

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

2026 FEB -4 PM 9: 38

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LIDIA M. ORREGO,
Plaintiff-Appellant,

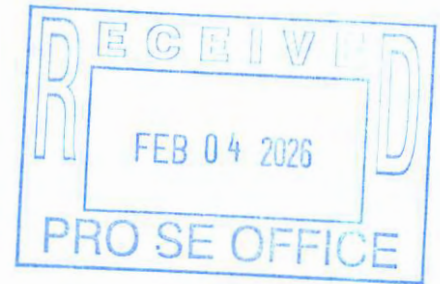
U.S. DC EDNY

v.

PASTERNAK TILKER ZIEGLER WALSH
STANTON & ROMANO LLP, et al.,
Defendants-Appellees.

EDNY

Case No. 2:23-cv-06507-SJB-AYS



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NOTICE OF APPEAL

Notice is hereby given that **Lidia M. Orrego, Plaintiff-Appellant**, hereby appeals to the United States Court of Appeals for the Second Circuit from the **Final Purported Judgment and Ruling entered December 30, 2025**, including all prior unlawful interlocutory orders merged therein, as well as all **purported rulings, acts, and judgment entered after judicial recusal on November 5 and 17, 2025**, including:

- **DE 143 (Jan. 16, 2026)** – purported dismissal with prejudice and filing injunction, entered without jurisdiction after permanent recusal.
- **DE 145 (Jan. 30, 2026)** – purported denial of Motion for Reconsideration (DE 144), also entered without jurisdiction, mischaracterized related matters as “unrelated grievances”.
- **DE 146 (Feb. 3–4, 2026)** – purported judgment closing the case, issued post-recusal and void ab initio. Failure to rule on multiple pending motions, leaving the case unresolved.
- **All post-recusal rulings or acts** are illegal, ultra vires, and null and void ab initio under 28 U.S.C. § 455 for lack of jurisdiction and usurpation of judicial power. The Permanent Recusal Order of District Judge Sanket J. Bulsara and Magistrate Judge Anne Y. Shields constitutes an admission of bias or partiality; once entered, neither judge nor clerk had authority to act contrary to it. Ongoing jurisdictional and due process violations warranting appellate review.
- **DE 144 (Jan. 28, 2026)** – OSC, Affirmation, Memorandum, and Exhibits requesting reassignment to the Chief Judge under EDNY Rule 50.4, or a Duty/Miscellaneous Judge under Rule 50.5 and 28 U.S.C. § 137. The Clerk improperly routed the OSC to a recused judge, violating Due Process, obstructing emergency relief, impairing ADA-protected access, and perpetuating post-recusal void orders.

Attachments: Notice of Appeal, Exhibits 1-6, Affirmation of Service. Total Pages: 57.-
IFP Application – will be submitted directly to the Second Circuit pursuant to FRAP 24(a)(5).

Appellant will submit an **In Forma Pauperis (IFP) application directly to the Second Circuit pursuant to FRAP 24(a)(5)**. Appellant also challenges the District Court's December 30, 2025 "bad faith" certification as a **denial of constitutional rights** and a **void order issued without jurisdiction** following the judge's permanent recusal.

Violations include, but are not limited to:

- **28 U.S.C. § 455** – post-recusal acts void (*Liljeberg v. Health Servs. Acquisition Corp.*, 486 U.S. 847)
- **FRCP 60 & 65** – injunctions and rulings entered without notice, hearing, or safeguards
- **Code of Conduct Canons 1–3** – failure to act impartially, avoid impropriety, and promptly resolve recusal motions
- **Due Process (5th Amendment)** – guarantees a neutral judge and fair procedures
- **First Amendment** – protects access to courts; blanket filing bans are a prior restraint
- **ADA (42 U.S.C. §§ 12132 & 12203)** – denial of e-filing as a reasonable accommodation
- **Clerk Misrouting (FRCP 5(d)(4))** – refusal to docket filings. The Clerk failed to route the OSC to Chief Judge Margo K. Brodie as requested, allowing recused judges—who lacked jurisdiction—to usurp power, hijack and ruin the case, obstruct justice, suppress evidence, and aid Defendants' fraud, which is confirmed by NY AG Letitia James' evidence of over 30 victims in Index 72335 (*Jason Hochfelder MD v. NYS Workers Compensation Board*), constituting strong RICO evidence.
- **The Clerk's Office has engaged in docket manipulation** by sealing documents without judicial order, omitting material pages (e.g., pages 318–366 of DE [144]), altering filings without notice, and failing to correct these errors despite repeated requests, in violation of Fed. R. Civ. P. 79(a), Fed. R. Civ. P. 5(d)(4), and due process under the Fifth and Fourteenth Amendments.
- **Pattern of Bias** – ignoring law, related grievances, and pending motions
- **Judicial Conduct & Disability Act (28 U.S.C. §§ 351–364)** – pending complaints reinforce the pattern.

RELIEF REQUESTED

- Vacate all post-recusal rulings or acts as void ab initio
- Remand and **stay proceedings until the pending recusal motion (DE 203, 20-cv-3361) is resolved**, as failure to act may warrant consideration of a writ of mandamus
- Lift unlawful injunctions and restore filing privileges, including ADA e-filing

- Reassign to a non-recused judge; any other relief as proper

Attachments: DE 143, DE 145, DE 146; partial docket sheets from 23-cv-06507 and 20-cv-3361 (including recusal orders); DE 203 (pending recusal motion).

Dated: February 4, 2026
Rego Park, New York

Respectfully Submitted,

/s/ Lidia M. Orrego
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EXHIBIT 1

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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LIDIA M. ORREGO,

Plaintiff,

v.

PASTERNAK TILKER ZIEGLER
WALSH STANTON & ROMANO
LLP, et al.,

Defendants.

-----X
BULSARA, United States District Judge:

**MEMORANDUM
AND ORDER
23-CV-06507-SJB-AYS**

Plaintiff Lidia M. Orrego ("Orrego") filed this pro se action against a law firm and individuals who were involved in her prior workers compensation action: Defendants Pasternack Tilker Ziegler Walsh Stanton & Romano LLP and Pasternack Tilker Weitz & Luxenberg LLP (together, "Pasternack")¹, First Choice Evaluations LLC ("First Choice"), and Jason Hochfelder MD ("Dr. Hochfelder") (collectively, "Defendants"). (Compl. filed Aug. 31, 2023, Dkt. No. 1 ¶ 1). She alleges their conduct constituted a violation of the Racketeer Influenced and Corrupt Organizations ("RICO") Act. (Am. Compl. filed Mar. 21, 2025, Dkt. No. 41 ¶ 1). Defendants have moved to dismiss this single claim with prejudice. (First Choice & Dr. Hochfelder Mot. to Dismiss

¹ Although Orrego lists Pasternack Tilker Ziegler Walsh Stanton & Romano LLP and Pasternack Tilker Weitz & Luxenberg LLP as two separate entities and defendants, they appear to be a single firm. See Pasternack Tilker Ziegler Walsh Stanton & Romano LLP Home Page, <https://www.workerslaw.com> (last visited Jan. 15, 2026); (see also Compl. at 3–4 (listing the same address for both)).

filed Aug. 8, 2025, Dkt. No. 81; Pasternack Mot. to Dismiss filed Aug. 11, 2025, Dkt. No. 88). For the reasons explained, the Court grants Defendants' motions.

FACTUAL BACKGROUND AND PROCEDURAL HISTORY

For the purpose of this motion, the Court is "required to treat" Orrego's "factual allegations as true, drawing all reasonable inferences in favor of [her] to the extent that the inferences are plausibly supported by allegations of fact." *In re Hain Celestial Grp., Inc. Secs. Litig.*, 20 F.4th 131, 133 (2d Cir. 2021). The Court "therefore recite[s] the substance of the allegations as if they represented true facts, with the understanding that these are not findings of the court, as we have no way of knowing at this stage what are the true facts." *Id.* In addition to the Complaint, the Court considers documents that are incorporated by reference, documents which are integral to the pleading, and documents of which the Court takes judicial notice, including those filed in another court proceeding. *DiFolco v. MSNBC Cable LLC*, 622 F.3d 104, 111 (2d Cir. 2010); *Glob. Network Commc'ns, Inc. v. City of New York*, 458 F.3d 150, 157 (2d Cir. 2006).²

On September 5, 2019, Orrego entered into an agreement with Pasternack to have them represent her in her claim before the Workers Compensation Board ("WCB"). (Am. Compl. ¶ 16). The Claim sought an award of damages for work-related injuries and occupational diseases Orrego allegedly sustained while working for Kevin

² Orrego notes Defendants failed to provide her the "Notice to Pro Se Litigant" required by Local Civil Rule 12.1. (Pl.'s Mem. of Law in Opp'n to Defs.' Mot. to Dismiss filed Aug. 8, 2025, Dkt. No. 82 at 28–29). The Notice provides guidance to a pro se litigant on how to proceed should a defendant rely on extra-complaint materials on a motion to dismiss. The Court does not rely on anything beyond the Amended Complaint in evaluating the motion to dismiss.

Knipfing (a/k/a Kevin James) and Stephanieanna Knipfing in 2018. (*Id.* ¶¶ 12-13, 23; *see also* Pre-Hearing Conference Statement attached to Am. Compl. as Ex. 3, Dkt. No. 41 at 52). When Orrego retained Pasternack, she also signed a Health Insurance Portability and Accountability Act (“HIPAA”) Form and provided Pasternack with a “copy of [her] entire medical record[]” from each of her providers. (*Id.* ¶ 16). Pasternack filed Orrego’s claim before the WCB on September 20, 2019. (*Id.* ¶ 18).

On October 22, 2019, Pasternack filed a “Pre-hearing conference statement” that failed to list all of Orrego’s medical reports from treating doctors and omitted other evidentiary support that Orrego provided. (*Id.* ¶ 19). On several other occasions, Pasternack failed to file relevant evidence and forms Orrego shared. (*E.g.*, Am. Compl. ¶ 26 (failing to file HIPAA forms); *id.* ¶¶ 28-29 (failing to file medical records)).

On October 14, 2020, Orrego appeared for an independent medical examination (“IME”) with Dr. Hochfelder who was selected by First Choice as part of the WCB proceedings. (*Id.* ¶ 38). In his report, Dr. Hochfelder concluded that Orrego’s complaints and ailments “seem[ed] extremely out of proportion to her alleged work injury” and that he “d[id] not believe that the alleged injuries are the result of [Orrego’s] work activities from the job held from January 2018 to November 2018 based on the medical records that are provided to date.” (IME Report, attached to Am. Compl. as Ex. 5, Dkt. No. 41 at 64). Orrego alleges that the report “was not based on [her] complete medical record since 2018” because it did not include information from her providers through private insurance. (Am. Compl. ¶ 43). Orrego also recorded Dr. Hochfelder’s examination, a recording that lasted only five minutes and three seconds in length, in

contradiction to Dr. Hochfelder's assertion in the report that the exam lasted 20 minutes. (*Id.* ¶¶ 42, 58).

During a WCB hearing on October 28, 2020, a Pasternack associate did not challenge Dr. Hochfelder and his report's credibility with Orrego's recordings. (*Id.* ¶ 47). Dr. Hochfelder subsequently filed an IME Addendum on December 22, 2020, adding notes from Orrego's private providers, but otherwise left his opinion unchanged, including the asserted length of the exam. (*Id.* ¶ 55). He was deposed on January 4, 2021, and again asserted that the examination lasted 20 minutes. (*Id.* ¶¶ 57–58). The Pasternack associate who conducted the deposition did not challenge this assertion. (*Id.* ¶¶ 60–61).

WCB Judge Barry Greenberg issued a Notice of Decision on March 10, 2021, disallowing Orrego's claim and finding her testimony that she was injured in the course of her employment "not credible." (Am. Compl. ¶ 69; WCB Decision, attached to Am. Compl. as Ex. 7, Dkt. No. 41 at 90). Pasternack applied for Board Review, but the decision was affirmed by a WCB Panel. (Am. Compl. ¶¶ 74, 76). Orrego subsequently appealed pro se the panel's decision to the Appellate Division, Third Department.³ (*Id.* ¶ 80).

³ The Appellate Division, Third Department denied Orrego's appeal on November 2, 2023, finding that the WCB Board "did not act in an arbitrary or capricious manner or abuse its discretion in denying the application" and rejecting as "without merit" Orrego's contentions that the Board's denial was the result of conspiracy and fraud. *Matter of Orrego v. Knipping*, 221 A.D. 3d 1112, 1112–13 (3d Dep't 2023) (citations omitted). Orrego sought reconsideration and moved to vacate the order, and these motions were also denied. See Order on Mot. to Vacate, *Matter of Orrego v. Knipping*, No. 535740 (3d Dep't Dec. 27, 2024), Dkt. No. 206; Order on Mot. for Reconsideration, *Matter of Orrego v. Knipping*, No. 535740 (3d Dep't Mar. 20, 2025), Dkt. No. 219.

