Federal government issues eviction ban for most at-risk tenants

By David Brand
Queens Daily Eagle

The Centers for Disease Control and Prevention issued a ban on most residential evictions Tuesday through the end of 2020.

The directive is aimed at “mitigating the spread of COVID-19 within congregate or shared living settings, or through unsheltered homelessness” as well as “mitigating the further spread of COVID-19” nationwide. The order prohibits landlords from evicting most low- and middle-income tenants who earn less than $198,000 when filing jointly or less than $99,000 for a single filer.

Qualifying tenants must also demonstrate that they have sought government assistance to pay their rent, prove they can not pay rent because of the impact of COVID-19 and show they will become homeless if evicted.

Continued on page 2

Lace ‘em up. Queens gyms are back in business

By David Brand
Queens Daily Eagle

Masked gym-goers plug into squat racks and benches across New York City Wednesday as gyms opened for the first time since mid-March.

Fitness centers across Queens have instituted several new protocols to prevent the spread of COVID-19. For starters, every customer has to wear a mask and keep it on during their workout.

Gyms are also preventing members from getting too close to one another.

“There’s social distancing on the equipment,” said one gym customer.

Every other machine is operable,” said James Innocent, the chief operating officer of Planet Fitness Supreme, a franchise that operates 45 Planet Fitness sites in New York City. “They are at least 6 to 7 feet from the next person to make people feel a lot more comfortable.’’

Continued on page 13
Federal government issues eviction ban for most-at-risk tenants

Continued from page 1

The measure comes as states and municipalities across the country implement various moratoriums of their own. An eviction moratorium in New York is set to expire Oct. 11 for tenants whose cases were adjudicated prior to the state’s March 17 shutdown.

State and local courts would still be called on to rule on disputes between tenants and landowners over whether the moratorium applies to their specific case, the Associated Press reported.

Legal Aid Staff Attorney Ellen Davidson called the order “shocking but also a welcome surprise.”

“It is, however, disappointing to see that the Federal Government is willing to do more for tenants than Governor Andrew Cuomo and other Albany lawmakers,” Davidson said.

She and other tenant advocates have called on state lawmakers to return to Albany to vote on a concrete moratorium that will last for the duration of the COVID-19 crisis.

Davidson noted that the federal moratorium will not cover tenants in unregulated apartments where landlords can simply refuse to renew a lease.

Landlord groups say the eviction suspension does nothing to address the financial needs of tenants and property owners.

“Not only does an eviction moratorium not address renters’ real financial needs, a protract- ed eviction moratorium does nothing to address the financial pressures and obligations of rental property owners,” National Multifamily Housing Council President Doug Bibby told Law360.

Ozone Park high school teacher vies for City Council seat

By David Brand

Queens Daily Eagle

An Ozone Park tenth grade teacher running for City Council in Queens’ District 32 says her diverse classroom experiences set her apart from a growing field, and empower her to help shape education policy for more than 1 million public school students.

Felicia Singh, a teacher at a public charter school in Brooklyn, has followed a non-traditional path in education, both as a student and an instructor. She taught in China as a member of the Peace Corps and on Long Island before returning to New York City. She attended vocational school in Jamaica, and chose to attend college rather than start her career in commercial arts, the field she focused on as a teen.

“I’m visualizing what our schooling could look like based on my experiences,” Singh said.

“There is a huge education disparity. We don’t even see budget justice. So how do we close opportunity gaps?”

She has proposed establishing a college and career readiness team at every high school in New York City. She also wants to expand civ- ic engagement courses and ensure teachers and staff undergo training in “trauma responsive education” and professional development “to build anti-racist curriculums.”

Singh’s father emigrated from Punjab, India, and has worked as a yellow cab driver since the 1980s. Her mother moved to Queens from Guyana and serves as a school bus matron for children with special needs.

She said growing up as the daughter of working class immigrants revealed the disparities in college and career readiness among New York- ers.

“I was the first person in my family to go to college, but I didn’t know about interest rates, the FAFSA, SATs. These are things I needed to figure out on my own,” she said. “I didn’t know I could have a fee waiver, that some school districts offered free SAT prep.”

Singh has long been active in the community, serving as vice president of Our Neighbors Civic Association in Ozone Park and a member of the Queens County Democratic Committee.

High school teacher and activist Felicia Singh says she has also worked with AmplifyHER, an organization that helps elect women to political office.

Though her politics are progressive, Singh said she sees a clear opportunity to capture a Council seat held for the 11 years by Eric Ul- rich, a term-limited councilmember and the only Republican city official or state elected official in Queens.

So far, four other candidates are also running for the open District 32 seat. Sheleighleigh Severi- no, Ruben Cruz, Kaled A jamare and Michael Scal have each announced their candidacy or filed with the Board of Elections.

Singh said she plans to appeal to the district’s South Asian and Latino residents who typically vote Democrat while also making inroads among the more conservative, predominantly white voters of Howard Beach and Broad Channel.

She has already begun that work through her role in the civic association, she said.

“When I was sitting on the e-board, I was working with communities across lines of di- ference, especially political affiliation, and I had to meet people where they are and they had to meet me where I was,” she said.

“I can go to Howard Beach and talk to moderate Democrats about education,” she said.

Ranked Choice Voting in the 2021 election will allow voters to list their second- and third-choice candidates as well, she noted.

“This is going to be monumental in several ways. We have more women run than we ever had historically and we can change the entire dynamic of city council to make it more left leaning and centering budget justice,” she said.

Singh said her educational priorities depend on shifting money from some city agencies, including the NYPD. She said she would not have voted for the most recent city budget because of the failure to adequately fund social services.

“There’s a dire need for social services, homeless services, youth and development and our education system, and that means al- locating money from law enforcement,” she said.

The $5 billion dollars to law enforcement needs to be reduced, but the biggest misconcep- tion was that “defunding of the NYPD” was a zero dollar investment in law enforcement,” she continued.

“Instead she called on the city council to examine how money is spent by the police and every agency to identify unnecessary expenses.”

“Do we need $33.7 million for locker room renovations? she said. “Do you know what that could have been used for? Opening a college and career center in every high school building in South Queens.}

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QUEENS LAW

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MANAGING EDITOR

David Brand

QUEENS LAW


QUEENS LAW


Leo Goldberg, senior policy and research manager for the Center for New York Neighborhoods, which promotes and protects affordable homeownership, said that building owners on the list need to act fast on Thursday to prevent their liens from being sold on Friday.

