (YEP) (Entered: 08/11/2025)
08/11/2025	<u>85</u>	AFFIDAVIT/DECLARATION in Support re <u>81</u> MOTION to Dismiss for Failure to State a Claim <i>word count certification pursuant to Local Rule 7.1(c)</i> filed by First Choice Evaluations LLC, Jason Hochfelder MD. (Hamelsky, Andrew) (Entered: 08/11/2025)
08/11/2025	<u>86</u>	REPLY in Support re <u>83</u> Reply in Support <i>word count certification pursuant to Local Rule 7.1(c)</i> filed by First Choice Evaluations LLC, Jason Hochfelder MD. (Hamelsky, Andrew) (Entered: 08/11/2025)
08/11/2025	<u>87</u>	Letter MOTION for Leave to File Document <i>File Supplemental Opposition to Defendants' Motion to Dismiss and to Address Biased Order of Hon. John C.V. Katsanos; Non-Waiver Pendeng Recusal Requests Motions; and to Seek Injunctive and Other Appropriate Relief to Prevent Manifest Injustice, Based on Evidence Submitted by the New York State Attorney General Letitia James</i> by Lidia M. Orrego. (NF) (Entered: 08/11/2025)
08/11/2025	<u>88</u>	Notice of MOTION to Dismiss <i>Amended Complaint</i> by Pasternack Tilker Weitz & Luxenberg LLP, Pasternack Tilker Ziegler Walsh Stanton & Romano LLP. (Wilck, David) (Entered: 08/11/2025)
08/11/2025	<u>89</u>	MEMORANDUM in Support <i>Motion to Dismiss Amended Complaint</i> filed by Pasternack Tilker Weitz & Luxenberg LLP, Pasternack Tilker Ziegler Walsh Stanton & Romano LLP. (Wilck, David) (Entered: 08/11/2025)
08/11/2025	<u>90</u>	AFFIDAVIT/DECLARATION in Support re <u>88</u> Notice of MOTION to Dismiss <i>Amended Complaint</i> filed by Pasternack Tilker Weitz & Luxenberg LLP, Pasternack Tilker Ziegler Walsh Stanton & Romano LLP. (Attachments: # <u>1</u> Exhibit A – WCB Decision, # <u>2</u> Exhibit B – Letter, # <u>3</u> Exhibit C – Third Dept COA Memo & Order, # <u>4</u> Exhibit D – Third Dept COA Orders, # <u>5</u> Exhibit E_ Short Form Order, # <u>6</u> Exhibit F – Letter, # <u>7</u> Exhibit G – Short Form Order, # <u>8</u> Exhibit H – Letter, # <u>9</u> Exhibit I – Order on Application, # <u>10</u> Exhibit J – Amended Complaint in Legal Malpractice Action, # <u>11</u> Exhibit K – Complaint in 736) (Wilck, David) (Entered: 08/11/2025)
08/11/2025	<u>91</u>	AFFIDAVIT/DECLARATION in Opposition re <u>88</u> Notice of MOTION to Dismiss <i>Amended Complaint (Plaintiff's Opposition)</i> filed by Pasternack Tilker Weitz & Luxenberg LLP, Pasternack Tilker Ziegler Walsh Stanton & Romano LLP.

		(Attachments: # <u>1</u> Affidavit in Opposition Part 2 of 3, # <u>2</u> Affidavit in Opposition Part 3 of 3) (Wilck, David) (Entered: 08/11/2025)
08/11/2025	<u>92</u>	CERTIFICATE OF SERVICE by First Choice Evaluations LLC, Jason Hochfelder MD re <u>81</u> MOTION to Dismiss for Failure to State a Claim , <u>83</u> Reply in Support (Hamelsky, Andrew) (Entered: 08/11/2025)
08/11/2025	<u>93</u>	REPLY in Support of <i>Motion to Dismiss Amended Complaint</i> filed by Pasternack Tilker Weitz & Luxenberg LLP, Pasternack Tilker Ziegler Walsh Stanton & Romano LLP. (Wilck, David) (Entered: 08/11/2025)
08/11/2025	<u>94</u>	AFFIDAVIT/DECLARATION in Support re <u>88</u> Notice of MOTION to Dismiss <i>Amended Complaint Reply Declaration In Further Support of Motion to Dismiss Amended Complaint</i> filed by Pasternack Tilker Weitz & Luxenberg LLP, Pasternack Tilker Ziegler Walsh Stanton & Romano LLP. (Attachments: # <u>1</u> Exhibit L – Decision & Order of Judge Katsanos) (Wilck, David) (Entered: 08/11/2025)
08/11/2025	<u>95</u>	Letter to Judge <i>Bulsara re Service of Reply and Courtesy Copies</i> by Pasternack Tilker Weitz & Luxenberg LLP, Pasternack Tilker Ziegler Walsh Stanton & Romano LLP (Wilck, David) (Entered: 08/11/2025)