Orrego commenced this action on August 31, 2023.⁴ (Compl.). Defendants sought leave to dismiss Orrego's Complaint by pre-motion letter. (First Choice & Dr. Hochfelder Mot. for Premotion Conference ("PMC") dated Oct. 10, 2023 ("First Choice & Hochfelder PMC Mot."), Dkt. No. 13; Pasternack Mot. for PMC dated Oct. 13, 2023 ("Pasternack PMC Mot."), Dkt. No. 19). The Court waived the PMC requirement and directed full briefing on Defendants' motions to dismiss. (Order dated Nov. 1, 2023). In light of Orrego's pending appeal in a related case, the Court entered a stay on November 14, 2023. (Order dated Nov. 14, 2023). On May 15, 2024, the Second Circuit determined that it lacked jurisdiction over Orrego's appeal and dismissed it. (Mandate of USCA issued May 15, 2024, Dkt. No. 33). The Court subsequently granted Orrego's motion to lift the stay and reinstate her action. (Order dated Feb. 10, 2025).⁵

On March 21, 2025, Orrego filed an Amended Complaint also alleging a RICO violation but adding new defendants. (Am. Compl. at 3-6). The Court ordered full briefing on the Defendants' motions to dismiss. (Order dated Apr. 15, 2025). Defendants again seek dismissal of Orrego's RICO claim. (First Choice & Dr. Hochfelder Mem. in Supp. of Mot. to Dismiss ("First Choice & Dr. Hochfelder Mot.")),

⁴ Orrego has commenced several other actions in the Eastern District of New York. See *Orrego v. Knipfing*, No. 20-CV-3361 (E.D.N.Y. filed July 23, 2020); *Orrego v. Savitsky*, No. 24-CV-7247 (E.D.N.Y. filed Nov. 27, 2024); *Orrego v. Kerrigan*, No. 25-CV-0736 (E.D.N.Y. filed Feb. 3, 2025) (dismissed for failure to pay filing fee on July 2, 2025); *Orrego v. Wilson*, No. 25-CV-0769 (E.D.N.Y. filed Feb. 3, 2025) (dismissed for failure to pay filing fee on July 2, 2025).

⁵ This case was transferred to the undersigned on January 31, 2025 from Judge Joan M. Azrack.

Dkt. No. 81-1; Pasternack Mem. in Supp. of Mot. to Dismiss ("Pasternack Mot."), Dkt. No. 89).⁶ The motion is granted.

DISCUSSION

"To survive a motion to dismiss [pursuant to Rule 12(b)(6)], a complaint must contain sufficient factual matter, accepted as true, to state a claim to relief that is plausible on its face." *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009) (quotation omitted). "Threadbare recitals of the elements of a cause of action, supported by mere conclusory statements, do not suffice." *Id.* A complaint must contain more than "naked assertion[s] devoid of further factual enhancement." *Id.* (quotation omitted). In other words, a plausible claim contains "factual content that allows the court to draw the reasonable inference that the defendant is liable for the misconduct alleged." *Id.*; Fed. R. Civ. P. 8(a)(2). "Factual allegations must be enough to raise a right to relief above the speculative level . . . on the assumption that all the allegations in the complaint are true (even if doubtful in fact)[.]" *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 555 (2007) (citations omitted). The determination of whether a party has alleged a plausible claim is "a context-specific task that requires the reviewing court to draw on its judicial experience and common sense." *Iqbal*, 556 U.S. at 679.

This pleading requirement "does not impose a probability standard at the motion-to-dismiss stage." *Mosaic Health, Inc. v. Sanofi-Aventis U.S., LLC*, 156 F.4th 68, 77 (2d Cir. 2025) (noting that plausibility does not equate to probability). And "on a Rule

⁶ Because Defendants' separate briefs raise substantially similar arguments for dismissal, the Court addresses their arguments together.

12(b)(6) motion it is not the province of the court to dismiss the complaint on the basis of the court's choice among plausible alternatives. Assuming that [plaintiff] can adduce sufficient evidence to support its factual allegations, the choice between or among plausible interpretations of the evidence will be a task for the factfinder." *Id.* (quotation omitted). Because Orrego is proceeding pro se, the Court construes her Amended Complaint "to raise the strongest claims [it] suggest[s]." *Sharikov v. Philips Med. Sys. MR, Inc.*, 103 F.4th 159, 166 (2d Cir. 2024). However, her pro se status does not permit the Court to read into her "submissions claims that are not consistent with [her] allegations, or arguments that the submissions themselves do not suggest." *Triestman v. Fed. Bureau of Prisons*, 470 F.3d 471, 477 (2d Cir. 2006) (quotation omitted).

RICO makes it "unlawful for any person employed by or associated with an enterprise . . . to conduct or participate . . . in the conduct of such enterprise's affairs through a pattern of racketeering activity." 18 U.S.C. § 1962(c). RICO provides a private right of action for "[a]ny person injured in his business or property by reason of

a violation of section 1962.”⁷ *Id.* § 1964(c). For a RICO claim to survive a motion to dismiss a plaintiff must adequately allege: “(1) that the defendant (2) through the commission of two or more acts (3) constituting a ‘pattern’ (4) of ‘racketeering activity’ (5) directly or indirectly invests in, or maintains [an] interest in, or participates in (6) an ‘enterprise’ (7) the activities of which affect interstate or foreign commerce.” *Liang v. Home Reno Concepts, LLC*, 803 F. App’x 444, 447 (2d Cir. 2020) (quoting *Williams v. Affinion Grp., LLC*, 889 F.3d 116, 123–24 (2d Cir. 2018)).

“The RICO statute defines ‘enterprise’ as ‘any individual, partnership, corporation, association, or other legal entity, and any union or group of individuals associated in fact although not a legal entity.’” *D’Addario v. D’Addario*, 901 F.3d 80, 100 (2d Cir. 2018) (quoting 18 U.S.C. § 1961(4)). Several principles guide the determination whether a complaint has adequately alleged the existence of an enterprise. As is the case with all RICO elements, “conclusory naming of a string of entities does not adequately allege an enterprise.” *First Capital Asset Mgmt., Inc. v. Satinwood, Inc.*, 385

⁷ Defendants argue that Orrego lacks standing because the denial of workers compensation benefits does not constitute an injury to her “business or property.” (First Choice & Hochfelder Mot. at 12–15) (citing *Med. Marijuana, Inc. v. Horn*, 604 U.S. 593, 613–14 (2025)). But the Supreme Court in *Horn* did not address the question whether the term “business” encompasses “employment,” 604 U.S. at 600, or the loss of “current and future wages and [plaintiff’s] insurance and pension benefits,” *Horn v. Med. Marijuana, Inc.*, 80 F.4th 130, 136 (2d Cir. 2023), *aff’d and remanded on other grounds*, 604 U.S. 593 (2025). And thus, wage or related economic harm remains a cognizable RICO injury, at least in this Circuit. *Horn*, 80 F.4th at 136 (“[W]hen Horn lost his job, he suffered an injury to his business within the plain meaning of § 1964(c).”). Separately, Orrego has sufficiently alleged that the RICO conduct is the proximate cause of her injury – the alleged fraud perpetuated by Defendants led to the workers compensation denial. See *Lerner v. Fleet Bank, N.A.*, 318 F.3d 113, 124 (2d Cir. 2003), *abrogation on other grounds recognized by Am. Psych. Ass’n v. Anthem Health Plans, Inc.*, 821 F.3d 352, 359 (2d Cir. 2016).

F.3d 159, 175 (2d Cir. 2004) (quotation omitted). In addition, allegations that “several individuals, independently and without coordination, engaged in a pattern of crimes listed as RICO predicates, . . . is not . . . enough to show that the individuals were members of an enterprise.” *D’Addario*, 901 F.3d at 101 (quotations omitted). Relatedly, the alleged RICO enterprise must be distinct from the defendants themselves. “A corporate entity can be sued as a RICO ‘person’ or named as a RICO ‘enterprise,’ but the same entity cannot be both the RICO person and the enterprise.” *U11T4less, Inc. v. FedEx Corp.*, 871 F.3d 199, 205 (2d Cir. 2017) (citations omitted) (“[T]o establish liability under § 1962(c) one must allege and prove the existence of two distinct entities: (1) a ‘person’; and (2) an ‘enterprise’ that is not simply the same ‘person’ referred to by a different name.”).

Here, at a minimum, the Amended Complaint fails to establish the existence of a RICO enterprise. The Amended Complaint repeatedly refers to Pasternack as the “Enterprise.” (Am. Compl. ¶ 1; *see also* ¶¶ 16, 18(b), 33, 50, 59, 60). No other entity or group is identified as an enterprise. But the Amended Complaint also names Pasternack as a defendant, (*id.* at 2–3); it, therefore, cannot be the RICO enterprise. *See Cedric Kushner Promotions, Ltd. v. King*, 533 U.S. 158, 161 (2001) (concluding that a RICO “enterprise” is “not simply the same ‘person’” accused of racketeering “referred to by a different name”); *e.g., Bennett v. U.S. Trust Co.*, 770 F.2d 308, 315 (2d Cir. 1985) (affirming dismissal of a complaint that alleged the corporate defendant was “simultaneously the ‘enterprise’ and the ‘person’ who conduct[ed] the affairs of the enterprise through a pattern of racketeering activity”). The inclusion of the individual Pasternack law firm

associates as Defendants in the Amended Complaint does not remedy the deficiency. *See Cruz v. FXDirectDealer, LLC*, 720 F.3d 115, 121 (2d Cir. 2013) (“[The Second Circuit] ha[s] long since rejected the idea that a RICO enterprise may consist merely of a corporate defendant associated with its own employees or agents carrying on the regular affairs of the defendant[.]” (quotation omitted)).

To the extent Orrego identifies the “Enterprise” as “involving First Choice, Hochfelder, Pasternack Law Firms, and others,” (Pl.’s Mem. in Opp’n to Defs.’ Mot. to Dismiss filed Aug. 8, 2025 (“Pl.’s Opp’n”), Dkt. No. 82 at 31), she has failed to allege that this constitutes an association-in-fact enterprise. Such an entity is “a group of persons associated together for a common purpose of engaging in a course of conduct.” *United States v. Turkette*, 452 U.S. 576, 583 (1981). To qualify as such, a group must have “at least three structural features: a purpose, relationships among those associated with the enterprise, and longevity sufficient to permit these associates to pursue the enterprise’s purpose.” *Boyle v. United States*, 556 U.S. 938, 946 (2009); *see also D’Addario*, 901 F.3d at 100. The Amended Complaint fails to allege these elements.

First, Orrego fails to allege a shared purpose: the members of the association must “share a common purpose to engage in a particular fraudulent course of conduct and work together to achieve such purposes.” *D. Penguin Bros. v. City Nat’l Bank*, 587 F. App’x 663, 667–68 (2d Cir. 2014) (quotations omitted). Orrego alleges that the Defendants worked together “towards the same goal” of getting her claim denied, (Am. Compl. ¶ 50), by “tarnish[ing] [her] reputation by casting doubt on her integrity” (*id.* ¶ 68). But Orrego fails to allege specifics as to this shared purpose, such as allegations

that each defendant benefited in any way from the enterprise, why the Defendants would share the goal, or any specific factual allegations about the intent of any individual defendant. *See D. Penguin Bros.*, 587 F. App'x at 668 (finding plaintiff failed to allege a plausible common purpose based on similar omissions). Her conclusory statement that Defendants "functioned as a continuing unit for the common purpose of achieving the objectives of the enterprise," (Am. Compl. ¶ 3), on its own does not satisfy this requirement. *See D. Penguin Bros.*, 587 F. App'x at 668.

Orrego attempts to draw a connection between First Choice coordinating her IME, Dr. Hochfelder producing a false report, and Pasternack failing to challenge the report, (Pl.'s Opp'n at 32). But even if their individual actions led to the same alleged result (denial of the claim), there is no basis to infer—that is, there is no fact or evidence cited that would permit the inference—that they were acting on behalf of an enterprise, as opposed to simply themselves. *See D. Penguin Bros.*, 587 F. App'x at 668 (rejecting plaintiffs' association-in-fact theory where plaintiffs "fail[ed] to provide a plausible basis for inferring that [the two defendants] acted on behalf of the *enterprise* as opposed to on behalf of [themselves] in their individual capacities, to advance their individual self-interests." (quotation omitted)). For instance, Orrego provides no allegations as to why First Choice's selection of Dr. Hochfelder was for the purposes of advancing the enterprise's goal as opposed to part of its regular practice. Nor does she provide allegations that tie Pasternack's decisions in omitting certain evidence/failing to challenge the IME report to the enterprise's goal, as opposed to a strategic decision made by a lawyer during an adversarial proceeding. Given that two of the three

Defendants were acting against Orrego's interests (while Pasternack was her lawyer), the Amended Complaint must contain some factual allegation to suggest that Pasternack switched sides and colluded with Dr. Hochfelder and First Choice. And Orrego does so only in a conclusory fashion without any fact on which such inference can be drawn. The Amended Complaint "do[es] not come close to knitting [Defendants] together in any solid or coherent way in concerted acts towards a common end." *Black v. Ganieva*, 619 F. Supp. 3d 309, 332–33 (S.D.N.Y. 2022) (finding no RICO enterprise), *aff'd*, No. 22-1524, 2023 WL 2317173 (2d Cir. Mar. 2, 2023); *e.g.*, *Sonterra Cap. Master Fund Ltd. v. Credit Suisse Grp. AG*, 277 F. Supp. 3d 521, 577 (S.D.N.Y. 2017) ("Without an explanation of how defendants' incentives would align or references to specific instances of collusion, it is not plausible to infer that defendants shared a common purpose[.]"). "RICO's common purpose requirement demands more than general synchronicity or shared enmity." *Black*, 619 F. Supp. 3d at 333. That is not present here.

Relatedly, Orrego fails to allege a structured relationship among the Defendants, including their roles. "[R]elationships among those associated with the enterprise" are essential to a RICO association-in-fact enterprise. *Boyle*, 556 U.S. at 946. Where a complaint alleges an association-in-fact enterprise, courts look to the "hierarchy, organization, and activities" of the association to determine whether "its members functioned as a unit." *Satinwood*, 385 F.3d at 174 (quotations omitted). Orrego alleges that "[t]he Defendants and other members and associates of the enterprise had connections and relationships with one another and with the enterprise," (Am. Compl.