“It helps to work with an advocate,” he said. The center operates a hotline that can be reached at 646-786-0888. Alternatively, building owners can reach out to the Department of Finance directly. To do so, Goldberg recommends calling the Office of the Taxpayer Advocate at DOF, at 212-312-1800, or emailing them at doftaxpayeradvocate@finance.nyc.gov.

Other officials at the rally included State Sen. Leroy Comrie (D-Jamaica-St. Albans), Assemblymember David Weprin (D-Richmond Hill), Queens Borough President Sharon Lee, State Sen. John Liu (D-Bayside-College Point) and Councilmember Carlos Menchaca (D-Sunset Park-Red Hook).

More information can be found at: https://www1.nyc.gov/site/fiinance/taxes/property-lien-sales.page

**By Mary Frost**

Brooklyn Daily Eagle

It’s urgent that the city delay or cancel altogether this Friday’s planned water and tax lien sale, New York Attorney General Letitia James said on Wednesday. If Mayor Bill de Blasio won’t act in time, she will ask Gov. Andrew Cuomo to “step in and stop this madness.”

In the middle of a pandemic and with massive unemployment, thousands of New Yorkers could lose their homes in a city procedure James called flawed and heartless. James was joined by Public Advocate Jumaane Williams and other officials at a rally in front of the city’s Department of Finance.

Roughly 9,000 properties are on the lien sale list, but the list “is rife with errors,” James said. About 4,700 of the buildings on the list are small one- to three-family homes, in neighborhoods already reeling. The majority are in communities of color, including Bushwick, Bedford-Stuyvesant, Jamaica and Richmond Hill. But buildings in Downtown Brooklyn, Red Hook, Brooklyn Heights, Cobble Hill and other neighborhoods are also on the list.

If homeowners do not enter into a payment agreement with the debt collector that bought their lien, they risk having their property seized. Meanwhile, fees and compounding daily interest rates mount. The 9 percent or 18 percent interest rate “Compounds daily. Daily. Daily!” James said. “Decades of building up equity could be wiped out in one shot.”

That rate “sounds like usury,” said Public Advocate Jumaane Williams. “Some of our home owners right now just need a little help. The mayor is exacerbating the problems that already exist.” Whatever money the city collects from the lien sale will not match the problems that will cause the community, he said.

“De Blasio, if you don’t change this, you’re permanently deciding to make this pandemic worse,” Williams said.

Councilmember Robert Cornegy said that Bedford-Stuyvesant normally has the tools to help those behind on their taxes or water bills make payment arrangements. But because of the pandemic, this outreach wasn’t available this year.

“Our help nights usually bring out hundreds, and they make payment arrangements. Good sense would say move the date,” he said.

The city says that homeowners are given four notices — at 90, 60, 30 and 10 days. But mail service during the pandemic has been noticeably spotty in many neighborhoods, and some owners may not even be in the city.

Brooklyn has 3,891 homes on the lien sale list. In the Crown Heights Zip code of 11213 alone, there are roughly 135 buildings listed; more than 140 buildings are located in Bedford-Stuyvesant’s 11216.
Campus outbreaks of COVID-19 were almost guaranteed

By Ryan Malosh and Nina Masters
The Conversation

Scientists have learned a few things over the past six months as the COVID-19 pandemic has continued. We’ve learned that the virus that causes COVID-19 transmits particularly well when a group of people are together in a small, poorly ventilated area. We’ve learned that young people are just as susceptible as older people to infection. We’ve learned that if there is widespread community transmission, the virus will find its way to the very places we don’t want it to go.

So, it’s not surprising to us, researchers who study diseases that can be prevented by vaccines, that with schools and colleges reopening, the virus is spreading.

These are places designed around the idea of bringing lots of people to one place. Many of them are perfect places for disease to spread.

They are perfect places for disease to spread. Bringing lots of people to one place. Many of them is spreading. That with schools and colleges reopening, the virus is spreading. These are places designed around the idea of bringing lots of people to one place. Many of them bring people together from all over the world. They are perfect places for disease to spread.

How we got here

Back in March, colleges and universities closed down like everything else except essential businesses. They sent students home. There was a rough transition to online instruction. Students weren’t happy, faculty weren’t happy. And so, they started to come up with plans on how to reopen for in-person instruction for the fall semester.

Many places installed plexi-glass barriers in classrooms, considered mask mandates, and worked out physical distancing in lecture halls. Most people realized that professors who taught large classes should plan for remote learning. University administrators and public health experts started making these plans in the spring. Back then, we scientists and public health researchers all operated under the assumption that community spread would be under some sort of control by fall. We all thought that the community spread was a predictable risk – so is sending them out. But in general, students are not kept under lock and key. They have visitors from other schools. They go back and forth to their parents’ homes. And, yes, they go to parties. To us, blaming students for wanting a normal-ish college experience when the schools themselves have set the tone for trying hard to return to normal isn’t fair. It’s also true that not all of the contact students have is as irresponsible as some have suggested.

Many students hold jobs in the communities that surround the school. And most of these jobs aren’t typically the work-from-home type of job. In our undergraduate careers we both worked at jobs that had high contact rates with the community. And often, when your job is waiting tables at a local pizza place or manning a library desk, most of your colleagues are students as well. All of these factors will make contact tracing very hard.

Public health experts also expect a relative-high proportion of college-aged students to be either completely asymptomatic or to only have mild symptoms. Without universal testing, these students won’t know they’re sick. They may not isolate if they have mild symptoms. But they will still be able to spread the virus to others. Symptom and temperature screenings may not recognize these individuals as those who need to stay away from campus buildings.

A different kind of campus test

Which brings us to testing. Some places are doing universal testing of students, maybe twice per week. But, given the state of testing in the U.S., that is not a realistic possibility for most schools.

Let’s look at our university as an example. The University of Michigan has an undergraduate population of 30,000 students. Let’s assume that two-thirds of them came back to campus. That means 40,000 tests per week just for University of Michigan undergraduate students. Right now the entire state of Michigan is doing a little more than 200,000 diagnostic tests per week. Some schools have developed their own tests to handle this huge increase in capacity. But many university labs are involved in testing for large health systems and the rest of the state too. In these places it becomes very difficult for 1 in 5 tests available in an entire state to be dedicated to the students at a single university.

