

UNITED STATES DISTRICT COURT
Eastern District of New York

FILED
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U.S. DISTRICT COURT E.D.N.Y.
★ DEC 22 2025 ★

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NOTICE OF APPEAL RECEIVED

DEC 22 2025

EDNY PRO SE OFFICE

Lidia M. Orrego

Plaintiff(s),

-against-

Pasternack Tilker Ziegler Walsh Stanton &
Romano LLP et al.

Defendant(s)

23cv6507 (SJB) (AYS)

Lidia M. Orrego, Plaintiff–Appellant (*and all other parties taking this appeal*), appeals to the United States Court of Appeals for the Second Circuit from (*describe the order*) the Orders reassigning the case to a previously recused judge, in violation of 28 U.S.C. § 455, and issuing void post-recusal orders, including unlawful injunctions in violation of Due Process, (*state the date that the order was entered*) entered on November 26, 2025; December 1, 2025; December 3, 2025; and December 5, 2025. Attached as Exhibits 1–4.

Plaintiff respectfully appeals from the Orders in their entirety and from each and every part thereof.

Pursuant to the rules and instructions of the United States Court of Appeals for the Second Circuit, this Notice and Supporting Papers are hereby filed:

Exhibit 6: Nov. 28, 2025 – Plaintiff Notice of Prior Recusal and demand for reassignment in 23-cv-6507, citing § 455 violations.

Exhibit 7: Nov. 5, 2025 – Order withdrawing motions [81], [87], [88], [101], [112], [113], [125] pending reassignment in 23-cv-6507 (Bulsara, J.); instructions to refile with permission.

Exhibit 8: Nov. 5, 2025 – Scheduling Order cancelling Nov. 10, 2025 conference in 23-cv-6507 (Shields, M.J.).

Exhibit 9: Nov. 17, 2025 – Recusal Order (23-cv-6507) recusing Bulsara & Shields; reassigned to Judge Pamela K. Chen & Magistrate Judge Taryn A. Merkl.

Exhibit 10: Dec. 5, 2025 – Letter to Chief Judge Brodie seeking action for recusal violations, docket manipulation, and unlawful filing restrictions in multiple cases (filed Dec. 6, 2025, DE 22.7, 25-1808).

Exhibit 11: Aug. 21, 2025 – Arizona Supreme Court, Contreras v. Bourke, holding recused judges remain disqualified absent stated grounds and opportunity to object; vacated orders and remanded.

Signature	<u>/s/Lidia M. Orrego</u>
Name	<u>Lidia M. Orrego</u>
Address	<u>9508 Queens Blvd., Apt. 3E</u> <u>Rego Park, NY 11374</u>
Phone	<u>(347) 453-2234</u>
Email	<u>liorrego@gmail.com</u>

{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)(e)(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.

EXHIBIT 1



Lidia Orrego <liorrego@gmail.com>

Activity in Case 2:23-cv-06507-SJB-AYS Orrego v. Pasternack Tilker Ziegler Walsh Stanton & Romano LLP et al Case Assigned/Reassigned

1 message

ecf_bounces@nyed.uscourts.gov <ecf_bounces@nyed.uscourts.gov>
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Wed, Nov 26, 2025 at 2:50 PM

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U.S. District Court

Eastern District of New York

Notice of Electronic Filing

The following transaction was entered on 11/26/2025 at 2:50 PM EST and filed on 11/26/2025

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

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

Filer:

Document Number: No document attached

Docket Text:

Case Reassigned to Judge Sanket J. Bulsara and Magistrate Judge Anne Y. Shields. Judge Pamela K. Chen, Magistrate Judge Taryn A. Merkl 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. (BBM)

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

David Stephen Wilck david.wilck@rivkin.com

Andrew Hamelsky ahamelsky@stradley.com

Jenifer Ann Scarcella jscarcella@stradley.com

Jason M. Biegel jason.biegel@rivkin.com

Lidia M. Orrego liorrego@gmail.com

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

EXHIBIT 2



Lidia Orrego <liorrego@gmail.com>

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

1 message

ecf_bounces@nyed.uscourts.gov <ecf_bounces@nyed.uscourts.gov>
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Wed, Nov 26, 2025 at 3:42 PM

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U.S. District Court

Eastern District of New York

Notice of Electronic Filing

The following transaction was entered on 11/26/2025 at 3:42 PM EST and filed on 11/26/2025

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

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

Filer:

Document Number: No document attached

Docket Text:

ORDER: The Court will be issuing orders deciding the previously filed motions. No refiling of motions is necessary. Nor is any party permitted to call Chambers to inquire about the status of previously filed motions. The Court will be issuing further decisions and orders in due course. The litigation bar previously entered, [102], remains in place. Furthermore, no new motions, letters, or other requests may be filed by any party until further Court management orders are issued next week. So Ordered by Judge Sanket J. Bulsara on 11/26/2025. (LOG)

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

David Stephen Wilck david.wilck@rivkin.com

Andrew Hamelsky ahamelsky@stradley.com

Jenifer Ann Scarcella jscarcella@stradley.com

Jason M. Biegel jason.biegel@rivkin.com

Lidia M. Orrego liorrego@gmail.com

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

EXHIBIT 3



Lidia Orrego <liorrego@gmail.com>

Activity in Case 2:23-cv-06507-SJB-AYS Orrego v. Pasternack Tilker Ziegler Walsh Stanton & Romano LLP et al Order on Motion to Substitute Party

1 message

ecf_bounces@nyed.uscourts.gov <ecf_bounces@nyed.uscourts.gov>
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Mon, Dec 1, 2025 at 1:04 PM

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U.S. District Court

Eastern District of New York

Notice of Electronic Filing

The following transaction was entered on 12/1/2025 at 1:04 PM EST and filed on 12/1/2025

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

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

Filer:

Document Number: No document attached

Docket Text:

ORDER granting [117] Motion to Substitute Party. Plaintiff's motion to substitute Dara Clarke as Executrix of the Estate of Lewis Heller for the deceased defendant Lewis Heller, is GRANTED. The Clerk of the Court is directed to amend the caption accordingly, issue new summonses for the additional defendants named in the Amended Complaint, and extend the Rule 4(m) service deadline for the new defendants to January 6, 2026. So Ordered by Magistrate Judge Anne Y. Shields on 12/1/2025. (DM)

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

David Stephen Wilck david.wilck@rivkin.com

Andrew Hamelsky ahamelsky@stradley.com

Jenifer Ann Scarcella jscarcella@stradley.com

Jason M. Biegel jason.biegel@rivkin.com

Lidia M. Orrego liorrego@gmail.com

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

EXHIBIT 4



Lidia Orrego <liorrego@gmail.com>

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

1 message

ecf_bounces@nyed.uscourts.gov <ecf_bounces@nyed.uscourts.gov>
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Wed, Dec 3, 2025 at 7:46 PM

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U.S. District Court

Eastern District of New York

Notice of Electronic Filing

The following transaction was entered on 12/3/2025 at 7:46 PM EST and filed on 12/3/2025

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

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

Filer:

Document Number: No document attached

Docket Text:

ORDER: The Court issues the following case management order. The Court will decide all currently pending motions, including those recently reinstated, in due course. Neither party may make any additional filings on this docket until the Court decides the pending matters. So Ordered by Judge Sanket J. Bulsara on 12/3/2025. (LOG)

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

David Stephen Wilck david.wilck@rivkin.com

Andrew Hamelsky ahamelsky@stradley.com

Jenifer Ann Scarcella jscarcella@stradley.com

Jason M. Biegel jason.biegel@rivkin.com

Lidia M. Orrego liorrego@gmail.com

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

EXHIBIT 5



Lidia Orrego <liorrego@gmail.com>

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

1 message

ecf_bounces@nyed.uscourts.gov <ecf_bounces@nyed.uscourts.gov>
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Fri, Dec 5, 2025 at 10:59 AM

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U.S. District Court

Eastern District of New York

Notice of Electronic Filing

The following transaction was entered on 12/5/2025 at 10:59 AM EST and filed on 12/5/2025

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

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

Filer:

Document Number: No document attached

Docket Text:

ORDER: Pro se Plaintiff Orrego's motion for leave to appeal *in forma pauperis* ("IFP") [113] is denied for the reasons set forth in the Court's October 1, 2025 Order in this case, and the Court's June 10, 2025 Order in a related case initiated by Orrego. (See also *Orrego v. Kerrigan*, No. 25-CV-0736 (E.D.N.Y. June 10, 2025), Dkt. No. 11 (denying IFP and listing all of Orrego's prior IFP applications, all of which have been denied)). Orrego again seeks IFP status to appeal the filing injunction in this case, which is substantially similar to the subject of the request the Court denied on October 1, 2025. The Court has reviewed the record and certifies that an appeal would not be taken in good faith and IFP status is denied for the purposes of such an appeal. See *Coppedge v. United States*, 369 U.S. 438, 444–45 (1962). Pursuant to Rule 24(a)(4) of the Federal Rules of Appellate Procedure, the Clerk of Court shall immediately notify the United States Court of Appeals for the Second Circuit of this order. The Clerk of Court is also respectfully directed to mail a copy of this order to Orrego at her address of record and to record such service on the docket. Other motions remain pending, and the filing pause set by the Court's December 3, 2025 case management order remains in place. So Ordered by Judge Sanket J. Bulsara on 12/5/2025. (LOG)

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

David Stephen Wilck david.wilck@rivkin.com

Andrew Hamelsky ahamelsky@stradley.com

Jenifer Ann Scarcella jscarcella@stradley.com

Jason M. Biegel jason.biegel@rivkin.com

Lidia M. Orrego liorrego@gmail.com

EXHIBIT 6

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

-----X

LIDIA M. ORREGO,

Plaintiff,

-against-

PASTERNAK TILKER ZIEGLER WALSH

STANTON & ROMANO LLP, et al.,

Defendants.