¶ 3), but beyond such conclusory statements, she makes no factual allegations about what those connections and relationships entailed. For example, the Amended Complaint identifies no relationship between Pasternack and First Choice (rarely mentioning First Choice's involvement at all). The only interactions seemingly connecting these Defendants is participation in the WCB proceedings, where notably, Orrego has failed to allege what Pasternack stood to gain in working with Dr. Hochfelder and First Choice, when their interests were adverse, nor how they went about doing so. (E.g., Am. Compl. ¶ 60 (alleging that Pasternack's associate "not only protected Dr. Hochfelder but also encouraged him to obstruct justice" with no factual allegations as to how or why)). These defects mean that the Amended Complaint—whatever the connections between the Defendants may have been—has not identified an enterprise associated in fact. See *Stevenson v. Thornburgh*, No. 23-CV-4458, 2024 WL 645187, at *13 (S.D.N.Y. Feb. 14, 2024) ("[N]ot pleading interpersonal connections between most—or all—of the Defendants is a fatal defect[.]"); *Cont'l Petroleum Corp., Inc. v. Corp. Funding Partners, LLC*, No. 11-CV-7801, 2012 WL 1231775, at *6 (S.D.N.Y. Apr. 12, 2012) ("The Amended Complaint's failure to plead with any specificity as to the nature of the defendants' common interests and the mechanics of the alleged ongoing working relationship among defendants is fatal.").

Second, and as a separate issue, the Amended Complaint does not sufficiently allege an enterprise that is "separate and apart from the pattern of activity in which it engages." *Turkette*, 452 U.S. at 583. The only alleged relationship between the Defendants is to commit fraud in Orrego's WCB proceedings, the very "pattern" of

activity underlying her claim. Orrego's vague and conclusory accusations that Defendants operated as an enterprise for the purpose of engaging in "criminal, unlawful, or illegal activities" in connection with her claim, (Am. Compl. ¶ 6), even if taken as true, merely establish that Defendants acted together to commit the wrong—perpetuating fraud. *See Lynn v. McCormick*, No. 17-CV-1183, 2017 WL 6507112, at *5–*6 (S.D.N.Y. Dec. 18, 2017) (dismissing where plaintiffs failed to allege a RICO enterprise because they merely "allege[d] that Defendants came together for the purpose of engaging in the fraudulent activity that form[ed] the basis of the asserted pattern of racketeering activity," rendering the enterprise and the pattern "one and the same"); *Long v. Zhuang*, No. 22-CV-1293, 2024 WL 4250308, at *10 (E.D.N.Y. Aug. 8, 2024) ("Phrased another way, [t]he defendants cannot be grouped together for the sole reason that they all allegedly had [involvement] in the alleged acts . . . Plaintiffs' failure to distinguish between the enterprise and its alleged illegal acts is fatal to the RICO claims." (quotation omitted)), *report and recommendation adopted*, Order dated Sep. 16, 2024.

Given that Orrego has failed to plead the existence of an enterprise, her RICO claim is dismissed. *See Scheiner v. Wallace*, 832 F. Supp. 687, 699 (S.D.N.Y. 1993) ("The failure of any one element is fatal to a RICO claim.").⁸

⁸ Defendants argue that Orrego fails to satisfy other elements for a RICO claim, (Pasternack Mot. at 12), including failing to allege a pattern of racketeering activity, (First Choice & Hochfelder Mot. at 21), and a failure to plead fraud with particularity, (*id.* at 23). Because the Court concludes that Orrego fails to identify an enterprise, the Court does not reach these other issues.

CONCLUSION

For the foregoing reasons, the Court grants Defendants' motions to dismiss Orrego's RICO claim.⁹ Because Orrego has already amended her complaint, and did so with the benefit of Defendants' prior requests for premotion conference – which identified the same deficiencies that lead to the dismissal here, (*see* First Choice & Hochfelder PMC Mot. at 2–3; Pasternack PMC Mot. at 2), but which she failed to cure – leave to amend is denied. *See Sprague v. Salisbury Bank & Tr. Co.*, 969 F.3d 95, 101 (2d Cir. 2020) ("Repeated failure to cure deficiencies by amendments previously allowed' is a valid reason to deny leave to amend." (quoting *Foman v. Davis*, 371 U.S. 178, 182 (1962))). Additionally, nothing in the Amended Complaint suggests any new facts that could cure the identified deficiencies, so further amendment would ultimately prove futile. *See Jackson v. Wells Fargo Home Mortg.*, 811 F. App'x 27, 30 (2d Cir. 2020)

⁹ Orrego added claims against seven new defendants in the Amended Complaint: Ginu Jacob, Esq., Sam Cohen, Esq., Joseph Mercurio, Esq., Andrew Ziemianski, Esq., Matthew Funk, Esq., Lewis Heller, Esq., and Mariana Vizuite (collectively, "Individual Defendants"). (Am. Compl. at 3–5, ¶¶ 7–8; *see also* Order dated Dec. 1, 2025 (granting Orrego's motion to substitute Dara Clarke as Executrix of the Estate of Lewis Heller for the deceased defendant Lewis Heller)). Orrego alleges that the Individual Defendants were employed by Pasternack during the WCB proceedings and "enabled the manipulation and falsification of medical documentation without oversight." (Am. Compl. ¶ 29). At the time the Motions to Dismiss at issue here were filed, the Individual Defendants had yet to be served. These Defendants have now requested a premotion conference to move to dismiss Orrego's claim against them for largely identical reasons as raised by the Defendants here. (Defs.' Mot. for PMC dated Nov. 14, 2025, Dkt. No. 126; Defs.' Mot. for PMC dated Jan. 6, 2026, Dkt. No. 141). The problems that infect the RICO violations against the Defendants apply with equal force to those added by the Amended Complaint. The Court finds it appropriate to dismiss the claims against them as well. *See Tyler v. Carter*, 151 F.R.D. 537, 540 n.2 (S.D.N.Y. 1993) (*sua sponte* dismissing action with prejudice as frivolous as to all defendants pursuant to Rule 12(b)(6) even though only some defendants moved to dismiss), *aff'd*, 41 F.3d 1500 (2d Cir. 1994).

(affirming denial of leave to amend a second time on futility grounds in light of factual deficiencies). The Amended Complaint is dismissed in its entirety with prejudice.¹⁰

SO ORDERED.

/s/ Sanket J. Bulsara
SANKET J. BULSARA
United States District Judge

Date: January 16, 2026
Central Islip, New York

¹⁰ To the extent Orrego seeks reconsideration, the filing injunction is lifted. Any such motion must comply with the timing and word limits for such motions. See Local Civil Rule 6.3.

EXHIBIT 2

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
LIDIA M. ORREGO,

Plaintiff,

v.

ORDER
23-CV-06507-SJB-AYS

PASTERNAK TILKER ZIEGLER
WALSH STANTON & ROMANO
LLP, et al.,

Defendants.

-----X
BULSARA, United States District Judge:

Pro se Plaintiff Lidia M. Orrego ("Orrego") seeks reconsideration of this Court's decision granting dismissal of her complaint. (Pl.'s Mot. for Reconsideration, Dkt. No. 144). For the reasons below, the motion is denied.

Reconsideration is "an extraordinary request that is granted only in rare circumstances, such as where the court failed to consider evidence or binding authority." *Van Buskirk v. United Grp. of Companies, Inc.*, 935 F.3d 49, 54 (2d Cir. 2019). It "is not a vehicle for relitigating old issues, presenting the case under new theories, securing a rehearing on the merits, or otherwise taking [another] bite at the apple." *United States ex rel. Five Star Elec. Corp. v. Liberty Mut. Ins. Co.*, 758 F. App'x 97, 101 (2d Cir. 2018) (quotation omitted). As such, "reconsideration will generally be denied unless the moving party can point to controlling decisions or data that the court overlooked – matters, in other words, that might reasonably be expected to alter the conclusion reached by the court." *Shrader v. CSX Transp., Inc.*, 70 F.3d 255, 257 (2d Cir. 1995).

Orrego's motion is nothing more than an attempt to raise several unrelated grievances, and she raises no arguments pertinent to reconsideration. There are no claims that controlling precedents were overlooked nor any cites to authorities relevant to a RICO claim, which was the sole claim in the complaint. Orrego has, therefore, failed to provide any legal basis for the Court to grant the reconsideration. *See Shrader*, 70 F.3d at 257.¹

The motion for reconsideration is denied. The Clerk of Court is directed to close the case. The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this Order would not be taken in good faith, and therefore, *in forma pauperis* status is denied for the purpose of any appeal. *See Coppedge v. United States*, 369 U.S. 438, 444–45 (1962).

SO ORDERED.

/s/ Sanket J. Bulsara
SANKET J. BULSARA
United States District Judge

Date: January 30, 2026
Central Islip, New York

¹ Orrego raises a litany of unrelated objections in her memorandum including to the Court's prior order about a filing injunction, a request for reassignment of her case, and more—none of which are a basis for reconsideration. *See Peterson v. Home Depot U.S.A., Inc.*, No. 11-CV-5747, 2014 WL 1355622, at *1 (S.D.N.Y. Apr. 4, 2014) (Reconsideration is "not a substitute for appeal . . . nor is it a vehicle for a party dissatisfied with the Court's ruling to voice its disagreement with the decision.") (citation omitted).

EXHIBIT 3

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

-----X
LIDIA M. ORREGO,

Plaintiff,

- against -

JUDGMENT
CV 23-6507 (SJB) (AYS)

PASTERNAK TILKER ZIEGLER WALSH
STANTON & ROMANO LLP, et al.,

Defendants.

-----X

A Memorandum and Order of Honorable Sanket J. Bulsara, United States District Judge, having been filed on January 16, 2026, granting Defendants motion to dismiss the Amended Complaint in its entirety with prejudice; denying *in forma pauperis* status for the purpose of any appeal, and directing the Clerk of Court to close this case, it is

ORDERED AND ADJUDGED that Plaintiff Lidia M. Orrego take nothing of Defendants' Pasternack Tilker Ziegler Walsh Stanton & Romano LLP; that the Amended Complaint is dismissed in its entirety with prejudice; that *in forma pauperis* status is denied for the purpose of any appeal; and that this case is closed.

Dated: February 3, 2026
Central Islip, New York

BRENNA B. MAHONEY
CLERK OF COURT
BY: /S/ JAZMIN M. CUBANO
DEPUTY CLERK

EXHIBIT 4

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CLOSED,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

Date Filed: 08/31/2023

Date Terminated: 02/03/2026

Jury Demand: Plaintiff

Nature of Suit: 470 Racketeer/Corrupt

Organization

Jurisdiction: Federal Question

Plaintiff

Lidia M. Orrego

represented by **Lidia M. Orrego**
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V.

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Defendant

John Doe

Defendant

Jane Doe

Defendant

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Defendant

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

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ATTORNEY TO BE NOTICED

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

Date Filed	#	Docket Text
03/21/2025	<u>41</u>	AMENDED COMPLAINT against Jane Doe, John Doe, First Choice Evaluations LLC, Jason Hochfelder MD, Pasternack Tilker Weitz & Luxenberg LLP, Pasternack Tilker Ziegler Walsh Stanton & Romano LLP, Ginu Jacob, Esq., Sam Cohen, Esq., Joseph Mercurio, Esq., Andrew Ziemianski, Esq., Matthew Funk, Esq., Mariana Vizuete, Lewis Heller, Esq., filed by Lidia M. Orrego. (AMF) (Entered: 03/21/2025)
04/10/2025	<u>42</u>	Letter from Pro Se Litigant Lidia M. Orrego to Judge Bulsara, dated 4/10/25 Re: Subject: Acknowledgment of Amended Complaint and Waiver of Additional Service (GO) (Entered: 04/10/2025)
04/11/2025	<u>43</u>	Letter MOTION to Compel <i>that Counsel Accept Service and for New Scheduling Order</i> by Lidia M. Orrego. (AMF) (Entered: 04/11/2025)