A scale-up of rapid, at-home antigen tests could be one approach to make testing on this scale feasible. These types of tests have the advantage of detecting highly infectious individuals – making them a good screening tool, but many are not approved by the Food and Drug Administration because they aren’t as sensitive as the standard PCR-based diagnostic test.

If transmission on campus continues to happen mostly outside of the classroom, simply going remote will not solve the problem. Keeping students on campus will be risky. Many students will be attempting to navigate social distancing guidelines without a traditional social support network. As much as possible, we believe students need to be able to safely return to their homes. But this can’t be done haphazardly. Bringing them to campus was not a low-risk option – so is sending them home. A colleges inevitably move back to online instruction, plans must be put in place to minimize the risk of spreading epidemics. Dismissing all students, some of whom are infectious, back to their home communities risks spreading the virus further across the country, a bad outcome for all.

The unique epidemiology of COVID-19 in young adults, along with the contact patterns on college campuses and the inability to effectively screen through symptom reports or diagnostic testing, have left college campuses with few options for safely operating with few restrictions. We know that few states wanted an all-remote fall semester, but it’s becoming clear that was probably our best bet.

Ryan Malosh is an assistant research scientist at the University of Michigan, and Nina Masters is a doctoral candidate at the University of Michigan Medical School.
2ND DEPARTMENT/NEW BUSINESS FORMATIONS

THE PROACTIVE ALLIANCE LLC
ARTS OF ORG FILED WITH SSNY ON 6/12/20. SSNY DESIGNATED AS AGENT OF LLC UPON WHOM PROCESS AGAINST IT MAY BE SERVED. LLC MAY BE SERVED AT THE OFFICE OF THE CLERK LOCATED AT SSNY, 11341. PURPOSE TO ENGAGE IN ANY LAWFUL ACT.

11355 JCY CHEN REALTY LLC
NOTICE OF FORMATION OF LIMITED LIABILITY COMPANY (LLC). NAME: JCY CHEN REALTY LLC. ARTICLES OF ORGANIZATION FILED WITH SECRETARY OF STATE OF NEW YORK (SSNY) ON 8/3/2020. NEW YORK LOCATION QUEENS COUNTY. SSNY HAS BEEN DESIGNATED AS AGENT OF THE LLC UPON WHOM PROCESS AGAINST IT MAY BE SERVED. SSNY HAS BEEN DESIGNATED AS AGENT OF THE LLC UPON WHOM PROCESS AGAINST IT MAY BE SERVED. THE POST OFFICE ADDRESS TO WHICH THE SSNY SHALL MAIL A COPY OF ANY PROCESS AGAINST THE LLC SERVED UPON HIM/HER IS JIAN CHEN, 5813 150TH STREET, #6A REGO PARK, NY, 11374. PURPOSE: TO ENGAGE IN ANY LAWFUL PURPOSE.

11370 PANDA SANITATION SERVICE LLC

11374 VIDEO EMPATHY MARKETING LLC

11417 9711 86TH STREET LLC

11428 BOOED BY IMAN, LLC

11434 PANCHE GRANT BLUEPRINT REVIEW, LLC

11443 GODIVA VALLEY, LLC
NOTICE OF FORMATION OF LIMITED LIABILITY COMPANY (LLC). NAME: GODIVA VALLEY, LLC. ARTICLES OF ORGANIZATION FILED WITH SECRETARY OF STATE OF NEW YORK (SSNY) ON 6/1/2020. NY OFFICE LOCATION QUEENS COUNTY. SSNY HAS BEEN DESIGNATED AS AGENT OF THE LLC UPON WHOM PROCESS AGAINST IT MAY BE SERVED. THE POST OFFICE ADDRESS TO WHICH THE SSNY SHALL MAIL A COPY OF ANY PROCESS AGAINST THE LLC SERVED UPON HIM/HER IS GODIVA VALLEY, LLC. 12132 JAMAICA AVE., STE. 980004 RICHMOND HILL, NY, 11418. PURPOSE:CHARACTER OF LLC: ANY LAWFUL PURPOSE.

11453 BREEANA'S LLC
NOTICE OF FORMATION OF LIMITED LIABILITY COMPANY (LLC). NAME: BREEANA'S LLC. ARTICLES OF ORGANIZATION FILED WITH SECRETARY OF STATE OF NEW YORK (SSNY) ON 7/21/2020. NY OFFICE LOCATION QUEENS COUNTY. SSNY HAS BEEN DESIGNATED AS AGENT OF THE LLC UPON WHOM PROCESS AGAINST IT MAY BE SERVED. THE POST OFFICE ADDRESS TO WHICH THE SSNY SHALL MAIL A COPY OF ANY PROCESS AGAINST THE LLC SERVED UPON HIM/HER IS BREEANA'S LLC, 12812 12ND STREET JAMAICA, NY, 11434. PURPOSE:CHARACTER OF LLC: ANY LAWFUL PURPOSE.
Four Brooklyn surgeons sue state medical system, claim whistleblowing caused their termination

By Virginia Breen
THE CITY

A heart surgeon who worked at SUNY Downstate Medical Center in Brooklyn charges in a lawsuit he was fired after warning hospital bosses about “significant shortfalls” in patient care that led to deaths.

Dr. Robert Poston’s suit, filed in Brooklyn Supreme Court on July 28, follows three other whistleblower lawsuits against the hospital by two cardiac surgeons and a transplant specialist in December, January and February that allege a pattern of retaliation.

Together, the four lawsuits paint an unsettling portrait of a taxpayer-funded teaching hospital ill-equipped to handle cardiac and transplant surgeries for the immigrant Brooklyn communities of East Flatbush, Prospect-Lefferts Gardens and Crown Heights.

The suits describe alleged conditions before Downstate was slammed by the coronavirus crisis, temporarily transitioning to a COVID-only hospital in April.

In the two earliest suits, first reported by The Wall Street Journal, Dr. Rainer Gruessner, 63, and Dr. John Renz, 55, accused hospital management of negligence leading to “at least three incipient deaths within a one-year period” characterized by chronic staff shortages and “a lack of actual patient care.”

The lawsuits detail instances of a surgeon “abandoning” a transplant patient on the operating table and an attending physician going AWOL.

“In one such alarming instance, in or about June 2019, a patient ‘coded’ (i.e. went into cardiac arrest) and died on his way to a reanimation facility,” Gruessner’s suit claims. “This occurred at a time when there was not a single attending present, and the resident responsible for intubating the patient was so inexperienced that he was almost shocked by the defibrillator during the code.”

