

HP 6086/2020 Case Communications

HP Action LT-006086-20/KI Case Communications

102 emails

June 2020 -- September 2023

162 pages

Christian Gray v. American Package Co., Inc.

Attorney / Case Correspondence Archive

Compiled March 24, 2026

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Date: Jun 15, 2020 06:48 PM

From: "Margaret Sandercock" <mbs@goodfarblaw.com>
To: "Christian Gray" <christiangray3@protonmail.com>, "Adam Goodfarb" <adg@goodfarblaw.com>
Cc: "Elizabeth Sandercock" <es@goodfarblaw.com>, "Jenifer Orefice" <jo@goodfarblaw.com>
Subject: Re: HP case

We have learned that new cases can be brought in the Housing Court as of next week. There is reason to believe we should do this sooner rather than later, as other kinds of Housing Court cases require a predicate notice to be served and those kinds of cases will not be started next week due to the need for a predicate notice.

Christian, I need to arrange to speak to you tomorrow or Weds. in order to prepare your HP petition. This is the case for mold repairs that we told you we have to bring first, before we can sue your landlord for money. Please let me know when a phone call would be possible.

To finalize the papers, apart from the phone conversation, we need Ed Olmsted's report which will be emailed to us, and an original signature by Christian on a verification. Jen, I am asking you to prepare an HP verification and send it to Christian. You can probably get this from the O'Rourke matter.

Christian, all you do is print it and sign your name. Do not date it or fill in anything else. Please mail it to Elizabeth Sandercock, 1020 Grand Concourse, Apt. 4T, Bronx, NY 10451 as soon as you can.

Jen and Elizabeth, please confer between yourselves and if Elizabeth does not have any business checks at home, Jen, can you please mail her a few.

From: Christian Gray

Reply-To: Christian Gray

Date: Thursday, June 11, 2020 at 1:10 PM

To: Adam Goodfarb

Cc: Jenifer Orefice , Margaret Sandercock , Elizabeth Sandercock

Subject: Re: Payment of additional

500 toward retainer

Eric just returned my email and said that it should be in your account today and that they had to deal with some paperwork before it was sent.

Sent from ProtonMail Mobile

On Thu, Jun 11, 2020 at 12:51, Adam Goodfarb wrote:

Christian- I spoke to the expert. His name is Ed Olmsted. He can have his firm in your space in the first few days of next week. You definitely want him there before mold remediators do any work in the space.

Ed confirmed that the price for the initial inspection is approximately one thousand dollars. Ed said to call him at 914-318-2686. He will set up an appointment with you.

Also, have you saved the materials that you lost in the flood, such as recording equipment. We need everything you can locate for the property damage case.

Adam D. Goodfarb, Esq.

Goodfarb & Sandercock, LLP

Adg@goodfarblaw.com

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New York, NY 10022

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212.509.0464 fax

WHITE PLAINS OFFICE:

235 Main Street, Penthouse Suite

White Plains, NY 10601

914.428.3400

914.428.3407 fax

On Jun 11, 2020, at 12:23 PM, Christian Gray wrote:

I just reached out to them letting them know you haven't received the wire and asked them when you can expect to have it in your account.

Sent from ProtonMail Mobile

On Thu, Jun 11, 2020 at 10:12, Adam Goodfarb wrote:

Christian- Please check with Pryor Cashman as to the status of the payment of \$1500. We have not received a wire but they may have sent a check or wire to you.

In the meantime, I have left a message with the environmental expert about the inspection.

Adam D. Goodfarb, Esq.

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adg@goodfarblaw.com

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Date: Jun 16, 2020 02:20 PM

From: "Jenifer Orefice" <jo@goodfarblaw.com>
To: "Margaret Sandercock" <mbs@goodfarblaw.com>, "Christian Gray" <christiangray3@protonmail.com>, "Adam Goodfarb" <adg@goodfarblaw.com>
Cc: "Elizabeth Sandercock" <es@goodfarblaw.com>
Subject: Re: HP case

Please sign and return the attached Verification as instructed by Ms. Sandercock. Thank you.

Jenifer Orefice, Legal Assistant

Goodfarb & Sandercock, LLP

235 Main Street - Penthouse Suite

White Plains, NY 10601

Phone: 914.428.3400

Fax: 914.428.3407

JO@Goodfarblaw.com

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New York, NY 10022

Phone: 212.509.0440

Fax: 212.509.0464

From: Margaret Sandercock

Date: Monday, June 15, 2020 at 2:48 PM

To: Christian Gray , Adam Goodfarb

Cc: Elizabeth Sandercock , Jenifer Orefice

Subject: Re: HP case

We have learned that new cases can be brought in the Housing Court as of next week. There is reason to believe we should do this sooner rather than later, as other kinds of Housing Court cases require a predicate notice to be served and those kinds of cases will not be started next week due to the need for a predicate notice.

Christian, I need to arrange to speak to you tomorrow or Weds. in order to prepare your HP petition. This is the case for mold repairs that we told you we have to bring first, before we can sue your landlord for money. Please let me know

when a phone call would be possible.

To finalize the papers, apart from the phone conversation, we need Ed Olmsted's report which will be emailed to us, and an original signature by Christian on a verification. Jen, I am asking you to prepare an HP verification and send it to Christian. You can probably get this from the O'Rourke matter.

Christian, all you do is print it and sign your name. Do not date it or fill in anything else. Please mail it to Elizabeth Sandercock, 1020 Grand Concourse, Apt. 4T, Bronx, NY 10451 as soon as you can.

Jen and Elizabeth, please confer between yourselves and if Elizabeth does not have any business checks at home, Jen, can you please mail her a few.

From: Christian Gray

Reply-To: Christian Gray

Date: Thursday, June 11, 2020 at 1:10 PM

To: Adam Goodfarb

Cc: Jenifer Orefice , Margaret Sandercock , Elizabeth Sandercock

Subject: Re: Payment of additional

500 toward retainer

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Ed confirmed that the price for the initial inspection is approximately one thousand dollars. Ed said to call him at 914-318-2686. He will set up an appointment with you.