-----X

Docket No. 23-cv-06507 (SJB)(AYS)

**NOTICE OF PRIOR RECUSAL AND DEMAND FOR IMMEDIATE
REASSIGNMENT TO A DIFFERENT JUDGE**

Plaintiff Lidia M. Orrego, Pro Se, respectfully notifies the Court of the following undisputed facts:

1. On November 17, 2025, District Judge Sanket J. Bulsara and Magistrate Judge Anne Y. Shields entered a formal ORDER OF RECUSAL under 28 U.S.C. § 455. The exact docket text reads: “ORDER OF RECUSAL. Type of Recusal party. Ordered by Judge Sanket J. Bulsara on 11/17/2025. Judge Sanket J. Bulsara, Magistrate Judge Anne Y. Shields recused. Case reassigned to Judge Pamela K. Chen and Magistrate Judge Taryn A. Merkl for all further proceedings. (BBM)”

2. On November 26, 2025, only nine days later, the case was improperly reassigned back to the same recused judges: Judge Bulsara and Magistrate Judge Shields.

3. Recusal under 28 U.S.C. § 455(a) is mandatory and permanent. Reassignment of the same recused judges to the same case is clear error and creates an irrevocable appearance of impropriety. *In re IBM Corp.*, 618 F.2d 923 (2d Cir. 1980); *In re Cement Antitrust Litig.*, 673 F.2d 798 (2d Cir. 1982).

4. Such improper reassignment without notice, explanation, or opportunity to object renders all subsequent orders void ab initio, as confirmed in *Liljeberg v. Health Servs. Acquisition Corp.*, 486 U.S. 847 (1988) (vacatur required for § 455 violations undermining impartiality) and *In re Cement Antitrust Litig.*, 673 F.2d 1020 (9th Cir. 1982) (disqualified judge's authority ceases, voiding orders).

Plaintiff therefore demands that the Clerk immediately reassign this case to a different district judge and a different magistrate judge, and that all proceedings before Judge Bulsara and Magistrate Judge Shields be stayed pending reassignment.

Respectfully submitted,

Dated: November 28, 2025
Rego Park, New York

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

EXHIBIT 7



Lidia Orrego <liorrego@gmail.com>

Activity in Case 2:23-cv-06507-SJB-AYS Orrego v. Pasternack Tilker Ziegler Walsh Stanton & Romano LLP et al Order on Motion to Dismiss for Failure to State a Claim

1 message

ecf_bounces@nyed.uscourts.gov <ecf_bounces@nyed.uscourts.gov>
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U.S. District Court

Eastern District of New York

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

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

Filer:

Document Number: No document attached

Docket Text:

ORDER: In light of the impending reassignment of this case, the current motions, [81], [87], [88], [101], [112], [113], and [125] are deemed withdrawn and should be refiled consistent with the individual practices of the new Judge(s) and only with permission of the newly assigned Judge(s). So Ordered by Judge Sanket J. Bulsara on 11/5/2025. (LOG)

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

David Stephen Wilck david.wilck@rivkin.com

Andrew Hamelsky ahamelsky@stradley.com

Jenifer Ann Scarcella jscarcella@stradley.com

Jason M. Biegel jason.biegel@rivkin.com

Lidia M. Orrego liorrego@gmail.com

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

EXHIBIT 8



Lidia Orrego <liorrego@gmail.com>

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

1 message

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

Wed, Nov 5, 2025 at 2:33 PM

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U.S. District Court

Eastern District of New York

Notice of Electronic Filing

The following transaction was entered on 11/5/2025 at 2:33 PM EST and filed on 11/5/2025

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

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

Filer:

Document Number: No document attached

Docket Text:

SCHEDULING ORDER: The conference scheduled for November 10, 2025 is CANCELLED. So Ordered by Magistrate Judge Anne Y. Shields on 11/5/2025. (DM)

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

David Stephen Wilck david.wilck@rivkin.com

Andrew Hamelsky ahamelsky@stradley.com

Jenifer Ann Scarcella jscarcella@stradley.com

Jason M. Biegel jason.biegel@rivkin.com

Lidia M. Orrego liorrego@gmail.com

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

EXHIBIT 9



Lidia Orrego <liorrego@gmail.com>

Activity in Case 2:23-cv-06507-PKC-TAM Orrego v. Pasternack Tilker Ziegler Walsh Stanton & Romano LLP et al Order of Recusal

1 message

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

Mon, Nov 17, 2025 at 1:06 PM

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U.S. District Court

Eastern District of New York

Notice of Electronic Filing

The following transaction was entered on 11/17/2025 at 1:06 PM EST and filed on 11/17/2025

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

Case Number: [2:23-cv-06507-PKC-TAM](#)

Filer:

Document Number: No document attached

Docket Text:

ORDER OF RECUSAL. Type of Recusal party. Ordered by Judge Sanket J. Bulsara on 11/17/2025. Judge Sanket J. Bulsara, Magistrate Judge Anne Y. Shields recused. Case reassigned to Judge Pamela K. Chen and Magistrate Judge Taryn A. Merkl for all further proceedings. (BBM)

2:23-cv-06507-PKC-TAM Notice has been electronically mailed to:

David Stephen Wilck david.wilck@rivkin.com

Andrew Hamelsky ahamelsky@stradley.com

Jenifer Ann Scarcella jscarcella@stradley.com

Jason M. Biegel jason.biegel@rivkin.com

Lidia M. Orrego liorrego@gmail.com

2:23-cv-06507-PKC-TAM Notice will not be electronically mailed to:

EXHIBIT 10

December 5, 2025

To:

Chief Judge Margo K. Brodie
United States District Court for the Eastern District of New York
Theodore Roosevelt Courthouse
225 Cadman Plaza East
Brooklyn, NY 11201

CC:

District Judge Pamela K. Chen, Courtroom 4F, Chambers N631
Magistrate Judge Taryn A. Merkl, Courtroom 13D South
Clerk of the Court, EDNY
Thurgood Marshall United States Courthouse
40 Foley Square
New York, NY 10007
Catherine O'Hagan Wolfe, Clerk of Court
Andrew Barnes, Chief Deputy Clerk

Re: Formal Demand for Administrative Action, Corrective Measures, and Written Explanation Regarding Recusal Violations, Judicial Abandonment, Clerk Misconduct, MANIPULATION OF DOCKET AND FILINGS, and Unlawful Filing Restriction

Dear Chief Judge Brodie:

I respectfully submit this formal demand, in the nature of a **Motion for Administrative corrective action**, pursuant to **28 U.S.C. §§ 137, 331–332, 351–364, 455, Federal Rules of Civil Procedure 5 and 79**, and Constitutional Due-Process and access-to-court guarantees. This letter concerns **grave procedural violations, mishandling of recusals, improper judicial involvement, MANIPULATION OF DOCKET AND FILINGS, and Clerk's Office misconduct** affecting the following cases:

- Orrego v. Knipfing et al., 20-cv-3361
- Orrego v. Pasternack Tilker Ziegler Walsh Stanton & Romano LLP, 23-cv-6507
- Orrego v. Savitsky et al., 24-cv-7247
- Orrego v. Kerrigan et al., 25-cv-00736
- Orrego v. Wilson et al., 25-cv-00769

I write because, under federal law, you are **personally responsible for the administration of this District** and have the authority—and **statutory obligation**—to correct the unlawful conduct described below.

1. Chief Judge Responsibility and Authority

Under 28 U.S.C. § 137, you are responsible for case assignment, preventing improper assignments, and enforcing recusal rules.

Under 28 U.S.C. §§ 331–332, you are charged with ensuring supervision, discipline, and lawful functioning of the District.

Under the **Judicial Conduct and Disability Act (28 U.S.C. §§ 351–364)**, you are responsible for oversight of judicial misconduct, including failures to follow recusal law, failure to act, obstruction, and conduct prejudicial to the administration of justice.

Under 28 U.S.C. § 751 and **FRCP 79(a)**, you are responsible for ensuring the Clerk’s Office maintains complete, accurate, and unaltered dockets.

All violations described herein fall squarely within your administrative jurisdiction.

2. Improper and Illegal Reassignment of Recused Judges Bulsara and Shields

Judges **Sanket J. Bulsara** and **Anne Y. Shields** recused themselves. **Recusal under 28 U.S.C. § 455(a) is mandatory** when impartiality might reasonably be questioned. Once recused:

- A recused judge **cannot return to the case** unless they provide a full explanation on the record and give the parties an opportunity to object.
- The judge’s jurisdiction is terminated for all further proceedings.

Second Circuit precedent confirms this:

- *United States v. Feldman*, 983 F.2d 144 (2d Cir. 1992): Recusal required for actual or apparent bias; public confidence must be preserved.
- *Pashaian v. Eccelston Properties, Ltd.*, 88 F.3d 77 (2d Cir. 1996): § 455(a) requires disqualification whenever impartiality may reasonably be questioned.
- *In re IBM Corp.*, 618 F.2d 923 (2d Cir. 1980): Recusal protects both impartiality and public confidence.
- *Floyd v. City of New York*, 770 F.3d 1051 (2d Cir. 2014): Reassignment after recusal is mandatory, and returning cannot occur without extraordinary justification.

Persuasive authority: *Contreras v. Bourke* (Ariz. Sup. Ct., 2025): Unexplained return of recused judge invalidates orders; parties must be notified and allowed to object.

In EDNY, Judges Bulsara and Shields were **reassigned without explanation** and without party notice, violating **federal recusal statutes, Second Circuit law, and Constitutional Due Process**. You have the **authority and obligation to vacate this reassignment and enforce the permanent recusal**.