04/11/2025	<u>44</u>	RESPONSE to Motion re <u>43</u> Letter MOTION to Compel <i>that Counsel Accept Service and for New Scheduling Order</i> filed by Pasternack Tilker Weitz & Luxenberg LLP, Pasternack Tilker Ziegler Walsh Stanton & Romano LLP. (Biegel, Jason) (Entered: 04/11/2025)
04/15/2025		ORDER: The Court declines the request <u>44</u> of counsel for the appearing Defendants—Pasternack Tilker Ziegler Walsh Stanton & Romano, LLP and Pasternack Tilker Weitz & Luxenberg LL—to delay briefing on any motion to dismiss until conclusion of service on any new Defendant. As such, the Court adopts Plaintiff's proposed briefing schedule <u>43</u> for all appearing Defendants' motions to dismiss: Defendants must serve, but not file, their respective motions to dismiss by forwarding a copy to Plaintiff via physical mail and email and file proof of service upon Plaintiff on the docket by 6/20/2025 . Plaintiff must serve, but not file, her opposition to Defendants' respective motions to dismiss by forwarding a copy to Defendants' counsel via email by 7/21/2025 . Defendants' counsel must file proof of service of Plaintiff's opposition upon Defendants by 7/23/2025 . Defendants must serve their respective replies in further support of their motions to dismiss by forwarding a copy to Plaintiff via physical mail and email; file proof of service upon Plaintiff on the docket; file Defendants' respective moving papers in support of their motions to dismiss, Plaintiff's opposition, and Defendants' respective replies; and forward courtesy copies of each Memoranda of Law in support and opposition to the Court, all by 8/11/2025 . So Ordered by Judge Sanket J. Bulsara on 4/15/2025. (YEP) (Entered: 04/15/2025)
05/06/2025	<u>45</u>	MOTION for Leave to Proceed in forma pauperis , MOTION to Vacate , MOTION for Sanctions , MOTION for Extension of Time to File <i>Rule 4(m) Service Deadline</i> , MOTION to Compel <i>Defendants' Counsel to File Substitution Motion for deceased Defendant</i> by Lidia M. Orrego. (AMF) (Entered: 05/07/2025)
05/07/2025	<u>46</u>	RESPONSE to Motion re <u>45</u> MOTION for Leave to Proceed in forma pauperis MOTION to Vacate MOTION for Sanctions MOTION for Extension of Time to File <i>Rule 4(m) Service Deadline</i> MOTION to Compel <i>Defendants' Counsel to File Substitution Motion for deceased Defendant</i> filed by Pasternack Tilker Weitz & Luxenberg LLP, Pasternack Tilker Ziegler Walsh Stanton & Romano LLP. (Biegel, Jason) (Entered: 05/07/2025)
05/08/2025	<u>47</u>	Letter MOTION for Extension of Time to File <i>Rule 4(m) service deadline from June 18, 2025, to July 18, 2025 and permission to proceed with my motion filed on May 6, 2025</i> by Lidia M. Orrego. (AMF) (Entered: 05/08/2025)
05/08/2025	<u>48</u>	AFFIDAVIT of Service for DE <u>47</u> - Letter Motion Requesting Extension of Time for Rule 4(M) Service Deadline, Permission To Proceed with Motion for Relief (DE <u>45</u>) or For A Conference, and Reply To Defendants' Letter (DE <u>46</u>) served on Stradley Ronon Stevens & Young, LLP, and Rivkin Radler LLP, filed by Lidia M. Orrego. (AMF) (Entered: 05/09/2025)
05/09/2025		ORDER: The Court denies Plaintiff Orrego's request <u>45</u> to vacate the Order from April 15, 2025, which granted an extension to the briefing schedule for Defendants' motions to dismiss. The deadlines in the briefing schedule will remain as previously ordered. As to Plaintiff's motion <u>47</u> filed May 8, 2025, the Court grants Plaintiff's request to proceed with her motion <u>45</u> filed May 6, 2025, but denies the request to reply to the response from Defendants Pasternack Tilker Weitz & Luxenberg LLP and Pasternack Tilker Ziegler Walsh Stanton & Romano LLP <u>46</u> . The Court respectfully refers all other matters in Plaintiff's requests—which concern pretrial management—for decision by Judge Shields. So Ordered by Judge Sanket J. Bulsara on 5/9/2025. (YEP) (Entered: 05/09/2025)
05/13/2025	<u>49</u>	RESPONSE to Motion re <u>45</u> MOTION for Leave to Proceed in forma pauperis MOTION to Vacate MOTION for Sanctions MOTION for Extension of Time to File <i>Rule 4(m) Service Deadline</i> MOTION to Compel <i>Defendants' Counsel to File Substitution Motion for deceased Defendant</i> filed by Pasternack Tilker Weitz & Luxenberg LLP, Pasternack Tilker Ziegler Walsh Stanton & Romano LLP. (Biegel, Jason) (Entered: 05/13/2025)
05/13/2025	<u>50</u>	MOTION to Compel <i>U.S. Marshal Service, compelling Substitution, Sanctions</i> , MOTION for Extension of Time to File <i>Rule 4(m) Service Deadling</i> by Lidia M. Orrego. (AMF) (Entered: 05/13/2025)
05/14/2025		ORDER denying <u>45</u> Motion for Leave to Proceed in forma pauperis; deferring ruling on <u>45</u> Motion for Sanctions; granting <u>45</u> Motion for Extension of Time to File; deferring ruling on <u>45</u> Motion to

		Compel; granting <u>47</u> Motion for Extension of Time to File; deferring ruling on <u>50</u> Motion to Compel; granting <u>50</u> Motion for Extension of Time to File. Plaintiff's applications are GRANTED in part and DENIED in part. To the extent that Plaintiff seeks an order directing the U.S. Marshals Service to serve the summons and Amended Complaint on Defendants, the motion is DENIED. Similarly, Plaintiff's request to serve Defendants by cost-reducing methods is likewise DENIED. Therefore, Plaintiff shall serve the summons and Amended Complaint in accord with the Federal Rules of Civil Procedure. However, Plaintiff's request for an extension of time to July 18, 2025 to effectuate service of process is GRANTED. The Court defers ruling on Plaintiff's requests seeking sanctions on defense counsel and an order directing Defendants' counsel to file a suggestion of death/substitution motion for defendant Lewis Heller, until defense counsel has submitted opposition to the requests. In that regard, by May 30, 2025, defense counsel shall submit opposition, if any, to Plaintiff's request for sanctions and request for an order directing counsel to file a substitution motion for defendant Lewis Heller. So Ordered by Magistrate Judge Anne Y. Shields on 5/14/2025. (DM) (Entered: 05/14/2025)
05/28/2025	<u>51</u>	Letter MOTION for Reconsideration re Order on Motion for Leave to Proceed in forma pauperis,,,,,, Order on Motion to Vacate,,,,,, Order on Motion for Sanctions,,,,,, Order on Motion for Extension of Time to File,,,,,, Order on Motion to Compel,,,,,, by Lidia M. Orrego. (GO) (Entered: 05/30/2025)
05/30/2025	<u>52</u>	AFFIDAVIT/DECLARATION in Opposition re <u>45</u> MOTION for Leave to Proceed in forma pauperis MOTION to Vacate MOTION for Sanctions MOTION for Extension of Time to File <i>Rule 4(m) Service Deadline</i> MOTION to Compel <i>Defendants' Counsel to File Substitution Motion for deceased Defendant</i> , <u>50</u> MOTION to Compel <i>U.S. Marshal Service, compelling Substitution, Sanctions</i> MOTION for Extension of Time to File <i>Rule 4(m) Service Deadling</i> filed by Pasternack Tilker Weitz & Luxenberg LLP, Pasternack Tilker Ziegler Walsh Stanton & Romano LLP. (Attachments: # <u>1</u> Ex. A - Email Correspondence Exchanged by the parties, # <u>2</u> Ex. B - Judge Kerrigan's Order sanctioning Ms. Orrego, # <u>3</u> Ex. C - October 30, 2024 letter to Judge Kerrigan and related Order, # <u>4</u> Ex. D - Ms. Orrego's April 14 email., # <u>5</u> Ex. E - Amended Complaint in the Legal Malpractice Action, # <u>6</u> Ex. F - Motion to Dismiss in the Legal Malpractice Action, # <u>7</u> Ex. G - April 4 letter to Judge Katsanos in the Legal Malpractice Action re Heller's death) (Wilck, David) (Entered: 05/30/2025)
05/30/2025	<u>53</u>	MEMORANDUM in Opposition re <u>45</u> MOTION for Leave to Proceed in forma pauperis MOTION to Vacate MOTION for Sanctions MOTION for Extension of Time to File <i>Rule 4(m) Service Deadline</i> MOTION to Compel <i>Defendants' Counsel to File Substitution Motion for deceased Defendant</i> , <u>50</u> MOTION to Compel <i>U.S. Marshal Service, compelling Substitution, Sanctions</i> MOTION for Extension of Time to File <i>Rule 4(m) Service Deadling</i> filed by Pasternack Tilker Weitz & Luxenberg LLP, Pasternack Tilker Ziegler Walsh Stanton & Romano LLP. (Wilck, David) (Entered: 05/30/2025)
06/02/2025	<u>54</u>	REPLY to Response to Motion re <u>51</u> Letter MOTION for Reconsideration re Order on Motion for Leave to Proceed in forma pauperis,,,,,, Order on Motion to Vacate,,,,,, Order on Motion for Sanctions,,,,,, Order on Motion for Extension of Time to File,,,,,, Order on Motion to Compel,,, filed by Lidia M. Orrego. (GO) (Entered: 06/02/2025)
06/03/2025	<u>55</u>	REPLY in Opposition re <u>54</u> Reply to Response to Motion, 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) <u>32</u>
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 <u>DE 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 <u>DE 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 July 8, 2025 Orders (<u>DE 45</u> , <u>51</u>), 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 (<u>DE 45</u> , <u>51</u>), 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 <u>DE 65</u> and expedite substitution, amend caption, issue new summons, and extend rule 4(m) deadline, <u>68</u> Amended MOTION to Vacate <u>DE 65</u> and expedite substitution, amend caption, issue new summons, and extend rule 4(m) deadline 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 (<u>DE 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 ³⁵ 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 Bulsara re <i>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 Bulsara re <i>Service of Courtesy Copies</i> by First Choice Evaluations LLC, Jason Hochfelder MD (Scarcella, Jenifer) (Entered: 08/11/2025)
08/11/2025	<u>97</u>	Follow-Up and CERTIFICATE OF SERVICE of Plaintiff's Opposition to Defendants' Motions to Dismiss by Lidia M. Orrego (NF) (Entered: 08/11/2025)

08/12/2025	<u>98</u>	CERTIFICATE OF SERVICE by First Choice Evaluations LLC, Jason Hochfelder MD re <u>81</u> MOTION to Dismiss for Failure to State a Claim, <u>83</u> Reply in Support (Hamelsky, Andrew) (Entered: 08/12/2025)
08/12/2025	<u>99</u>	Letter <i>Re Plaintiff's request to file sur-reply</i> by Pasternack Tilker Weitz & Luxenberg LLP, Pasternack Tilker Ziegler Walsh Stanton & Romano LLP (Wilck, David) (Entered: 08/12/2025)
08/12/2025	<u>100</u>	Letter <i>re Plaintiff's request to file sur-reply</i> by First Choice Evaluations LLC, Jason Hochfelder MD (Scarcella, Jenifer) (Entered: 08/12/2025)
08/13/2025	<u>101</u>	Emergency MOTION for Hearing to <i>Strike Scandalous and Improper DE 93 and DE 94 ; Notice of Non-Waiver of Recusal Motions (DE 78 , DE 79)</i> by Lidia M. Orrego. (Attachments: # <u>1</u> Part 2) (NF) (Entered: 08/14/2025)
08/14/2025	<u>102</u>	ORDER: The motions <u>78</u> <u>79</u> <u>80</u> are denied for the reasons stated in the attached, and Plaintiff is enjoined from making additional filings in this case, absent court order, and as set forth in the attached filing injunction. So Ordered by Judge Sanket J. Bulsara on 8/14/2025. (YEP) (Entered: 08/14/2025)
08/20/2025	<u>103</u>	MOTION for Leave to File Document <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 78 , 79 , 80</i> by Lidia M. Orrego. (NF) (Entered: 08/20/2025)
08/21/2025	<u>106</u>	MOTION for Leave to File Document <i>MOTION FOR CLARIFICATION and ADJOURNMENT until Clarification of Shields' Order Dated 7/28/2025 Due to Lack of Specificity and Ambiguity Regarding UNSERVED NEW DEFENDANTS, Addition New Defendants vs. Substitution New Defendant</i> by Lidia M. Orrego. (NF) (Entered: 09/11/2025)
09/03/2025		ORDER denying <u>103</u> Motion for Leave to File. Plaintiff's request to file motions for clarification is denied. However, the Court clarifies that Plaintiff should obtain summonses in the same manner that Plaintiff has previously obtained summonses in the instant action, (<i>see</i> 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 Vizuete, 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. (<i>See</i> 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. (<i>See</i> 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 <u>122</u>) 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</i> 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, 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) (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)
12/29/2025	<u>137</u>	AMENDED SUMMONS Returned Executed by Lidia M. Orrego. Dara Clarke served on 12/17/2025, answer due 1/7/2026. (Attachments: # <u>1</u> Letter) (NF) (Entered: 12/29/2025)
12/30/2025	<u>138</u>	USCA NOTICE re <u>136</u> MOTION for Leave to Appeal in forma pauperis. An appeal in the above-referenced case has been docketed in the Court of Appeals. According to the district court docket sheet or other available information, appellant has moved for leave to proceed in forma pauperis in the district court on December 22, 2025, and that motion is pending. The appeal may not move forward until the motion is determined. Please direct the motion to the appropriate judge for determination. Upon the grant or denial of the motion, please enter the order and transmit it to the Court of Appeals. 12/30/2025. USCA# 25-3234. (VJ) (Entered: 12/30/2025)
01/01/2026		ORDER: Pro se Plaintiff Orrego's motion for leave to appeal <i>in forma pauperis</i> ("IFP") <u>136</u> is denied for the reasons set forth in the Court's December 5, 2025 Order. 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, 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 1/1/2026. (RB) (Entered: 01/01/2026)
01/02/2026		Supplemental 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. (LF) (Entered: 01/02/2026)
01/06/2026	<u>139</u>	NOTICE of Appearance by Jason M. Biegel on behalf of Dara Clarke (aty to be noticed) (Biegel, Jason) (Entered: 01/06/2026)
01/06/2026	<u>140</u>	NOTICE of Appearance by David Stephen Wilck on behalf of Dara Clarke (aty to be noticed) (Wilck, David) (Entered: 01/06/2026)
01/06/2026	<u>141</u>	Letter MOTION for pre motion conference by Dara Clarke, 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 Vizuite, Andrew Ziemianski, Esq.. (Wilck, David) (Entered: 01/06/2026)
01/12/2026	<u>142</u>	MOTION for Leave to File Document <i>Pre-Motion Conference Opposition</i> by Lidia M. Orrego. (NF) (Entered: 01/16/2026)
01/16/2026	<u>143</u>	ORDER: For the reasons stated in the attached Memorandum and Order, the Court grants Defendants' motions to dismiss <u>81</u> and <u>88</u> . The Amended Complaint is dismissed in its entirety with prejudice. To the extent Orrego seeks reconsideration, the filing injunction is lifted. Any such motion must comply with the timing and word limits for such motions. <i>See</i> Local Civil Rule 6.3. Because the reasons for dismissal apply with equal force to the defendants who have sought a PMC but not yet filed a fully-briefed motion, the single RICO claim is dismissed against all defendants with prejudice. And the associated PMC requests, <u>126</u> and <u>141</u> , are denied as moot, though for the completeness of the record, Orrego's opposition has been docketed. So Ordered by Judge Sanket J. Bulsara on 1/16/2026. (LOG) (Entered: 01/16/2026)
01/28/2026	<u>144</u>	Notice of MOTION for Reconsideration re <u>143</u> Order on Motion for Pre Motion Conference,,,,,,,,, <i>PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 59(e) AND LOCAL CIVIL RULE 6.3, AND ALTERNATIVELY PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 60(b)</i> by Lidia M. Orrego. (NF) (Entered: 01/29/2026)
01/30/2026	<u>145</u>	ORDER: For the reasons stated in the attached Order, Plaintiff's motion for reconsideration <u>144</u> is denied. The Clerk of Court is directed to close the case. So Ordered by Judge Sanket J. Bulsara on 1/30/2026. (LOG) (Entered: 01/30/2026)
02/03/2026	<u>146</u>	CLERK'S JUDGMENT: It is ORDERED AND ADJUDGED that Plaintiff Lidia M. Orrego take nothing of Defendants Pasternack Tilker Ziegler Walsh Stanton & Romano LLP; that the Amended Complaint is dismissed in its entirety with prejudice; that in forma pauperis status is denied for the purpose of any appeal; and that this case is closed. Ordered by Clerk of Court on 2/3/2026. (JC) (Entered: 02/03/2026)