Also, have you saved the materials that you lost in the flood, such as recording equipment. We need everything you can locate for the property damage case.

Adam D. Goodfarb, Esq.

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Date: Jun 16, 2020 04:12 PM

From: "Christian Gray" <christiangray3@protonmail.com>

To: "Margaret Sandercock" <mbs@goodfarblaw.com>, "Adam Goodfarb" <adg@goodfarblaw.com>

Cc: "Elizabeth Sandercock" <es@goodfarblaw.com>, "Jenifer Orefice" <jjo@goodfarblaw.com>

Subject: Re: HP case

I am available to take a call today before 3 or after 5:30 this eve or anytime tomorrow afternoon.

I have received the email from Jen with the documents attached. I will get them printed out and mail them to you today.

Let's schedule the call for tomorrow or this eve after 5:30 so that I can get the documents printed at Staples, as I lost my printer in the flood, and can get to the Post Office before it closes. I also have a 4pm meeting with a client at the studio but should be available after 5:30.

Thanks for referring Ed, he came yesterday and did a 3.5 hour inspection, and I enjoyed his company.

I look forward to our conversation and moving forward. Thank you for your efforts and taking this matter on.

CG

Sent from ProtonMail Mobile

On Mon, Jun 15, 2020 at 14:48, Margaret Sandercock wrote:

We have learned that new cases can be brought in the Housing Court as of next week. There is reason to believe we should do this sooner rather than later, as other kinds of Housing Court cases require a predicate notice to be served and those kinds of cases will not be started next week due to the need for a predicate notice.

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From: Christian Gray

Reply-To: Christian Gray

Date: Thursday, June 11, 2020 at 1:10 PM

To: Adam Goodfarb

Cc: Jenifer Orefice , Margaret Sandercock , Elizabeth Sandercock

Subject: Re: Payment of additional

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Also, have you saved the materials that you lost in the flood, such as recording equipment. We need everything you can locate for the property damage case.

Adam D. Goodfarb, Esq.

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Subject: Re: HP case

I can speak at 530 today or tomorrow between 11 and 1. Your call. Let me know which suits you and the number where I should reach you.

Ed Olmsted is a very nice guy.

Sent from my iPhone

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I am available to take a call today before 3 or after 5:30 this eve or anytime tomorrow afternoon.

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Cc: "Adam Goodfarb" <adg@goodfarblaw.com>, "Elizabeth Sandercock"

<es@goodfarblaw.com>, "Jenifer Orefice" <jo@goodfarblaw.com>

Subject: Re: HP case

Let's schedule the phone meeting for 12pm tomorrow.

Can I assign my digital signature (taken from a handwritten signature) to the .pdf's and email then to you or do they need to be hardcopies with my handwritten signature on them?

Sent from ProtonMail Mobile

On Tue, Jun 16, 2020 at 12:14, Margaret Sandercock wrote:

I can speak at 530 today or tomorrow between 11 and 1. Your call. Let me know which suits you and the number where I should reach you.

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To: Adam Goodfarb

Cc: Jenifer Orefice , Margaret Sandercock , Elizabeth Sandercock

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914

[Body truncated at extraction limit]

Date: Jun 16, 2020 04:56 PM

From: "Elizabeth Sandercock" <es@goodfarblaw.com>

To: "Christian Gray" <christiangray3@protonmail.com>, "Margaret Sandercock" <mbs@goodfarblaw.com>

Cc: "Adam Goodfarb" <adg@goodfarblaw.com>, "Jenifer Orefice" <jo@goodfarblaw.com>

Subject: Re: HP case

Unfortunately, we need hardcopies with your handwritten signature.

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Date: Tuesday, June 16, 2020 at 12:55 PM

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To: "Elizabeth Sandercock" <es@goodfarblaw.com>

Subject: Re: HP case

Understood. I'll have them signed and mailed out today.

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Christian, all you do is print it and sign your name. Do not date it or fill in anything else. Please mail it to Elizabeth Sandercock, 1020 Grand Concourse, Apt. 4T, Bronx, NY 10451 as soon as you can.

Jen and Elizabeth, please confer between yourselves and if Elizabeth does not have any business checks at home, Jen, can you please mail her a few.

From: Christian Gray

Reply-To: Christian Gray

Date: Thursday, June 11, 2020 at 1:10 PM

To: Adam Goodfarb

Cc: Jenifer Orefice , Margaret Sandercock , Elizabeth Sandercock

Subject: Re: Payment of additional

500 toward retainer

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Ed confirmed that the price for the initial inspection is approximately one thousand dollars. Ed said to call him at 914-318-2686. He will set up an appointment with you.

Also, have you saved the materials that you lost in the flood, such as recording equipment. We need everything you can locate for the property damage case.

Adam D. Goodfarb, Esq.

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Christian- Please check with Pryor Cashman as to the status of the payment of \$1500. We have not received a wire but they may have sent a check or wire to you.

In the meantime, I have left a message with the environmental expert about the inspection.

Adam D. Goodfarb, Esq.

Goodfarb & Sandercock, LLP

adg@goodfarblaw.co

[Body truncated at extraction limit]

Date: Jun 16, 2020 05:16 PM

From: "Margaret Sandercock" <mbs@goodfarblaw.com>

To: "Christian Gray" <christiangray3@protonmail.com>

Subject: Re: HP case

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Subject: Re: HP case

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Cc: "Adam Goodfarb" <adg@goodfarblaw.com>, "Elizabeth Sandercock" <es@goodfarblaw.com>
Subject: Re: HP case

I spoke to Ed Olmsted as I had to cancel a date he was holding for another case. He says he won't have Christian's lab report for probably 8 days as he requested them to culture some of the samples and that's how long it takes. I'll be speaking with Christian tomorrow at noon so I can make sure the papers are correct, and we will have them ready when the report comes in.