3. Judicial Abandonment by District Judge Pamela K. Chen and Magistrate Judge Taryn A. Merkl

On November 17, 2025, the cases were reassigned to **Judge Pamela K. Chen and Magistrate Judge Taryn A. Merkl**. On November 21, 2025, I submitted a **32-page Letter Motion for Pre-Motion Conference** addressing Defendants' November 20, 2025, letter, requesting:

- Re-filing of the motion to vacate the **November 3, 2025 order (DE [122])** for fraud on the court
- Entry of default
- Sanctions for perjured representations

Judge Chen and Magistrate Merkl took no action, provided no acknowledgment, and provided no explanation for abandoning the cases. Subsequently, the cases were returned silently to the recused judges.

Abandonment violates:

- **Due Process Clause (Fifth Amendment)**
- **Right of access to courts (First Amendment)**
- **28 U.S.C. § 455**
- **Canon 3 of the Code of Conduct for United States Judges**
- Second Circuit precedent requiring courts to address motions (*Hernandez v. Conriv Realty*, 182 F.3d 121)

Failure to act constitutes **judicial obstruction and misconduct under 28 U.S.C. § 351**.

4. Clerk's Office Violations, MANIPULATION OF DOCKET AND FILINGS, and Refusal to File

The Clerk's Office has repeatedly engaged in **MANIPULATION OF DOCKET AND FILINGS**:

- The **November 21, 2025 Letter Motion** (32 pages, Case No. 23-cv-6507) remains undocketed.
- **DE [211]** (299 pages, Case No. 20-cv-3361) was docketed as a **single page**.
- The **November 28, 2025 Notice of Prior Recusal** could not be submitted due to an unlawful injunction.
- My **email to Clerk Brenda Mahoney (Sept. 16, 2025)** went unanswered. (*Exhibit A attached*)

These actions violate:

- **FRCP 5(d)(2) and (4)** – Clerk must accept filings and cannot refuse based on form
- **FRCP 79(a)** – Clerk must maintain accurate dockets
- **EDNY Local Rules 1.2 & 5.1**
- **28 U.S.C. §§ 1691 & 452**
- **Constitutional access-to-courts principles** (*Bounds v. Smith*; *Lewis v. Casey*)

All Clerk misconduct falls under your responsibility pursuant to 28 U.S.C. § 751.

5. Unlawful Filing Injunction

I was blocked from submitting legally required filings, including the **November 28 Notice of Prior Recusal**, without notice, hearing, or valid order.

Violations include:

- **FRCP 65** – injunctions require notice and hearing
- **First and Fifth Amendments** – right to petition and Due Process
- **Second Circuit precedent** (*Safir v. U.S. Lines, Inc.*, 792 F.2d 19)

This unlawful injunction must be **immediately vacated**.

6. Demand for Immediate Administrative Corrective Action

I formally demand the following:

1. Immediate **docketing of all undocketed filings**, including November 21 and November 28 submissions.
2. Correction of **altered entries**, including DE [211].
3. Written explanation for **Judge Chen and Magistrate Merkl's abandonment** of the cases.
4. **Vacatur of the reassignment** of recused Judges Bulsara and Shields.
5. Enforcement of **recusal statutes** and reassignment to non-recused judges.
6. **Removal or review** of the unlawful filing injunction.
7. Written administrative explanation for all errors and violations.
8. Administrative investigation into **Clerk's Office failures, MANIPULATION OF DOCKET AND FILINGS**, and non-responsiveness.

Under law, I am entitled to a **written explanation** for all corrective actions taken. Failure to respond constitutes further administrative misconduct and denial of constitutional rights.

7. Exhibits

- **Exhibit A** – September 16, 2025, email to Clerk Brenda Mahoney regarding incomplete filing of DE 211 in Case No. 20-cv-3361

- **Exhibits B** – Exhibits 1–7 attached to my **November 21, 2025, undocketed Letter Motion** are the supporting documents that included to substantiate my claims of fraud on the Court, obstruction, and improper representation. Summary of each:

Exhibit 1 – Rivkin Radler LLP - David Wilck's sworn state court filings proving representation of deceased Lewis Heller (Sup. C. Queens Index No. 714097/2024)

NYSCEF Doc. [25] – Notice of Motion, dated November 20, 2024 (both pages)

NYSCEF Doc. [26] – Affirmation, dated November 20, 2024 (page 1 and last page)

NYSCEF Doc. [137] – Affirmation, dated October 14, 2025 (page 1 and last page)

Purpose: Shows Rivkin Radler's continued representation of a deceased individual without proper substitution, demonstrating fraud and misrepresentation affecting federal filings.

Exhibit 2 – District Judge Bulsara’s November 5, 2025, recusal order

Purpose: Establishes that Judge Bulsara had recused himself, meaning any further involvement without explanation is improper.

Exhibit 3 – DE [15] – 2023 proof of service on firm Defendants

Purpose: Demonstrates prior service and representation history of the Defendants.

Exhibit 4 – DE [18] – Wilck’s appearance for firm Defendants in 2023

Purpose: Corroborates prior representation and timing of appearances.

Exhibit 5 – DE [122] – Defendants’ October 30, 2025, letter (highlighted for reference)

Purpose: Shows misleading claims by Defendants regarding representation and deadlines.

Exhibit 6 – Page 37 of DE [130] – Notice from Pro Se Office Clerk confirming submission

Purpose: Confirms my filing to the court, supporting the argument that it was ignored and undocketed.

Exhibit 7 – AO Form 475 – Request for Clerk’s Entry of Default

Purpose: Demonstrates that I properly requested entry of Default, reinforcing my claims of obstruction and improper delay.

Respectfully submitted,

/s/ Lidia M. Orrego

Lidia M. Orrego

Pro Se Litigant

95-08 Queens Blvd Apt. 3E

Rego Park, NY 11374

Phone: (347) 453-2234

Email: orregoprose@gmail.com

District Judge Pamela K. Chen
United States District Court
Eastern District of New York
Courtroom 4F - Chambers N631
225 Cadman Plaza East
Brooklyn, NY 11201



Chief Judge Margo K. Brodie
United States District Court,
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

SENDER: COMPLETE THIS SECTION

- Complete Items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Chief Judge Margo K. Brodie
EDNY
225 Cadman Plaza East.
Brooklyn, NY 11201

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent

☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

3. Service Type

☐ Adult Signature

☐ Priority Mail Express®

☐ Registered Mail™

EXHIBIT 11

JUSTIA

CONTRERAS v BOURKE

Justia Opinion Summary

Roger Contreras and Nancy Bourke were involved in a marriage dissolution proceeding in Cochise County, Arizona, with a decree entered in 2011. The case saw extensive post-decree litigation. In February 2020, all Cochise County Superior Court judges, including Judge Timothy Dickerson, recused themselves from the matter without providing reasons on the record, and the case was reassigned to a Pima County judge. In 2021, Judge Dickerson became the presiding judge of Cochise County Superior Court and subsequently appointed Contreras as a justice of the peace pro tempore. In December 2022, Contreras moved to have Bourke declared a vexatious litigant, and Judge Dickerson, despite his prior recusal, ruled on the motion without explaining his re-entry or giving the parties an opportunity to object.

Judge Dickerson designated Bourke a vexatious litigant. Bourke appealed, and the Arizona Court of Appeals, Division Two, affirmed the trial court's decision, holding that Bourke had waived any challenge to Judge Dickerson's participation by failing to timely seek disqualification under relevant statutes and rules. The appellate majority did not address Bourke's argument regarding Judge Dickerson's appointment of Contreras as a justice of the peace pro tempore as a potential conflict, while the dissent argued that waiver should not apply under the Arizona Code of Judicial Conduct.

The Supreme Court of the State of Arizona reviewed the case. It held that once a judge recuses from a case, the judge remains disqualified from further participation unless the judge articulates the reasons why recusal is no longer required and allows the parties an opportunity to object. The court vacated the court of appeals' opinion, reversed the superior court's order declaring Bourke a vexatious litigant, and remanded for a different judge to rule on Contreras' motion.

Collapse Summary

IN THE
SUPREME COURT OF THE STATE OF ARIZONA

ROGER H. CONTRERAS,
Appellee,

v.

NANCY BOURKE,
Appellant.

No. CV-24-0217-PR
Filed August 21, 2025

Appeal from the Superior Court in Cochise County
The Honorable Timothy B. Dickerson, Judge (Retired)
No. DO200901390
REVERSED AND REMANDED WITH INSTRUCTIONS

Opinion of the Court of Appeals, Division Two
258 Ariz. 223 (App. 2024)
VACATED

COUNSEL:

Danette R. Pahl (argued), Pahl & Associates, Tucson, Attorney for Roger
H. Contreras

Nancy Bourke (argued), In Propria Persona

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Opinion of the Court

JUSTICE CRUZ authored the Opinion of the Court, in which CHIEF JUSTICE TIMMER, VICE CHIEF JUSTICE LOPEZ and JUSTICES BOLICK, BEENE, MONTGOMERY and KING joined.

JUSTICE CRUZ, Opinion of the Court:

¶1 Arizona judges must disqualify themselves in any proceeding in which their impartiality “might reasonably be questioned.” Ariz. R. Sup. Ct. 81, Code of Judicial Conduct (“CJCR”) Rule 2.11(A). In this case, after other judicial officers in the county had recused themselves in an ongoing family court matter, the presiding judge—who had also previously recused—re-entered the case to rule on a motion to designate one of the parties as a vexatious litigant.

¶2 We hold that once a judge recuses in a case, that judge remains disqualified from presiding further in that same case unless the judge first articulates the reasons why recusal is no longer required and allows the parties an opportunity to object.

BACKGROUND

¶3 In December 2009, Roger Contreras and Nancy Bourke initiated a marriage dissolution action. The superior court entered a decree of dissolution in April 2011, after trial. Significant post-decree litigation followed.