PACER Service Center			
Transaction Receipt			
02/03/2026 22:03:24			
PACER Login:	lidiaorrego	Client Code:	
Description:	Docket Report	Search Criteria:	2:23-cv-06507-SJB-AYS Start date: 3/1/2025 End date: 2/3/2026
Billable Pages:	18	Cost:	1.80

EXHIBIT 5

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APPEAL,PROSENEF

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

Orrego v. Knipfing et al
Assigned to: Judge Sanket J. Bulsara
Referred to: Magistrate Judge Anne Y. Shields
related Cases: [2:25-cv-00769-SJB-AYS](#)
[2:25-cv-00736-SJB-AYS](#)
[2:23-cv-06507-SJB-AYS](#)
[2:24-cv-07247-SJB-AYS](#)

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

Cause: 42:2000e Job Discrimination (Employment)

Date Filed	#	Docket Text
07/23/2020	<u>1</u>	COMPLAINT against All Defendants Was the Disclosure Statement on Civil Cover Sheet completed -No., filed by Lidia M. Orrego. (Attachments: # <u>1</u> Cover Letter, # <u>2</u> Service Instructions, # <u>3</u> Civil Cover Sheet) (Cox, Dwayne) (Entered: 07/31/2020)
07/23/2020	<u>2</u>	MOTION for Leave to Proceed in forma pauperis by Lidia M. Orrego. (Cox, Dwayne) (Entered: 07/31/2020)
07/23/2020	<u>3</u>	MOTION to Appoint Counsel by Lidia M. Orrego. (Attachments: # <u>1</u> Certificate of Service, # <u>2</u> Certificate of Service) (Cox, Dwayne) (Entered: 07/31/2020)
07/23/2020	<u>4</u>	Pro Se Consent to Electronic Notification by Lidia M. Orrego (Cox, Dwayne) (Entered: 07/31/2020)
07/27/2020		FILING FEE: \$ 400.00, receipt number 29946 (Cox, Dwayne) (Entered: 07/31/2020)
07/27/2020	<u>5</u>	Summons Issued as to All Defendants. (Cox, Dwayne) (Entered: 07/31/2020)
07/31/2020	<u>6</u>	In accordance with Rule 73 of the Federal Rules of Civil Procedure and Local Rule 73.1, the parties are notified that <i>if</i> all parties consent a United States magistrate judge of this court is available to conduct all proceedings in this civil action including a (jury or nonjury) trial and to order the entry of a final judgment. Attached to the Notice is a blank copy of the consent form that should be filled out, signed and filed electronically only if all parties wish to consent . The form may also be accessed at the following link: http://www.uscourts.gov/uscourts/FormsAndFees/Forms/AO085.pdf . You may withhold your consent without adverse substantive consequences. Do NOT return or file the consent unless all parties have signed the consent. (Cox, Dwayne) (Entered: 07/31/2020)
08/05/2020	<u>7</u>	Letter to pro se litigant Lidia Orrego from the Pro Se Office acknowledging receipt of civil action. (Tirado, Chelsea) (Entered: 08/05/2020)
08/17/2020	<u>8</u>	AMENDED COMPLAINT against Stepanieanna James-Knipfing, Kevin Knipfing, Old Westbury EDDIE LLC, Old Westbury LLC, Steve Savitsky, Teresa A. Zantua, filed by Lidia M. Orrego. (Tirado, Chelsea) (Main Document 8 replaced on 8/21/2020 to include missing pages referenced in DE <u>2</u> Letter) (Tirado, Chelsea). Modified on 8/21/2020 (Tirado, Chelsea). (Entered: 08/19/2020)
08/20/2020	<u>9</u>	Letter to the Court from pro se plaintiff Lidia Orrego re: Requesting assistance in correcting <u>8</u> Amended Complaint. (Tirado, Chelsea) (Entered: 08/20/2020)
09/14/2020	<u>10</u>	NOTICE of Appearance by Alexander B. Spiro on behalf of Stephanieanna James-Knipfing, Kevin Knipfing, Old Westbury EDDIE LLC, Old Westbury LLC, Steve Savitsky, Teresa A. Zantua (aty to

		denial. See Local Civil Rule 6.3. So Ordered by Judge Sanket J. Bulsara on 7/2/2025. (MPG) (Entered: 07/02/2025)
07/03/2025	<u>201</u>	RESPONSE to Motion re <u>200</u> Letter MOTION for Extension of Time to File Response/Reply /Letter Motion For Adjournment of Summary Judgment Deadline, Status Update, Leave to File Amended Documents or Supplemental Certifications, and Briefing Schedule filed by Stephanieanna James-Knipfing, Kevin Knipfing, Old Westbury EDDIE LLC, Old Westbury LLC, Teresa A. Zantua. (Minnah-Donkoh, Kuuku) (Entered: 07/03/2025)
07/07/2025		ORDER: The motion for extension of time <u>200</u> is granted. The summary judgment briefing is extended as follows: any party seeking to move for summary judgment must serve its motion by 8/8/2025 ; any opposition must be served by 9/12/2025 ; and any reply must be served by 10/3/2025 . The parties are directed to serve the papers on each other by these deadlines but only file them on the Court's docket on 10/3/2025 , following service of all briefs. So Ordered by Judge Sanket J. Bulsara on 7/7/2025. (MPG) (Entered: 07/07/2025)
07/07/2025	<u>202</u>	Notice of Request to Submit Electronic Evidence. re <u>200</u> Letter MOTION for Extension of Time to File Response/Reply /Letter Motion For Adjournment of Summary Judgment Deadline, Status Update, Leave to File Amended Documents or Supplemental Certifications, and Briefing Schedule by Lidia M. Orrego. (NF) (Entered: 07/08/2025)
07/08/2025	<u>203</u>	Notice of MOTION to Disqualify Judge /Recuse, Notice of MOTION to Vacate July 2, 2025 Order by Lidia M. Orrego. (NF) (Entered: 07/08/2025)
07/08/2025		ORDER: The Court has received from Plaintiff multiple requests to submit electronic evidence. The protocol for submission of large electronic files set forth in the Court's Individual Practices § II.D, however, is only to be utilized for trial or motion practice where exhibits are appropriate for the Court's consideration of the issues involved, such as summary judgment. Both sides are therefore informed that, outside of such limited practice, documents should be filed only on ECF. Emails to Chambers are generally prohibited. See Individual Practices § II.B. So Ordered by Judge Sanket J. Bulsara on 7/8/2025. (MPG) (Entered: 07/08/2025)
07/08/2025		ORDER: Plaintiff has filed multiple motions, e.g., motions to disqualify opposing counsel, motions to stay, motions to vacate prior orders, and a motion to disqualify Judge Shields <u>190</u> , <u>194</u> , <u>196</u> , <u>197</u> , <u>198</u> , <u>200</u> . Many of these motions are attempts to relitigate issues already decided in this case. The proper vehicle for such action is to file an appeal at the appropriate time with the Second Circuit Court of Appeals. This Court will not reconsider or undo any order issued by a prior judge in this case from before its transfer to the undersigned. Accordingly, Plaintiff may not file any further motions seeking reconsideration or a redo of prior decisions. At this point in the litigation, the parties are briefing cross-motions for summary judgment—motions which the Court will decide in a timely fashion and which will determine whether this case proceeds to trial or judgment in favor of Plaintiff or Defendants. Filings unrelated to summary judgment—which attempt to relitigate prior decisions—distract from orderly and efficient resolution of the case to a final disposition. Should Plaintiff continue to file motions for reconsideration (or motions in the guise of reconsideration motions) the Court may unfortunately have to prohibit and suspend her ECF filing privileges. See <i>Trivedi v. Gen. Elec. Co.</i> , No. 23-254, 2024 WL 3286663, at *2 (2d Cir. July 3, 2024) (warning pro se litigant "if she continues to abuse the judicial process by the instigation of frivolous appeals, an injunction will issue directing the Clerk of this Court to refuse to accept for filing any submissions from her, unless she has first obtained leave of the Court to file such papers." (cleaned up) (quoting <i>Sassower v. Sansverie</i> , 885 F.2d 9, 11 (2d Cir. 1989)). This is a step the Court does not wish to take but may have no choice. (Of course, because the summary judgment motions have not yet been decided, Plaintiff may file a motion for reconsideration, consistent with Local Rule 6.3, should she disagree with some aspect of the decision rendered on such motions). Because the motions attempt to relitigate all of the issues previously decided in this case, well after the time for reconsideration, see Local Civil Rule 6.3, the motions at Docket Nos. <u>190</u> , <u>194</u> , <u>196</u> , <u>197</u> , <u>198</u> , <u>200</u> are all denied. The Court will proceed to resolve the summary judgment motions following submission of those papers consistent with the briefing schedule (as amended by the Court). So Ordered by Judge Sanket J. Bulsara on 7/8/2025. (MPG) (Entered: 07/08/2025)
07/10/2025	<u>204</u>	Letter Motion Objection and Clarification to Order Dated July 8, 2025 (NF) (Entered: 07/10/2025)

07/11/2025		ORDER: The Court is in receipt of Plaintiff's letter motion objection to its prior order <u>204</u> . To be clear, the Court is not imposing any restriction on Plaintiff's ability to make any argument (or present any evidence) in support of her motion for summary judgment (or in opposition to Defendants' motion for summary judgment). The only restriction on summary judgment is on the length of the memoranda of law, which has word limits, by virtue of Local Civil Rule 7.1. And Plaintiff (and Defendants) may submit evidence, in the form of Rule 56.1 statements (and exhibits thereto), in connection with summary judgment. What Plaintiff (and Defendants) cannot do is relitigate or reargue decisions that have already been made—which is why the Court denied the motions to reconsider decisions which, in some instances, were made years ago. Such reconsideration is barred by Local Civil Rule 6.3, which requires reconsideration motions to be filed within 14 days of the initial decision (and reconsideration may only be sought once). To reconsider decisions already made, as previously noted, requires the Court to move backwards, and prevents the case from moving forward. To the extent that Plaintiff has new evidence, it should be presented in connection with the summary judgment briefing. The Court looks forward to reviewing and deciding the summary judgment papers so the case can either proceed to trial or be resolved at this stage. So Ordered by Judge Sanket J. Bulsara on 7/11/2025. (MPG) (Entered: 07/11/2025)
07/21/2025	<u>206</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>205</u>	Letter MOTION to Vacate <i>Orders Dated July 8, 2025, For Recusal of District Judge Bulsara and Magistrate Judge Shields for Due Process Violations, For Leave to File a Second Amended Complaint, to Stay Proceedings, and to Vacate any Summary Judgment Scheduling Order</i> by Lidia M. Orrego. (NF) (Entered: 07/23/2025)
07/24/2025		ORDER: For the reasons stated in the Court's previous Orders, including on 7/8/2025 and 7/11/2025, the motion to vacate <u>205</u> is denied. So Ordered by Judge Sanket J. Bulsara on 7/24/2025. (MPG) (Entered: 07/24/2025)
08/05/2025	<u>207</u>	Emergency MOTION to Vacate <i>Objecting to Order Dated July 24, 2025, Denying DE <u>205</u> ,for Due Process Violations Arising from Orders Dated July 8, 2025, and July 11, 2025, Reaffirmation of Recusal of District Judge Bulsara and M. Judge Shields, to Vacate Schedule for Summary Judgment Due to Defendants' Fraud Confirmed by NYS ATTORNEY GENERAL LETITIA JAMES, and Relief Requested in DE <u>205</u> - To Set the Record of Due Process Violations and Judicial Impropriety</i> by Lidia M. Orrego. (Attachments: # <u>1</u> Part 2) (NF) (Entered: 08/05/2025)
08/08/2025	<u>208</u>	Letter regarding service of Defendants' motion for summary judgment on Plaintiff by Stephanieanna James-Knipfing, Kevin Knipfing, Old Westbury EDDIE LLC, Teresa A. Zantua (Minnah-Donkoh, Kuuku) (Entered: 08/08/2025)
08/11/2025	<u>209</u>	NOTICE of Filing of Plaintiff's Motion for Summary Judgment filed by Lidia M. Orrego. (NF) (Entered: 08/11/2025)
08/14/2025	<u>210</u>	ORDER: The motion <u>207</u> is 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. (MPG) (Entered: 08/14/2025)
09/09/2025	<u>211</u>	MOTION for Leave to File Document <i>New Proceedings Based on New Evidence - Workers' Compensation Fraud by Shimnee Inc. and Others; Deprivation of Rights by Attorney General Letitia James and Governor Kathy Hochul</i> by Lidia M. Orrego. (NF) (Entered: 09/11/2025)
09/11/2025	<u>212</u>	NOTICE OF INTERLOCUTORY APPEAL as to <u>210</u> Order on Motion to Vacate, by Lidia M. Orrego. (KS) (Entered: 09/15/2025)
09/11/2025	<u>213</u>	MOTION for Leave to Appeal in forma pauperis by Lidia M. Orrego. (KS) (Main Document 213 replaced on 9/22/2025) (LF). (Entered: 09/15/2025)