“In one such alarming instance, in or about June 2019, a patient ‘coded’ (i.e. went into cardiac arrest) and died on his way to a reanimation facility,” Gruessner’s suit claims. “This occurred at a time when there was not a single attending present, and the resident responsible for intubating the patient was so inexperienced that he was almost shocked by the defibrillator during the code.”

The third lawsuit, filed by Dr. Frederic Joyce on Feb. 13, alleges Downstate unlawfully fired the 68-year-old surgeon, citing budgetary constraints.

“The real reason for SUNY Downstate’s decision to terminate Dr. Joyce’s employment,” the suit maintains, “was that he was vocal and active, together with Drs. Gruessner, Poston, Renz and others, in identifying to senior administration various issues affecting patient health and safety in the cardiothoracic and transplant divisions.”

“Worse survival rate”

In the most recent filing, Poston cites a similar litany of unseemly practices that he argues threatened patient safety.

According to court documents, Downstate hired Poston, a 52-year-old specialist in robotic heart surgery, “to help turn around the division of cardiothoracic surgery, which had been among the worst-performing divisions in the country, based on national database statistics, with a history of poor outcomes resulting from clinical and administrative failures.”

Backing up that claim, a 2019 state Department of Health report noted that Downstate patients who had undergone coronary artery bypass graft surgeries, valve replacements or joint bypass surgery had a “significantly worse survival rate” and higher readmission rate than the statewide average of 37 hospitals.

“Last year, according to Renz’s suit, the transplant surgeon ‘advised senior leadership on multiple occasions that a scheduled data release in July 2019 by the Scientific Registry of Transplant Recipients would reveal the worst clinical outcomes in the history of SUNY Downstate.”

Among the registry’s findings in that report, SUNY Downstate data indicate a “97 percent higher risk of graft failure compared to an average program” after three years for those receiving deceased-donor organ transplants performed between July 1, 2013 and Dec. 31, 2015.

Poston’s suit further alleges that a patient died on May 26, 2019 “at least in part, as a result of no in-house cardiothoracic trained Physician Assistant.”

In a statement to THE CITY, Dawn Skeete-Walker, a SUNY Downstate spokesperson, declined to comment on pending litigation.

But she acknowledged the hospital had voluntarily and temporarily inactivated both the heart and kidney transplant programs after outside consultants identified troubling issues “with the leadership.

“We reactivated our kidney transplant program, and we continue to refine the reorganization of the heart transplant program,” she said. “If we uncover misconduct, policies, procedures, practices of any kind, or substandard care and issues of lack of professionalism that threaten patients’ safety or our learners, as an operational matter, we will move swiftly and firmly to investigate and take appropriate actions to ensure institutional integrity.”

“We make no apologies about our commitment to upholding the highest standards in our hospital and within our university community,” she continued. “Our compassion and commitment to the patients we serve are unwavering.”

“Campaign to Retaliate”

Beginning in August, 2019, Poston’s suit charges, Downstate’s senior administration “embarked on an unlawful campaign to retaliate against the surgeons” for speaking out.

In 2014, he was suspended from the University of Arizona Medical Center, causing ailing cardiac patients to delay needed surgeries. Poston sued the Tucson hospital, but the details and disposition of the case were not immediately clear.

Poston’s total compensation for each of his first three years at Downstate, according to his term of employment letter, was to be $600,000. Renz was supposed to have earned $495,000; Joyce, $700,000; and Gruessner, a maximum of $850,000.

All insist in court filings that they actually earned far less as the hospital did a “bait and switch” to lure them to relocate, then significantly decreased their pay.

The four Downstate docs are seeking lost pay, a reinstatement of their position, and compensatory damages to be determined. Lawyers for the surgeons did not return calls seeking comment.

In an embarrassing coda to their termination ordeal, the surgeons point out in their suits that they were unceremoniously escorted from the building.

In an Aug. 27, 2019, letter to Downstate President Wayne Riley written after his termination, Renz wrote, “As I left the building, I did not feel sorry for myself; my concern was for the patients at Downstate and the people of Brooklyn.

“Who will be there for these patients?”

THE CITY (thecity.com) is an independent, nonprofit news outlet dedicated to hard-hitting reporting that serves the people of New York.
Isles ‘need a little bit more’ to oust Flyers

Team seeks first Eastern Conference finals berth in 27 years Thursday
By John Torenli, Sports Editor
Brooklyn Daily Eagle

The New York Islanders came tantalizingly close to packing their bags for the Eastern Conference finals in Edmonton, Alberta on Tuesday night in Toronto.

Fortunately, they still have two more shots at advancement that far for the first time in 27 years, including Thursday night’s Game 6 vs. the Philadelphia Flyers in their ongoing best-of-seven series within the fan-less confines of the NHL’s bubble site at Scotiabank Arena.

“We need a little bit more,” Isles head coach Barry Trotz said following Tuesday’s 4-3 overtime loss to the desperate Flyers in Game 5.

“We had some early chances in overtime, some Grade As that if we score on them we’re not having this conversation.”

Brock Nelson appeared to have the best of those opportunities during the extra session when he broke in alone on Philadelphia netminder Carter Hart, who kicked the puck aside to help the Flyers stave off elimination.

New York, which had rallied from a 3-1 deficit by scoring twice in the final 4:14 of regulation, saw its hopes for a quick series dashed when Scott Laughton beat Semyon Varlamov at 12:20 of overtime.

“That turns out to be the difference,” lamented New York, who started the Isles’ third-period comeback with his sixth goal of the postseason on a one-timer past Hart at 15:46 of the third.

“I’d like to have the breakaway back, (Devon) Toews thought his (shot) squeaked through and (we) had a couple of other looks. That’s hockey.”

Barry Trotz ceded following Tuesday’s 4-3 overtime loss to the desperate Flyers in Game 5.

“IT wasn’t our night and we’ll focus on what we need to do in the next couple of days.”

Head coach Barry Trotz believes his Islanders need to give “a little bit more” to reach their first conference finals since 1993.

“All-Star center Mathew Barzal assisted on Derick Brassard’s first goal of the playoffs for New York, which had rallied from a 3-1 deficit by scoring twice in the final 4:14 of regulation, saw its hopes for a quick series dashed when Scott Laughton beat Semyon Varlamov at 12:20 of overtime.