¶4 In February 2020, all Cochise County Superior Court judges, including Judge Timothy Dickerson, recused from participation in the matter. Notably, Judge Dickerson did not provide a reason on the record for his recusal. The case was reassigned to a judge in Pima County.

¶5 In January 2021, this Court appointed Judge Dickerson to be the presiding judge of the Cochise County Superior Court. In that role, he appointed Contreras as a justice of the peace pro tempore in November 2022. He reappointed Contreras twice, in May 2023 and August 2023.

¶6 In December 2022, shortly after his first appointment by Judge Dickerson, Contreras filed a motion to have Bourke designated a vexatious litigant. Vexatious litigant determinations are generally made by the presiding judge of the superior court in the county where the motion is

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filed, rather than by the judge assigned to the particular case. *See* A.R.S. § 12-3201(A). A vexatious litigant determination is no insignificant matter. It restricts a litigant's participation in a case because "a vexatious litigant may not file a new pleading, motion or other document without prior leave of the court." § 12-3201(B). Despite having previously recused himself from the underlying dissolution case, Judge Dickerson chose to entertain the motion. He provided no explanation on the record as to the basis of the prior recusal or why recusal was no longer necessary.

¶7 In addressing the vexatious litigant motion, Judge Dickerson found no evidentiary hearing was necessary but permitted supplemental briefing. Bourke did not file a motion to disqualify but noted in passing that Judge Dickerson had previously recused in the case. Bourke stated that Contreras "wishes for the Presiding Judge, who already recused himself due to conflicts of interest, to address the merits of the Motion, instead of the assigned judicial officer." In May 2023, Judge Dickerson ruled on the motion, designating Bourke a vexatious litigant.

¶8 Bourke appealed the vexatious litigant determination. *See Contreras v. Bourke*, 258 Ariz. 223 (App. 2024). In a split decision, the court of appeals affirmed the trial court ruling, holding that Bourke had waived any challenge to Judge Dickerson's participation by failing to timely seek disqualification under A.R.S. § 12-409, Arizona Rule of Family Law Procedure 6.1(c), or Arizona Rule of Civil Procedure 42.2(d). *Id.* at 226–27 ¶¶ 8, 10.

¶9 The majority did not address Bourke's claim that, aside from his recusal and re-entry into the case, Judge Dickerson's earlier appointment of Contreras as a justice of the peace pro tempore might raise an independent basis to find a conflict requiring recusal. The dissent opined that under CJCR 2.11(A), given his prior recusal, Judge Dickerson had an independent duty to recuse himself from deciding the vexatious litigant motion and, § 12-409 notwithstanding, waiver should not apply. *Id.* at 233 ¶¶ 38–39, 237 ¶ 60 (Sklar, J. dissenting).

¶10 We granted review to resolve these issues of first impression and statewide importance. We have jurisdiction pursuant to article 6, section 5(3) of the Arizona Constitution.

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DISCUSSION

A. Prior Recusal and Re-Entry

¶11 Bourke claims Judge Dickerson’s recusal from participating in the dissolution action due to a purported conflict made him ineligible to later re-enter the case in his new capacity as the county’s presiding judge to decide the vexatious litigant motion.

¶12 We review de novo the interpretation of court rules. *State v. Whitman*, 234 Ariz. 565, 566 ¶ 5 (2014). This Court interprets judicial ethics rules using principles of statutory construction. *See Phillips v. O’Neil*, 243 Ariz. 299, 301 ¶ 8 (2017). “When a statute’s plain language is unambiguous in context, it is dispositive.” *In re Drummond*, 257 Ariz. 15, 18 ¶ 5 (2024).

¶13 The CJCR 2.11(A) provides that:

(A) A judge shall disqualify himself or herself in any proceeding in which the judge’s impartiality might reasonably be questioned, including but not limited to the following circumstances:

(1) The judge has a personal bias or prejudice concerning a party or a party’s lawyer, or personal knowledge of facts that are in dispute in the proceeding.

Comments 1 and 2 to CJCR 2.11 provide further clarification, stating in relevant part:

1. Under this rule, a judge is disqualified whenever the judge’s impartiality *might reasonably be questioned*, regardless of whether any of the [enumerated conflicts in paragraphs (A)(1) through (5)] apply.

2. A judge’s obligation not to hear or decide matters in which disqualification is required applies *regardless of whether a motion to disqualify is filed*.

(Emphases added.)

¶14 This Court articulated the standard to apply when deciding

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whether a judge's impartiality might reasonably be questioned in *State v. Smith*, 203 Ariz. 75, 79 ¶ 16 (2002):

If a situation is not one of those outlined in [CJCR 2.11(A)], but nonetheless implicates impartiality, a judge should consider "[w]hether an objective, disinterested observer fully informed of the facts underlying the grounds on which . . . disqualification [was] contemplated would entertain a significant doubt that justice would be done in the case."

Id. (citation modified) (quoting Op. 96-14 at 1 Ariz. Sup. Ct. Jud. Ethics Advis. Comm. (Nov. 21, 1996)). The same test was echoed in Opinion 98-02 of the Arizona Supreme Court Judicial Ethics Advisory Committee, which provides: "[T]he test is whether an objective, disinterested, fully informed observer would reasonably question the impartiality of the judge." Op. 98-02 at 3 Ariz. Sup. Ct. Jud. Ethics Advis. Comm. (Mar. 24, 1998). Indeed, "[o]ur system of justice depends for its survival on the support and confidence of the public. It is important, therefore, that justice not only be impartially dispensed but also that any question of unfairness or partiality be avoided." *State ex rel. Corbin v. Superior Court*, 155 Ariz. 560, 562 (1987). A judge's prior voluntary recusal and re-entry — when unexplained — leaves doubts about the reasons for the recusal unresolved.

¶15 The plain language of the rules indicates that when a judicial officer must disqualify himself or herself, the judge must do so regardless of any action by the parties. This Court previously recognized that "each [judge] has a continuing individual responsibility to exercise 'considerable introspection and intellectual honesty,' in determining whether he or she may appropriately sit upon any matter that comes before the [c]ourt." *Scheehle v. Justs. of the Sup. Ct.*, 211 Ariz. 282, 301 (2005) (quoting Op. 98-02 Ariz. Sup. Ct. Jud. Ethics Advis. Comm. (Mar. 24, 1998)).

¶16 When a judge voluntarily recuses, CJCR 2.11(A) signals that the judge acknowledges his or her impartiality might reasonably be questioned. If the disqualification is for a reason other than the judge's "personal bias or prejudice concerning a party or a party's lawyer, or personal knowledge of facts that are in dispute in the proceeding," the parties, having been put on notice of the basis, may waive disqualification. CJCR 2.11(A)(1), (C). And a disqualification that originally necessitates

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recusal generally does not forever bar a judge from re-entering a case if the reasons for the disqualification no longer exist. *See Scheehle*, 211 Ariz. at 301 (holding that under the unusual circumstances of that case, which included applying the rule of necessity, four justices who had previously recused from considering a matter were not forever barred from re-entering the same case).

¶17 CJCR 2.11(C) explains the step-by-step process a judge must follow if the judge believes he or she may fairly preside over a matter in which he or she was previously subject to disqualification:

A judge subject to disqualification under this rule, other than for bias or prejudice under paragraph (A)(1), may disclose on the record the basis of the judge's disqualification and may ask the parties and their lawyers to consider, outside the presence of the judge and court personnel, whether to waive disqualification. If, following the disclosure, the parties and lawyers agree, without participation by the judge or court personnel, that the judge should not be disqualified, the judge may participate in the proceeding. The agreement shall be incorporated into the record of the proceeding.

¶18 As previously mentioned, in February 2020, Judge Dickerson initially recused from presiding over the parties' family court matter; but two years later, now in his new role as Presiding Judge, he re-entered the same case and ruled on Contreras' vexatious litigant motion. No explanation was given to the parties as to any change in circumstance, nor was any opportunity given for either party to be heard in opposition to this re-entry into the case. The parties were entitled to such disclosure and to have the opportunity to be heard. We hold that when a judge who previously recused from a case later determines that recusal is no longer warranted, he or she must advise the parties of his or her reasons for re-entering the case and give them an opportunity to be heard.

B. Professional Relationship

¶19 Secondly, Bourke also argues that Judge Dickerson's prior appointment of Contreras as justice of the peace pro tempore raises a conflict of interest that categorically disqualifies Judge Dickerson from determining any matter in their family case. Bourke did not meaningfully

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raise this issue before the trial court and has therefore waived it. See § 12-409; Ariz. R. Fam. Law P. 6.1(c); Ariz. R. Civ. P. 42.2(d). The court of appeals did not address this belated claim.

¶20 Despite Bourke's waiver, the facts of this unusual case implicate judicial ethics and the public's trust in our courts, and so we exercise our discretion to entertain this secondary question solely to give presiding judges guidance and clarity going forward. See *Smith*, 203 Ariz. at 79 ¶ 12.

¶21 Under A.R.S. § 22-121(A), presiding judges appoint justices of the peace pro tempore, and they also exercise administrative supervision over the justice courts in their counties. See *In re Presiding Judges' Auth. to Establish Ct. Sec. Pol'ys & Procs.*, Admin. Order No. 96-32 (1996). These administrative responsibilities, along with the fact that the powers and duties of the justice of the peace pro tempore are described as "the same as a duly elected justice of the peace," § 22-121(C), establish that the presiding judge of a county superior court stands in a supervisory relationship to the justices of the peace pro tempore.

