

Queens BAR BULLETIN

Queens County Bar Association | qcba.org | 88-14 Sutphin Blvd., 3rd Floor, Jamaica, NY 11435 | 718-291-4500

April 2026 | Volume 93, No. 6

Reflections On Fifty Years Of Law Practice By A Golden Jubilarian

First in a three-part series.

BY JAMES S. KAPLAN

Approximately four weeks ago, I received a letter from the Queens Bar Association informing me that I was being honored by the Queens Bar as a “Golden Jubilarian” – a member of the Association who had first been admitted to law practice fifty years ago. Although I hadn’t been a particularly active member of the Queens Bar Association and hadn’t realized that it was fifty years since my first admission to the Bar on March 4, 1976 the occasion of this event did make me reflect on the practice of law in this City and the changes that I had seen over the past fifty years, including the positive and negative experiences that I have had in this practice of law in this significant period.

Early Period - 1975-1979

In college, I had been somewhat active in the antiwar movement and a supporter of the opposition to the war in Vietnam. Like many (in fact most) of my classmates at my college (Yale 1971) I had decided that law would be the appropriate profession for me because at the time I believed it would be an exciting and rewarding way to pursue social justice while also making a prosperous living. Upon reflection, I believe these goals were somewhat achieved in the next fifty years although not without some significant difficulty.

I graduated from Columbia Law School in January 1975 where I was on the law review. At the time I graduated in 1975, the City of New

York was having severe financial problems, was close to bankruptcy and in fact many said the City was economically finished. However, these problems, in retrospect, did not seem to have a significant adverse effect on graduates like me from Columbia Law School. Thirty or forty Wall Street law firms came to Columbia Law School to interview second or third year students for relatively high paying positions as either summer or full-time associates. My recollection is that most graduates found jobs. However, after two relatively unsuccessful summer internships doing real estate (I found real estate closings to be deadly dull), I found I was at some disadvantage when looking for a

CONTINUED ON PAGE 17



Table of Contents

Reflections On Fifty Years Of Law Practice By A Golden Jubilarian	1, 17, 18
Editor's Note	4
President's Message	6
When "Summary" Is No Longer Summary: Preserving the Integrity of Article 7	9
The Practice Page	10
Queens County Bar Association's Annual Judiciary Night	12, 13
Turning Intention Into Action	14
Celebrating The 2026 Golden Jubilarians	20, 21

The Docket

Being the official notice of the meetings and programs listed below. Due to unforeseen events, please note that dates listed in this schedule are subject to change. More information and changes will be made available to members via written notice and brochures. Questions? Please call 718-291-4500.

CLE Seminar & Event listings

APRIL 2026

Friday, April 10

Small Firm, Solo Practice & Law Office Management Committee Mtg – 1:00 pm
<https://us02web.zoom.us/j/83543451506?pwd=tYapLs9Fbt-vClwbNBAId0gdkkgdKkM.1> : Meeting ID: 835 4345 1506; Passcode: 718614

Wednesday, April 15

CLE: Equitable Distribution Update 2026 – Pt 1 – 5:30 pm

Thursday, April 16

LGBTQ+ Holocaust Program – 5:30 pm

Tuesday, April 21

Meet the Judge – Pt 10 – Hon. Karen Lin

Wednesday, April 22

Lunch & Learn: Soberlink at Family Court - 1:00 pm

Wednesday, April 22

CLE: Equitable Distribution Update 2026 – Pt 2 – 5:30 pm

Thursday, April 23

Academy of Law Committee Meeting – 1:00 pm

Thursday, April 23

Event: LGBTQ+ Social Mixer at The Gantry Bar – 5:30 pm

Tuesday, April 28

Motions & Motherhood – Pt 4 –

District Attorney Melinda Katz – 1:00 pm

at QCBA Office, 88-14 Sutphin Blvd, Jamaica

Tuesday, April 28

CLE: Guardianship Series – Pt 1: Inception to

Initial Report – 5:30 pm

Wednesday, April 29

CLE: Ethics Update 2026 – Pt 1 – 5:00 pm

MAY 2026

Friday, May 1

Event: Law Day - Celebrating the Rule of Law – 1:00 to 2:00 pm at King Manor Museum in Jamaica, NY
 Registration required - https://docs.google.com/forms/d/e/1FAIpQLSfs0ybb-7FfZCnSn2rv8BRaYr5raSJdwIhgclbn8_AU86zm6w/viewform

Wednesday, May 6

CLE: Ethics Update 2026 – Pt 2 – 5:00 pm

Thursday, May 14

Annual Dinner & Installation of Officers at

Terrace on the Park – 5:30 pm

Tuesday, May 19

LGBTQ+ Committee Meeting – 1:00 pm

Tuesday, May 19

CLE: Guardianship Series – Pt 2: Guardianship Term -

5:30 pm

Thursday, May 28

CLE: Bankruptcy Seminar – 5:30 pm

Monday, May 30

Memorial Day – Office Closed

JUNE 2026

Tuesday, June 2

CLE: Search & Seizure Update – 1:00 pm

Thursday, June 4

Event: Family Law Committee Annual Dinner

Tuesday, June 9

CLE: Guardianship Series – Pt 3: Death to Discharge –

5:30 pm

Friday, June 19

Juneteenth – Office Closed

JULY 2026

Friday, July 3

Independence Day Observed – Office Closed

*If you are unable to attend a CLE that you are interested in, you may purchase it to view at home by contacting Sasha at cle@qcba.org.

More on upcoming seminars, CLE's and events, go to qcba.org/CLE-Courses

2025-2026 Officers and Board of Managers of the Queens County Bar Association

President – Kristen J. Dubowski Barba

President-Elect – Joshua R. Katz

Vice President – Joel Serrano

Treasurer – Hamid M. Siddiqui

Secretary – A. Camila Popin

Class of 2026
 Desiree Claudio
 Ruben Davidoff
 Mark L. Hankin
 Adam Moses Orlow
 Estelle J. Roond

Class of 2027
 Michael D. Abneri
 Beverly George
 Janet L. Brown
 Sydney A. Spinner
 Jasmine Valle-Bueno

Class of 2028
 Maria de la Cruz
 Etan Hakimi
 Isiris Isaac
 Tammi D. Pere
 Zenith T. Taylor

Queens Bar Bulletin

Executive Director

Jonathan R. Riegel, CAE

Queens Bar Bulletin Editor

Paul E. Kerson

Associate Editors: Stephen D. Fink and Richard N. Golden

Publisher:
 Queens Public Media, LLC, under the auspices of Queens County Bar Association. The Queens Bar Bulletin is published eight times annually. All rights reserved. Material in this publication may not be stored or reproduced in any form without permission.
 ©2025
 The Queens County Bar Association
Advertising Office:
Queens Daily Eagle
 8900 Sutphin Boulevard, LL11, Jamaica, Queens, NY 11435
 (718) 422-7412

Send letters and editorial copy to:
 Queens Bar Bulletin, 88-14 Sutphin Boulevard, 3rd Floor, Jamaica, NY 11435 • **Editor's Note:** Articles appearing in the Queens Bar Bulletin represent the views of the respective authors and do not necessarily carry the endorsement of the Association, the Board of Managers, or the Editorial Board of the Queens Bar Bulletin.

"Queens Bar Bulletin"
 (USPS Number: 452-520) is published eight times annually by Queens Public Media, LLC, 8900 Sutphin Boulevard, LL11, Jamaica, NY 11435, under the auspices of the Queens County Bar Association. Entered as periodical postage paid at the Post Office at Jamaica, New York and additional mailing offices under the Act of Congress. Postmaster send address changes to the Queens County Bar Association, 88-14 Sutphin Boulevard, 3rd Floor, Jamaica, NY 11435

New Members

Tammy Aronbayev
 Lorena Diaz Germes
 Isabel Lee Durante
 Kate Gehlen
 Fiona A. Nies
 Joshua Samuelson
 Alexis Andrea Suers
 Astra Williams
 Dongjin Yu

Necrology

Hon. William M. Erlbaum
 Hon. Charles J. Markey



2026 DIRECTORY

2026 Membership Directories were recently mailed out.

Need an extra copy?

Contact Janice Ruiz at 718.291.4500 x222 or jruiz@qcba.org



Big Apple Abstract Corp.

Lawrence M. Litwack, Esq.



Steadfast Title Agency, LLC

A Division of Big Apple Abstract Corp.

Nikon Limberis

Counsel

Axiom, LLC

A Division of Big Apple Abstract Corp.

-
- . Serving the Legal and Real Estate communities since 1980
 - . Specializing in residential / commercial transactions and today's difficult market: short sales and foreclosure proceedings
 - . Focusing on our client's specific title and non-title insurance needs, as well as preparation of detailed ACRIS recordings and other pertinent documents
 - . Knowledgeable, experienced "In-house" staff / title closers

Sales Representatives:

Mitchell Applebaum Susan Lovett

Lisa Feinstein Larry "Cousin" Litwack John G. Lopresto

Richard Sena Moneesh Bakshi

Visit us at: www.bigappleabstract.com

42-40 Bell Boulevard, Suite 500, Bayside, New York 11361

(718) 428-6100 (516) 222-2740 (212) 751-3225 Facsimile: (718) 428-2064



Editor's Note

The War Powers Act

By Paul E. Kerson

The most fundamental laws that we have are not found in the United States Constitution at all. Rather, the backbone of civilization is New York State Penal Law Section 125.00-125.60 (thou shalt not kill, also found in Exodus 20:13) and New York State Penal Law Sections 140.00-140.40 (no burglary), 155.00-155.45 (no larceny) and 160.00-160.15 (no robbery). This is also known as “thou shalt not steal” and is found in Exodus 20:15. These are the two most fundamental laws of civilization itself, not just of New York State.