08/11/2025	<u>96</u>	Letter to Judge <i>Bulsara re Service of Courtesy Copies</i> by First Choice Evaluations LLC, Jason Hochfelder MD (Scarcella, Jenifer) (Entered: 08/11/2025)
08/11/2025	<u>97</u>	Follow-Up and CERTIFICATE OF SERVICE of Plaintiff's Opposition to Defendants' Motions to Dismiss by Lidia M. Orrego (NF) (Entered: 08/11/2025)
08/12/2025	<u>98</u>	CERTIFICATE OF SERVICE by First Choice Evaluations LLC, Jason Hochfelder MD re <u>81</u> MOTION to Dismiss for Failure to State a Claim , <u>83</u> Reply in Support (Hamelsky, Andrew) (Entered: 08/12/2025)
08/12/2025	<u>99</u>	Letter <i>Re Plaintiff's request to file sur-reply</i> by Pasternack Tilker Weitz & Luxenberg LLP, Pasternack Tilker Ziegler Walsh Stanton & Romano LLP (Wilck, David) (Entered: 08/12/2025)
08/12/2025	<u>100</u>	Letter <i>re Plaintiff's request to file sur-reply</i> by First Choice Evaluations LLC, Jason Hochfelder MD (Scarcella, Jenifer) (Entered: 08/12/2025)
08/13/2025	<u>101</u>	Emergency MOTION for Hearing to <i>Strike Scandalous and Improper DE 93 and DE 94 ; Notice of Non-Waiver of Recusal Motions (DE 78 , DE 79)</i> by Lidia M. Orrego. (Attachments: # <u>1</u> Part 2) (NF) (Entered: 08/14/2025)
08/14/2025	<u>102</u>	ORDER: The motions <u>78</u> <u>79</u> <u>80</u> are denied for the reasons stated in the attached, and Plaintiff is enjoined from making additional filings in this case, absent court order, and as set forth in the attached filing injunction. So Ordered by Judge Sanket J. Bulsara on 8/14/2025. (YEP) (Entered: 08/14/2025)
08/20/2025	<u>103</u>	MOTION for Leave to File Document for <i>CLARIFICATION of Incomprehensible and Impracticable Orders</i> by J. Bulsara and Shields on <i>NEW DEFENDANTS, Requesting NEW SUMMONS FOR NEW DEFENDANTS and Extension of Time to Serve per DE 78 , 79 , 80</i> by Lidia M. Orrego. (NF) (Entered: 08/20/2025)
08/21/2025	<u>106</u>	MOTION for Leave to File Document <i>MOTION FOR CLARIFICATION and ADJOURNMENT until Clarification of Shields' Order Dated 7/28/2025 Due to Lack of Specificity and Ambiguity Regarding UNSERVED NEW DEFENDANTS, Addition New Defendants vs. Substitution New Defendant</i> by Lidia M. Orrego. (NF) (Entered: 09/11/2025)
09/03/2025		ORDER denying <u>103</u> Motion for Leave to File. Plaintiff's request to file motions for clarification is denied. However, the Court clarifies that Plaintiff should obtain summonses in the same manner that Plaintiff has previously obtained summonses in the instant action, (see Docket Entry No. <u>2</u> , <u>8</u>), as well as other cases. So Ordered by Magistrate Judge Anne Y. Shields on 9/3/2025. (DM) (Entered: 09/03/2025)
09/05/2025	<u>104</u>	Summons Issued as to Sam Cohen, Esq., Matthew Funk, Esq., Lewis Heller, Esq., Ginu Jacob, Esq., Joseph Mercurio, Esq., Mariana Vizuite, Andrew Ziemianski, Esq. (NF) (Entered: 09/05/2025)

09/06/2025	<u>105</u>	Letter MOTION for Extension of Time to File / <i>of 30-day to Serve Summons</i> , by Lidia M. Orrego. (GO) (Entered: 09/08/2025)
09/10/2025		ORDER granting <u>105</u> Motion for Extension of Time to File. Plaintiff's request for an extension of time to serve the summonses is GRANTED. The summonses shall be served by October 10, 2025. So Ordered by Magistrate Judge Anne Y. Shields on 9/10/2025. (DM) (Entered: 09/10/2025)
09/11/2025	<u>107</u>	NOTICE OF INTERLOCUTORY APPEAL as to <u>102</u> Order on Motion to Vacate,, Order on Motion to Compel, by Lidia M. Orrego. (KS) (Entered: 09/15/2025)
09/11/2025	<u>108</u>	MOTION for Leave to Appeal in forma pauperis by Lidia M. Orrego. (KS) (Entered: 09/15/2025)
09/15/2025		Electronic Index to Record on Appeal sent to US Court of Appeals. <u>107</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. (KS) (Entered: 09/15/2025)