¶22 Also, in appointing a justice of the peace pro tempore, the presiding judge must determine that the appointee is a person "[o]f good moral character." See A.R.S. § 22-122 (describing the qualifications of justices of the peace pro tempore). Therefore, because presiding judges are directly involved in appointing justices of the peace pro tempore, they hold more than an attenuated "limited professional relationship." See *Smith*, 203 Ariz. at 79-80 ¶ 16 (finding that a "[l]imited professional relationship" between a judicial officer and a court administrator who was not subject to his supervision and merely worked in the same court building was sufficiently attenuated "that an informed, disinterested observer would not entertain significant doubt that justice would be done"). Accordingly, the professional relationship between a presiding judge and his or her previously appointed justice of the peace pro tempore *may* create the appearance of a close association giving rise to an objection.

¶23 Here, by appointing Contreras as a justice of the peace pro tempore, Judge Dickerson demonstrated his belief in Contreras' character and abilities just one month before Contreras filed his vexatious litigant motion. The appointment created more than an attenuated professional tie between Judge Dickerson and Contreras.

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¶24 Nonetheless, the presiding judge and justice of the peace pro tempore professional relationship, without more, does not require recusal in every case where a presiding judge has previously appointed a justice of the peace pro tempore who now appears as a litigant.

¶25 The standard of “whether an objective, disinterested, fully informed observer would reasonably question” the judge’s impartiality remains applicable in these circumstances. Op. 98-02 at 3 Ariz. Sup. Ct. Jud. Ethics Advis. Comm. (Mar. 24, 1998). And a party who challenges a “judge’s impartiality must overcome the presumption that [superior court] judges are free of bias and prejudice.” *Stagecoach Trails MHC, L.L.C. v. City of Benson*, 232 Ariz. 562, 568 ¶ 21 (App. 2013) (citation omitted). To do so, the challenging party must “set forth a specific basis for the claim of partiality and prove by a preponderance of the evidence that the judge is biased or prejudiced.” *Simon v. Maricopa Med. Ctr.*, 225 Ariz. 55, 63 ¶ 29 (App. 2010) (quoting *State v. Medina*, 193 Ariz. 504, 510 ¶ 11 (1999)). Further inquiry might very well reveal that there is no actual partiality shown in favor of the appointee.

¶26 After a fact-intensive inquiry in *Kay S. v. Mark S.*, 213 Ariz. 373 (App. 2006)—a case involving an attorney who, from time to time, served as judge pro tempore in the same court as he practiced—the court of appeals found that an appearance of impropriety required remand. *Id.* at 374 ¶ 1. Following a dissolution of marriage trial, Mother’s counsel discovered that Father’s counsel, Everts, had not only served along with and provided coverage for the trial judge as a pro tempore, but the trial judge’s staff stated Everts was “the division’s ‘preferred’ judge pro tempore who frequently served in lieu of [the trial judge] and on whom the staff relied and preferred above any other substitute.” *Id.* at 376 ¶ 17. Mother moved to disqualify the trial judge and, following an evidentiary hearing, the presiding family court judge found no just cause for removing the trial judge. *Id.* at 377 ¶ 20. In reversing that ruling, the court of appeals concluded that, under the facts of the case, the trial judge’s “impartiality might reasonably be questioned.” *Id.* at 379 ¶ 31. Although the court did not find any actual bias, it held that the presiding family court judge should have disqualified the trial judge given all the circumstances proven. *Id.* at 380 ¶ 35.

¶27 Whether disqualification of a presiding judge on the basis of a professional relationship with a justice of the peace pro tempore he or she

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appointed is required under the facts of any given case will depend on factors such as, but not limited to: the presiding judge's involvement in the selection of the justice of the peace pro tempore, the amount of time between the appointment and litigation in question, the degree and frequency of contacts between the presiding judge and his or her appointee, and other case-specific factors that help shed light on whether the judge's impartiality might reasonably be questioned. *See Smith*, 203 Ariz. at 79 ¶ 16.

¶28 Here, we do not squarely answer the question of whether Judge Dickerson's professional relationship with Contreras, in his capacity of justice of the peace pro tempore, would have required Judge Dickerson's disqualification because, given Bourke's failure to timely object on this separate basis, we lack sufficient insight into the nature of the professional relationship between the two.

¶29 Bourke did not object to Judge Dickerson's determination of the vexatious litigant motion on the basis of his appointment of Contreras as justice of the peace pro tempore. Bourke claims she was not aware of this separate ground for disqualification in time to object. Contreras, on the other hand, provided a link to a social media post where Bourke commented regarding his reappointment as a justice of the peace pro tempore and the presiding judge's duty to obtain public comment. Thus, Bourke was on notice that Judge Dickerson had appointed Contreras as a justice of the peace pro tempore, but she failed to challenge Judge Dickerson for cause by filing a timely affidavit setting forth those grounds. *Contreras*, 258 Ariz. at 226 ¶ 8, 227 ¶ 11, 229 ¶ 17. Bourke was required to object within twenty days of her discovery of the grounds for Judge Dickerson's removal. § 12-409; Ariz. R. Fam. Law P. 6.1(a), (c); *see also* Ariz. R. Civ. P. 42.2(b), (d). We find no such objection in the record.

¶30 Though the parties enjoy the right to move to disqualify a judge for alleged bias, that right may be waived by a party who fails to timely act. *John Munic Enters., Inc. v. Laos*, 235 Ariz. 12, 15 ¶ 4 (App. 2014). This we plainly articulated in *Marsin v. Udall*, 78 Ariz. 309, 312 (1955):

Of course, one may with knowledge of the facts, consent that his case be tried before a judge he thinks is biased and prejudiced. The privilege to challenge the judge's fairness carries with it the concomitant right to willingly submit to trial. He is not compelled to exercise the right but may waive

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it.

Here, Bourke failed to timely act by alleging in the trial court that Judge Dickerson's appointment of Contreras created the type of professional relationship that gave rise to bias or prejudice in favor of Contreras. *See Simon*, 225 Ariz. at 63 ¶ 29. Her failure to timely object on this separate ground prevented the claim from being fully litigated and, after full inquiry, potentially even resolved in her favor in that forum. Instead, Bourke, having stripped from the trial court the opportunity to make detailed inquiry into the operative facts and to make an initial determination on the merits of her claim, has now waived it on appeal. *See Trantor v. Fredrikson*, 179 Ariz. 299, 300 (1994) (stating errors not raised in trial court cannot be asserted on appeal). Therefore, she is not entitled to relief due to any appearance of impropriety arising from Judge Dickerson's appointment of Contreras as a justice of the peace pro tempore.

C. Relief

¶31 Having held that Bourke was deprived of the right to know why Judge Dickerson initially recused from the case and why he thought he could re-enter it, we turn to the appropriate form of relief.

¶32 We note that, contrary to Bourke's assertion, actions taken by a judge after disqualification are voidable, but they are not void ab initio. *Conkling v. Crosby*, 29 Ariz. 60, 67–68 (1925). "A voidable judgment is one in which the court has jurisdiction over the subject matter and parties but which is otherwise erroneous and subject to reversal." *State v. Cramer*, 192 Ariz. 150, 153 ¶ 16 (App. 1998) (citing *Cockerham v. Zikratch*, 127 Ariz. 230, 234 (1980)). "An order is void if it exceeds the jurisdiction of the court or agency rendering it." *Legacy Found. Action Fund v. Citizens Clean Elections Comm'n*, 243 Ariz. 404, 406 ¶ 9 (2018); *see also Am. Asphalt & Grading Co. v. CMX, L.L.C.*, 227 Ariz. 117, 119 ¶ 11 (2011).

¶33 Here, the trial court retained jurisdiction over the parties even when Judge Dickerson entered his vexatious litigant ruling without giving them the reasons for his initial recusal and later re-entry into the case and an opportunity to be heard. Judge Dickerson's ruling was therefore voidable.

¶34 We now hold that, under CJCR 2.11(A), Judge Dickerson had an independent duty to advise the parties of those reasons and give them

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an opportunity to be heard in opposition. *See supra* ¶¶ 13–18. Ordinarily, we would remand to the superior court so that it could provide the parties with notice of the circumstances Judge Dickerson believed no longer required his recusal from presiding over the vexatious litigant motion and give the parties an opportunity to be heard. If sufficient grounds existed to overcome the initial disqualification, Judge Dickerson’s order could stand. If not, the motion would be reassigned to a different judicial officer for a new ruling.

¶35 Because Judge Dickerson has retired, however, and because nothing further would be gained by remanding for additional inquiry into the nature of Judge Dickerson’s relationship with Contreras, we remand for a new judicial officer to rule on Contreras’ vexatious litigant motion.

CONCLUSION

¶36 For these reasons, we vacate the court of appeals’ opinion, reverse the superior court’s order declaring Bourke a vexatious litigant, and remand to that court for a different judge to rule on Contreras’ motion to declare Bourke a vexatious litigant.

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.
_____X

I, Lidia M. Orrego, declare under penalty of perjury that I served a copy of Letter Motion Leave to File, Notice of Appeal Order Dated December 15, 2025, and Exhibits 1-11 attached, Application to Proceed IFP (36-Page) Dated December 15, 2025 upon the Defendant(s) or attorney who physical address:

Via ECF & Notice has been electronically mailed

Stradley Ronon Stevens & Young, LLP

100 Park Avenue, Suite 2000

New York, New York 10017

Phone: 862-682-7246

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

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

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

Rivkin Radler LLP

926 RXR Plaza Uniondale

New York 11556

Phone: 516-357-3000

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

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

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

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

Dated: December 15, 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

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

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

V.