It is surprising to understand that those two most basic laws of civilization are currently being violated around the globe. Russia is trying to steal Ukraine by killing people therein. Iran is trying to steal the State of Israel and the adjacent Palestinian Authority by attempting to kill the people therein. More than 300 missiles were dropped by Iran on the Jewish and Palestinian population of the State of Israel and the adjacent Palestinian Authority on April 13, 2024. More than 200 missiles were dropped by Iran on the Jewish and Palestinian population of the State of Israel and the adjacent Palestinian Authority in October 2024 and 370 missiles were dropped by Iran on the Jewish and Palestinian population of the State of Israel and the adjacent Palestinian Authority on March 27-28, 2026. The Iranians call this “Operation True Promise”.

Not to be outdone, the United States federal government is trying to steal Venezuela and Cuba and has made threats to Greenland.

By this kind of international bad behavior standard, China looks positively benign in not seizing Taiwan, although they have repeatedly threatened to do so.

The conclusion is inescapable: we are at the commencement of World War 3.

What to do about it?

This all happened before. From 1962 through 1975 the United States tried to steal Vietnam and Cambodia, killing more than 3,000,000 Vietnamese and Cambodians and 58,250 American soldiers.

The Congressional response was fierce. In 1973, Congress passed the War Powers Act also known as the War Powers Resolution, 50 U.S. Code Sections 1541-1548.

This law was passed pursuant to Article 1 Section 8 of the United States Constitution concerning the joint power of Congress and the President to enter into wars. Under the War Powers Act, the President must submit within 48 hours of military engagement to the Speaker of the House of Representatives a report setting forth “the circumstances necessitating the introduction of the United States Armed Forces; the Constitutional and legislative authority under which such introduction took place; and the estimated scope or duration of the hostilities or involvement.”

Within 60 days thereafter, the President must terminate the use of the United States Armed Forces unless Congress has actually declared war or extended the 60-day period or is unable to physically meet because of an armed attack upon the United States.

Our current Congress has been silent. It has not invoked the War Powers Act despite the clearly unlawful actions of the President in Venezuela, Cuba and Iran. Certainly, the United States government cannot allow Iran to destroy the Jewish and Palestinian population of the State of Israel and the adjacent Palestinian Authority. However, up until the current administration, this worthy goal was accomplished by military and financial support to the State of Israel and the Palestinian Authority and not by direct United States military intervention. Despite the worthiness of this goal, it must be achieved legally. We are a nation of laws, or at least we should be. As citizens, how do we get Congress to act? Certainly, with the beginnings of World War 3 upon us, Congress must invoke the War Powers Act. “The Constitution is not a suicide pact.” See Justice Robert Jackson’s dissent in *Terminiello v. Chicago*, 337 U.S. 1 (1949).

With the world in its current volatile state, the United States Congress must take charge of this current situation. How can we citizens force the

Congress to act? The “political question doctrine” would seem to outlaw a United States citizen’s suit against his or her local member of Congress for failing to act.

However, I would suggest that organized citizens in every Congressional district should try to file such suits. Members of Congress who refuse to do their duty in supervising the President cannot be allowed to sit on their hands.

Certainly, a political route would be preferable. It would be best to run thoughtful people as proposed members of Congress who will carefully consider the issues of war and peace and whether or not United States military personnel should be sent and under what circumstances and for what purpose. There are 435 Congressional districts and 50 states electing United States Senators. Certainly, some federal judges would agree that the world is in an emergency status and action must be taken. There is not time to wait for the next election. Further, extensive gerrymandering forbids the introduction of candidates who will think clearly enough to understand that World War 3 is upon us. Certainly, the 1973 War Powers Act must be utilized in order to carry out the preamble to the United States Constitution:


“In Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America.”

Without the invocation of the War Powers Act of 1973, the Constitution, the Presidency, and indeed the entire planet is in serious trouble. The US Senate voted against applying the War Powers Act to the current war in Iran on March 4, 2026 by a vote of 53-47. The US House of Representatives followed on March 5, 2026 and voted not to apply the War Powers Act to the current war in Iran by a vote of 219-212. (See Google, War Powers Act 2026.)


They had best revisit this issue sooner rather than later.

To Advertise in the QCBA Bulletin

Please contact Michael Nussbaum at (917) 783-0649, or email: michael@queenspublicmedia.com




QUEENS COUNTY BAR ASSOCIATION
Family Law Committee
PRESIDENT: KRISTEN J. DUBOWSKI BARBA, ESQ.




Annual EQUITABLE DISTRIBUTION Update


Wednesdays, April 15th & 22nd, 2026
5:30 PM - 7:30 PM




Business Valuators & Forensic Accountants


Sponsored by:








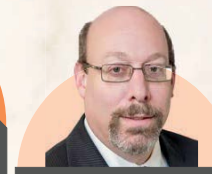
RAVI CATTRY, ESQ.
CO-CHAIR, FAMILY LAW COMMITTEE
MODERATOR



DAVID M. GROSS, ESQ.
GEMELLI GROSS SHAPIRO & MARINO
PRESENTER



MARK I. PLAINE, ESQ.
GEMELLI GROSS SHAPIRO & MARINO
PRESENTER




JOSHUA R. KATZ, ESQ.
CO-CHAIR, FAMILY LAW COMMITTEE
MODERATOR

An analysis of the significant court decisions in matrimonial matters throughout the State of New York.

CLE Credit: 3.0 Total (1.5 in Professional Practice for each session)
Transitional Course - Valid for All Attorneys. Accredited CLE Provider in NYS, 10/2022 - 10/2025
Renewal application submitted; accredited status continues uninterrupted.

QCBA Member - \$25.00 Non-Member - \$75.00
FOR BOTH SESSIONS. VIA ZOOM.

RSVP BY 4/14 TO ENSURE YOU RECEIVE MATERIALS AND THE ZOOM LINK.




[TINYURL.COM/EDU2026APRIL](https://tinyurl.com/EDU2026APRIL)


QUEENS COUNTY BAR ASSOCIATION
LGBTQ+ Committee

VOICES FROM THE SHADOWS


LGBTQ Experiences During the Nazi Era




THURSDAY, APRIL 16, 2026 5:30 PM - 7:00 PM



ERIC MARCUS
Founder and host of the award-winning Making Gay History podcast provides an introduction to MGH's 12-episode series on the experiences of LGBTQ people during the rise of the Nazi regime, World War II, and the Holocaust. Drawing on extensive research conducted for this first-of-its-kind audio documentary, Eric will share clips from archival interviews that bring this painful, often hidden history to life through the voices of the people who lived it.










RICK LANDMAN, ESQ.
Educator, activist, and attorney known for teaching LGBTQ and Holocaust studies through storytelling, walking tours, and his organization, Infotruer Educational Experiences. An early activist who founded a Gay Liberation Front in 1970, he is also an author, former teacher at NYU and New York Law School, and a child of Holocaust Survivors.



HON. MICHAEL H. GOLDMAN
Supervising Judge of Queens Civil Court
Moderator


Program Sponsors & Hosts:

CLE Credit: 1.5 in Diversity, Inclusion and Elimination of Bias
Transitional Course - Valid for All Attorneys. Accredited CLE Provider in NYS. Renewal application submitted; accredited status continues uninterrupted.

NO CHARGE. RSVP BY 4/14 TO RECEIVE MATERIALS AND ZOOM LINK.
[TINYURL.COM/VOICESQCBA26](https://tinyurl.com/voicesqcba26)

Scan to Register



JOHN E. LAWLOR ESQ.

ATTORNEY AT LAW

40 years handling securities litigation / arbitration
Contingent and hourly fee arrangements available:

Free Consultation



516-248-7700

JLawlor@johnelawlor.com

www.johnelawlor.com

55 Jericho Tpke., Ste. 205, Jericho, NY 11753

FLORIDA ATTORNEY

LAW OFFICES OF RANDY C. BOTWINICK
Formerly of Pazer, Epstein, Jaffe & Fein

CONCENTRATING IN PERSONAL INJURY

- Car Accidents
- Slip & Falls
- Maritime
- Wrongful Death

- Defective Products
- Tire & Rollover Cases
- Traumatic Brain Injury
- Construction Accidents

Co-Counsel and Participation Fees Paid



RANDY C. BOTWINICK
34 Years Experience



JAY HALPERN
39 Years Experience

Now associated with Halpern, Santos and Pinkert, we have obtained well over \$100,000,000 in awards for our clients during the last three decades. This combination of attorneys will surely provide the quality representation you seek for your Florida personal injury referrals.

MIAMI
150 Alhambra Circle,
Suite 1100, Coral Gables, FL 33134
P: 305-895-5700 F: 305-445-1169

PALM BEACH
2385 NW Executive Center Drive
Suite 100, Boca Raton, FL 33431
P: 561-995-5001 F: 561-962-2710

Toll Free: 1-877-FLA-ATTY (352-2889)

From Orlando to Miami... From Tampa to the Keys
www.personalinjurylawyer.ws



President's Message

Celebrating Women's History Month

By Kristen J. Dubowski Barba

In honor of the recently concluded Women's History Month, I thought it especially meaningful to recognize the women presidents who came before me. I am proud to serve as the seventh female President of the Queens County Bar Association.