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Adam D. Goodfarb,
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To: "Christian Gray" <christiangray3@protonmail.com>
Cc: "Margaret Sandercock" <mbs@goodfarblaw.com>
Subject: HP case

Please review the attached petition and advise Ms. Sandercock of any comments. Thank you.

Jenifer Orefice, Legal Assistant

Goodfarb & Sandercock, LLP

235 Main Street - Penthouse Suite

White Plains, NY 10601

Phone: 914.428.3400

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CONFIDENTIALITY: The information contained in this e-mail message is intended only for the designated recipient. The message may be an attorney/client communication, and if so, is privileged and confidential. If the reader of this message is not the intended recipient or an agent responsible for delivering it to the intended recipient, you have received this e-mail in error. If you have received this e-mail in error, please call Goodfarb & Sandercock, LLP at (914) 428-3400 to advise us of the same, delete the original message from your system and then confirm its deletion. Any review, dissemination, distribution or copying of this message is strictly prohibited. Thank you.

Date: Jun 18, 2020 07:53 PM

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Cc: "Margaret Sandercock" <mbs@goodfarblaw.com>
Subject: Re: HP case

HP Petition Review

Greetings, here are some notes in reference to items 4 and 7. There is some additional information too, including the occurrence of a second flood on December 8th where there was further damage to personal property and living space.

Thank you.

4. On the night of October 13th at approximately 11pm a branch of the building's sprinkler system broke off in the residence located above G21 and flooded G21 through the ceiling. The NYFD had to come and turn off the main sprinkler shut-off valve, this process took hours to be completed and the water flowed into G21 until 5:30am. The flooding through the ceiling resulted in catastrophic damage to the personal living spaces as well as the place of business, the recording studios. The tenant lost most of his personal possessions to severe water damage. The landlord was issued a violation and court appearance order for "Improper Sprinkler Maintenance".

7. I don't know when Marty actually returned from Israel. Correction of previous information I gave you: Marty showed up approximately 4 weeks after the flood incident and I don't remember if he actually inspected the apartment. I talked with him in the stairwell. He did come in at some point with the insurance adjuster, Evan Katz, with Power Adjustment, the company that Marty hired to handle the claim with his insurance company. Power Adjustment hired Total Restoration to do the remediation. Of note: Marty had remediation done to the entire length of the Common Hallway, on the other side of my front door, immediately after the flood occurred and made no effort to start remediation on my place. Could this be seen as a form of harassment?

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Sincerely,

Christian Gray

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Please review the attached petition and advise Ms. Sandercock of any comments. Thank you.

Jenifer Orefice, Legal Assistant

Goodfarb & Sandercock, LLP

235 Main Street - Penthouse Suite

White Plains, NY 10601

Phone: 914.428.3400

Fax: 914.428.3407

JO@Goodfarblaw.com

NYC Office:

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Date: Jun 18, 2020 10:43 PM

From: "Margaret Sandercock" <mbs@goodfarblaw.com>

To: "Christian Gray" <christiangray3@protonmail.com>

Subject: Re: HP case

Thank you for sending this. I cannot revise till Monday as I just read my email, my assistant is gone for the day, and she is off tomorrow.

From: Christian Gray

Reply-To: Christian Gray

Date: Thursday, June 18, 2020 at 3:54 PM

To: Jenifer Orefice

Cc: Margaret Sandercock

Subject: Re: HP case

HP Petition Review

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Date: Jun 19, 2020 01:10 AM

From: "Margaret Sandercock" <mbs@goodfarblaw.com>
To: "Christian Gray" <christiangray3@protonmail.com>, "Jenifer Orefice" <jo@goodfarblaw.com>

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From: "Christian Gray" <christiangray3@protonmail.com>

To: "Margaret Sandercock" <mbs@goodfarblaw.com>, "Jenifer Orefice"

<jo@goodfarblaw.com>

Subject: Re: HP case

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To: Jenifer Orefice

Cc: Margaret Sandercock

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Subject: Re: HP case

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Date: Jun 19, 2020 01:40 AM

From: "Christian Gray" <christiangray3@protonmail.com>

To: "Margaret Sandercock" <mbs@goodfarblaw.com>

Subject: Re: HP case

No worries! I'm leaning towards Neratoff and I look forward to our intro and hopefully employing his services. Thanks again.

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[Body truncated at extraction limit]

Date: Jun 19, 2020 02:19 AM

From: "Margaret Sandercock" <mbs@goodfarblaw.com>

To: "Christian Gray" <christiangray3@protonmail.com>

Subject: Re: HP case

Make sure about Peachy and conflict of interest. I have something in the back of my mind about that. Good night.

Sent from my iPhone

On Jun 18, 2020, at 9:50 PM, Christian Gray wrote:

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From: Christian Gray

Reply-To: Christian Gray

Date: Thursday, June 18, 2020 at 9:30 PM

To: Margaret Sandercock , Jenifer Orefice

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To: "Margaret Sandercock" <mbs@goodfarblaw.com>, "Christian Gray" <christiangray3@protonmail.com>

Subject: Re: HP case

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Fax: 212.509.0464

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To: Christian Gray

Cc: Jenifer Orefice

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Cc: Jenifer Orefice

Subject: Re: HP case

I've revised the papers for your case and Jen will send them to you shortly. If possible, I would like to hear from you by first thing tomorrow morning if you would like further changes.

It's important that the papers be true, so if I have misunderstood, that is an important correction. But the papers do not need to say every single thing you know about the floods. Every single thing you know is what you relate in court testimony.

From: Christian Gray

Reply-To: Christian Gray

Date: Thursday, June 18, 2020 at 9:50 PM

To: Margaret Sandercock

Subject: Re: HP case

I received both intros! Thank you. Have a good night.