Defendant

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

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

Jason M. Biegel
Rivkin Radler LLP
926 RXR Plaza
Uniondale, NY 11556
516-357-3000
Email: jason.biegel@rivkin.com
ATTORNEY TO BE NOTICED

Defendant

**Pasternack Tilker Weitz & Luxenberg
LLP**

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

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

Defendant

First Choice Evaluations LLC

represented by **Andrew Hamelsky**
Stradley Ronon Stevens & Young, LLP
101 Park Avenue
Suite 2000
New York, NY 10019
212-404-0636

Email: ahamelsky@stradley.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

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

Defendant

Jason Hochfelder MD

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

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

Defendant

John Doe

Defendant

Jane Doe

Defendant

Ginu Jacob, Esq.
Associate

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

Sam Cohen, Esq.
Associate

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

Joseph Mercurio, Esq.
Associate

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

represented by

Andrew Ziemianski, Esq.
Associate

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

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

Defendant

Matthew Funk, Esq.
Associate

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

Mariana Vizuite
Paralegal–Associate

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

Dara Clarke
as Executrix of the Estate of Lewis L.
Heller, Esq.

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

09/01/2023	<u>7</u>	Updated Civil Cover Sheet. (LF) (Entered: 09/01/2023)
09/08/2023	<u>9</u>	ORDER: On August 31, 2023, Lidia Orrego ("Plaintiff"), acting pro se, filed a complaint together with the filing fee and summonses were issued. (ECF Nos. <u>1</u> – <u>3</u> .) Rule 4(m) of the Federal Rules of Civil Procedure provides:If a defendant is not served within 90 days after the complaint is filed, the court – on motion or on its own after notice to the plaintiff – must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period. Accordingly, if service is not made upon the defendants by November 29, 2023, or Plaintiff fails to show good cause why such service has not been effected, the complaint will be dismissed without prejudice. Plaintiff is to provide a copy of this Order to the defendants along with the summonses and complaint and shall file proof of service with the Court within fourteen (14) days of service. Plaintiff is required to advise the Clerk of Court of any changes of address. Failure to keep the Court informed of Plaintiff's current address may result in dismissal of the case. So Ordered by Judge Joan M. Azrack on 9/8/2023. c/ecf (LC) (Entered: 09/08/2023)
09/09/2023	<u>10</u>	Letter MOTION to Compel / <i>Plaintiff Requests clarification and alternative solution to comply with the Order ECF doc. 9 filed by Lidia M. Orrego.</i> (LC) Modified on 9/11/2023 to correct file date (LC). (Entered: 09/11/2023)
10/02/2023	<u>15</u>	SUMMONS Returned Executed by Lidia M. Orrego. First Choice Evaluations LLC served on 9/22/2023, answer due 10/13/2023; Pasternack Tilker Weitz & Luxenberg LLP served on 9/22/2023, answer due 10/13/2023; Pasternack Tilker Ziegler Walsh Stanton & Romano LLP served on 9/22/2023, answer due 10/13/2023. (LJ) (Entered: 10/11/2023)
10/02/2023	<u>16</u>	Summons Returned Unexecuted by Lidia M. Orrego as to Jason Hochfelder MD. (LJ) (Entered: 10/11/2023)
10/09/2023	<u>11</u>	NOTICE of Appearance by Andrew Hamelsky on behalf of First Choice Evaluations LLC, Jason Hochfelder MD (aty to be noticed) (Hamelsky, Andrew) (Entered: 10/09/2023)
10/09/2023	<u>12</u>	NOTICE of Appearance by Jenifer Ann Scarcella on behalf of First Choice Evaluations LLC, Jason Hochfelder MD (aty to be noticed) (Scarcella, Jenifer) (Entered: 10/09/2023)
10/10/2023	<u>13</u>	MOTION for pre motion conference by First Choice Evaluations LLC, Jason Hochfelder MD. (Scarcella, Jenifer) (Entered: 10/10/2023)
10/10/2023	<u>14</u>	CERTIFICATE OF SERVICE by First Choice Evaluations LLC, Jason Hochfelder MD (Scarcella, Jenifer) (Entered: 10/10/2023)
10/11/2023	<u>23</u>	SUMMONS Returned Executed by Lidia M. Orrego. Jason Hochfelder MD served on 9/26/2023, answer due 10/17/2023. (LC) (Entered: 10/18/2023)
10/12/2023	<u>17</u>	NOTICE of Appearance by Jason M. Biegel on behalf of Pasternack Tilker Weitz & Luxenberg LLP, Pasternack Tilker Ziegler Walsh Stanton & Romano LLP (aty to be noticed) (Biegel, Jason) (Entered: 10/12/2023)
10/12/2023	<u>18</u>	NOTICE of Appearance by David Stephen Wilck on behalf of Pasternack Tilker Weitz & Luxenberg LLP, Pasternack Tilker Ziegler Walsh Stanton & Romano LLP (aty to be noticed) (Wilck, David) (Entered: 10/12/2023)
10/12/2023	<u>26</u>	Letter dated 10/12/2023 from Lidia Orrego to Judge Azrack re Plaintiff's request for Defendants' Authentication or Identification of Evidence under FRCP and Evidence Rules before filing her response to ECF doc. <u>13</u> and future pleadings. (LF) (Entered: 10/27/2023)
10/13/2023	<u>19</u>	Letter MOTION for pre motion conference by Pasternack Tilker Weitz & Luxenberg LLP, Pasternack Tilker Ziegler Walsh Stanton & Romano LLP. (Wilck, David) (Entered: 10/13/2023)

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

		Judge Shields that denied Plaintiff's motion for a declaratory judgment and to change venue. Plaintiff had already made similar motions which Judge Brown denied by Order dated March 28, 2023 where he warned: "PLAINTIFF IS CAUTIONED ONCE AGAIN THAT THE CONTINUED FILING OF BLOATED AND WHOLLY UNSUPPORTED MOTIONS MAY SUBJECT HER TO THE IMPOSITION OF SANCTIONS FOR ENGAGING IN FRIVOLOUS LITIGATION CONDUCT UNDER 28 U.S.C. § 1927." Undeterred, Plaintiff has continued to file voluminous, repetitive, and unsupported motions in both of her cases. Indeed, since Judge Brown's March 28, 2023 warning, Plaintiff has filed an additional 26 motions in 20-CV-3361 alone, including a motion to certify an interlocutory appeal which this Court denied by Order dated July 28, 2023. Further, on October 31, 2023, Plaintiff has filed a 151-page "Petition for a Writ of Mandamus, Certiorari, and Prohibition" against the undersigned and Magistrate Judge Shields in the Second Circuit complaining of conduct alleged to have occurred in 20-CV-3361. <u>See</u> 23-7643 (2d Cir. Oct. 31, 2023). Accordingly, given Plaintiff's pending appeals and in an abundance of caution in light of her <u>pro se</u> status, the Court STAYS these matters pending resolution of the appeals. To be clear, Plaintiff SHALL NOT file any additional papers in either 20-CV-3361 or 23-CV-6507 and any submissions received via box.com, in person at the Clerks Office, or through the mail will not be considered or docketed. Plaintiff also SHALL NOT continue to contact the undersigned's chambers. Further, any papers the Clerk has received since August 3, 2023 in each case that have not yet been docketed shall be returned to Plaintiff. If any such filing exceeds 5 pages, the Clerk of the Court shall reference the returned document in a return letter and include only the first page of such submission. The Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that any appeal from this Order would not be taken in good faith and therefore <u>in forma pauperis</u> status is denied for the purpose of any appeal. <u>See Coppedge v. United States</u> , 369 U.S. 438, 444-45 (1962). Ordered by Judge Joan M. Azrack on 11/14/2023. (JSB) (Entered: 11/14/2023)
11/14/2023	<u>28</u>	Letter from Pro Se Office to pro se plaintiff Lidia M. Orrego: Pursuant to Judge Azrack's Electronic Order dated November 14, 2023, the enclosed documents are being returned to you without docketing or consideration. (LF) (Entered: 11/14/2023)
11/17/2023	<u>29</u>	LETTER dated 11/17/2023 from Pro Se Office to Lidia M. Orrego. Pursuant to Judge Azrack's Electronic Order dated November 14, 2023, the enclosed documents are being returned to you without docketing or consideration. As Judge Azrack instructed, we have enclosed the first page of your submissions. (LC) (Entered: 11/20/2023)
11/29/2023	<u>30</u>	NOTICE OF INTERLOCUTORY APPEAL as to Order on Motion for Leave to Allow Pro Se to Electronically File and Order by Lidia M. Orrego. (CL) (Main Document 30 replaced on 11/29/2023) (CL). (Entered: 11/29/2023)
11/29/2023	<u>31</u>	USCA Appeal Fees received \$ 505 receipt number 200002639 re <u>30</u> Notice of Interlocutory Appeal filed by Lidia M. Orrego (CL) (Entered: 11/29/2023)
11/29/2023		Electronic Index to Record on Appeal sent to US Court of Appeals. <u>30</u> Notice of Interlocutory Appeal Documents are available via Pacer. For docket entries without a hyperlink or for documents under seal, contact the court and we'll arrange for the document(s) to be made available to you. (CL) (Entered: 11/29/2023)
11/29/2023		First Supplemental Electronic Index to Record on Appeal sent to US Court of Appeals. <u>30</u> Notice of Interlocutory Appeal: Document replaced on docket. Documents are available via Pacer. For docket entries without a hyperlink or for documents under seal, contact the court and we'll arrange for the document(s) to be made available to you. (CL) Modified on 11/29/2023 (CL). (Entered: 11/29/2023)
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 district court has not issued a final order as contemplated by 28 U.S.C. § 1291. <u>See</u> <i>Petrello v. White</i> , 533 F.3d 110, 113 (2d Cir. 2008). Upon due consideration, it is hereby ORDERED that the appeal is 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 <u>website</u> . 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 with joint proposed briefing schedule for Defendants' respective motions to dismiss 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 & Luxenburg 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.</i>

