

C

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF BRONX, PART: IAS-22

Chaifetz, Lawrence et al Plaintiff(s),
-against-

Index No. 20844/2018E

Hon. MARISSA SOTO
Justice Supreme Court

Weinreb Management LLC et al
Defendant(s),
-----X


The following papers NYSCEF Doc No. 246 . Read on this motion, (Seq. No. 5+6)
Noticed on _____ and duly submitted as NYSCEF Doc. No. _____.

	NYSCEF Doc. No.
Notice of Motion - Order to Show Cause - Exhibits and Affidavits Annexed	246-263, 266-284.
Answering Affidavit and Exhibits	
Replying Affidavit and Exhibits	
Other	264-265

Upon the foregoing papers, it is ordered that this motion is hereby decided in accordance to the annexed decision and order.

This constitutes the order of the Court.

Dated: 4/7/2025

Hon. 
MARISSA SOTO, J.S.C.

- 1. CHECK ONE.....
- 2. MOTION IS.....
- 3. CHECK IF APPROPRIATE.....

- CASE DISPOSED IN ITS ENTIRETY CASE STILL ACTIVE
- GRANTED DENIED GRANTED IN PART OTHER
- SETTLE ORDER SUBMIT ORDER SCHEDULE APPEARANCE
- FIDUCIARY APPOINTMENT REFEREE APPOINTMENT
- NEXT APPEARANCE DATE: _____

Motion is Respectfully Referred to Justice:
Dated: _____

C

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

Index No.: 20844/2018E

LAWRENCE CHAIFETZ, JUAN ROSADO,
KIDDY MORALES, ROBBAN TOLENO,
ASATO IKEDA, CALPURNYIA ROBERTS
and KEVIN ROBERTS, on behalf of
themselves and all others similarly situated,

ORDER

Plaintiffs,

-v-

WEINREB MANAGEMENT LLC, 3660
OXFORD AVENUE ASSOCS. LLC, and 3950
BLACKSTONE ASSOCIATES LLC

Defendants.

WHEREAS, by Notice of Motion dated January 5, 2024, Plaintiffs moved this Court for class certification (Mot. Seq. No. 5); *and motion seq. 6.*

WHEREAS, the parties desire to attempt to resolve Plaintiffs' motion without resort to any further motion practice;

NOW, IT IS HEREBY STIPULATED AND AGREED by and among the above-captioned Plaintiffs and Defendants through their undersigned attorneys as follows:

- 1. Plaintiffs' motion is granted.
- 2. The certified class is defined as:

All tenants at 3660 Oxford and/or 3950 Blackstone living, or who had lived, in apartments that were deregulated during the period when J-51 tax benefits were being received by owner of the 3660 Oxford and/or 3950 Blackstone, except that the class shall not include (i) any tenants who vacated such apartment prior to

C

January 23, 2014 and (ii) tenants whose occupancy in any such apartment commenced after such J-51 benefits to the Buildings ended.

3. The Sub-Class shall be defined as “all class members who are current tenants of the Building, whose tenancies in the Buildings commenced during the period when J-51 benefits were being received by the owner of the Buildings, and are still in occupancy.

4. Newman Ferrara LLP (“Lead Counsel”) is appointed lead counsel for the class.

5. Lawrence Chaifetz is appointed lead plaintiff and class representative.

6. The Class Action Notice (the “Notice”) attached hereto as Exhibit A is approved for distribution.

7. Within sixty (60) days of this stipulation being “so-ordered” by the Court, Defendant will provide Lead Counsel, to the extent same is available, with the names, last known addresses, and last known email addresses of the class members.

8. Lead Counsel shall distribute the Notice, along with a Spanish translation of the class notice, via U.S. Mail and, to the extent possible, via email.

9. Lead Counsel shall advance the costs for mailing the Notice, reserving its right to seek recoupment of such costs should this litigation resolve in settlement or a judgment in Plaintiffs’ favor.

10. This stipulation may be executed in counterparts and signatures transmitted by email, facsimile or other electronic means shall be deemed original for the purposes hereof.

C

Dated: New York, NY
February 29, 2024

NEWMAN FERRARA LLP

Attorneys for Plaintiffs
1250 Broadway, 27th Floor
New York, NY 10001
212-619-5400

**KUCKER MARINO
WINIARSKY & BITTENS, LLP**

Attorneys for Defendants
737 Third Avenue
New York, NY 10017
212-869-5030

By: Roger Sachar
Roger A. Sachar, Esq.

By: Nativ Winiarsky
Nativ Winiarsky, Esq.

SO ORDERED: [Signature], J.S.C.

Date: 4/4/2025