Sent from ProtonMail Mobile

On Thu, Jun 18, 2020 at 21:38, Margaret Sandercock wrote:

I am sorry that slipped my mind, I will do so right now. BTW, John Peachy is 72 or 73, Neratoff more like 65, which could be a factor you want to consider.

From:
Christian Gray

Reply-To: Christian Gray

Date: Thursday, June 18, 2020 at 9:30 PM

To: Margaret Sandercock , Jenifer Orefice

Subject: Re: HP case

Thank you.

It looks like the 226 Franklin Tenant Association has agreed, or at least is in the process of finalizing an agreement, to having a new architect represent us. I'm leaning towards Naratoff, after our conversation. Can you set up an introduction, as per our conversation? I am open to meeting both Naratoff and Peachy. Either way, we (the 226 Franklin TA) would like to explore the option and requirements of a new architect.

Thank you,

Christian

Sent from ProtonMail Mobile

On Thu, Jun 18, 2020 at 21:10, Margaret Sandercock wrote:

By the way, we received the signed verification, thank you for sending it.

From:
Christian Gray

Reply-To: Christian Gray

Date: Thursday, June 18, 2020 at 3:54 PM

To: Jenifer Orefice

Cc: Margaret Sandercock

Subject: Re: HP case

HP Petition Review

Greetings, here are some notes in reference to items 4 and 7. There is some additional information too, including the occurrence of a second flood on December 8th where there was further damage to personal property and living space.

Thank you.

4. On the night of October 13th at approximately 11pm a branch of the building's sprinkler system broke off in the residence located above G21 and flooded G21 through the ceiling. The NYFD had to come and turn off the main sprinkler shut-off valve, this process took hours to be completed and the water flowed into G21 until 5:30am. The flooding through the ceiling resulted in catastrophic damage to the personal living spaces as well as the place of business, the recording studios. The tenant lost most of his personal possessions to severe water damage. The landlord was issued a violation and court appearance order for "Improper Sprinkler Maintenance".

7. I don't know when Marty actually returned from Israel. Correction of previous information I gave you: Marty showed up approximately 4 weeks after the flood incident and I don't remember if he actually inspected the apartment. I talked with him in the stairwell. He did come in at some point with the insurance adjuster, Evan Katz, with Power Adjustment, the company tha

[Body truncated at extraction limit]

Date: Jun 23, 2020 02:42 PM

From: "Margaret Sandercock" <mbs@goodfarblaw.com>

To: "Christian Gray" <christiangray3@protonmail.com>

Cc: "Jenifer Orefice" <jo@goodfarblaw.com>

Subject: Re: HP case

We don't have it yet.

From: Christian Gray

Reply-To: Christian Gray

Date: Tuesday, June 23, 2020 at 10:40 AM

To: Margaret Sandercock

Cc: Jenifer Orefice

Subject: Re: HP case

Did Ed submit the report? If so, can you please send me a copy. Thank you.

Sent from ProtonMail Mobile

On Tue, Jun 23, 2020 at 10:25, Margaret Sandercock wrote:

Jen, please make that change. I also

faxed you one small change.

Sent from my iPhone

On Jun 23, 2020, at 10:24 AM, Christian Gray wrote:

Good morning,

I've reviewed the documents and wanted to verify the info in item 7. I went and measured the cuts of the drywall that was removed and they measure 2 feet from the floor. So the measurement would be 2ft not 2.5ft.

Everything else looks accurate.

Thank you,

Christian

Sent with ProtonMail Secure Email.

----- Original Message -----

On Monday, June 22, 2020 2:15 PM, Jenifer Orefice wrote:

The Order to Show Cause and Petition are attached for your review.

Jenifer Orefice, Legal Assistant

Goodfarb & Sandercock, LLP

235 Main Street - Penthouse Suite

White Plains, NY 10601

Phone: 914.428.3400

Fax: 914.428.3407

JO@Goodfarblaw.com

NYC Office:

110 East 59th Street, 22nd floor

New York, NY 10022

Phone: 212.509.0440

Fax: 212.509.0464

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Date: Monday, June 22, 2020 at 1:39 PM

To: Christian Gray

Cc: Jenifer Orefice

Subject: Re: HP case

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Date: Jun 23, 2020 02:45 PM

From: "Margaret Sandercock" <mbs@goodfarblaw.com>

To: "Christian Gray" <christiangray3@protonmail.com>

Subject: Re: HP case

I reminded him.

From: Christian Gray

Reply-To: Christian Gray

Date: Tuesday, June 23, 2020 at 10:41 AM

To: Margaret Sandercock

Cc: Jenifer Orefice

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Jenifer Orefice, Legal Assistant

Goodfarb & Sandercock, LLP

235 Main Street - Penthouse Suite

White Plains, NY 10601

Phone: 914.428.3400

Fax: 914.428.3407

JO@Goodfarblaw.com

NYC Office:

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New York, NY 10022

Phone: 212.509.0440

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[Body truncated at extraction limit]

Date: Jul 02, 2020 01:51 PM

From: "Jenifer Orefice" <jo@goodfarblaw.com>
To: "Christian Gray" <christiangray3@protonmail.com>
Cc: "Margaret Sandercock" <mbs@goodfarblaw.com>
Subject: HP case

A copy of the signed Order to Show Cause is attached.

Jenifer Orefice, Legal Assistant

Goodfarb & Sandercock, LLP

235 Main Street - Penthouse Suite

White Plains, NY 10601

Phone: 914.428.3400

Fax: 914.428.3407

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Date: Sep 17, 2020 05:33 PM

From: "Margaret Sandercock" <mbsandercock@optonline.net>
To: "Christian Gray" <christiangray3@protonmail.com>
Cc: "David May" <davidmortimermay@gmail.com>
Subject: HP case update

I am promised the report of the landlord's mold consultant later tonight. We are supposed to let the HP court know tomorrow if we want a trial date, but I expect to have to ask for an extension of time on that because I will need time to show Chris the report and more important, show it to Ed Olmsted. I agreed long ago to review their report and discuss with Ed. I think it 95% likely that assuming their report does not call for

taking down the wall between your units, Ed will disagree with it and a trial will be required. I will send you the report as soon as I have it.