		<i>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 U.S. Marshal Service, compelling Substitution, Sanctions 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, and <i>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)
06/13/2025	<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 /of Denial of Adjournment of Motion to Dismiss Briefing Schedule (DE <u>59</u>) 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 /of Denial of Adjournment of Motion to Dismiss Briefing Schedule (DE <u>59</u>) 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 DE <u>65</u> and expedite substitution, amend caption, issue new summons, and extend rule 4(m) deadline by Lidia M. Orrego. (JC) (Entered: 07/15/2025)
07/15/2025	<u>68</u>	Amended MOTION to Vacate DE <u>65</u> and expedite substitution, amend caption, issue new summons, and extend rule 4(m) deadline 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 , <u>51</u>)</i> , expedite substitution, amend caption, issue new summons, extend rule 4(m) deadline, recuse Magistrate Judge Anne Y. Shields, stay proceedings, and schedule conference by Lidia M. Orrego. (NF) (Entered: 07/16/2025)
07/15/2025	<u>72</u>	COPY OF <u>71</u> Letter MOTION to Vacate 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 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 confirming Plaintiff's Opposition to the Pasternack Firm's motion to dismiss was received on July 21, 2025 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 confirming service of Plaintiff's opposition to motion to dismiss 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." See 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 <u>93</u> and DE <u>94</u> ; Notice of Non-Waiver of Recusal Motions (DE <u>78</u> , DE <u>79</u>)</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 <i>for CLARIFICATION of Incomprehensible and Impracticable Orders by J. Bulsara and Shields on NEW DEFENDANTS, Requesting NEW SUMMONS FOR NEW DEFENDANTS and Extension of Time to Serve per DE <u>78</u> , <u>79</u> , <u>80</u></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, (<u>see</u> 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)
09/16/2025	<u>109</u>	ORDER: On September 11, 2025, Lidia Orrego, acting pro se, filed a Notice of Interlocutory Appeal <u>107</u> of this Court's August 14, 2025 Order <u>102</u> , together with an application to proceed <i>in forma pauperis</i> ("IFP") <u>108</u> . However, Orrego used the form application for IFP status in the district court rather than Form 4 of the Appellate Appendix of Forms. Upon review, it is apparent that the present application lacks the information required by Federal Rule of Appellate Procedure 24(a)(1). Accordingly, the application to proceed IFP <u>108</u> is denied without prejudice and with leave to renew on the Circuit Court's Form 4 annexed to this Order. So Ordered by Judge Sanket J. Bulsara on 9/16/2025. (LOG) (Entered: 09/16/2025)
09/16/2025		ORDER: Plaintiff Orrego has now filed multiple applications seeking leave to file additional motions and/or open new cases. Though the cover letters for these motions comply with the Court's admonition that leave be sought in a short letter with a word

		limit, the motions attach hundreds, if not thousands of pages of material, which not only violate the filing injunction, but are unnecessarily duplicative material. The Clerk's Office is directed to return all of this material via first-class mail to Plaintiff. The motions seeking leave, in this case at Dkt. No. <u>106</u>, are denied. Plaintiff is prohibited from making any further filings on this docket, or using the portal available to pro se litigants, absent further order of this Court (no leave may be sought). The Clerk's Office is directed to terminate Plaintiff Orrego's access to the pro se portal, to reject and promptly return to Plaintiff any motion or document submitted by her, and not to file any submission on ECF or retain custody of such material. Plaintiff is reminded that her filing of this unnecessary material has simply impeded, delayed, and obstructed the Court's ability to resolve the merits of the case, and its ability to move this case forward, to trial (if appropriate). The Court will lift this filing injunction following resolution of the pending motions in all of her cases, in order to give her an opportunity to object, appeal, or reconsider any decision, or to make any post-decision filings attendant to trial, should the Court determine that the case should proceed to trial or further discovery. But until the Court renders such decisions, the filing injunction imposed by this order will remain in place. So Ordered by Judge Sanket J. Bulsara on 9/16/2025. (LOG) (Entered: 09/16/2025)
09/18/2025	<u>110</u>	Letter from Pro Se Department to Lidia M. Orrego dated 9/18/2025. The enclosed documents are being returned without docketing or consideration for the following reason(s): Pursuant to the enclosed electronic orders So Ordered by District Judge Bulsara on 9/16/2025 "The Clerk's Office is directed to return all of this material via first-class mail to Plaintiff." (NF) (Entered: 09/18/2025)
09/19/2025	<u>111</u>	MOTION for Leave to Appeal in forma pauperis by Lidia M. Orrego. (KS) (Entered: 09/23/2025)
09/23/2025		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: 09/23/2025)
09/30/2025	<u>112</u>	Letter MOTION for Leave to Appeal <i>order of the court entered on September 16, 2025</i> by Lidia M. Orrego. (DC) (Entered: 10/02/2025)
09/30/2025	<u>113</u>	MOTION for Leave to Appeal in forma pauperis by Lidia M. Orrego. (DC) (Entered: 10/02/2025)
09/30/2025	<u>114</u>	NOTICE OF INTERLOCUTORY APPEAL as to Order on Motion for Leave to File, entered on 9/16/2025, by Lidia M. Orrego. (DC) (Entered: 10/02/2025)
10/01/2025		ORDER: Pro se Plaintiff Orrego's motion for leave to appeal <i>in forma pauperis</i> <u>111</u> is denied. "An appeal may not be taken <i>in forma pauperis</i> if the trial court certifies in writing that it is not taken in good faith." <i>Romero v. DHL Express, Inc.</i>, No. 15-CV-4844, 2017 WL 2266990, at *1 (S.D.N.Y. May 6, 2017) (internal quotations and citations omitted). The "good faith" standard is objective; and it is not met when a party seeks review of a frivolous claim. <i>See Coppedge v. United States</i>, 369 U.S. 438, 444-45 (1962). Here Orrego seeks to appeal this Court's entry of a filing injunction. As this Court has repeatedly explained, the filing injunction--imposed after notice was provided--was an appropriate sanction given Orrego's repetitive filing of unnecessary material that has impeded, delayed, and obstructed the Court's ability to resolve the merits of the case. (See Order dated Aug. 14, 2025). The Court is prepared to lift the injunction following resolution of the pending motions in all of Plaintiff's cases. (See Order dated Sep. 16, 2025). A frivolous appeal of the injunction only works to further delay the resolution of these cases. The Court has reviewed the record and certifies that an appeal would not be taken in good faith. <i>See Coppedge</i>, 369 U.S. at 444-45. The application to proceed <i>in forma pauperis</i> is denied. Pursuant to Rule 24(a)(4) of the Federal Rules of Appellate Procedure, the Clerk of Court shall immediately notify the United States Court of Appeals for the Second Circuit of this order. The Clerk of Court is also respectfully directed to mail a copy of

		this Order to Orrego at her address of record and to record such service on the docket. So Ordered by Judge Sanket J. Bulsara on 10/1/2025. (LOG) Modified on 10/2/2025 (EM). (Entered: 10/01/2025)
10/10/2025	<u>119</u>	SUMMONS Returned Executed by Lidia M. Orrego. Sam Cohen, Esq. served on 10/7/2025, answer due 10/28/2025; Matthew Funk, Esq. served on 10/7/2025, answer due 10/28/2025; Lewis Heller, Esq. served on 10/7/2025, answer due 10/28/2025; Ginu Jacob, Esq. served on 10/7/2025, answer due 10/28/2025; Joseph Mercurio, Esq. served on 10/7/2025, answer due 10/28/2025; Mariana Vizuete served on 10/7/2025, answer due 10/28/2025; Andrew Ziemianski, Esq. served on 10/7/2025, answer due 10/28/2025. (NF) (Entered: 10/30/2025)
10/14/2025	<u>117</u>	Notice of MOTION to Substitute Party by Lidia M. Orrego. (Attachments: # <u>1</u> Part 2) (NF) (Entered: 10/21/2025)
10/14/2025	<u>118</u>	AFFIRMATION in Reply to Defendants' Partial Opposition to Plaintiff's Motion for Substitution of Party by Lidia M. Orrego. (NF) (Entered: 10/21/2025)
10/20/2025	<u>115</u>	MEMORANDUM in Opposition to <i>Plaintiff's Motion for Substitution Pursuant to the Order issued by Judge Shields on July 28, 2025</i> filed by Pasternack Tilker Weitz & Luxenberg LLP, Pasternack Tilker Ziegler Walsh Stanton & Romano LLP. (Wilck, David) (Entered: 10/20/2025)
10/20/2025	<u>116</u>	DECLARATION of David S. Wilck In Partial Opposition to Plaintiff's Motion for Substitution of Defendant Lewis Heller, Esq. by Pasternack Tilker Weitz & Luxenberg LLP, Pasternack Tilker Ziegler Walsh Stanton & Romano LLP (Attachments: # <u>1</u> Exhibit A) (Wilck, David) (Entered: 10/20/2025)
10/30/2025	<u>120</u>	NOTICE of Appearance by Jason M. Biegel on behalf of Sam Cohen, Esq., Matthew Funk, Esq., Ginu Jacob, Esq., Joseph Mercurio, Esq., Mariana Vizuete, Andrew Ziemianski, Esq. (aty to be noticed) (Biegel, Jason) (Entered: 10/30/2025)
10/30/2025	<u>121</u>	NOTICE of Appearance by David Stephen Wilck on behalf of Sam Cohen, Esq., Matthew Funk, Esq., Ginu Jacob, Esq., Joseph Mercurio, Esq., Mariana Vizuete, Andrew Ziemianski, Esq. (aty to be noticed) (Wilck, David) (Entered: 10/30/2025)
10/30/2025	<u>122</u>	Letter MOTION for Extension of Time to File Answer or Otherwise Respond to the Amended Complaint by Sam Cohen, Esq., Matthew Funk, Esq., Ginu Jacob, Esq., Joseph Mercurio, Esq., Mariana Vizuete, Andrew Ziemianski, Esq.. (Wilck, David) (Entered: 10/30/2025)
11/03/2025		ORDER granting <u>122</u> Motion for Extension of Time to Answer. In the interest of expeditiously moving Plaintiff's case, Sam Cohen, Esq., Matthew Funk, Esq., Ginu Jacob, Esq., Joseph Mercurio, Esq., Pasternack Tilker Weitz & Luxenberg LLP, Pasternack Tilker Ziegler Walsh Stanton & Romano LLP, Mariana Vizuete, and Andrew Ziemianski, Esq.'s time to answer or otherwise respond to the Amended Complaint is EXTENDED to 11/14/2025. So Ordered by Magistrate Judge Anne Y. Shields on 11/3/2025. (DM) (Entered: 11/03/2025)
11/04/2025	<u>123</u>	Letter requesting clarification prior to conference by Sam Cohen, Esq., Matthew Funk, Esq., Ginu Jacob, Esq., Joseph Mercurio, Esq., Pasternack Tilker Weitz & Luxenberg LLP, Pasternack Tilker Ziegler Walsh Stanton & Romano LLP, Mariana Vizuete, Andrew Ziemianski, Esq. (Attachments: # <u>1</u> Supplement Copy of Twitter post) (Wilck, David) (Entered: 11/04/2025)
11/04/2025	<u>124</u>	Letter re November 10, 2025 appearance and request for clarification by First Choice Evaluations LLC, Jason Hochfelder MD (Scarcella, Jenifer) (Entered: 11/04/2025)
11/05/2025	<u>125</u>	MOTION for Leave to File Document <i>File Opposition to Defendants' Extension Request (DE 122)</i> and to address ongoing injunction violating the First, Fifth, and Fourteenth Amendments and the Americans with Disabilities Act (ADA) by denying reasonable accommodation and electronic filing access, without due process, through a total injunction on court access entered August 14, 2025 and September 16, 2025, issued without notice, hearing, or evidence in contravention of FRCP 65 by Lidia M. Orrego. (NF) (Entered: 11/05/2025)
11/05/2025		ORDER: In light of the impending reassignment of this case, the current motions, <u>81</u> , <u>87</u> , <u>88</u> , <u>101</u> , <u>112</u> , <u>113</u> , and <u>125</u> are deemed withdrawn and should be refiled