My predecessors include Muriel D. Wanderman (1987–1988), the Association's first woman president; Linda F. Fedrizzi (2003–2004); Chanwoo Lee (2010–2011); Hon. Hilary Gingold (2018); Marie-Eleana First (2019–2020); and Zenith T. Taylor (2024–2025). Each of these remarkable women led with purpose, contributed in meaningful ways, and helped shape the Queens County Bar Association into what it is today.



Muriel D. Wanderman

I have learned a great deal from the paths they forged and the dedication they demonstrated in supporting and advancing our organization.

Muriel D. Wanderman, our first woman president, was truly a pioneer. I had the privilege of speaking with her daughter, Susan, who remains a member of the Queens County Bar Association today. She shared how proud her mother was to serve as president, while also acknowledging the challenges she faced during that time. As one of the early women to attend law school, Ms. Wanderman understood the historic nature of her presidency and the magnitude of her role. While not everyone was supportive, many stood beside her, recognizing the importance of her leadership.

Former Executive Director Arthur Terranova also reflected on Ms. Wanderman's tenure, describing her as a strong and deeply committed leader. She was an active member of the Association, heavily involved in public relations efforts, and played a key role in the monthly Bar Association newsletter, which highlighted the organization's programs and initiatives. He said she was also very involved with the Network of Bar Leaders and one of their first presidents.

Ms. Wanderman was a trailblazer – someone who ensured that the Queens County Bar Association remained visible, relevant, and forward-moving. Her legacy, and the legacies of all the women who followed her, continue to inspire and guide us today.

Discuss ideas and needs or to get involved, contact Kristen at president@qcba.org

Thank You To Our 2026 PLATINUM SPONSORS & CORPORATE PARTNERS



MEET THE JUDGE SERIES

QUEENS COUNTY BAR ASSOCIATION

President: Kristen J. Dubowski Barba, Esq.

Supreme Court Committee



**Join us on
Tuesday, April 21, 2026 at 1:00 pm
for the tenth of this series
featuring**



**Hon. Karen Lin
Associate Justice**

**Appellate Term, 2nd , 11th and 13th Judicial Districts
Justice of the Supreme Court**



Join us for this fireside chat with Justice Lin as we go behind the historic milestone of the first Asian American woman appointed to the Appellate Term, Second Department, serving the 2nd, 11th, and 13th Judicial Districts.

Moderated by:



**Michael Manoussos, Esq.
Co-Chair, Supreme Court Committee**

Via ZOOM

RSVP here:

tinyurl.com/Lin421



QUEENS COUNTY BAR ASSOCIATION

President: Kristen J. Dubowski Barba, Esq.

Family Law Committee Co-Chairs: Joshua R. Katz, Esq. and Ravi Cattray, Esq.



FAMILY COURT LUNCH & LEARN

Held at

Queens County Family Court - CVO
151-20 Jamaica Ave, Jamaica, NY 11432

Wed., April 22, 2026
1:00 pm - 2:00 pm

Beyond BAC —
Alcohol Misuse Cases/Compliance & Tampering



Mike Fonseca –
Soberlink

Course Description:

This course is designed to give Family Law Court Officials specific knowledge on how to manage cases that involves one or both parents being accused of abusing alcohol while parenting child(ren).

Sponsored by:



RSVP - tinyurl.com/Soberlink26

Lunch will be provided by the sponsors for those who RSVP by 4/20. NO CHARGE. Non-CLE.



QUEENS COUNTY
BAR ASSOCIATION

PRESIDENT: KRISTEN J. DUBOWSKI BARBA, ESQ.

LGBTQ+ COMMITTEE



**SPRING SOCIAL
MIXER**

Thursday, April 23, 2026 5:30 pm to 7:30 pm

The Gantry Bar & Kitchen
47-02 Vernon Blvd, LIC, NY 11101

LGBTQ+ Legal Community

— Open to Friends & Allies

Cash bar

Light Hors d'oeuvres
courtesy of LGBTQ+ Committee

Bring your colleagues!

1st drink free for Law
Student Members.

Free - RSVP
tinyurl.com/423mixer



SPONSORED BY:



**Craig L. Moskowitz,
MBA, MS, PE, CME**

Stamford, Connecticut

Additional Location: New Jersey

CLM Engineering Associates, LLC

Toll-free: 866-432-4677 Cell: 917 270 8822

Email: clmprofessionalengineer@gmail.com

Website: www.clmpe.com

**Premises Liability, Construction Defects,
Personal Injury, and Construction Accidents**

Specialty Focus: ADA compliance, OSHA, construction, slips/trips/falls, storm damage, water intrusion, roofing systems, warranty inspections, civil engineering, structural engineering, building collapse, property condition assessment, building codes, forensic engineering, engineering expert

Education: MBA, University of Bridgeport; MS Construction Administration, Columbia University; Certificate in Construction Management, US Army Officer Engineering School, Honorably- Discharged US Army Engineering Officer, BS Civil Engineering, University of Maine

Years of Experience: 20+

Many years of experience working on behalf of the Plaintiff and/or Defense; has testified over 40 times in various venues; has helped to settle over 400 cases.

MATTHEW D. HUNTER III, ESQ.

ALL SURROGATE 'S COURT PROCEEDINGS

Including:

KINSHIP • LITIGATION • PROBATE

Counsel to the Bar

Serving all metro counties

718-309-1660

mdhunter3@gmail.com

71-01 Austin Street, Forest Hills, NY 11375



When “Summary” Is No Longer Summary: Preserving the Integrity of Article 7

BY JILLIAN N. BITTNER
MEMBER, HORING WELIKSON ROSEN & DIGRUGILLIERS PC

Article 7 of New York’s Real Property Actions and Proceedings Law (“RPAPL”) was enacted to provide a simple and expeditious mechanism for resolving disputes over possession of real property. The summary proceeding reflects a deliberate legislative balance: tenants are protected from unlawful eviction, and property owners are provided with a structured and lawful means to recover possession quickly and efficiently when rent is unpaid or a tenancy has ended.

The statutory design is clear. RPAPL Section 732 contemplates prompt calendaring after joinder of issue. Section 745 limits adjournments and requires that delays be attributed to a party. Section 749 directs that a warrant of eviction shall issue “forthwith” upon entry of judgment. These provisions are not aspirational. They are the structural elements that make a summary proceeding “summary” in nature.

In practice, however, those representing landlords have observed increasing departures from these statutory timelines. Initial appearances may be scheduled months after filing. Adjournments are issued without a party’s request or without the statutory attribution required by law. Even after entry of final judgment, the issuance of warrants can be delayed for extended periods. These delays originate with the Court’s unilateral management, rather than the Legislature’s enactments, and erode the efficiency and predictability envisioned by Article 7.

When delays become routine, the statutory balance shifts. Summary proceedings exist

precisely because disputes over possession involve ongoing financial and property interests. The longer a matter remains unresolved, the greater the strain on both the housing provider and the stability of the property itself.

For landlords across the spectrum—including small, family-owned buildings to large institutional portfolios—the consequences of extended delays are significant. Carrying costs such as mortgage payments, property taxes, insurance, utilities, and maintenance continue unabated, even when rent is not collected. Delays in adjudication can stretch for months—or even years—depriving owners of income and possession while remaining responsible for ongoing expenses.

The Housing Stability and Tenant Protection Act of 2019 further heightened the importance of procedural compliance by limiting the availability of interim mandatory use-and-occupancy relief in pending cases. While it is arguable judges still retain discretionary power to require such payments during prolonged litigation the reality is they seldom do. Where statutory interim remedies are constrained, strict adherence to calendaring and enforcement provisions becomes even more essential to maintaining the equilibrium the Legislature designed.

These concerns are not rooted in opposition to tenant protections. Housing Court serves a vital public function, and the pressures on the system are substantial. However, the integrity of any statutory framework depends not only on consistent implementation, but on adherence to

the plain language and intent of the Legislature. When courts treat mandatory provisions as discretionary or depart from the statutory text, predictability diminishes—for litigants, for counsel, and for the system as a whole.

The summary proceeding was crafted to resolve possession disputes efficiently while safeguarding fairness on both sides. When statutory timelines are routinely ignored, the process fails. Prolonged uncertainty does not serve tenants, landlords, or the broader housing system.

For property owners and their counsel, preserving the integrity of Article 7 is not about gaining leverage—it is about requiring courts to follow statutory mandates that have been and continue to be largely ignored. By identifying and challenging departures from statutory timelines, practitioners strive to reinstate the summary nature of the proceeding and promote predictability and fairness in Housing Court.

Jillian N. Bittner is a member of Horing Welikson Rosen & Digrugilliers PC, concentrating her practice on complex administrative law and rent regulation matters. She represents property owners before the New York State Division of Housing and Community Renewal, in Article 78 proceedings, and on appeal, including matters before the Appellate Division and the New York State Court of Appeals. Jillian regularly advises on rent overcharge litigation, regulatory compliance, and due diligence, and frequently lectures and writes on developments in New York rent stabilization laws.



2026 DIRECTORY

2026 Membership Directories were recently mailed out.

Need an extra copy?

Contact Janice Ruiz at 718.291.4500 x222 or jruiz@qcba.org



The Practice Page

PLEADINGS

BY HON. MARK C. DILLON

Serves on the Appellate Division, Second Department

This subject has been contemplated for a column for quite some time. Years, in fact.

Pleadings are both an art and a science. That is true whether we focus on complaints, answers, cross-claims, affirmative defenses, counterclaims, replies to counterclaims, third party complaints and answers, or intervenors. Wow, everyone gets to jump in. The primary purpose of a pleading is notice (CPLR 3013; *Rapoport v Schneider*, 29 NY2d 396, 403).