Date: Oct 29, 2020 07:34 PM

From: "Margaret Sandercock" <mbsandercock@optonline.net>
To: "Christian Gray" <christiangray3@protonmail.com>, "Edward Olmsted" <olmsted.mac@me.com>
Cc: "Elizabeth Sandercock" <es@goodfarblaw.com>, "Adam Goodfarb" <adg@goodfarblaw.com>
Subject: Mold HP case

There was a conference with the judge this afternoon. There will be another conference 11/13. We asked for a trial date but did not get one.

The landlord is willing to do one of the following: either 1) send both experts there together and see if they can agree what needs to be done, or 2) start the project "their way" (the landlord's way, more minimal than our way) and do it in phases with testing in between the phases, to see if the mold has been eradicated. We have other cases where we have done the latter of these two but we have not wanted to do that here due to the concern landlord also wants to do legalization work and repairs from the flood and mold may get boxed in if new work is done.

The judge asked to see the reports, which have been sent to him. He expressed concern that if there is a trial, his mandate may only be to determine that there is mold and issue an order to correct, as to which he may only have the authority to rule that there is mold and it has to be corrected and not how to do it.

Adam is in charge of the future litigation about property damage, expert witness fees, legal fees and so forth. That litigation takes place in a different court, Supreme Court, and I know we have always wanted to defer it till we know how long Chris is out of possession, how much his legal fees and expert fees are, and things like that.

I am including Adam in this email because if we changed our strategy, and started the Supreme Court litigation before the 11/13 conference, we would not know our exact numbers, but there are ways to plead that, and it might get the landlord's attention, and could also include discussion of how the landlord got insurance proceeds and is not using them properly and got proceeds for fixtures that belonged to Chris, not to the landlord.

Alternatively, as the court seems to have put this case on the slow track, I wonder what you think of the landlord's proposals at para. 2 of this email.

Date: Oct 29, 2020 08:27 PM

From: "Margaret Sandercock" <mbsandercock@optonline.net>
To: "Edward Olmsted" <olmsted.mac@me.com>
Cc: "Adam Goodfarb" <adg@goodfarblaw.com>, "Elizabeth Sandercock" <es@goodfarblaw.com>, "Christian Gray" <christiangray3@protonmail.com>
Subject: Re: Mold HP case

Ed, please reply all as we are all involved in the case. We are in HP court and the judge, who is a very good judge, thinks it's possible he does not have the authority to order how the work is done, just that it has to be done. We have done the partial approach with some other cases and it is not that bad, there are other factors in this case, but in the end, it's up to Chris.

From: Edward Olmsted
Date: Thursday, October 29, 2020 at 8:18 PM
To: "Margaret B. Sandercock"
Subject: Re: Mold HP case

I worry about the interactive process in this case. Landlord experts often rely on air tests to declare the area clean. The mold is hidden above the sheetrock ceiling and inside walls and air tests can be unreliable.

I could meet with their expert to develop the initial scope better.

The New York City guidelines do not suggest that mold removal should be done by taking out what is convenient

and testing each time. They recommend removing the moldy materials.

On Oct 29, 2020, at 7:34 PM, Margaret Sandercock wrote:

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Date: Nov 07, 2020 10:20 AM

From: "Margaret Sandercock" <mbsandercock@optonline.net>

To: "Christian Gray" <christiangray3@protonmail.com>

Subject: FW: Mold HP case

Reminding you about this. I know you are away and it's probably not convenient for you to respond to this till you return to NY. We are supposed to have a court conference Nov. 13 but we are trying to delay it by one week.

From: Margaret Sandercock

Date: Thursday, October 29, 2020 at 8:34 PM

To: Christian Gray , Edward Olmsted

Cc: Elizabeth Sandercock , Adam Goodfarb

Subject: Mold HP case

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Date: Jan 24, 2021 11:10 PM

From: "Margaret Sandercock" <mbs@goodfarblaw.com>

To: "Christian Gray" <christiangray3@protonmail.com>, "Edward Olmsted" <olmsted.mac@mac.com>

Subject: HP mold case update

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Ed, I am wondering about your perceptions concerning "estimate day." I think you spoke with my husband briefly about it, but he didn't tell me anything substantive, only that you mentioned it to him. I am wondering if we should have a short phone chat, all 3 of us? I am able to do that most afternoons.

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Date: Jan 24, 2021 06:31 PM

From: "Edward Olmsted" <olmsted.mac@mac.com>

To: "Margaret B. Sandercock" <mbs@goodfarblaw.com>

Cc: "Christian Gray" <christiangray3@protonmail.com>

Subject: Re: HP mold case update

Hi Margaret,

I should be able to talk by phone tomorrow around 4 pm

On Jan 24, 2021, at 6:10 PM, Margaret Sandercock wrote:

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Date: Jan 24, 2021 11:42 PM

From: "Margaret Sandercock" <mbs@goodfarblaw.com>

To: "Edward Olmsted" <olmsted.mac@mac.com>

Cc: "Christian Gray" <christiangray3@protonmail.com>

Subject: Re: HP mold case update

That is possible for me if it works for Chris.

From: Edward Olmsted

Date: Sunday, January 24, 2021 at 6:31 PM

To: Margaret Sandercock

Cc: Christian Gray

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Date: Jan 25, 2021 04:19 PM

From: "Christian Gray" <christiangray3@protonmail.com>

To: "Margaret Sandercock" <mbs@goodfarblaw.com>, "Edward Olmsted" <olmsted.mac@mac.com>

Subject: Re: HP mold case update

4pm works for me. Thanks.