09/15/2025		Electronic Index to Record on Appeal sent to US Court of Appeals. <u>212</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>214</u>	ORDER: On September 11, 2025, Lidia Orrego, acting pro se, filed a Notice of Interlocutory Appeal <u>212</u> of this Court's August 14, 2025 Order <u>210</u> together with an application to proceed <i>in forma pauperis</i> ("IFP") <u>213</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>213</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. (RB) (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>211</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. (RB) (Entered: 09/16/2025)
09/18/2025	<u>215</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>216</u>	MOTION for Leave to Appeal in forma pauperis by Lidia M. Orrego. (KS) (Entered: 09/23/2025)
09/22/2025		Supplemental Electronic Index to Record on Appeal sent to US Court of Appeals. <u>212</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. (LF) (Entered: 09/22/2025)
09/23/2025		Electronic Index to Record on Appeal sent to US Court of Appeals. <u>212</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>217</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>218</u>	MOTION for Leave to Appeal in forma pauperis by Lidia M. Orrego. (DC) (Entered: 10/02/2025)
09/30/2025	<u>219</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>216</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. (<i>See</i> 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. (<i>See</i> 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. (RB) (Entered: 10/01/2025)
10/01/2025	<u>220</u>	NEF received from Court of Appeals for the Second Circuit (USCA #25-2399) re Petition for Writ Served. (Attachments: # <u>1</u> Part 2) (LF) (Entered: 10/02/2025)
10/02/2025		Electronic Index to Record on Appeal sent to US Court of Appeals. <u>219</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. (DC) (Entered: 10/02/2025)
10/03/2025	<u>221</u>	MOTION for Summary Judgment by Stephanieanna James-Knipfing, Kevin Knipfing, Old Westbury EDDIE LLC, Teresa A. Zantua. (Attachments: # <u>1</u> Rule 56.1 Statement, # <u>2</u> Declaration, # <u>3</u> Exhibit A - Plaintiff's Deposition, # <u>4</u> Exhibit B - Savitsky WCB Testimony, # <u>5</u> Exhibit C - Old Westbury Eddie, LLC, record of Incorporation, # <u>6</u> Exhibit D - Test Msgs, # <u>7</u> Exhibit E - Job Offer Letter, # <u>8</u> Exhibit F - Non-Disclosure Agreement, # <u>9</u> Exhibit G - Plaintiff's WC Application, # <u>10</u> Exhibit H - Plaintiff's Text Msgs, # <u>11</u> Exhibit I - Email Report 4, # <u>12</u> Exhibit J - Plaintiff's diary, # <u>13</u> Exhibit K - Plaintiff's Pavillion Agency Resume, # <u>14</u> Exhibit L - Plaintiff's March 5, 2021 WCB Hearing Testimony, # <u>15</u> Exhibit M - Text Msgs, # <u>16</u> Exhibit N - Plaintiff's October 26, 2018 Wage Statement, # <u>17</u> Exhibit O - November 2, 2018 Complaint, # <u>18</u> Exhibit P - Email Report 1, # <u>19</u> Exhibit Q - Email Report 2, # <u>20</u> Exhibit R - Email Report 3, # <u>21</u> Exhibit S - Email Report 5, # <u>22</u> Exhibit T - Email Report 6, # <u>23</u> Exhibit U - Email Report 7, # <u>24</u> Exhibit V - Email from Testa to Plaintiff re Investigation, # <u>25</u> Exhibit W - Email from Kevin Flannagan, # <u>26</u> Exhibit X - Termination Letter, # <u>27</u> Exhibit Y - Image of E-Folder Containing Photographs, # <u>28</u> Exhibit Z - Image of E-Folder Containing Videos, # <u>29</u> Exhibit AA - September 30, 2021 MTD Decision, # <u>30</u> Exhibit BB - March 10 2021 WCB Decision, # <u>31</u> Exhibit CC - June 21, 2021 WCB Board Panel Decision, # <u>32</u> Exhibit DD - November 2, 2023 Third Department Decision, # <u>33</u> Exhibit EE - Plaintiff's June 2021 Inspector General Complaint, # <u>34</u> Exhibit FF - Plaintiff's June 2021 NYSDOH Complaint, # <u>35</u> Exhibit GG - Plaintiff's July 2021 NYSCJC Complaint, # <u>36</u> Exhibit HH 0 Plaintiff's February 2023 State Court Complaint, # <u>37</u> Exhibit II - Transcript of February 2025 Proceeding, # <u>38</u> Exhibit JJ - April 2025 Decision, # <u>39</u> Exhibit KK - April 2025 Dismissal, # <u>40</u> Exhibit LL - Plaintiff's July 2024 State Court Complaint, # <u>41</u> Exhibit MM - June 2020 NCDSS Notice Ltrs, # <u>42</u> Exhibit NN - July 2020 NYS OCFS ltrs, # <u>43</u> Exhibit OO - Plaintiff's December 2020 Complaint against Debra Karpfntiff's March 2024 Ltr to NCDSS, # <u>44</u> Exhibit PP- Plaintiff's March 2024 Ltr to NCDSS, # <u>45</u> Exhibit QQ - Plaintiff's December 2024 Nassau County Article 78 Petition, # <u>46</u> Exhibit RR - April 2025 Nassau County Supreme Court Decision, # <u>47</u> Exhibit SS - Plaintiff's March 2021 Queens County Supreme Court Complaint, # <u>48</u> Exhibit TT - July 2025 Second Department Decision, # <u>49</u> Exhibit UU - March 2021 NYSDHR Determination and Order of Dismissal of Administrative Convenience, # <u>50</u> Exhibit VV - Plaintiff's August 2021 Queens County Supreme Court Complaint against Ley Family, # <u>51</u> Exhibit WW - Plaintiff's June 2020

		Letter to the Derek Smith Law Group, # <u>52</u> Exhibit XX - Plaintiff's June 2020 Letter to Borrelli & Associates, # <u>53</u> Exhibit YY - Plaintiff's April 2020 Letter to Law Office of Peter A. Romero, # <u>54</u> Memorandum in Support, # <u>55</u> Exhibit Notice to Pro Se Litigation Who Opposed a Motion for Summary Judgment) (Minnah-Donkoh, Kuuku) (Entered: 10/03/2025)
10/03/2025	<u>222</u>	REPLY in Support re <u>221</u> MOTION for Summary Judgment filed by Stephanieanna James-Knipfing, Kevin Knipfing, Old Westbury EDDIE LLC, Teresa A. Zantua. (Minnah-Donkoh, Kuuku) (Entered: 10/03/2025)
10/03/2025	<u>223</u>	Letter MOTION for Leave to File Document <i>Motion for Summary Judgment</i> by Lidia M. Orrego. (NF) (Entered: 10/03/2025)
10/03/2025	<u>224</u>	AFFIRMATION of Lidia M. Orrego in Opposition re <u>221</u> Defendants' MOTION for Summary Judgment filed by Lidia M. Orrego. (Attachments: # <u>1</u> Affidavit in Support of Authentication of Evidence and Certifications Government Agencies, # <u>2</u> Plaintiff's Counterstatement of Material Facts Pursuant to Local Civil Rule 56.1 in Opposition to Defendants' Motion for Summary Judgment, # <u>3</u> Memorandum of Law in Opposition Defendants' Motion for Summary Judgment, # <u>4</u> Exhibit 1, # <u>5</u> Exhibit 2, # <u>6</u> Exhibit 3, # <u>7</u> Exhibit 4, # <u>8</u> Exhibit 5, # <u>9</u> Exhibit 6, # <u>10</u> Exhibit 7, # <u>11</u> Exhibit 8, # <u>12</u> Exhibit 9, # <u>13</u> Exhibit 10, # <u>14</u> Exhibit 11, # <u>15</u> Exhibit 12, # <u>16</u> Exhibit 13, # <u>17</u> Exhibit 14, # <u>18</u> Exhibit 15, # <u>19</u> Exhibit 16, # <u>20</u> Exhibit 17, # <u>21</u> Exhibit 18, # <u>22</u> Exhibit 19, # <u>23</u> Exhibit 20, # <u>24</u> Exhibit 21, # <u>25</u> Exhibit 22, # <u>26</u> Exhibit 24, # <u>27</u> Exhibit 25, # <u>28</u> Exhibit 26, # <u>29</u> Exhibit 27, # <u>30</u> Exhibit 28, # <u>31</u> Exhibit 29, # <u>32</u> Exhibit 30, # <u>33</u> Exhibit 31, # <u>34</u> Exhibit 32, # <u>35</u> Exhibit 33, # <u>36</u> Exhibit 34, # <u>37</u> Exhibit 35, # <u>38</u> Exhibit 36, # <u>39</u> Exhibit 37, # <u>40</u> Exhibit 38, # <u>41</u> Exhibit 39, # <u>42</u> Exhibit 40, # <u>43</u> Exhibit 41, # <u>44</u> Affirmation of Service) (NF) (Entered: 10/06/2025)
10/06/2025		ORDER: Pro se Plaintiff Orrego's request for leave to file her fully briefed motion for summary judgment <u>223</u> is denied as moot. Orrego's summary judgment motion is not subject to the Court's August 14, 2025 filing injunction <u>210</u> , and permission is not required to file. The Clerk is directed to docket the summary judgment briefing. So Ordered by Judge Sanket J. Bulsara on 10/6/2025. (RB) (Entered: 10/06/2025)
10/06/2025	<u>225</u>	Letter requesting the Clerk to (i) reclassify Plaintiff's filing (ECF No. 209) from a Notice to a Motion for Summary Judgment, or (ii) advise how the opposition should be filed under the current classification of same by Stephanieanna James-Knipfing, Kevin Knipfing, Old Westbury EDDIE LLC, Teresa A. Zantua (Minnah-Donkoh, Kuuku) (Entered: 10/06/2025)
10/06/2025	<u>226</u>	Notice of MOTION for Summary Judgment by Lidia M. Orrego. (Attachments: # <u>1</u> Notice of Motion for Summary Judgment, # <u>2</u> Affirmation of Lidia M.Orrego in Support of Local Rule 56.1 Statement and Motion for Summary Judgment, # <u>3</u> Plaintiff's Local Rule 56.1 Statement of Undisputed Material Facts, # <u>4</u> Memorandum of Law in Support of Plaintiff's Motion for Summary Judgment, # <u>5</u> List Exhibits Summary Judgment, # <u>6</u> Exhibit 1, # <u>7</u> Exhibit 2, # <u>8</u> Exhibit 3, # <u>9</u> Exhibit 4, # <u>10</u> Exhibit 5, # <u>11</u> Exhibit 6, # <u>12</u> Exhibit 7, # <u>13</u> Exhibit 8, # <u>14</u> Exhibit 9, # <u>15</u> Exhibit 10, # <u>16</u> Exhibit 11, # <u>17</u> Exhibit 12, # <u>18</u> Exhibit 13, # <u>19</u> Exhibit 14, # <u>20</u> Exhibit 15, # <u>21</u> Exhibit 16, # <u>22</u> Exhibit 17, # <u>23</u> Exhibit 18, # <u>24</u> Exhibit 19, # <u>25</u> Exhibit 20, # <u>26</u> Exhibit 21, # <u>27</u> Exhibit 22, # <u>28</u> Exhibit 23, # <u>29</u> Exhibit 24, # <u>30</u> Exhibit 25, # <u>31</u> Exhibit 26) (NF) (Entered: 10/07/2025)
10/06/2025	<u>227</u>	DECLARATION OF Kuuku Minnah-Donkoh in Opposition re Plaintiff's <u>226</u> Notice of MOTION for Summary Judgment filed by Lidia M. Orrego. (Attachments: # <u>1</u> Declaration of Kuuku Minnah-Donkoh in Opposition to Plaintiff's Motion for Summary Judgment, # <u>2</u> Defendant's Memorandum of Law in Opposition to Plaintiff's Motion for Summary Judgment, # <u>3</u> Defendant's Responses to Plaintiff's Local Rule 56.1 Statement of Undisputed Material Facts, # <u>4</u> Exhibit ZZ) (NF) (Entered: 10/08/2025)
10/06/2025	<u>228</u>	REPLY in Support re <u>226</u> Notice of MOTION for Summary Judgment filed by Lidia M. Orrego. (Attachments: # <u>1</u> Plaintiff's Affirmation of Authentication of Exhibits 26-47, # <u>2</u> Plaintiff's Reply Defendants' Local Rule 56.1 Statement of Undisputed Material Facts Fated September 12, 2025, # <u>3</u> Plaintiff's Reply Memorandum of Law in Support of Motion for Summary Judgment, # <u>4</u> Exhibit 26, # <u>5</u> Exhibit 27, # <u>6</u> Exhibit 28, # <u>7</u> Exhibit 29, # <u>8</u> Exhibit 30, # <u>9</u> Exhibit 31, # <u>10</u> Exhibit 32, # <u>11</u> Exhibit 33, # <u>12</u> Exhibit 34, # <u>13</u> Exhibit 35, # <u>14</u> Exhibit 36, # <u>15</u> Exhibit 37, # <u>16</u> Exhibit 38, # <u>17</u> Exhibit 39, # <u>18</u> Exhibit 40, # <u>19</u> Exhibit 41, # <u>20</u> Exhibit 42, # <u>21</u> Exhibit 43, # <u>22</u> Exhibit 44, # <u>23</u> Exhibit 45, # <u>24</u> Exhibit 46, # <u>25</u> Exhibit 47) (NF) (Entered: 10/08/2025)