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Head coach Barry Trotz believes his Islanders need to give “a little bit more” to reach their first conference finals since 1993.
ARGENTINA — Cleaning up: A Red Cross volunteer in Buenos Aires on Tuesday worked inside Tecnópolis Park, a technology exhibition that has been repurposed as a shelter amid the pandemic.  
Photo: Natacha Pisarenko/AP

PANAMA — Seized packages: Panamanian police guarded hundreds of seized packages of marijuana during a press conference at the Panama Border Police headquarters in Gamboa on Tuesday.  
Photo: Arnulfo Franco/AP

MEXICO — Showing support: A supporter of Mexican President Andres Manuel Lopez Obrador wore a mask with a photo of him pinned to it in Mexico City on Tuesday.  
Photo: Fernando Llano/AP

OREGON — Raging fire: Smoke hung over the Siuslaw River near Mapleton as the Sweet Creek Milepost 2 Fire burned on a hillside overlooking the town on Tuesday.  
Photo: Chris Pietsch/The Register-Guard via AP
FRANCE — Ahead of the pack: Cyclists competed in the fourth stage of the Tour de France in southern France on Tuesday. Photo: Thibault Camus/AP

INDIA — Testing site: A health worker took a nasal swab sample to test for COVID-19 in Ahmedabad on Wednesday. Photo: Ajit Solanki/AP

GERMANY — Before sunrise: A man ran on a small road on the outskirts of Frankfurt on Tuesday. Photo: Michael Probst/AP

MEXICO — Fresh air: An elderly man watched two children play outside the cemetery of San Lorenzo Tezonco Iztapalapa on the outskirts of Mexico City on Tuesday. Photo: Marco Ugarte/AP
Claire Polanco's death "horrible," De Blasio called Polanco's death "horrible" and said the city would review NYPD protocols in June 2019. She died in a solitary confinement cell in June 2019.

"To the question of whether sex workers should be arrested, my broad answer is no," de Blasio told reporters. "The people who are organizing and profiting from that sex work are the people who should be arrested."

"Anyone who's exploiting folks who do sex work, those are the people we should be arresting," he added.

De Blasio called Polanco's death "horrible" and said the city would review NYPD protocols around sex worker arrests.

"It was an incredible match. The atmosphere was great. For me, that kind of, I think, started the energy that I feel here when I play here," said Clijsters, who won the U.S. Open in 2005, 2009 (defeating Williams in the final) and 2010, along with the 2011 Australian Open.

"Any night match that you get to play here at the U.S. Open on Arthur Ashe is incredible," she said. "It's nothing like anything else anywhere else." 

As for Clijsters' thoughts on Williams and the possibility of equaling Margaret Court's total of 24 Slam singles titles:

"The great results she had, not even a year ago," Clijsters said. "If she wins a Slam, she's got a chance to equal Margaret Court's total of 24 Slam singles titles."

"The great results she had, not even a year after her daughter was born — playing Grand Slam finals, competing for Grand Slam titles — was, I think, incredible," Clijsters said. "Obviously, a lot of people talk about it. I think also for her, it gets harder to kind of not let it get to you, but she's still working at it very hard, very passionate out there. That's what we love to see. She's got a great competitor. Always has been that. You can only support that for somebody who has achieved so much and done so much."

Critics of the Nordic Model say criminalizing johns drives sex work into the shadows and makes people who sell sex vulnerable to assault, rape, theft, and murder.

"The Nordic Model stigmatizes and criminalizes many parts of the sex work industry and continues to put people who engage in sex work at grave risk," said Jillian M ozdelesi, a senior staff attorney at Brooklyn Defender Services.

"Real change means disbanding the Vice Squad, which has engaged in abusive policing for decades, ending arrests for sex work, and ultimately decriminalizing the sale and exchange of sexual services, and it must come now."

### US OPEN ‘20: Clijsters’ return, Serena, other things to know

**By Howard Fendrich**

The first time Kim Clijsters entered the U.S. Open, all the way back in 1999, she faced a certain someone by the name of Serena Williams.

All these years later, with play at Flushing Meadows set to begin Monday, three-time U.S. Open champion Clijsters is back on the scene, just as Williams, who won 4-6, 6-2, 7-5 in the past seven major championships.

"I think, incredible," Clijsters said. "Obviously, a lot of people are going to have problems because of a left hamstring problem. "I do think that still a lot of players are going to have problems and we're going to see a lot of withdrawals" at the U.S. Open, 2019 runner-up Daniil Medvedev said, "especially if it's going to be hot, because after six months without competitive tennis, to play (best) out of five (sets) is tough."

**INJURIES?**

Ramping up to top-flight competition after so many months away because of the pandemic could lead to injuries. During the Western & Southern Open, for example, Djokovic dealt with a neck issue and two-time major champion Naomi Osaka pulled out of that tournament’s final because of a left hamstring problem. "I do think that still a lot of players are going to have problems and we're going to see a lot of withdrawals" at the U.S. Open, 2019 runner-up Daniil Medvedev said, "especially if it's going to be hot, because after six months without competitive tennis, to play (best) out of five (sets) is tough."

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**HAWKEYE LIVE**

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**CORONAVIRUS**

The pandemic will loom over the two weeks. How couldn’t it? In April, indoor practice courts housed a field hospital. On Sunday, the first player, 17th-seeded Benoit Paire of France, tested positive for COVID-19. There are no spectators. Players’ entourages are limited to three people. Everyone on the grounds must wear masks.

**UNBEATEN DJOKOVIC**

Novak Djokovic is 23-0 in 2020, the best opening to a season for a man since he went 41-0 in 2011. He’s also the only member of the Big Three in New York: Rafael Nadal and Roger Federer are not in the draw. That trio has collected the past 13 Grand Slam trophies in a row; that includes five of the last seven for Djokovic alone. "Whether I have a bigger chance to win this year because of Rafael or Rafa are not here, I really don’t know," Djokovic said. "I think it’s unfair for me to talk about. That, in a way, is kind of disrespectful towards other players who are here."

**The first time Kim Clijsters entered the U.S. Open, all the way back in 1999, she faced a certain someone by the name of Serena Williams.**

All these years later, with play at Flushing Meadows set to begin Monday, three-time U.S. Open champion Clijsters is back on the scene, just as Williams, who won 4-6, 6-2, 7-5 in the past seven major championships.