		consistent with the individual practices of the new Judge(s) and only with permission of the newly assigned Judge(s). So Ordered by Judge Sanket J. Bulsara on 11/5/2025. (LOG) (Entered: 11/05/2025)
11/05/2025		SCHEDULING ORDER: The conference scheduled for November 10, 2025 is CANCELLED. So Ordered by Magistrate Judge Anne Y. Shields on 11/5/2025. (DM) (Entered: 11/05/2025)
11/14/2025	<u>126</u>	Letter MOTION for pre motion conference <i>for the individual defendants anticipated motion to dismiss amended complaint</i> by Sam Cohen, Esq., Matthew Funk, Esq., Ginu Jacob, Esq., Joseph Mercurio, Esq., Pasternack Tilker Weitz & Luxenberg LLP, Pasternack Tilker Ziegler Walsh Stanton & Romano LLP, Mariana Vizuete, Andrew Ziemianski, Esq.. (Wilck, David) (Entered: 11/14/2025)
11/17/2025	<u>127</u>	MOTION for Leave to File Document <i>File Response to Defendants' Pre-Motion Dismissal Request (DE 126) and Request to Address DE 125 for Violation of FRCP 65; Enter Default; Service Objection Waived; Sanctions Warranted Under FRCP 11</i> by Lidia M. Orrego. (NF) (Entered: 11/17/2025)
11/17/2025		ORDER OF RECUSAL. Type of Recusal party. Ordered by Judge Sanket J. Bulsara on 11/17/2025. Judge Sanket J. Bulsara, Magistrate Judge Anne Y. Shields recused. Case reassigned to Judge Pamela K. Chen and Magistrate Judge Taryn A. Merkl for all further proceedings. (BBM) (Entered: 11/17/2025)
11/18/2025	<u>128</u>	Letter to Judge Chen re ECF Document No's. 88-91, 93-94, and 126 by Sam Cohen, Esq., Matthew Funk, Esq., Ginu Jacob, Esq., Joseph Mercurio, Esq., Pasternack Tilker Weitz & Luxenberg LLP, Pasternack Tilker Ziegler Walsh Stanton & Romano LLP, Mariana Vizuete, Andrew Ziemianski, Esq. (Wilck, David) (Entered: 11/18/2025)
11/18/2025	<u>130</u>	Letter MOTION for Leave to File Document (<i>FOR LEAVE TO FILE/RE-FILE MOTIONS UNDER JUDGE BULSARA'S NOVEMBER 5, 2025, ORDER, PRE-MOTION CONFERENCE, AND ENTRY OF DEFAULT UNDER FRCP 55(a)</i>) by Lidia M. Orrego. (MLR) (Additional attachment(s) added on 11/24/2025: # <u>1</u> Duplicate Filing Recvd. on 11/24/2025) (MLR). (Entered: 11/20/2025)
11/19/2025	<u>129</u>	Letter to Judge Chen re ECF Document Nos. 81-86 by First Choice Evaluations LLC, Jason Hochfelder MD (Scarcella, Jenifer) (Entered: 11/19/2025)
11/20/2025	<u>131</u>	Letter to Judge Chen re Response to plaintiff's correspondence submitted Nov 19, 2025 (ECF No. 130) by Sam Cohen, Esq., Matthew Funk, Esq., Ginu Jacob, Esq., Joseph Mercurio, Esq., Pasternack Tilker Weitz & Luxenberg LLP, Pasternack Tilker Ziegler Walsh Stanton & Romano LLP, Mariana Vizuete, Andrew Ziemianski, Esq. (Wilck, David) (Entered: 11/20/2025)
11/26/2025		Case Reassigned to Judge Sanket J. Bulsara and Magistrate Judge Anne Y. Shields. Judge Pamela K. Chen, Magistrate Judge Taryn A. Merkl 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. (BBM) (Entered: 11/26/2025)
11/26/2025		ORDER: The Court will be issuing orders deciding the previously filed motions. No refiling of motions is necessary. Nor is any party permitted to call Chambers to inquire about the status of previously filed motions. The Court will be issuing further decisions and orders in due course. The litigation bar previously entered, <u>102</u> , remains in place. Furthermore, no new motions, letters, or other requests may be filed by any party until further Court management orders are issued next week. So Ordered by Judge Sanket J. Bulsara on 11/26/2025. (LOG) (Entered: 11/26/2025)
12/01/2025		ORDER granting <u>117</u> Motion to Substitute Party. Plaintiff's motion to substitute Dara Clarke as Executrix of the Estate of Lewis Heller for the deceased defendant Lewis Heller, is GRANTED. The Clerk of the Court is directed to amend the caption accordingly, issue new summonses for the additional defendants named in the Amended Complaint, and extend the Rule 4(m) service deadline for the new defendants to January 6, 2026. So Ordered by Magistrate Judge Anne Y. Shields on 12/1/2025. (DM) (Entered: 12/01/2025)
12/03/2025		ORDER: The Court issues the following case management order. The Court will decide all currently pending motions, including those recently reinstated, in due

		course. Neither party may make any additional filings on this docket until the Court decides the pending matters. So Ordered by Judge Sanket J. Bulsara on 12/3/2025. (LOG) (Entered: 12/03/2025)
12/04/2025	<u>132</u>	Summons Issued as to Dara Clarke. One (1) Physical certified summons mailed to pro se plaintiff, Lidia M. Orrego, at 95-08 Queens Blvd Apt 3E Rego Park, NY 11374. (NF) (Entered: 12/04/2025)
12/05/2025		ORDER: Pro se Plaintiff Orrego's motion for leave to appeal <i>in forma pauperis</i> ("IFP") <u>113</u> is denied for the reasons set forth in the Court's October 1, 2025 Order in this case, and the Court's June 10, 2025 Order in a related case initiated by Orrego. (<i>See also Orrego v. Kerrigan</i> , No. 25-CV-0736 (E.D.N.Y. June 10, 2025), Dkt. No. 11 (denying IFP and listing all of Orrego's prior IFP applications, all of which have been denied)). Orrego again seeks IFP status to appeal the filing injunction in this case, which is substantially similar to the subject of the request the Court denied on October 1, 2025. The Court has reviewed the record and certifies that an appeal would not be taken in good faith and IFP status is denied for the purposes of such an appeal. <i>See Coppedge v. United States</i> , 369 U.S. 438, 444æ5 (1962). Pursuant to Rule 24(a)(4) of the Federal Rules of Appellate Procedure, the Clerk of Court shall immediately notify the United States Court of Appeals for the Second Circuit of this order. The Clerk of Court is also respectfully directed to mail a copy of this order to Orrego at her address of record and to record such service on the docket. Other motions remain pending, and the filing pause set by the Court's December 3, 2025 case management order remains in place. So Ordered by Judge Sanket J. Bulsara on 12/5/2025. (LOG) (Entered: 12/05/2025)
12/10/2025		Electronic Index to Record on Appeal sent to US Court of Appeals. <u>114</u> Notice of Interlocutory Appeal, <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. (NF) (Entered: 12/10/2025)
12/19/2025	<u>133</u>	SUMMONS Returned Executed by Lidia M. Orrego. Dara Clarke served on 12/17/2025, answer due 1/7/2026. (NF) (Entered: 12/19/2025)
12/22/2025	<u>134</u>	Letter request (KS) (Entered: 12/23/2025)
12/22/2025	<u>135</u>	NOTICE OF INTERLOCUTORY APPEAL by Lidia M. Orrego. (KS) (Entered: 12/23/2025)
12/22/2025	<u>136</u>	MOTION for Leave to Appeal in forma pauperis by Lidia M. Orrego. (KS) (Entered: 12/23/2025)
12/23/2025		Electronic Index to Record on Appeal sent to US Court of Appeals. <u>135</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: 12/23/2025)