Sent from ProtonMail Mobile

On Sun, Jan 24, 2021 at 18:42, Margaret Sandercock wrote:

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From: Edward Olmsted

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To: "Christian Gray" <christiangray3@protonmail.com>

Cc: "Edward Olmsted" <olmsted.mac@mac.com>

Subject: Re: HP mold case update

I can only do 4 to 430 or after 530. I will assume 4 pm and distribute a call in number in a few minutes.

Sent from my iPhone

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Date: Jan 25, 2021 05:30 PM

From: "Margaret Sandercock" <mbs@goodfarblaw.com>

To: "Edward Olmsted" <olmsted.mac@mac.com>

Cc: "Christian Gray" <christiangray3@protonmail.com>

Subject: Re: HP mold case update

Call in number is 866 210 1669 and entry code is 5208534. 4 pm today unless someone tells me they have to do it after 5 30. Thanks.

From: Edward Olmsted

Date: Monday, January 25, 2021 at 11:36 AM

To: Margaret Sandercock

Subject: Re: HP mold case update

Ok

Sent from olmsted's iPhone

On Jan 25, 2021, at 11:20 AM, Margaret Sandercock wrote:

I can only do 4 to 430 or after 530. I will assume 4 pm and distribute a call in number in a few minutes.

Sent from my iPhone

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Date: Jan 25, 2021 05:34 PM

From: "Christian Gray" <christiangray3@protonmail.com>

To: "Margaret Sandercock" <mbs@goodfarblaw.com>

Subject: Re: HP mold case update

Confirmed. Thank you.

Sent from ProtonMail Mobile

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Date: Jan 25, 2021 09:03 PM

From: "Christian Gray" <christiangray3@protonmail.com>
To: "Margaret Sandercock" <mbs@goodfarblaw.com>, "Edward Olmsted" <olmsted.mac@mac.com>

Subject: Re: HP mold case update

Pics of 4' removal section

Sent from ProtonMail Mobile

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Date: Feb 16, 2021 05:51 PM

From: "Christian Gray" <christiangray3@protonmail.com>

To: "Margaret Sandercock" <mbs@goodfarblaw.com>

Subject: HP Court, Scope of Work

My apologies for the delayed response.

In regards to the mold remediation scope of work:

Yes, I want the issues that I brought up in the last email as well as before the HP court hearing to be addressed.

I stated this in our last email thread, and I asked questions that were unanswered:

"Yes.

Why did Ed leave this out of the scope of work? We went over it and over it and then we are where we are at now. Why is that? We spent a lot of time and I spent a lot of money establishing what needs to be done, Ed confirmed it in his report, and now we are here. It's not about what I want, it is about what needs to be done because there is mold contamination and it is a hazard to my health and safety. The levels that Ed tested proved this. Why didn't he get this in the scope of work? Why did he leave these things out of the scope of work?"

I don't understand why this is an issue still. If Ed's tests prove that there are mold levels in these areas

that exceed the levels allowed by law, then they should be removed. This evidence should be outlined to the judge, as it has already been submitted.

I think that you should ask for it and if they don't accept then we move forward with the scope of work and then test. Either way, these issues need to be addressed. What doesn't make sense to me is that these areas have already been tested, shown to have unacceptable amounts of mold growth, outlined as needing to be removed in Ed's report, and now I'm being told that Ed didn't advocate for their removal during the site visit and thus these areas are not being included in the scope of work. How is this a negotiation, if by law, it has to be removed?? If ALC has a problem with it, shouldn't they have tested it to prove that it doesn't need to be done, otherwise go along with Ed's scope of work?

Why would I pay for testing the same areas twice? I don't have money to waste hiring Ed to test an area twice, write it in a report and scope of work twice, have you bring up that it is a problem to the judge twice, three times, four times... The tests have been done, with the exception of the MovinCool AC system, which is an absolute no-brainer and agreed to by both Ed and Candice. If that needs to be tested then let's do it.

If there is a reason to move ahead with the scope of work, as is, that support your greater strategy of getting my layout signed off on, then please let me know. What is our strategy to get the layout signed off on? I assume it is to re-open the Narrative Conference with the Loft Board on grounds of Marty not honoring the PAA's? How is that going? How is Nertaoff's Case Study going? We paid him to make a case to reopen the Narrative Conference. Is it done? We are in a race against time as Marty tries to spend all of the insurance money that he collected in bad faith and in my opinion, illegally, on things that I don't want done to my home. Marty is acting in bad faith, all around. He can demo all of the structure in the apartment for a fraction of the cost of mold remediation, approve my plans, etc etc etc...you know all of this. How do we present this situation to the Loft Board ASAP to get them to intervene and have them sign off on the new layout???

I am around today and this eve to take a call in regards to this as well as the SC complaint. Please let me know what time works best for you.

Thank you.

Sent with ProtonMail Secure Email.

----- Original Message -----

On Tuesday, February 16, 2021 9:16 AM, Margaret Sandercock wrote:

I had asked you to let me know on Friday whether you want to spend time trying to increase the scope of work for the mold eradication or whether you will go with what is being offered and test afterwards and deal afterwards, after a further test, about what to do when the test results are not good. I have not heard from you. You've been out of possession for a long time and any delay now is not the landlord's fault and adds to your inconvenience. It also harms our position with the landlord.

I had asked you to let me know what needs to be changed in the summons and complaint for the Supreme Court case with a view to filing that, today. I do not have this information from you, either.

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Date: Feb 16, 2021 06:31 PM

From: "Margaret Sandercock" <mbs@goodfarblaw.com>

To: "Christian Gray" <christiangray3@protonmail.com>

Subject: Re: HP Court, Scope of Work

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I do just want to be sure that you don't end up blaming me for delays in your case. The landlord attorney thinks it's foolish on your part not to accept the work they are willing to do and he will be counting every day that we delay.