The priorities of an attorney differ depending on how the client is postured in a litigation. Let's start with complaints. In drafting a complaint, counsel must consider all of the conceivable non-frivolous causes of action applicable to the facts. Once conceived, each cause of action must be spelled out in the complaint. In drawing the specific causes of action, counsel must provide notice of the transactions or occurrences intended to be proven, and address the elements of each separate cause of action (CPLR 3013). For instance, if a claim is for defamation, the complaint should allege each of the relevant elements — the statement, its untruth, its defamatory character or defamation per se when applicable, its publication to a third party, the intent to defame, the knowledge of the defamer that the statement was false, and damages (unless the action involves defamation per se in which damages need not be pleaded and proved) (e.g. *Arsenault v Forquar*, 197 AD2d 554). If the complaint fails to allege a necessary element expressly or by at least by inference (*Johnson ex rel. Freddo v Verona Oil, Inc.*, 36 AD3d 991, 992-93), it is vulnerable to a motion by the defendant to dismiss under CPLR 3211(a)(7) for its failure to state a cause of action (e.g. *Willis v Kepner*, 109 AD2d 950, 951). Why should any plaintiff's attorney take the risk of a dismissal, if information is available for conscientiously alleging facts addressing each necessary element? And if an element cannot be ethically alleged, the cause of action should not be asserted in the first place.

Defense attorneys wear a different hat. The elements of the cause of action should be closely examined to assure that the complaint states a compensable claim. Defense counsel must consider each defense that might be available to those elements — for defamation, for example, truth of the statement, or its lack of publication

to a third person. Each defense should be asserted as a separate affirmative defense per CPLR 3018(b) to preserve its grounds, prevent later surprise to the adverse party, and permit the assertion of those defenses at the trial. Defense attorneys must guard against the failure to assert a viable affirmative defense. That is underscored by CPLR 3211(e), which enumerates various affirmative defenses which are waived if not affirmatively pleaded in the answer (CPLR 3211[e]). Avoid that nightmarish conversation with the client where you might have to say “Yes, you have a great defense, but I failed to allege it as an affirmative defense in your answer two years ago, and we can't raise it now since the trial is this Monday. My bad.”

There is a peculiar difference in how to respond to counterclaims and cross-claims. Counterclaims absolutely require a responsive “Reply” (CPLR 3011), which is an answer by a different title. Cross-claims, by contrast, are “deemed denied” if not answered, unless the cross-claim specifically demands an answer to it (CPLR 3011), in which case the responding party must serve an answer to avoid a pleading default (CPLR 3011; *Giglio v NTIMP*, 86 AD3d 301). Beware of those distinctions. Parties serving cross-claims have no downside to demanding an answer to it, and responding parties are off the hook absent such a demand. But if the demand for an answer is made within the cross-claim, pay attention to it and answer it accordingly.

Be mindful of the need for verifying the pleading. When a pleading is verified, each responsive pleading shall be verified as well, except for the answer of infants or for matters subject to a privilege (CPLR 3020[a]).

Some forms of pleadings require particularity. CPLR 3015 demands particularity for certain matters such as the performance of conditions precedent, corporate status, and the licensure to business with consumers in the counties of Long Island, New York City, Westchester, Rockland, and Putnam Counties (CPLR 3015[a], [b], [c]). Specific types of claims must be pleaded with particularity including but not limited to defamation, fraud or mistake, separation or divorce, the applicability of the law of a foreign country, the existence of a threshold injury in automobile-related personal injury actions, and

the itemization of labor, material and services in claims involving the sale or delivery of goods and services (CPLR 3016[a], [b], [c], [e], [f], and [g]). Pleadings which fail to contain the requisite particularity, where required, are subject to CPLR 3211(a) dismissals.

Punitive damages are not to be pleaded as a free-standing cause of action, but are instead a prayer for relief to be included within the Wherefore clause (*Pisula v Roman Catholic Archdiocese of New York*, 201 AD3d 88, 102).

As for ad damnum clauses, relief shall be demanded absolutely or in the alternative (CPLR 3017[a]). The demand for damages helps assure that the action is within monetary jurisdictional limits of the court of commencement. However, in actions involving personal injury or wrongful death, there shall only be a prayer for general relief (e.g. “money damages”) which is intended to curb exaggerated demands (*Braun v Ahmed*, 127 AD2d 418, 428), unless the answering party requests a supplemental demand requesting the total amount of damages that the claimant seeks (CPLR 3017[c]). There is no downside for answering parties to make such a request, as knowing the specific amount of a demand can help define the seriousness of the action, aid settlement in certain instances, and determine whether an action falls within the scope of the responding party's general and excess insurance coverages. Actions for declaratory judgments should specify the declaration of rights that is requested, along with any further or consequential relief that may be claimed and its nature and extent [CPLR 3017[b)]. On this point, a motion to dismiss a declaratory judgment action presents only the issue of whether a cause of action for declaratory relief is set forth, and not necessarily whether the plaintiff is entitled to a favorable declaration (*Jacobs v Cartalemi*, 156 AD3d 635, 637).

Happy pleading.

Mark C. Dillon is a Justice of the Appellate Division, 2nd Department, an Adjunct Professor of New York Practice at Fordham Law School, and a contributing author of the CPLR Practice Commentaries in McKinney's.

QUEENS COUNTY BAR ASSOCIATION
Women In the Law Committee
Presents the 4th meeting of



Motions & Motherhood

A network for moms who argue in court and negotiate at home.
Real talk, mentorship, and community.

Tuesday, April 28, 2026
1:00pm - 2:00pm

IN-PERSON
QCBA Office:
88-14 Sutphin Blvd., 3rd Fl
Jamaica, NY 11435

Free for QCBA & SAICBA-Q members! Lunch provided.



Must RSVP:
tinyurl.com/DAKatz2026

Special guest speaker:

Hon. Melinda Katz
Queens County District Attorney



Sponsor:



Ravi Cattray, Esq.
Vreeburg & Cattray PLLC

Moderators:



Kristen J. Dubowski Barba, Esq.
QCBA President



Asha Paulose, Esq.
SAICBA-Q President

In Collaboration



cordially invites you to

Law Day

Celebrating the Rule of Law

Attendees will have the opportunity to learn more about Rufus King and his legacy, as well as take part in a unique experience by signing the Constitution.

King Manor Museum

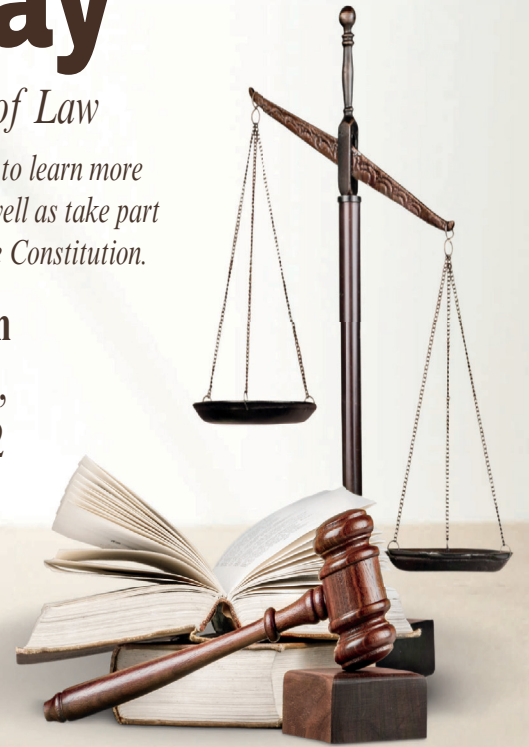
150-03 Jamaica Ave,
Jamaica, NY 11432

May 1, 2026

1:00 pm to 2:00 pm

RSVP HERE

Lunch to be provided



LABOR / EMPLOYMENT LAW FIRM FOR EMPLOYERS

PROTECTING BUSINESS OWNERS SINCE 1979

STEPHEN D. HANS
& ASSOCIATES, P.C.
LABOR & EMPLOYMENT COUNCIL OVER 40 YEARS

- Wage & Hour Lawsuits • NYS/US Department of Labor Audits & Investigation
- Defense of Employee Discrimination Claims • All Federal Courts • EEOC • NYS DHR
- NLRB - Anti-Union Representation • Collective Bargaining
- Compliance Assistance • Forms • Instruction • Analysis
- General Labor/Employment Law Defense Representation

718-275-6700

www.hansassociates.com • 30-30 Northern Blvd. Suite 401. Long Island City NY 11101

Queens County Bar Association's Annual Judiciary Night

MARCH 4, 2026
ST. JOHN'S UNIVERSITY SCHOOL OF LAW

PHOTOS BY WALTER KARLING



Queens County Bar Association's Annual Judiciary Night

MARCH 4, 2026
ST. JOHN'S UNIVERSITY SCHOOL OF LAW

PHOTOS BY WALTER KARLING





Turning Intention Into Action

BY FRANK BRUNO, JR.