"It was an incredible match. The atmosphere was great. For me, that kind of, I think, started the energy that I feel here when I play here," said Clijsters, who won the U.S. Open in 2005, 2009 (defeating Williams in the final) and 2010, along with the 2011 Australian Open.

"Any night match that you get to play here at the U.S. Open on Arthur Ashe is incredible," she said. "It’s nothing like anything else anywhere else."

As for Clijsters’ thoughts on Williams and the possibility of equaling Margaret Court’s total of 24 Slam singles titles:

"The great results she had, not even a year after her daughter was born — playing Grand Slam finals, competing for Grand Slam titles — was, I think, incredible," Clijsters said. "Obviously, a lot of people talk about it. I think also for her, it gets harder to kind of not let it get to you, but she’s still working at it very hard, very passionate out there. That’s what we love to see. She’s got a great competitor. Always has been that. You can only support that for somebody who has achieved so much and done so much."

Here are other things to know as the U.S. Open gets started:

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Continued from page 1

Planet Fitness staff have been trained in proper sanitization and the 24-hour gyms are now closed at nighttime to allow for deep-cleaning, Innocenti said. The reopening plan has allowed the Planet Fitness Supreme franchise to hire back about 85 percent of their pre-COVID staff. The rest have moved away, gotten other jobs or could not be contacted, Innocenti said. Under state rules, gyms must operate at no more than 33 percent capacity. Patrons must pass a COVID screening questionnaire, wear a mask and maintain six feet of distance during their workouts. Planet Fitness has enabled customers to complete the health questionnaire and check in to the gym via an app.

On Wednesday afternoon, Innocenti said the first-day turn-out was encouraging. “Based on what we see today, we’ve definitely get a lot of interest,” he said. “We’re good for mental health and for physical health and I think people realize that.” Still, many avid gymgoers say they plan to stay home as a COVID-19 precaution. Rego Park resident Leila Zogby said she used to attend classes three days a week and hit the equipment on two others, but she’s not yet ready to return. “Classes will not be resuming at this time, which is a good idea since social distancing would be hard, and regardless of the restrictions in place, I do not feel comfortable using gym equipment,” she said. “Between sweating and breathing heavily, even with a mask, which seems very uncomfortable to me, there is simply too high a risk of catching something.” “I wish it were different, but it’s not.”

City orders drivers to slow down on these two Queens streets

By Rachel Vick
Queens Daily Eagle

Drivers cruising down two busy Queens roadways will have to slow down in the coming months, the Department of Transportation announced Tuesday. The DOT is reducing the speed limit on Rockaway Boulevard between 150th Avenue to 3rd Street from 40 mph to 35 mph. On Northern Boulevard between 114th Street to Glenwood Street, the speed limit will go from 30 mph to 25 mph. They are among nine streets across the city where the speed limit is dropping by 5 miles per hour. The changes are part of the Vision Zero initiative to reduce roadway deaths. “Speeding is a leading cause of traffic fatalities,” said DOT Commissioner Polly Trottenberg. “We are reducing speed limits on some of the city’s most crash-prone corridors, and growing our speed camera program at a rate that will make our system the largest in the world.” Speed cameras along the streets will be reprogrammed so that warnings can be issued for violators during the first 60 days of the new speed limits.
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- be a citizen of the United States
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- be 18 years old (you may pre-register at 16 or 17 but cannot vote until you are 18)
- not be in jail or on parole for a felony conviction (unless parolee pardoned or restored rights of citizenship)
- not currently be judged incompetent by order of a court of competent judicial authority
- not claim the right to vote elsewhere

Go to: www.voterreg.dmv.ny.gov/MotorVoter/ to register to vote online

OR

Go to: https://www.elections.ny.gov/NYSBOE/download/voting/voterregform-eng-fillable.pdf to download a voter registration form
CITATION
FILE NO. 2018-5542/A CITATION THE PEOPLE OF THE STATE OF NEW YORK, BY THE GRACE OF GOD, FREE AND INDEPENDENT TO SUSAN MARGUERITE SINGH, 72-20 37TH AVE., JACKSON HOLE, WY 83001 VS. LAWRENCE W. SWAGGER, ALSO KNOWN AS LAWRENCE SWAGGER, JR., 85-13 201ST STREET, FLUSHING, NY 11355. ANY LAWFUL PURPOSE.

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MEDICAL MAL CLAIMS OVER HOSPITAL ADMITTANCE DISMISSED

By C. B. Abruzzese
BROOKLYN DAILY EAGLE

IRMA ERMOKAMISHVILI

Irmar Ermokamishvili filed a complaint in Kings County Supreme Court, Civil Term, against, among others, physician Vitaly Volovy, and his employer, Multi Care Medical NY, PLLC (together the MCM defendants), seeking to recover damages for medical malpractice. The complaint alleged that MCM’s failure to admit Meri Ermokamishvili to a hospital for emergency care was a proximate cause of her death. According to the complaint, the deceased was examined by Volovy in his office on May 29, 2013, presenting with symptoms of chronic dry cough, shortness of breath on moderate exertion and weight loss of approximately eighteen pounds over the preceding three months. Volovy ordered an EXR, a chest X ray, blood chemistry, “CIBC” and prescribed ampicillin. Volovy examined Meri Ermokamishvili in his office again on May 31, 2013, and ordered a chest CT scan, which took place the same day, a pulmonary consult and a follow-up visit in two weeks. On June 1, 2013, Meri Ermokamishvili suffered cardiac arrest and was rushed to the hospital, where she died on June 22. The CT scan performed on May 31, 2013, but reviewed after the deceased’s cardiac arrest, was read to indicate masses on her lung, spine and liver and that were “highly suspicious for metastatic cancer.”

In an order dated Aug. 2, 2017, the court affirmed the determination of the Supreme Court. The justices agreed with the Supreme Court that the MCM defendants demonstrated their entitlement to judgment as a matter of law through the submission of deposition testimony, medical records and an expert affirmation establishing that they did not depart from good and accepted medical practice and that, in any event, any alleged departures were not a proximate cause of Meri Ermokamishvili’s cardiac arrest and subsequent death. The justices noted that Ermokamishvili failed to raise a triable issue of fact as to whether the failure to refer the deceased to a hospital for emergency care was a proximate cause of her death, particularly as an autopsy was not performed and the cause of death was not determined. They determined that the affirmation of Ermokamishvili’s expert was conclusory and speculative and relied upon facts not supported by the record.