10/06/2025	<u>229</u>	NOTICE: The Clerks Office received the attached USB in support of <u>226</u> , <u>227</u> and <u>228</u> ; Original USB and has been sent to Judge Bulsara's chambers. (GO) (Entered: 10/08/2025)
10/06/2025		The Clerks Office is in receipt of the Pro Se Filings <u>226</u> , <u>227</u> and <u>228</u> . The cover letter states that the pro se litigant included the following: "4. Plaintiff's Opposition to Defendants' Motion for Summary Judgment (served September 12, 2025) Pages 1 - 1004"; AND "USB Flash Drive "EASTFUN" 32GB Blue Submission". After careful review of the documents, the clerks office was NOT provided with said documents. (GO) (Entered: 10/08/2025)
10/21/2025	<u>230</u>	MOTION for Leave to File Document <i>a Sur-Reply or Motion to Strike Based on Defendants' Non-Compliance with Local Rule 56.1(c), Warranting Admission of Plaintiff's Facts Under Rule 56.1(d), and to Strike 129-178 Pursuant to FRCP 12(f), FRCP 37, and FRE 403; and, for the record, Leave Noted Regarding the Court's Refusal of Plaintiff's Revised Opposition Under FRCP 15(a)(2) - "freely give[n] when justice so requires" (DE 115) attached Filed October 10, 2025, Returned October 20, 2025.</i> by Lidia M. Orrego. (NF) (Entered: 10/21/2025)
10/21/2025	<u>231</u>	Letter in Response/Clarification to 10/6/2025 Docket Entry by Lidia M. Orrego (NF) (Entered: 10/22/2025)
10/22/2025		ORDER: The motion for leave <u>230</u> to file a sur-reply or motion to strike is denied. So Ordered by Judge Sanket J. Bulsara on 10/22/2025. (RB) (Entered: 10/22/2025)
11/05/2025		ORDER: In light of the impending reassignment of this case, the current motions, <u>203</u> , <u>217</u> , <u>218</u> , <u>221</u> , and <u>226</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. (RB) (Entered: 11/05/2025)

PACER Service Center			
Transaction Receipt			
[REDACTED]			
PACER Login:	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

EXHIBIT 6

*** Filed ***
10:44 AM, 08 Jul, 2025
U.S.D.C., Eastern District of New York

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
Lidia M. Orrego

Plaintiff,

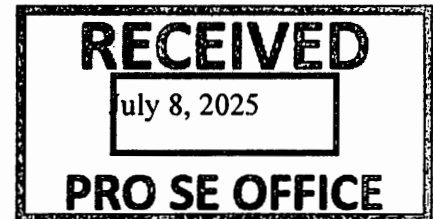
-against-

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

Defendant(s).
-----X

EDNY 20CV3361 (SJB) (AYS)

NOTICE OF MOTION



NOTICE OF MOTION TO RECUSE, GRANT DE [200], VACATE ORDER, STAY, AND
OBJECT

PLEASE TAKE NOTICE that, pursuant to 28 U.S.C. § 455(a), Federal Rules of Civil Procedure 60(b)(1), 60(b)(3), 60(b)(4), 60(b)(6), 56(d), 7(b), Local Civil Rules 6.1(b), 6.3, 7.1, and Federal Rule of Appellate Procedure 4(a), Pro Se Plaintiff Lidia M. Orrego moves this Court, Hon. Judge Sanket J. Bulsara, U.S.D.J., in Courtroom 930, United States Courthouse, 100 Federal Plaza, Central Islip, NY 11722, on a date and time to be set by the Court on a date and time to be set by the Court, (proposed dates July 15, 2025, July 22, 2025, July 29, 2025), for an order:

- **Recusing** Judge Sanket J. Bulsara under 28 U.S.C. § 455(a) and Code of Conduct for United States Judges (Canons 2A, 3A, 3C) for apparent Judicial Bias and Prejudicial Treatment against Pro Se status, evidenced by the hasty order denying Docket Entry "DE" [199] (Renewed Motion for Declaratory Judgment, filed July 1, 2025) was issued prematurely without a briefing schedule, without affording the parties the opportunity to brief the motion, hours after filing, mischaracterizing it as a Reconsideration in violation of Due Process and Individual Rules, not on merits (Exhibit 14) ignoring Pro Se's motions (DE [190], [192], [193], [194], [196], [198]) filed March–June 2025, including discovery motions pending since March 17, 2025 (DE [192]), while granting Defendants'

extension (DE [185], [195]) within days, suggesting favoritism (Exhibit 15), and failing to address due process rights to a fair trial and evidence access, in concert with Defendants and Magistrate Judge Shields, whose orders (DE [65], [88]) were the subject of Pro Se's May 20, 2025, email to GRSM to meet and confer (Exhibit 13), with no response, prompting DE [196] (Shields recusal) and DE [198] (vacate DE [65], [88]). Judge Brown's ruling (Exhibit 14) confirms Plaintiff successfully proved violations under 42 U.S.C. § 1981 and NYSHRL for hostile work environment and retaliatory termination, underscoring the Court's bias in ignoring DE [199]'s new evidence.

- **Granting** DE [200] (July 1, 2025, Letter Motion Requesting Adjournment of Summary Judgment Deadline, Status Update, Leave to File Amended Documents or Supplemental Certifications, and a Briefing Schedule), pending with no order issued.

- **Vacating** the order (July 2, 2025) denying DE [199], issued without a briefing schedule, ignoring DE [190], [192], [193], [194], [196], [198], and causing prejudice, under FRCP 60(b)(1), (3), (4), (6), as detailed in Section IV.B.

- **Staying** the Summary Judgment deadline (August 8, 2025, DE [195]) under FRCP 56(d) due to unresolved discovery motions, including DE [192] pending since March 17, 2025, impeding Pro Se's ability to present essential facts. The 30-day extension granted in the July 7, 2025, order (DE [200]) is insufficient under FRCP 56(d) given the volume of evidence (~6,000 pages, 249+ exhibits, DE [165], Exhibit 3) and unresolved discovery motions (DE [192], pending since March 17, 2025), which prevent Pro Se from presenting essential facts. See annexed Exhibit 16. “

- **Objecting** to the order denying DE [199] to preserve appeal rights under Fed. R. App. P. 4(a), as the denial violates due process (*Mullane v. Cent. Hanover Bank & Tr. Co.*, 339 U.S. 306, 314 (1950)). Further evidencing bias, Judge Bulsara's order dated July 7, 2025, partially granted DE [200] by adopting Defendants' proposed 30-day extension for Summary Judgment briefing (DE

[201]) while ignoring Plaintiff's request for a 60-day extension, status update on pending motions (DE [165], [190], [192], [193], [194], [196], [198]), leave to amend documents, and a briefing schedule, continuing the pattern of favoritism toward Defendants (Exhibit 15) and prejudicing Pro Se's ability to prepare due to unresolved discovery issues (DE [192]).

- **Granting relief** sought in DE [194]: vacating the Summary Judgment schedule, disqualifying Defendants' counsel (GRSM) for fraud and FRCP 11 violations, providing evidence filing instructions for ~6,000 pages and 249+ exhibits (DE [165], Exhibit 3), setting a briefing schedule for DE [199], and addressing discovery issues. Pending final Table of Exhibits for Summary Judgment due to the lack of diligence by the Court to address the discovery-related motions and letters (DE [190], [192], [193], [194], [196], [198], [200]).

- **Addressing** outstanding discovery-related motions and letters (DE [190], [192], [193], [194], [196], [198], [200]), including DE [192] (March 17, 2025, objection to DE [195]) and DE [194] (Filed on May 9, 2025, Letter Motion Requesting Conference to Vacate Summary Judgment, Stay, Disqualify GRSM, Provide Evidence Instructions, and Renew Declaratory Judgment), and considering DE [199] based on the complete factual record.

- **Ruling** on DE [190] (Disqualification and Stay, March 13, 2025), DE [196] (Magistrate Judge Shields recusal), DE [198] (vacate DE [65], [88]), imposing FRCP 37 sanctions for Defendants' fraud, and reassigning the case.

- **Setting a briefing schedule for:**

DE [190]: Motion by July 23, 2025; opposition by August 6, 2025; reply by August 13, 2025.

DE [196]: Motion by July 30, 2025; opposition by August 13, 2025; reply by August 20, 2025.

DE [198]: Motion by August 7, 2025; opposition by August 21, 2025; reply by August 28, 2025.

DE [199]: Motion by August 14, 2025; opposition by August 28, 2025; reply by September 4, 2025, per FRCP 7(b), Local Civil Rule 6.1(b)

Exhibits Attached:

Exhibit 1 - SJB-MLR (January 2, 2025) - Shows procedural violations.

Exhibit 2 - SJB-MLR (April 21, 2025) - Shows procedural violations.

Exhibit 3 - NYS Labor Standards Complaint (June 8, 2025) Exhibit 3 - DE [199] - Supports NYLL violations; GRSM's FRCP 11 violations, Wrongful deprivation of employment, Lack of Legal Termination, among others.

Exhibit 4 - Forged Signatures (April 7, 2023) Exhibit 9 - Exhibit 3 - DE [199] - Supports fraud claims (N.Y. Penal Law § 170.10) – Intention to Deceit, Fraud on or upon the Court.

Exhibit 5- Loft Legal Opinion (May 14, 2025) Exhibit 3 - DE [199] - Shows NDAs' unenforceability, Retaliation, Fraudulent Acts.

Exhibit 6 – Rebeca Uzcategui aka Lugo Report (November 21, 2018) DE [199] Exhibit 2
Corroborates Discrimination, Retaliation, and Disqualification Opposite Counsel violation FRCP 11.

Exhibit 7 - DE [195] (May 27, 2025) - Shows favoritism to Defendants.

Exhibit 8 - DE [194] (May 9, 2025) - Supports relief requests.

Exhibit 9 - Prior Motions (DE [190], [192], [193], [196], [198]) - Shows ignored filings

Exhibit 10 - DE [200] (July 1, 2025) - Pending relief requests.

Exhibit 11 - FTP Link Email (July 2, 2025) - Shows hasty denial timing.

Exhibit 12 - DE [201] (July 3, 2025)- Shows improper sanctions, no Bad Faith, Evidence supports violations FRCP 11, Fraud, Perjury, among others.

Exhibit 13 - Email to GRSM (May 20, 2025) Exhibit 10 - DE [198] – Shows non-responsiveness and bias, shielding the Defendants from Accountability.

Exhibit 14 - DE [199] Exhibit 3 - DE [30] Dated 09-30-2021 - H. District Judge Gary R. Brown Decision & Order - Shows that Plaintiff successfully established with laws, facts and evidence that Defendants violated Plaintiff's rights under 42 U.S.C. § 1981 and NYSHRL through a hostile work environment, evidence shows that "Plaintiff subjected to retaliatory adverse employment action, which ultimately led to her unlawful termination after reporting workplace misconduct."

Exhibit 15 - Docket 20cv3361-SJB-AYS - shows judicial bias and excessive favoritism.

Exhibit 16 – Dated July 7, 2025, Partial Order on Letter Motion DE [200]- shows Judicial Bias.

Exhibit 17 - Dated July 7, 2025, Initial Notice of Request to Submit Electronic Evidence DE Pending-- shows Judicial Bias.

Pro Se requests a **pre-motion conference, oral argument**, and guidance on filing ~6,000 pages and 249+ exhibits (DE [165], Exhibit 3), likely to increase due to FOIL/FOIA disclosures. The Court must set the return date per SJB-MLR VI.L (See Annexed Exhibit 1). Pro Se relies on the annexed memorandum, affidavit, and exhibits.

Respectfully submitted,

Dated: July 8, 2025

Rego Park, New York

/s/ Lidia M. Orrego

Lidia M. Orrego

Plaintiff Pro Se

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Phone 347-453-2234

Email: liorrego@gmail.com

To: All the parties on the record

Magistrate Judge Anne Y. Shields via NYSCEF

Gordon Rees Scully Mansukhani, LLP - via ECF and email

Kuuku Minnah-Donkoh

One Battery Park Plaza, 28th Floor

New York, NY 10004

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

Lidia M. Orrego,

Plaintiff,

-against-

Affirmation of Service

2:23cv6507 (SJB) (AYS)

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

Defendants.
_____x

I, Lidia M. Orrego, declare under penalty of perjury that I served a copy of the attached Request Leave to File Notice of Appeal 1-Page, Notice of Appeal, Exhibits 1-6, Affirmation of Service. Total Pages: 57, dated February 4, 2026. Service was made upon the Defendant(s) or their attorney at the physical address below:

Via ECF & Notice has been electronically mailed

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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: February 4, 2026
Rego Park, New York

/s/ Lidia M. Orrego

Plaintiff - Pro Se
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Stanton & Romano LLP, et al.

Case No. 23-cv-6507-SJB-AYS
Request for Leave to File (1 page); the Motion and Affirmation
to Correct and Supplement the Docket pursuant to FRAP 10(e)
and FRCP 60(a); Exhibits 1-3; and an Affirmation of Service,
totaling 104 pages; and the Notice of Appeal, Exhibits 1-6, and
Affirmation of Service, totaling 57 pages.