Preparing to do the thing isn't doing the thing. Scheduling time to do the thing isn't doing the thing. Scheduling the thing isn't doing the thing. Making a to-do list for the thing isn't doing the thing. Talking about the thing isn't doing the thing. Telling people you're going to do the thing isn't doing the thing. Messaging friends who may or may not be doing the thing isn't doing the thing. Writing a banger tweet about how you're going to do the thing isn't doing the thing. Hating on yourself for not doing the thing isn't doing the thing. Hating on other people who have done the thing isn't doing the thing. Reading about how to do the thing isn't doing the thing. Reading about how other people did the thing isn't doing the thing. Reading this essay isn't doing the thing. **The only thing that is doing the thing...is doing the thing.**

There's an old fable about a villager trying to catch a monkey. He doesn't use force. He doesn't set a net. He doesn't try to chase it. Instead, he hooks a single coconut to the side of his house, drills a small hole in it, and places a few morsels of food inside. Same evening at dusk, the monkey quietly slips into the village. It sees the coconut, smells the food, and slips its open hand into the hole. It feels the food and grabs hold of it excitedly. But when it tries to remove its hand, it can't. The hole is just wide enough for an open palm, but not a clenched fist. The stubborn monkey refuses to let go of the food—and therefore resigns itself to its own fate. The villager's clever trap has worked. The monkey was not trapped by the coconut. It was trapped by what it refused to release. Thinking about this story, it is easy to see the monkey's mistake from the outside. It is much harder to recognize when you are the one with your hand in the coconut.

Football coaches drop pearls of wisdom. Let's sample something from Lou Holtz: practical, down-to-earth, plain and simple advice. "WIN is an acronym for, 'What's important now?'" If you want to win at anything, Lou asks, what sacrifices will you make to get the result? Even easy answers can demand pain and hard work. Adding: "I think it's wrong to be bitter. We all have a reason to be bitter. We've all had injustices done to us by society, by a spouse, by a friend, but you can't go through life being bitter. We're always blaming someone else. Wherever we are it's because of the choices we make." "Setbacks don't define your goals, you do." Lou's path to a professional coaching job

included cleaning blood off hospital operating room floors. He could not get a job as a high school coach at first. Then he was hired at the University of South Carolina and the new athletic director fired him within an hour of their first meeting. "Have you thought about going into a different profession?" the director asked him. Lou persevered.

Lou believed there were four things any person or organization needs to be number one. "First, you have to make a commitment to excellence." When you are interested in doing something, you do it when circumstances permit. However, when you're committed to something, you accept no excuses, only results. Second is complete attention to detail. "It is the teams that pay strict attention to little things that win," said Holtz. Having a fanatical attention to detail must be an obsession. It has to be part of a company's culture or an individual's mindset. You can't just talk about it. You have to practice it every day for years.

The third thing is to have sound fundamentals. "You can't be bored with such basic things as blocking and tackling." Whatever it is you do, you can be better at it if you keep learning and practicing the right concepts. The fourth requirement is discipline. "Virtually nothing is impossible in this world if you put your mind to it and maintain a positive attitude." Most people aim to do right, but they fail to pull the trigger. For whatever reason, they just don't have the wherewithal to finish the job.

Holtz also had a list of four things you need in your life and three rules. Number one from his list, everyone needs something to do. Number two, everyone needs someone to love. Number three, everyone needs someone to believe in. And number four, everyone needs something in their life to hope for.

Rule #1 – Do right. "Just do the right thing," Lou says. "We've all done dumb things and wish we hadn't done them, but you can't go through life with an albatross around your neck saying, 'I made a mistake.' Say you're sorry, make amends and move on." Rule #2 – Do everything to the best of your ability with the time allotted. Lou says: "Not everybody will be an All-American. Not everybody will be first team. Not everybody will be great. But everybody can do the best they can with the time allotted." Rule #3 – Show people you care. Lou was constantly asking people, "How can I help you? How can I assist

you?" And he meant it. He had a deep-down burning desire to help people.

Getting things done generally is turning intention into action. It is about clarity, focus, and momentum. Knowing what matters, breaking it into manageable steps and actually doing the work rather than just thinking about it.

Prioritize – Decide what truly matters and focus on that first. Not everything that feels urgent is important. Break tasks down because big goals can feel overwhelming. Splitting them into smaller, concrete steps makes progress tangible. (The first next smallest step.)

Eliminate friction – Remove distractions, simplify processes and make the next step obvious.

Use systems, not just willpower – Lists, reminders, routines, and accountability help you follow through consistently. (The system is not the doing but it can smooth the path – read Scott Adams or *Atomic Habits*.)

Act, then reflect – Momentum comes from doing. Reflection helps you learn and adjust for the next task. Behavioral Activation is the thing. Do now. Start. Start is the thing.

GTD specifically is a strategy for productivity and book written by David Allen. The Getting Things Done workflow is Capture, Clarify, Organize, Reflect and Engage. A deeper dive is warranted but for brevity here is the shorthand. Capture everything (tasks, ideas); Clarify next actions (actionable); Organize into lists and place on calendar; Reflect on progress; Engage (what to do next) based on context, time, and energy.

Final thought. Thinking about doing the thing isn't the thing. Preparing to do the thing isn't doing the thing. Talking about doing the thing isn't the thing. **Doing the thing is the thing.**

"The secret of getting ahead is getting started." – Mark Twain

"I'm your huckleberry. That's just my game." – Doc Holiday

Frank Bruno, Jr. is Past President of the QCBA, a Member of the Board of Managers, a regular contributor to the Bar Bulletin and a practicing attorney for more than 26 years.

QUEENS COUNTY BAR ASSOCIATION

Appellate Practice Committee & Academy of Law Present

U.S. Supreme Court Admission Program

Join us as we celebrate 150 years of QCBA with a historic Supreme Court swearing-in ceremony.

Thursday, May 20, 2027
Washington, DC

Welcome Reception on Wednesday, May 19
Celebratory Luncheon on Thursday, May 20

**Reception, Luncheon and Discounted Room Block at
AC Hotel Capitol Hill Navy Yard**

REGISTRATION NOW OPEN!

Strictly Limited To 50 QCBA Members
On A First-Come, First-Serve Basis



Part of Our 150th Anniversary Celebration



QUEENS COUNTY BAR ASSOCIATION

Professional Ethics Committee

PRESIDENT: KRISTEN J. DUBOWSKI BARBA, ESQ.



Annual **ETHICS UPDATE** 2026

PART 1 – Wednesday, April 29th

PART 2 – Wednesday, May 6th

5:30 PM – 7:30 PM

Sponsored by:



A REVIEW OF KEY CASES AND ETHICS OPINIONS

This four-credit program covers recent updates on important legal ethics topics, including attorney-client privilege and confidentiality, conflicts of interest, attorney fees and third-party funding, professional misconduct and sanctions, ethics for criminal law practitioners, and the impact of social media on attorneys.

CLE Credit: 4.0 Total Ethics

Transitional Course – Valid for All Attorneys. Accredited CLE Provider in NYS, 10/2022 - 10/2025. Renewal application submitted; accredited status continues uninterrupted.

QCBA Member - \$25.00
Non-Member - \$75.00
FOR BOTH SESSIONS.
VIA ZOOM.



RSVP: [TINYURL.COM/ANNUALETHICS2026](https://tinyurl.com/annualethics2026)

RSVP BY 4/28 TO ENSURE YOU RECEIVE MATERIALS AND THE ZOOM LINK.

**ANDREA E.
BONINA, ESQ.**



**EUGENE
GORMAKH, ESQ.**



**CLIFFORD S.
ROBERT, ESQ.**



**MICHAEL S.
ROSS, ESQ.**



Moderator
**RICHARD M.
GUTIERREZ, ESQ.**





Reflections On Fifty Years Of Law Practice By A Golden Jubilarian

BY JAMES S. KAPLAN

CONTINUED FROM PAGE 1

permanent job at a major firm.

Nevertheless, a firm named Cahill Gordon & Reindel was interviewing for a January graduate. The interviewer, a man named Ciro Gamboni, was a tax lawyer who apparently was up for partner. He asked if I would be willing to work in the firm's tax department and do only tax if I was hired. Uncertain as to whether I would obtain a job in a Wall Street firm, I said I might. Two days later I was called back to the firm for an interview with the firm's tax department. For the next fifty years and certainly to this day, I would be primarily a tax lawyer (although I later branched out into the related area of estates).

Like most Wall Street firms at the time (and I assume even today), Cahill Gordon generally operated on the so called Cravath system, which was established around the turn of the 20th century by Paul Cravath of Cravath Swaine Moore. Under the Cravath System the firm would seek to hire the top law students it could from the top law schools. It would then rotate these lawyers through various departments and over time (usually seven or eight years) select out the candidates it found to be most able and offer them partnerships (which were extremely lucrative). Only few entry level recruits would ultimately become partners. I understand that ultimately only two of my initial class of 22 entry level associates in the class of 1976 at Cahill Gordon actually became partners.

As I now look at it fifty years later, I believe the Cravath System has done irreparable harm to the lawyers, (like myself in my early career) who had the misfortune to encounter it, and to the legal profession in this City in general. Rather than encouraging cooperation among young lawyers, it encouraged brutal competition and a striving for monetary gain that would later infect elements of the legal profession.

Law Practice in Florida and Early-Mid Career - 1979-1985

Having recently gotten married in 1979, it soon became clear to me that the life of Mr. Gamboni or other Cahill Gordon partners was not one which was likely to sustain me for the long term. Through an advertisement my parents, who had recently moved to Florida found in a Florida newspaper, I discovered a recently formed entrepreneurial Miami firm called Arky Freed Stearns Watson & Greer. I was recruited for the firm initially by Bruce

Greer, a Columbia Law graduate who had graduated a year before me. Mr. Greer explained that practicing law in Miami with his firm was likely to be entirely different than at a Wall Street law firm in New York. I found he was right - the law practice was different from New York in that it was much less technical and much more political, and in certain respects more entrepreneurial than in New York. I also found that I was expected to do much more estate planning as the estate lawyers in Florida were primarily tax lawyers. While generally the firm lacked the long hours and competitiveness of a firm like Cahill Gordon in New York, in certain respects it lacked the discipline and strictness of the Wall Street law firm, and its clients were, in certain respects, ethically more questionable.