Also, regardless of the fact that Ed and I very much want to help you, we cannot force the landlord to do something they won't do. Life is a 2 way street and I can't get things for you just because you want them.

ONE MORE TIME: WE ARE NOT OUTLINING ANYTHING TO THE JUDGE AS HE BELIEVES HE ONLY HAS TO TELL THEM TO REMEDIATE, NOT HOW TO DO IT.

Concerning the Supreme Court case, I'd expected questions or concerns in writing. I have obligations to other clients and cannot speak on the phone till after 5 pm.

From: Christian Gray

Reply-To: Christian Gray

Date: Tuesday, February 16, 2021 at 12:51 PM

To: Margaret Sandercock

Subject: HP Court, Scope of Work

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I don't understand why this is an issue still. If Ed's tests prove that there are mold levels in these areas that exceed the levels allowed by law, then they should be removed. This evidence should be outlined to the judge, as it has already been submitted.

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[Body truncated at extraction limit]

Date: Feb 16, 2021 06:56 PM

From: "Christian Gray" <christiangray3@protonmail.com>

To: "Margaret Sandercock" <mbs@goodfarblaw.com>

Subject: Re: HP Court, Scope of Work

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I will call Ed now to discuss this matter but I hear what you are saying. This is a two way street, a negotiation, and I can't always get what I want. What I want are the areas that Ed already tested and proved to be contaminated with mold beyond the legal limits outlined by the government, to be removed. Clearly you don't want to deal with it so I'll call Ed and talk with him.

I'll email you after I talk with him.

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----- Original Message -----

On Tuesday, February 16, 2021 1:31 PM, Margaret Sandercock wrote:

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I do just want to be sure that you don't end up blaming me for delays in your case. The landlord attorney thinks it's foolish on your part not to accept the work they are willing to do and he will be counting every

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Reply-To: Christian Gray
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To: Margaret Sandercock
Subject: HP Court, Scope of Work

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The tests have been done, with the exception of the MovinCool AC system, which is an absolute no-brainer

[Body truncated at extraction limit]

Date: Feb 16, 2021 07:05 PM

From: "Margaret Sandercock" <mbs@goodfarblaw.com>

To: "Christian Gray" <christiangray3@protonmail.com>

Subject: Re: HP Court, Scope of Work

There is no chance that today I can answer all those questions in writing. I believe I answered them already but will do so again in a scheduled phone call.

Neratoff's work is done for now. There is no good basis to reopen the conference except failure to honor the commitment to paa's.

From: Christian Gray

Reply-To: Christian Gray

Date: Tuesday, February 16, 2021 at 1:56 PM

To: Margaret Sandercock

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I don't understand why this is an issue still. If Ed's tests prove that there are mold levels in these areas that exceed the levels allowed by law, then they should be removed. This evidence should be outlined to the judge, as it has already been submitted.

I think that you should ask for it and if they don't accept then we move forward with the scope of work and then test. Either way, these issues need to be addressed. What doesn't make sense to me is that these areas have already been tested, shown to have unacceptable amounts of mold growth, outlined as needing to be removed in Ed's report, and now I'm being told that Ed didn't advocate for their removal during the site visit and thus these areas are not being included in the scope of work. How is this a negoti

[Body truncated at extraction limit]

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To: "Margaret Sandercock" <mbs@goodfarblaw.com>

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To: "Christian Gray" <christiangray3@protonmail.com>

Subject: Re: HP Court, Scope of Work

I am available if you want to speak now. You can reach me at 917 922 6948.

Sent from my iPhone

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Date: Mar 11, 2021 07:23 PM

From: "Scott Buckhout" <sbuckhou@nycourts.gov>

To: "Christian Gray" <christiangray3@protonmail.com>

Subject: FW: HP 6068/20 - Christian Gray v. American Package Company, et. al.

Here is the info for the Monday HP conference.

From: Scott Buckhout

Date: Tuesday, March 9, 2021 at 4:26 PM

To: "Hon. Julie Poley" , KI-HOUSING-409 , Margaret Sandercock , Elizabeth Sandercock , "mbobick@bbgllp.com" , David Skaller

Cc: Evans Delva

Subject: HP 6068/20 - Christian Gray v. American Package Company, et. al.

Good afternoon,

Judge Poley rotated into HP effective March 1st. Please use this invite for your virtual Court appearance.

If the parties reach a settlement before the return date, please let us know and I can cancel the conference.

Please note that the virtual Court appearance will take place via Microsoft Teams. For your convenience, I have attached information regarding the Microsoft Teams platform.

Thank you,

Scott Buckhout, Esq.

Court Attorney to Hon. Julie Poley

141 Livingston Street

Brooklyn, NY 11201

(347) 404-9079

sbuckhou@nycourts.gov

Microsoft Teams meeting

Join on your computer or mobile app

Click
here to join the meeting

Or call in (audio only)

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United States, New York City

(833) 262-7886,,110050486#
United States (Toll-free)

Phone Conference ID:
110 050 486#

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You are prohibited from video/audio recording (22 NYCRR Parts 29, 131)

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Date: Apr 19, 2021 06:13 AM

From: "Christian Gray" <christiangray3@protonmail.com>
To: "Margaret Sandercock" <mbs@goodfarblaw.com>, "Edward Olmsted" <olmsted.mac@mac.com>

Subject: Mold Remediation Scope of Work for HP Court

Greetings, below is the list of items to be added to the scope of work outlined by TRI. These issues were already documented in a previous email, "Scope of Work Issues", sent on 2/11/21.

Everything is taken directly from Ed's report with the exception of the HVAC remediation which was taken from ALC's report. Ed, I noticed that you listed the results of Sample 3, taken from the South Hallway but didn't reference it in the table. You referenced it in the narrative, including the results, which I extracted and used as reference.