Filed February 4, 2026 Docket Entry Pending

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Case 23cv 6507 SJB-AYS

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**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

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as Executrix of the Estate of Lewis L.
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Jason M. Biegel
(See above for address)
ATTORNEY TO BE NOTICED

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 <i>if</i> all parties consent a United States magistrate judge of this court is available to conduct all proceedings in this civil action including a (jury or nonjury) trial and to order the entry of a final judgment. Attached to the Notice is a blank copy of the consent form that should be filled out, signed and filed electronically only if all parties wish to consent. The form may also be accessed at the following link: http://www.uscourts.gov/uscourts/FormsAndFees/Forms/AO085.pdf . You may withhold your consent without adverse substantive consequences. Do NOT return or file the consent unless all parties have signed the consent. (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 U.S. Marshal Service, <i>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, <i>compelling Substitution, Sanctions</i> MOTION for Extension of Time to File <i>Rule 4(m) Service Deadling</i> filed by Pasternack Tilker Weitz & Luxenberg LLP, Pasternack Tilker Ziegler Walsh Stanton & Romano LLP. (Wilck, David) (Entered: 05/30/2025)
06/02/2025	<u>54</u>	REPLY to Response to Motion re <u>51</u> Letter MOTION for Reconsideration re Order on Motion for Leave to Proceed in forma pauperis,,,,,, Order on Motion to Vacate,,,,,, Order on Motion for Sanctions,,,,,, Order on Motion for Extension of Time to File,,,,,, Order on Motion to Compel,,, filed by Lidia M. Orrego. (GO) (Entered: 06/02/2025)
06/03/2025	<u>55</u>	REPLY in Opposition re <u>54</u> Reply to Response to Motion, <i>and Request for Conference</i> filed by Pasternack Tilker Weitz & Luxenberg LLP, Pasternack Tilker Ziegler Walsh Stanton & Romano LLP. (Wilck, David) Modified to add a motion for hearing on 6/4/2025 (LF). (Entered: 06/03/2025)
06/03/2025	<u>56</u>	REPLY in Opposition to <u>55</u> REPLY in Opposition re: <u>54</u> Reply to Response to Motion, and Request for Conference, filed by Lidia M. Orrego. (GO) (Entered: 06/03/2025)
06/03/2025	<u>57</u>	AFFIDAVIT of Service for <u>56</u> Reply served on Stradley Ronon Stevens & Young, LLP and Rivkin Radler LLP on 6/3/2025, filed by Lidia M. Orrego. (GO) (Entered: 06/03/2025)
06/13/2025	<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 59) 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 , 51)</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 <i>confirming Plaintiff's Opposition to the Pasternack Firm's motion to dismiss was received on July 21, 2025</i> by Pasternack Tilker Weitz & Luxenberg LLP, Pasternack Tilker Ziegler Walsh Stanton & Romano LLP (Biegel, Jason) (Entered: 07/23/2025)
07/23/2025	<u>77</u>	Letter <i>confirming service of Plaintiff's opposition to motion to dismiss</i> by First Choice Evaluations LLC, Jason Hochfelder MD (Scarcella, Jenifer) (Entered: 07/23/2025)
07/28/2025		ORDER denying <u>67</u> Motion to Vacate ; denying <u>68</u> Motion to Vacate ; denying <u>71</u> Motion to Vacate. Plaintiff's motions for reconsideration are DENIED. The Court affirms its July 8, 2025 ruling. Plaintiff's request for an extension of time to August 5, 2025 to effectuate service of process is GRANTED. Plaintiff's request for recusal of the undersigned is DENIED. The court construes Plaintiff's request to substitute Dara Clarke as a request for permission to make a motion for substitution. Such request is GRANTED. The following briefing schedule regarding the motion for substitution is now in effect: Plaintiff shall serve her motion on Defendants and non-parties by August 29, 2025. Defendants and non-parties shall serve their opposition on Plaintiff by September 29, 2025. Plaintiff shall serve her reply on Defendants and non-parties by October 14, 2025. Each side shall file their papers on ECF. Counsel are reminded that the undersigned employs the "bundle" rule. Therefore, no papers shall be filed on ECF until the motion is fully-briefed. Counsel are further reminded that there is a 25

		page limit and that footnotes are strongly discouraged and should be used sparingly. Defendants are directed to provide a courtesy copy of the entire fully-briefed motion to this Court on or before October 20, 2025. In accord with Rule 1(E) of this Court's Individual Rules, counsel is reminded that all copies must be marked "courtesy copy" "original filed ECF" and that courtesy copies of exhibits and appendices must be clearly labeled and tabbed. Voluminous documents should be submitted in clearly tabbed binders and should not be "velobound." So Ordered by Magistrate Judge Anne Y. Shields on 7/28/2025. (DM) (Entered: 07/28/2025)
07/28/2025		ORDER granting <u>55</u> Motion for Hearing; granting <u>58</u> Motion for Pre Motion Conference; granting <u>60</u> Motion for Hearing; granting in part and denying in part <u>64</u> Motion for Sanctions. A conference regarding the motions for sanctions has been scheduled for November 10, 2025 at 11:00 AM in courtroom 840 of the Central Islip courthouse. All parties should be prepared to argue their positions. So Ordered by Magistrate Judge Anne Y. Shields on 7/28/2025. (DM) (Entered: 07/28/2025)
07/29/2025	<u>78</u>	Letter MOTION to Vacate <i>Objection to District Judge Sanket J. Bulsara's Order Dated July 18, 2025 and Magistrate Judge Anne Y. Shields' Order Dated July 28, 2025; Request to Vacate Orders of July 10 and July 28 Under FRCP 54 (b) for Intentional Misrepresentation and Unauthorized Exercise of Jurisdiction; Request for Recusal of Both Judges Under 28 U.S.C. § 455(a) & (b)(1) for Permitting Improper Delegation of Dispositive Authority, Demonstrated Bias, and Alleged Conspiracy to Deprive Rights Under 18 U.S.C. § 241</i> by Lidia M. Orrego. (NF) (Entered: 07/29/2025)
08/02/2025	<u>79</u>	Letter MOTION to Compel <i>Motion and Objection to Vacate Improperly Issued July 18, 2025 Summons, to Correct the Caption, and for a 30-day extension to serve, with relief requested under FRCP 60(b), 54(b), 25(a), and 28 U.S.C. § 455</i> by Lidia M. Orrego. (Attachments: # <u>1</u> Part 2) (NF) (Entered: 08/04/2025)
08/04/2025	<u>80</u>	Letter MOTION to Compel <i>Vacate Order Dated July 28, 2025, Pursuant to FRCP 54(b) and Local Civil Rule 6.3; to Reaffirm Judicial Recusal Requests; and to Seek Injunctive and Other Appropriate Relief to Prevent Manifest Injustice, based on Evidence Submitted by the New York State Attorney General Letitia James</i> by Lidia M. Orrego. (NF) (Entered: 08/05/2025)
08/08/2025	<u>81</u>	MOTION to Dismiss for Failure to State a Claim by First Choice Evaluations LLC, Jason Hochfelder MD. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Declaration, # <u>3</u> Exhibit Complaint, # <u>4</u> Exhibit Defendants' Motion for Pre-Motion Conference, # <u>5</u> Exhibit Plaintiff's Letter Motion, # <u>6</u> Exhibit Amended Complaint, # <u>7</u> Exhibit Unpublished Decisions, # <u>8</u> Certificate of Service) (Hamelsky, Andrew) (Entered: 08/08/2025)
08/08/2025	<u>82</u>	MEMORANDUM in Opposition re <u>81</u> MOTION to Dismiss for Failure to State a Claim <i>from pro se plaintiff Lidia Orrego</i> , RESPONSE to Motion re <u>81</u> MOTION to Dismiss for Failure to State a Claim <i>from Lidia Orrego in response to First Choice and Dr. Hochfelder's motion to dismiss</i> filed by First Choice Evaluations LLC, Jason Hochfelder MD. (Attachments: # <u>1</u> Exhibit Audio files to be produced under separate cover) (Scarcella, Jenifer) (Entered: 08/08/2025)
08/08/2025	<u>83</u>	REPLY in Support re <u>81</u> MOTION to Dismiss for Failure to State a Claim filed by First Choice Evaluations LLC, Jason Hochfelder MD. (Scarcella, Jenifer) (Entered: 08/08/2025)
08/08/2025	<u>84</u>	AFFIDAVIT/DECLARATION in Support re <u>81</u> MOTION to Dismiss for Failure to State a Claim <i>and in reply</i> filed by First Choice Evaluations LLC, Jason Hochfelder MD. (Attachments: # <u>1</u> Exhibit A – Memo of Law in Opposition, # <u>2</u> Exhibit B – Affirmation in Opposition) (Scarcella, Jenifer) (Entered: 08/08/2025)
08/11/2025		ORDER: First Choice Evaluations LLC and Jason Hochfelder MD's memorandum of law in support of their motion to dismiss <u>81</u> and their reply memorandum of law <u>83</u> fail to comply with Local Rule 7.1, which requires a certificate of compliance with the word limits in either the Local Rules or Judge Bulsara's Individual Practices, and "must state the number of words in the document." 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)
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 Pending 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 Vizuite 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 Vizuite, 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 Vizuite, 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 <i>Otherwise Respond to the Amended Complaint</i> by Sam Cohen, Esq., Matthew Funk, Esq., Ginu Jacob, Esq., Joseph Mercurio, Esq., Mariana Vizuite, 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 Vizuite, 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 <i>requesting clarification prior to conference</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 Vizuite, 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 <i>re November 10, 2025 appearance and request for clarification</i> 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, 444 α 5 (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)
12/29/2025	<u>137</u>	AMENDED SUMMONS Returned Executed by Lidia M. Orrego. Dara Clarke served on 12/17/2025, answer due 1/7/2026. (Attachments: # <u>1</u> Letter) (NF) (Entered: 12/29/2025)
12/30/2025	<u>138</u>	USCA NOTICE re <u>136</u> MOTION for Leave to Appeal in forma pauperis. An appeal in the above-referenced case has been docketed in the Court of Appeals. According to the district court docket sheet or other available information, appellant has moved for leave to proceed in forma pauperis in the district court on December 22, 2025, and that motion is pending. The appeal may not move forward until the motion is determined. Please direct the motion to the appropriate judge for determination. Upon the grant or denial of the motion, please enter the order and transmit it to the Court of Appeals. 12/30/2025. USCA# 25-3234. (VJ) (Entered: 12/30/2025)
01/01/2026		ORDER: Pro se Plaintiff Orrego's motion for leave to appeal <i>in forma pauperis</i> ("IFP") <u>136</u> is denied for the reasons set forth in the Court's December 5, 2025 Order. 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, 444 α 5 (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 1/1/2026. (RB) (Entered: 01/01/2026)
01/02/2026		Supplemental 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. (LF) (Entered: 01/02/2026)
01/06/2026	<u>139</u>	NOTICE of Appearance by Jason M. Biegel on behalf of Dara Clarke (aty to be noticed) (Biegel, Jason) (Entered: 01/06/2026)
01/06/2026	<u>140</u>	NOTICE of Appearance by David Stephen Wilck on behalf of Dara Clarke (aty to be noticed) (Wilck, David) (Entered: 01/06/2026)
01/06/2026	<u>141</u>	Letter MOTION for pre motion conference by Dara Clarke, 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 Vizuite, Andrew Ziemianski, Esq.. (Wilck, David) (Entered: 01/06/2026)
01/12/2026	<u>142</u>	MOTION for Leave to File Document <i>Pre-Motion Conference Opposition</i> by Lidia M. Orrego. (NF) (Entered: 01/16/2026)
01/16/2026	<u>143</u>	ORDER: For the reasons stated in the attached Memorandum and Order, the Court grants Defendants' motions to dismiss <u>81</u> and <u>88</u> . The Amended Complaint is dismissed in its entirety with prejudice. To the extent Orrego seeks reconsideration, the filing injunction is lifted. Any such motion must comply with the timing and word limits for such motions. See Local Civil Rule 6.3. Because the reasons for dismissal apply with equal force to the defendants who have sought a PMC but not yet filed a fully-briefed motion, the single RICO claim is dismissed against all defendants with prejudice. And the associated PMC requests, <u>126</u> and <u>141</u> , are denied as moot, though for the completeness of the record, Orrego's opposition has been docketed. So Ordered by Judge Sanket J. Bulsara on 1/16/2026. (LOG) (Entered: 01/16/2026)
01/28/2026	<u>144</u>	Notice of MOTION for Reconsideration re <u>143</u> Order on Motion for Pre Motion Conference,,,,,,,,, <i>PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 59(e) AND LOCAL CIVIL RULE 6.3, AND ALTERNATIVELY PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 60(b)</i> by Lidia M. Orrego. (NF) (Entered: 01/29/2026)
01/30/2026	<u>145</u>	ORDER: For the reasons stated in the attached Order, Plaintiff's motion for reconsideration <u>144</u> is denied. The Clerk of Court is directed to close the case. So Ordered by Judge Sanket J. Bulsara on 1/30/2026. (LOG) (Entered: 01/30/2026)
02/03/2026	<u>146</u>	CLERK'S JUDGMENT: It is ORDERED AND ADJUDGED that Plaintiff Lidia M. Orrego take nothing of Defendants Pasternack Tilker Ziegler Walsh Stanton & Romano LLP; that the Amended Complaint is dismissed in its entirety with prejudice; that in forma pauperis status is denied for the purpose of any appeal; and that this case is closed. Ordered by Clerk of Court on 2/3/2026. (JC) (Entered: 02/03/2026)
02/04/2026	<u>147</u>	NOTICE OF APPEAL as to <u>146</u> Clerk's Judgment, <u>143</u> Order on Motion for Pre Motion Conference, and <u>145</u> Order on Motion for Reconsideration. Filed by Lidia M. Orrego.(Attachments: # <u>1</u> Letter Request for Leave to File Appeal) (HM) (Entered: 02/09/2026)
02/09/2026		APPEAL FILING FEE DUE re <u>147</u> Notice of Appeal. Payment in the amount of \$605.00, can be made in person to the clerks office, or mailed in to the clerks office. (HM) (Entered: 02/09/2026)
02/09/2026		Electronic Index to Record on Appeal sent to US Court of Appeals. <u>147</u> Notice of 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. (HM) (Entered: 02/09/2026)