I then noticed that Stroock & Stroock & Lavan, a major largely Jewish Wall Street firm was opening an office in Miami and applied to the Managing Partner named Dick Savitt. Mr. Savitt was delighted to find a New York-trained lawyer with experience at a prominent local firm and immediately had me sent up to New York to meet the firm's New York tax department, where I was supposed to be trained for 3-4 months to develop an estate and tax practice for the firm in Florida. However, it soon became clear that the tax and estates department in New York had only a passing interest in developing the firm's Florida practice. I thus became a senior tax associate folded into the firm's New York tax department. After a year and a half, I was called into the office of the senior tax partner and informed that I would not ever be returning to the firm's Florida office and it was unlikely I was going to be made a partner in the firm's New York office, but would be given ample time to find another job.

I then, through a head-hunter, found a position at Demov, Morris and Hammerling, a midsize midtown firm that specialized in high end real estate and particularly subsidized housing projects. The firm's existing tax lawyer had allegedly become quite sick, and they needed someone to replace him quickly. Since this replacement would have to have the title of partner to render tax opinions, the prospect of moving from the status of associate to partner had certain attraction. However, it was made clear to me that although I would be a partner in name only and would not attend partner meetings or internally have the status of partner, my salary (\$90,000 a year) would be slightly higher than I was making as an associate at Stroock.

I was apparently successful in rendering tax opinions, but several months after I was there the previous tax partner made a miraculous recovery. Even more significantly, I encountered what I later would view as an occupational hazard in private firms, a merger with a firm of two other tax partners who could attract more business. This placed me in a precarious position since the management of the firm was obviously pushing the new head of the Tax Department to eliminate me, which he reluctantly did.

In the beginning of 1985, at the time I was fired from Demov Morris, I had acquired a new house in New Rochelle and had a young child. However, despite my promising record from Columbia Law School, I had had four legal jobs in ten years and was facing the unappetizing prospect of seeking another position. I even considered whether I might have to abandon the practice of law completely, like my late father who was also a Columbia Law Review graduate, but after the War had to go into the family textile business.

Public Service and Private Profit - 1985-1997

Then, unexpectedly, I would have a lucky break which would set my career on a path that was much more in line with my initial youthful aspirations and would carry me for the next forty years. I heard through a New York City Deputy Finance Commissioner for whom I had been a student summer intern 12 years earlier that the New York City Law Department was looking for a tax lawyer.

Not really expecting anything to come of it, I wrote to the then Corporation Counsel Frederick A. O. Schwarz, Jr., the heir to the famous toy store business and a former partner at Cravath Swaine Moore, temporarily in City service. Mr. Schwarz called me in for an interview and asked why if I was a tax partner at an established law firm, I would want to work for the City. Not particularly wanting to admit that I was about to be fired and had not worked out at three prior law jobs, I mentioned that I had a great interest in City history and in fact gave historical walking tours for organizations like the Municipal Art Society and 92nd Street Y. Apparently intrigued, Mr. Schwartz asked me about my tours and we discussed my interest in City history, particularly my knowledge of the origins of the New York City Board of Estimate, the constitutionality of which he was

CONTINUED ON PAGE 18

Reflections On Fifty Years Of Law Practice By A Golden Jubilarian

BY JAMES S. KAPLAN

CONTINUED FROM PAGE 17

then being litigated before the U.S. Supreme Court. By the end of the interview, we briefly discussed positions for a tax lawyer with the Department, which was probably as head of the Commercial Tax Litigation division, at a salary of \$60,000. I said I hadn't had too much experience with City taxes as I was primarily a federal tax lawyer and that since I was making \$90,000, \$60,000 with a young child might be difficult. He then said that what he really needed, however, would be an experienced federal tax lawyer since the Department, from time to time, faced issues relating to municipal finance and employee benefits. It was left that the Department Managing Attorney Edward Lieberman would get back to me.

A week later Mr. Lieberman suggested that I be hired as a part-time employee (thus bypassing any necessity that I be a consultant) with the title of Consulting Special Tax Counsel with full City medical benefits. I would, however, have the right to engage in the rest of my time in any legal or other activities provided they did not conflict with the City. I was later told this arrangement was very unusual and I was perhaps the only person in the 500-person Law Department as the idea that a lawyer in the Department would engage in outside practice for profit was anathema to recently enacted reforms. For me, however, it proved critical to surviving economically in what would become

the most interesting and exciting position of my career.

Since the New York City Law Department had never had a federal Consulting Special Tax Counsel at first, it was unclear once I started work as to exactly what I was supposed to do. Luckily for me, in 1985, there was a massive federal tax reform (the "Tax Reform Act of 1986"), which directly and adversely affected the City and its people in numerous respects. Having minimal assigned work, I proposed through my division Chief Len Wasserman (who was very supportive) to Corporation Counsel Fritz Schwarz that I undertake a study of the impact of the proposed tax law on the City and its operations. I thus wrote a report indicating the many areas in which the City was likely to be adversely impacted by the Congressional proposals by the then Reagan Department of the Treasury. These included the proposed elimination of a deduction for state and local taxes, limitations on the ability of municipal governments to finance private activities (such as housing) on a tax-exempt basis, limitations on favorable depreciation on proposed City economic development and limitations on municipalities ability to provide their employees with 401(k) plans. I suggested that the City set up an interagency taskforce immediately to deal with these issues and significantly increase its federal tax lobbying efforts. My report was sent by Corporation Counsel Fritz Schwarz to

Mayor Ed Koch, who immediately responded that that the recommendations in my report were to be implemented immediately, naming me by name.

Part 2 will be published in the May/June issue of the Queens Bar Bulletin

James S. Kaplan is one of the City's leading Tax, Estate and Guardianship Lawyers. He has practiced law in Manhattan for nearly 40 years. For 17 years prior to forming Greenberg & Kaplan, Mr. Kaplan was Head of the Tax & Estates Department at the Wall Street law firm Herzfeld & Rubin, P.C., where he had a diversified international practice representing individuals, closely held companies, governments and not for profit entities in tax, estate and employee benefit matters.

He is also a historian who has led over 200 walking tours over the past 25 years, including his annual all-night July 4th Revolutionary Heroes walking tour through Fraunces Tavern Museum. He has written prolifically on numerous figures in American history, with a special interest in "unsung heroes." He was recently awarded the Coin of Excellence by the U.S. Army's Regimental Association for his work in promoting knowledge about General Horatio Gates, the first Adjutant General of the U.S. Army. He is Chairman of the New York Lower Manhattan Historical Association.

Appellate Counsel



NEIL R. FINKSTON, ESQ.

Benefit from a Reliable and Knowledgeable Appellate Specialist

Former Member of Prominent Manhattan Firm Available for Appeals, Motions and Trial Briefs Experienced in Developing Litigation Strategies

Free Initial Consultation / Reasonable Rates

**Law Office of Neil R. Finkston
8 Bond St., Suite 401, Great Neck, NY 11021
516-441-5230
FinkstonLaw.com • Neil@FinkstonLaw.com**



Introspect Investigations USA, Inc.

NYS DOS LIC #11000066161 - Est. 1998

Full Service Agency Specializing in:

- Asset Investigations
- Background, Due Diligence & KYC Investigations
- Employment & Tenant Screening
- Estate & Probate Investigations
- Locating Heirs & Witnesses
- NAIC & NYS DOFS Backgrounds
- Public Record Searches/Retrievals

Contact us @

PH: **1-800-847-7177**, email requests@introspectusa.com

visit us @ www.introspectusa.com

752A Hempstead Tpk, Suite 205, Franklin Square,
(Nassau County) NY 11010

Thomas J. Rossi
 Attorney-at-Law
Dispute Resolution Services

Mediation & Arbitration for the Business, Real Estate & Insurance Communities

-30-Year Member of the Panel of Commercial & Construction Mediators & Arbitrators of the American Arbitration Association

-Fellow of the Chartered Institute of Arbitrators

-Member - National Academy of Distinguished Neutrals

-Adjunct Professor of Law, St. John's University School of Law

Mediated more than 350 complex matters involving Commercial & Business, Construction & Design, Real Estate, Corporate Dissolutions, Employment, Partnership Disputes, Professional Malpractice, Insurance, Property Damage, Contested Estate Matters, International Sales, Intra-Family Disputes

Served as chairperson of arbitration panels or sole arbitrator in more than 250 complex proceedings

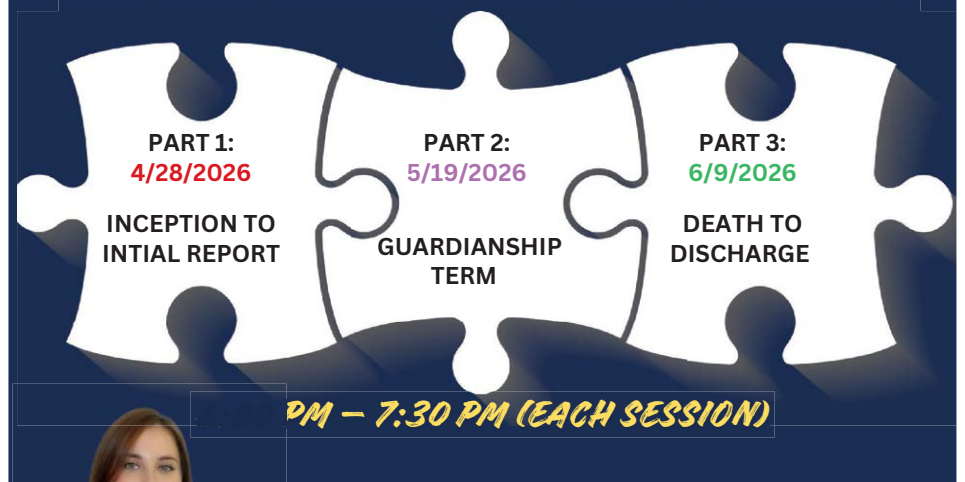
Thomas J. Rossi, Esq.
trossi@rsklaw.com
 42-24 235 Street
 Douglaston, New York 11363
 (O) 718-428-9180 ext. 13
 (M) 917-971-0836



QUEENS COUNTY BAR ASSOCIATION
 Elder Law Committee
 PRESIDENT: KRISTEN J. DUBOWSKI BARBA, ESQ.