—Ermokamishvili v. Volovy, 2017-09734, August 26, 2020

CLASS ACTION CERTIFICATION DENIED IN NURSING HOME SUIT

By Ellen Spodek
APPELLATE DIVISION, SECOND DEPARTMENT

Marie Ollman was a resident of Spring Creek Rehabilitation & Nursing Care Center, a nursing home, from June 2012 to January 2014. In November of 2015, following Ollman’s death, her son, Joseph Ollman, individually and as the proposed administrator of her estate and purportedly on behalf of all others similarly situated, brought a putative class action in Kings County Supreme Court, Civil Term against Spring Creek and its owner, Willoughby Rehabilitation and Health Care Center, LLC, to recover damages for negligence and violations of public health law. Ollman alleged that her mother and other residents at Spring Creek sustained injuries attributable to substandard nursing care. In the Supreme Court, Ollman moved for a protective order to allow for the disclosure of confidential health information of other residents at Spring Creek. In an order dated May 11, 2016, the Supreme Court denied that motion as “premature and overly broad.” Ollman also moved for class certification and separately moved to compel the defendants to comply with his discovery demands. In an order dated June 20, 2017, the court denied Ollman’s motion for a protective order to allow for disclosure of confidential health information of other Spring Creek residents. They also agreed with the denial of Ollman’s motion for class certification. The justices noted that common questions of law or fact did not predominate over questions involving members of the proposed class as to causation and that Ollman failed to establish that a class action was superior to other available methods for the fair and efficient adjudication of the controversy. However, the appellate justices determined that the Supreme Court should have granted those branches of Ollman’s motion which were to compel the defendants to comply with his discovery demands including his demands regarding all documents relating to all bed changing records for, meals provided to, washing records for and documents relating to the changing of his mother, among other demands. The justices explained that the acceptable demands related to Ollman’s mother’s care, the staffing of the nurses and other staff who provided her care and complaints or investigations of alleged substandard care or abuse involving Marie Ollman. Finding that the Supreme Court providently exercised its discretion in denying the remainder of Ollman’s discovery demands, the justices noted that the demands at issue were palpably improper, since they sought information that was irrelevant or were overbroad and burdensome. As such, the justices modified the order of the Supreme Court by granting Ollman’s motion to compel compliance with his discovery demands pertaining to the care of his mother.

—Ollman v. Willoughby Rehabilitation & Health Care Ctr., LLC, 2016-07212 & 2017-07645, August 26, 2020

AMBULANCE DRIVER NOT EXEMPT FROM TRAFFIC LAW

By Ellen Spodek
APPELLATE DIVISION, SECOND DEPARTMENT

A personal injury complaint filed in Kings County Supreme Court, Civil Term, arose from a collision between an ambulance operated by Brittany McNeil (incorrectly listed as Brittany Menzil) and a vehicle operated by the defendant Socrates Rodriguez. In the course of the collision, McNeil was injured, and the vehicle operated by Socrates Rodriguez and another vehicle were damaged. In the personal injury complaint, McNeil alleged that the ambulance was operated by McNeil with reckless disregard for the safety of others. In response to the complaint, McNeil moved for summary judgment dismissing the complaint, contending that she did not operate the ambulance with reckless disregard for the safety of others. Edwards cross-moved for leave to renew her prior cross motion for summary judgment on the issue of liability, which had been denied in an order dated June 19, 2015. Hon. Genine Edwards denied McNeil’s motion, granted Edwards’ cross motion for summary judgment and directed the parties to proceed to mediation. In an order dated June 19, 2015 and granted Edwards’ motion for summary judgment on the issue of liability. Upon McNeil’s appeal, the justices of the Appellate Division, Second Department affirmed the ruling of the Supreme Court. In their decision, the justices explained that McNeil failed to establish that she engaged in specific conduct exempted from the rules of the road by vehicle and traffic law and that she was entitled to the application of the negligence standard of care. They also determined that McNeil failed to establish that under the principles of self-defense, she was not at fault in the happening of the accident. Furthermore, the justices noted that, on her cross motion, Edwards established that McNeil was at fault in the happening of the accident.

—Edwards v. Menzil, 2018-11464, August 26, 2020

JURY VERDICT ON LIABILITY REINSTATED

By Ellen Spodek
APPELLATE DIVISION, SECOND DEPARTMENT

In Queens County Supreme Court, Civil Term, a personal injury complaint was filed that arose out of a multi-vehicle accident that occurred on Dec. 24, 2013, on Astoria Boulevard, at its intersection with 82nd Street, in Queens. The accident involved a vehicle operated by the plaintiff, Nikkia Shoshari, a vehicle operated by defendant Nicholas Garrett and owned by Jaime Garret, a vehicle operated by the defendant Socrates Rodriguez and a vehicle operated by the defendant Diego Herrera and owned by Abraham Natural Foods Corp. It was undisputed that all of the vehicles were heading eastbound on Astoria Boulevard when the accident occurred. After a trial on the issue of liability, the jury returned a verdict finding that Nicholas Garrett and Rodriguez were all at fault in the accident and apportioning the fault of Nicholas Garrett at 70 percent, Herrera at 25 percent and Rodriguez at 5 percent. Following the jury’s verdict, Rodriguez orally moved to set aside the verdict in favor of Shoshari and against him on the issue of liability and for judgment as a matter of law dismissing the complaint as asserted against him. Herrera and Abraham Natural Foods made a similar oral motion following the jury’s verdict. The Supreme Court granted both motions to set aside the verdict as to those defendants and for judgment dismissing the complaint against them. An interlocutory judgment was entered in favor of those defendants and against the Shoshari dismissing the complaint as asserted against them. Shoshari appealed the justices of the Appellate Division, Second Department modified the order in the interest of justice. The justices explained that the Supreme Court erred in finding as a matter of law that a jury verdict is not supported by sufficient evidence, it must find that there is “simply no valid line of reasoning and permissible inferences which could possibly lead to the conclusions reached by the jury based on the evidence presented at trial.” In this case, the justices determined that the Supreme Court should have denied the separate motions of Rodriguez, Herrera and Abraham Natural Foods which were to set aside the jury verdict against them as there existed a valid line of reasoning and permissible inferences from which the jury could rationally conclude that Rodriguez and Herrera were negligent that the negligence was a substantial factor in the happening of the accident. Accordingly, the justices reinstated the jury verdict in favor of Shoshari and against Rodriguez, Herrera and Abraham Natural Foods.

—Shoshari v. Herrera, 2019-00675, July 15, 2020
This was originally published on Sep 1 by THE CITY.

Hotels in New York City limp along with 40% occupancy. Only about 8% of companies have brought their workers back to their offices, leaving business districts moribund.

Some restaurants stay alive with outdoor dining, but the city is now the only place in the Northeast where indoor dining remains prohibited. The city coronavirus infection rate among those tested remains below 1% — a product, government officials say, of the careful phasing in of a return to public life that extends to Tuesday’s decision to delay in-person classes at public schools.

But business groups, from hotels to restaurants to owners of the city’s massive office towers, are pressuring Mayor Bill de Blasio’s administration to move faster on reopening parts of the economy still hamstrung by pandemic restrictions.

They argue the rules present insurmountable hurdles to the recovery of the city’s economy. "The indoor dining set to resume in New Jersey, New York City is now surrounded by indoor dining while being locked out from participating in significant economic peril," said Andrew Rigie, CEO of the Hotel Association of New York. "The situation is at a boiling point and our government leaders must provide a plan and start opening indoor dining in the five boroughs, just like they have throughout the rest of the state."

Staggering Job Losses

New York lost 914,000 jobs in April as the shutdown rippled across the economy, about 20% of all the record-high 4.7 million jobs that existed in February. Despite gains during the last three months, employment in the city remains 702,000 jobs below the February mark. While the national unemployment rate in July fell to 10.2%, New York’s barely budged, currently at 13.9%, near Great Depression levels.

Hotels, meanwhile, saw their summer and fall marketing plans derailed by fears of New York offtake. Landlords like Jeff Blau, CEO of Related, the city office buildings as white-collar workers toil in the quiet of Midtown. New York, contrasted the bustle in areas like Greenwich Village and the Upper East Side with the quiet of Midtown. "We are in a great spot in the city right now, but the trouble is we are connected to people everywhere else," said Troy Tassier, an economist at Fordham specializing in epidemiology. He calls the decision on indoor dining “a close call.”

After interviewing last week, Tassier said that government officials were probably delaying decisions on restaurants and other still restricted areas of the economy until they saw whether the reopening of school buildings sparked a new COVID-19 wave. With the delay in the return of in-person classes, that benchmark has now been pushed back as well.

Far Rockaway builder earns Worker of the Month recognition

A Far Rockaway native has earned the title of Worker of the Month from a nonprofit organization that trains New Yorkers for roles in the construction industry.

Building Skills New York named Kenya Hayward as their August Worker of the Month for his work at a Brooklyn-based company specializing in superstructure construction.

Hayward, a veteran construction worker, was struggling to find a job in the field when he connected with Building Skills. The organization helped him secure a spot on a job site in 2017.

In December 2019, Building Skills recommended Hayward for a job working on the Rockaway Village development, near his home in the NYCHA Redfern Houses. Hayward has continued working throughout the COVID-19 crisis.

"Finding employment in construction can be hard, but Building Skills makes the process simple," Hayward said. "No matter where my future career takes me, I know the organization will always have my back."

Building Skills helped place 340 workers on construction sites last year. The organization also offers job support and training.

Local Councilmember Donovan Richards praised the work of Building Skills. "Kenya Hayward’s story demonstrates the important place that workforce development and job creation programs have in our community," Richards said, "Expanding access to good construction jobs is a key piece in advancing Queens’ economic goals and putting workers like Mr. Hayward on a path of long-term career success."
The 19th Amendment matters now more than ever

By Soma Syed
Special to the Eagle

On Aug. 18, 2020, the United States of America celebrated the 100th anniversary of the 19th Amendment, which provides women the universal right to vote.

As an Asian and a woman of color, historically, I would not be eligible to fully exercise my right to vote until 1965.

All throughout history, women had to fight for their lives to breathe. To be seen, to be heard, to be counted, to matter, to believe, to be treated with dignity by their kinfolks, for space, for recognition, for equal pay, for promotion and for a chance.

This fight and struggle, contextualized by race, class, religion and other variables, continues to metamorphize in the halls of Congress, Legislature, City Hall, universities, workplace, corporations and in the realm of motherhood.

Today, we fight to break the glass ceilings, against the explicit and implicit biases in hiring, promotion and recognition of women in the workplace.

Not too long ago, the standard question for a woman at a job interview was “Do you plan to have children?”

A part from being discriminatory in nature, this brazen question reflects the interviewer’s failure to recognize that if his or her mother did not become pregnant, he or she would not be conducting the interview.

As a woman, we fight for leadership positions, for equal and better education and opportunities for our children regardless of economic and social barriers; as parents against drunk driving; as moms against federal storm-troopers and as sisters against domestic violence. But it is not the end!

There is a new beginning, a new roar, a new song against domestic violence. But it is not the end!

I too have experienced untenable and glaring opposition in my legal practice. I vividly recall the stares and obvious disbelief, which I sensed from others, both in the courtroom and my transactional practice that I, a young South Asian woman of color, could be an attorney rather than a party to the dispute. All this I was determined to confront because I am very much like both of my parents who, in various ways, zealously fought for the rights of women and girls.

Every woman who fought for our rights to vote or showed up at a meeting; every man who encouraged his daughters, sisters, nieces and friends, deserves a shout out. Every woman is an individual, but also a part of that woman’s father, brother, uncle, and friend. When you disrespect a Congresswoman in the halls of life, liberty and the pursuit of happiness, you disrespect every one of us—every woman in the world.

The casual respectability given Yoho by his confreres ensures normalization of the aggressive behavior by people who cannot withstand a healthy discourse. Today, there are individuals who continue fighting to keep women from exercising their rights and attempt to indirectly discourage women from assuming public office and civic duties. That is why the 19th Amendment matters more today than ever.

Neither my mother nor my father is alive to see their legacies in me. But they have been my biggest sources of strength. I dedicate this 100 years of Women’s Right to Vote to them, every mother, father, brother, uncle, friend and cadet who has encouraged and stood by their women folk; every employer and mentor who has taken the helm to mentor a female colleague; and every organization that has taken the torch to fight for us and our right to exist, matter and vote so that we can control our own narrative and destiny.

I am stronger because of all of you. And a girl from a tiny village is able to dream big, thinking of all the possibilities to make the world a better place than the one she found.

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