GUARDIANSHIP: 3-PART CLE SERIES



Presenter:
NICOLE L. BRUSZEWSKI, ESQ.
Court Attorney - Referee
Guardianship
 Supreme Court, Queens County

SPONSORED BY:



Form templates will be provided.
 Q&A session will follow each part.

CLE Credit: 1.5 in Professional Practice for each session

Transitional Course - Valid for All Attorneys. Accredited CLE Provider in NYS. Renewal application submitted; accredited status continues uninterrupted.

Moderators:

Brian R. Heitner, Esq., *Chair*, Elder Law Committee & Deidre M. Baker, Esq., *Vice-Chair*, Elder Law Committee

QCBA Member - \$0.00 Non-Member - \$105.00

RSVP BY 4/27 TO ENSURE YOU RECEIVE MATERIALS AND THE ZOOM LINK.

tinyurl.com/Guardianship3



Duffy & Posillico Agency, Inc.
Fast & EZ

BONDS * BONDS * BONDS * BONDS * BONDS

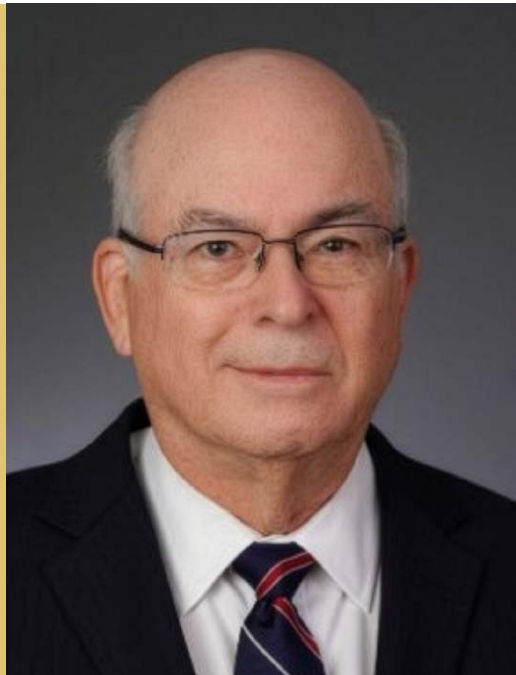
- Administration
- Appeals
- Executor
- Guardianship
- Injunction
- Conservator
- Lost Instrument
- Stay
- Mechanics Lien

Plaintiff & Defendants Bonds Serving Attorneys Since 1975
Complete Bonding Facilities
IMMEDIATE SERVICE!

1-800-841-8879 • www.duffybonds.com

1 Birchwood Court Mineola, NY 11501
(Across from Nassau County Courts)

Celebrating The 2026 Golden Jubilarians



Robert Bishop

Robert Bishop is a Partner at Pitta LLP and a member of its affiliated consulting firm, Pitta Bishop & Del Giorno LLC. He manages the firms' Albany offices and represents the firm's clients in connection with all legislative, administrative agency and government relations matters before the New York State Legislature, Attorney General's Office, New York State Comptroller, Governor's Office and all other executive agencies, as well as the executive and legislative branches of New York City government.

Mr. Bishop began his legal profession as an attorney for the Legal Aid Society of Suffolk County and later served as assistant legislative representative of the Mayor of the City of New York. Prior to joining Pitta LLP as one of the original partners, he served of counsel to Pryor Cashman Sherman & Flynn LLP and Herrick Feinstein LLP. He previously served as partner at Gibney, Anthony & Flaherty LLP and Shea & Gould.

Mr. Bishop is a member of the Bar of the State of New York and is admitted to practice before the Supreme Court of the United States as well as the U.S. District Courts for the Southern and Eastern Districts of New York. He is a member of the American Bar Association, the Federal Bar Council and the Queens County Bar Association. He serves on the Board of the Queens County Farm Museum and the Flushing YMCA.



James S. Kaplan

James S. Kaplan founded the boutique law firm of Greenberg & Kaplan LLP on July 1, 2014, specializing in estates, tax and guardianships. The firm represents primarily individuals who need legal services in these areas but it is willing to take on clients who it deems have a meritorious case but may not be able to afford significant up-front fees. For 17 years, prior to forming Greenberg & Kaplan, Mr. Kaplan was head of the Tax & Estates Department at the firm Herzfeld & Rubin, P.C., where he had a diversified international practice representing individuals, closely held companies, governments and not for profit entities in tax, estate and employee benefit matters. He also has had various appointments as a guardian ad litem from the Surrogates of Brooklyn, the Bronx, Westchester, and Manhattan.

In the tax area, he has structured the acquisition of a number of major properties in Manhattan and Brooklyn for foreign clients; represented clients in controversies with the IRS; and sought rulings on significant international transactions and obtained exemptions for not-for-profit organizations under Section 501c(3). In addition, he has represented the City of New York and the New York City Deferred Compensation Plans in various tax and employee benefit matters. In this connection, he was instrumental in obtaining the initial rulings permitting New York City employees to contribute to a Section 401(k) plan, and in negotiating on behalf of the New York City Pension systems, two Closing agreements with the IRS dealing with difficult tax issues affecting the City pension plans.

Mr. Kaplan was Consulting Special Tax Counsel

to the New York City Law Department (1985-1997), a part-time position in which he was, effectively, the City's chief in-house tax counsel on federal matters. His duties included advising on more than \$20 billion of real estate projects in which the City was involved and \$30 billion of municipal financing and directing the City's lobbying on the 1986 Tax Act (in which he obtained more than \$2 billion of transition rules). He also was the chief advisor on federal tax matters to the New York City payroll systems and was responsible for originating and filing claims for refunds of Social Security taxes that recovered more than \$750 million to the City and its employees. Simultaneously, in this period, he was counsel to various small law firms Ashinoff, Ross, & Goldman, (1985-1990); Siller Wilk (1990-1993); Spector, Scher, & Feldman (1993-1996) and his own firm Gordon & Kaplan (1996-1997). As counsel to these firms, he structured a number of major corporate acquisitions, including the purchase by Bond Corporation (then Australia's largest corporation) of G. Heilman Brewing Company, St. Joe Gold Corporation, and Pittsburg Brewing Company. Prior to 1985, he was a tax partner at the firm Demov, Morris, & Hammerling and before that a tax associate at Stroock, Stroock & Lavan; and Cahill Gordon & Reindel. He also for a year and a half in the early 1980's practiced law in Miami, Florida as a tax and estate associate at a Miami law firm.

Mr. Kaplan is a member of the Bar in New York, New Jersey, and Florida. He is a cum laude graduate of Yale College (1971), has a J.D. from Columbia Law School (1974), where he was on the Law Review, and an LLM in taxation from New York University (1979).

He is also an active writer, walking our historian and historical activist who has written more than 25 articles on various lesser known New York City figures such as General Horatio Gates, Marinus Willet, Gershom Mendes Seixas, John C. Fremont, Frances Perkins and Tammany Hall.

Recently, in November 2024 he was a co-founder of the New York Coalition to Save the SS United States, which is fighting a last ditch effort to prevent one of America's greatest and historic ocean liners from being sunk by Okaloosa and several other Florida Panhandle counties as an artificial reef to build their scuba diving tourism.

Although he is sometimes asked about retirement, he has no plans to do so. He hopes to continue to build his boutique law firm so that it can continue to serve worthy clients and to continue his civic historical activities in the future.

CONTINUED ON PAGE 21

Celebrating The 2026 Golden Jubilarians

CONTINUED FROM PAGE 20



Ira H. Margulis

Hon. Ira H. Margulis has been a judge in Queens County since 2004, first appointed to the New York City Civil Court sitting in Criminal Court and then as an elected Justice of the Supreme Court, Criminal Term since 2012, other than for a short period in 2021 when all judicial certifications were denied due to budget constraints during Covid. Prior to his time on the bench, he had a long career in public service, beginning in the Queens County District Attorney's Office from 1975-1981, then as a Principal Law Secretary to Supreme Court Justices in both the civil and criminal terms through 1995, and then in the New York City and State Comptroller's offices from 1995-2003.

Justice Margulis earned his undergraduate degree from Queens College, City University of New York and his J.D. from Hofstra Law School in 1975. He was admitted to the New York State Bar in 1976 and the United States District Court for the Southern and Eastern Districts of New York in April 1979. Justice Margulis is a member of and CLE presenter for both the New York State Bar Association and the Queens County Bar Association, and an member of the Brandeis Association and the Hollis Hills Jewish Center.



Martin E. Ritholtz

The Honorable Martin E. Ritholtz is a retired Justice of the Supreme Court of the State of New York. Justice Ritholtz received his B.A. from Columbia College in 1968, and his LL.B. from Hebrew University of Jerusalem Law School in 1974.

In Israel, he pursued his Rabbinical studies at Yeshivat Kerem B'Yavneh in 1963-64, and at Ponevez Yeshiva in 1969-70. In 1970, he was ordained by Rabbi Moses Feinstein, Dean of Mesivta Tifereth Jerusalem.

He was admitted to the Israeli Bar in February 1975. At the Justice Ministry in Jerusalem, he clerked for the Honorable Meir Gabay, who served simultaneously as the Commissioner of Patents, Trademarks, and Industrial Designs, and as the Deputy Attorney General of the State of Israel. Thereafter, he clerked in Tel Aviv at the law offices of S. Horowitz & Co., which specializes in commercial litigation.

In October 1976, Justice Ritholtz was admitted to the New York State Bar and was affiliated with the law firm of Ritholtz & Ritholtz, as a private practitioner, until June 1978, when he joined the court system as a law clerk. He served in Queens County Civil Court until 1980 and continued his service as law clerk to four justices in Queens County Supreme Court until his election as Judge of the Civil Court of the City of New York in 1995.

In February 2000, he was appointed as an Acting Supreme Court Justice, and in 2001 he was elected as Justice of the Supreme Court. During his tenure, Justice Ritholtz presided over the Centralized Compliance Settlement and

Conference Part in the 11th Judicial District, where he dealt with contentious and complex ESI and other discovery issues. While maintaining an active trial part, he also served as a Commercial Division Justice for the 11th Judicial District until his retirement from the bench at the end of December 2016. In January 2017, Justice Ritholtz joined Shibolet LLP as Special Counsel, handling complex commercial litigation matters on behalf of the firm, until its merger with Smith, Gambrell & Russel LLP in January 2020. Presently, Justice Ritholtz serves, inter alia, as an arbitrator and mediator at Resolute Systems, LLC and at Claims Resolution Services, Inc.

Justice Ritholtz lectured as an Adjunct Professor of Law at Touro College, School of

Law, from 1984 to 1988. He served as Editor of the Queens Bar Bulletin, the official publication of the Queens County Bar Association, from 1985 to 1987 and from 1985 to 1999, he chaired QCBA's Continuing Legal Education Committee. From 1999 to December 2016, he served as Dean of the Academy of Law.

In 1986, Justice Ritholtz served as President of the Brandeis Bar Association of Queens County. In April 1999, he was the recipient of the William Goodstein Memorial Award, presented by the Association of Law Secretaries of New York City for distinguished service to the judiciary. From 1986 to date, Justice Ritholtz has served as a member of the Columbia College Alumni Representative Committee.

Justice Ritholtz is a frequent lecturer at many bar associations, lecturing on such subjects as "Effective Legal Writing", "Depositions-A View From the Bench", and an "E-Discovery Primer". In 2017, Justice Ritholtz, as an Adjunct Professor at the Bar Ilan University Faculty of Law, delivered a course on the "Introduction to United States Constitutional Law".

Among his publications, in 2015 he authored a chapter in the treatise, *Commercial Litigation in New York State Courts*, entitled "Techniques for Expediting and Streamlining Litigation", chap. 65, pp. 1181 – 1287 (4th ed. Robert L. Haig Ed.). In 2022, he updated the chapter in the 5th edition, chap. 73, pp. 943-1069. He co-authored an article which appeared in the *New York Law Journal* on April 30, 2018, p.4, col.1: "Serving Process by Mail on Defendants Pursuant to Hague Service Convention". In Summer, 2019, he wrote a book review, *Jewish Justices of the Supreme Court: From Brandeis to Kagan*, *Justice Magazine*, International Association of Jewish Lawyers and Jurists, at 39.

Justice Ritholtz and his wife Anne are blessed with five children and 19 grandchildren.

QUEENS COUNTY BAR ASSOCIATION

149th Annual Dinner

**INSTALLATION OF THE 2026-2027 OFFICERS & MANAGERS
AND PRESENTATION OF THE 2026 LAW SCHOOL SCHOLARSHIPS**

at

Terrace on the Park • Flushing, NY

Thursday, May 14, 2026

Officers and Managers to be Installed:

Joshua R. Katz

Joel Serrano

Hamid M. Siddiqui

A. Camila Popin

Ruben Davidoff

President

President-Elect

Vice President

Treasurer

Secretary

Class of 2027

Michael D. Abneri

Janet L. Brown

Beverly George

Sydney A. Spinner

Jasmine I. Valle-Bueno

Class of 2028

Maria V. de la Cruz

Etan Hakimi

Isiris I. Isaac

Tammi D. Pere

Zenith T. Taylor

Class of 2029

Desiree M. Claudio

Kristen J. Dubowski Barba

Lucie M. Graffeo

Estelle J. Roond

Michael Serres

Installing Officer:

**Hon. Hilary Gingold, Surrogate
New York County Surrogate's Court**

Cocktails: 5:30 pm • Dinner & Program: 7:00 pm

Early Registrations: \$170 per person, \$1,500 per table of 10, through May 3
\$75 per person for Law Student members, through May 3

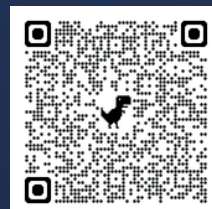
Registrations: \$195 per person, \$1,750 per table of 10, May 4-May 12

Late Registrations: \$225 per person, May 13-May 14, including at the door

Kosher meals available if registered by May 12 (\$30 additional)



tinyurl.com/QCBAannualdinner26



QUEENS COUNTY BAR ASSOCIATION

Sponsorships

DIAMOND Limit of 1

\$8,500

- first ad in digital journal - full page
- table of 12 in premium location near dais
- acknowledgement in all marketing and press releases
- 4 email messages to QCBA members between May 2026 and April 2027
- Up to \$2,000 in sponsorship credit for any 2026-27 CLE program(s)
- one marketing table at the dinner
- company logo on signage and table flyers at the dinner
- recognition from the podium

RUBY

Limit of 2

\$6,250

- full page ad in first 10 pages in digital dinner journal
- 8 tickets at table in premium location near dais
- acknowledgement in all marketing and press releases
- 3 email messages to QCBA members between May 2026 and April 2027
- Up to \$1,000 in sponsorship credit for any 2026-27 CLE program(s)
- one marketing table at the dinner
- company logo on signage and table flyers at the dinner
- recognition from the podium

EMERALD Limit of 4

\$5,200

- includes Gold page full page ad
- 6 tickets at a table near the dais
- acknowledgement in all marketing and press releases
- 2 email messages to QCBA members between May 2026 and April 2027
- one marketing table at the dinner
- company logo on signage and flyers at the dinner
- recognition from the podium

SAPPHIRE

\$4,000

- includes Silver page full page ad
- 4 tickets at a table near the dais
- acknowledgement in all marketing and press releases
- 1 email messages to QCBA members between May 2026 and April 2027
- company logo on signage and flyers at the dinner
- recognition from the podium

GOLD

\$3,000

- includes full page ad
- 3 tickets to the dinner
- acknowledgement in all marketing and press releases
- company logo on signage and flyers at the dinner
- recognition from the podium

SILVER

\$2,500

- includes full page ad
- 2 tickets to the dinner
- acknowledgement in all marketing and press releases
- listed on signage and table flyers
- recognition from the podium

BRONZE

\$1,500

- includes half page ad
- 2 tickets to the dinner
- acknowledgement in all marketing and press releases
- listed on signage and table flyers
- recognition from the podium

SPONSOR

\$1,000

- includes quarter page ad
- 1 ticket to the dinner
- acknowledgement in all marketing and press releases
- listed on signage and table flyers
- recognition from the podium

Digital Journal Ads

• Gold Page	7.375" x 9.875"	\$1,250	• Silver Page	7.375" x 9.875"	\$1,000
• Full Page	7.375" x 9.875"	\$775	• Half Page	7.375" x 4.75"	\$550
• Quarter Page	3.50" x 4.75"	\$375	• Business Card	3.50" x 2.00"	\$225

All journal ad measurements are listed as width x height and represent the display area for your ad. Ads should be submitted as a high resolution PDF file and may be in full color or black and white. Ads requiring simple typesetting can be prepared at no charge. Ads requiring original design will be quoted on request at a rate of \$75 per hour.



ABRAMS LAW GROUP

X ABRAMSLAWGROU PPC

Instagram ABRAMSLAWGROU PPC



ATTORNEY AT LAW

MELANIE ABRAMS, ESQ.

RECOVERED MILLIONS FOR OUR CLIENTS.

718-997-9797

LET'S FIGHT TOGETHER FOR YOUR JUSTICE

CONTACT US

718-997-9797

ABRAMSLAWGROUPNY.COM

HTTPS://G.CO/KGS/IC36XA

ABRAMSLAWGROU PPC

ABRAMSLAWGROU PPC

OUR SERVICES

PERSONAL INJURY MATTERS

- CAR ACCIDENTS
- TRUCK ACCIDENTS
- UBER / LYFT ACCIDENTS
- TRIP / FALL ACCIDENTS

IMMIGRATION MATTERS

- FAMILY PETITIONS
- ADJUSTMENT OF STATUS
- VAWA PETITIONS
- DEPORTATIONS
- ASYLUM APPLICATIONS

104-70 QUEENS BOULEVARD, SUITE 403, FOREST HILLS, NY 11375
20 W LINCOLN AVENUE, SUITE 207, VALLEY STREAM, NY 11580