Mold Remediation Scope of Work for HP Court

Living Room Area

1. North Wall - Party Wall

Olmstead Report: 6. Living Room, Sample 9

"A tape lift sample from inside the open wall cavity was analyzed by Ed Olmsted and tested positive for growth of mold. All of the sheetrock and insulation should be removed from this wall and the remaining sheetrock in the wall cavity should be cleaned and encapsulated."

Sample 9:

97G-9

Location: hallway outside the studio base of the wall

Result: Spores, hyphae and conidiophores of *Ulocladium* indicating mold growth

2. Acoustically Treated Ceiling

Olmstead Report: 6. Living Room, Sample 13

"A wipe sample was collected from above the sheetrock around the columns to test the area above the sheetrock ceiling. The wood deck and insulation area above and were impacted by the flood. The wipe sample, number 97G-13, had massive levels of spores at over 5 million CFU per square inch. The sample was had *Aspergillus sydowii*, *Aspergillus versicolor*, *Penicillium*, and *Trichoderma longibrachiatum*. This is indicative of mold growth above the ceiling."

Sample 13:

200618-06-052

97G-13

Location: Above sheetrock ceiling leak area

Results: Fungi overloaded *Aspergillus sydowii* *Aspergillus versicolor* *Penicillium* spp. *Trichoderma longibrachiatum* yeasts

Total >5,000,000

3. East Wall - Living Room Wall adjacent to Studio Area 1

Olmstead Report: 6. Living Room, Sample 15

"Another wipe was collected from the top of the wall between the living room and adjacent studio. There was water damage but no visible mold. The sample had 740,000 CFU/in² dominated by *Penicillium*. This is indicative of mold growth. These results indicate there is mold growth in the wall and ceiling cavities and at the upper parts of the walls and not just the base of the walls. The walls should be demolished in the living room and studios."

Sample 15:

200618-06-054

97G-15

Location: Top of wall at the ceiling by beam

Results: *Aspergillus calidoustus*, *Aspergillus versicolor*, *Cephalophora tropica*, *Chaetomium globosum*, *Mucor racemosus*, *Paecilomyces variotii*, *Penicillium* spp., *Phoma* sp., *Rhodotorula mucilaginosa*

Total 740,000

Kitchen Area

4. Kitchen Floor System

Olmstead Report: 3. Kitchen, Sample 14

"The kitchen wood floor is a layer of plywood subfloor with engineered wood finish floor. This area was reported by Christian Gray to have been under water and had warped. A swab was collected under the finish floor from the bottom side of the finish floor and the top side of the plywood. The sample had 190,000 colony forming units per square inch (CFU/in²) and was dominated by *Penicillium* and *Trichoderma*. Toxin producing species include *Trichoderma harzianum* and *Trichoderma longibrachiatum*. These results indicate there is mold growth present in the kitchen wood flooring."

Sample 14:

200618-06-053

97G-14

Location: Under Kitchen floor

Result: Penicillium spp., Trichoderma harzianum, Trichoderma longibrachiatum, yeasts

Hallway Area

5. Hallway Walls

Olmstead Report: 7. Hallway Walls (South Hallway Wall, North Hallway Wall), Sample 3 (SHW), Sample 9 (NHW)

South Hallway Wall:

"A sample was collected from the base of the wall in the hallway outside the bathroom. The sample, number 97G-3, had a total of 17,000 CFU/g and was dominated by Aspergillus calidoustus, Penicillium, and Aspergillus versicolor. Paecilomyces variotii was also detected, which is an indicator species. This sample result suggests mold growth in the wall."

North Hallway Wall:

"The studios and bathroom should be completely demolished including the walls, floors and ceilings."

Sample 3:

Location: base of the wall in the hallway outside the bathroom

Result: dominated by Aspergillus calidoustus, Penicillium, and Aspergillus versicolor. Paecilomyces variotii

Total: 17,000 CFU/g

Sample 9:

97G-9

Location: hallway outside the studio base of the wall

Result: Spores, hyphae and conidiophores of Ulocladium indicating mold growth

HVAC Remediation (Living Room Area and Foyer Area)

6. Properly Clean both HVAC Systems: Unit 1., Heater (located in the Living Room Area) and Unit 2., MovinCool AC/Air Handler (located in the Foyer Area), and Remove all Flex Ducting, and replace filters. The Cleaning of the Units 1 and 2 should be done at the end of Remediation.

ALC Report

Level IV: Remediation of HVAC Systems:

"Porous materials such as insulation and paper on the interior of lined ducts and filters should be removed a
[Body truncated at extraction limit]"

Date: Apr 19, 2021 11:37 AM

From: "Margaret Sandercock" <mbs@goodfarblaw.com>

To: "Christian Gray" <christiangray3@protonmail.com>

Cc: "Edward Olmsted" <olmsted.mac@mac.com>

Subject: Re: Mold Remediation Scope of Work for HP Court

Ed, this is being sent to the landlord attorney today and it is possible that someone from

ALC will contact you. We are asking the below items to be added to the scope of work. Please don't reach any agreement with them for work to be done that doesn't include these items.

Sent from my i

On Apr 19, 2021, at 2:13 AM, Christian Gray wrote:

Greetings, below is the list of items to be added to the scope of work outlined by TRI. These issues were already documented in a previous email, "Scope of Work Issues", sent on 2/11/21.

Everything is taken directly from Ed's report with the exception of the HVAC remediation which was taken from ALC's report. Ed, I noticed that you listed the results of Sample 3, taken from the South Hallway but didn't reference it in the table. You referenced it in the narrative, including the results, which I extracted and used as reference.

Mold Remediation Scope of Work for HP Court

Living Room Area

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Results: Fungi overloaded *Aspergillus sydowii* *Aspergillus versicolor* *Penicillium* spp. *Trichoderma longibrachiatum* yeasts

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200618-06-053

97G-14

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HVAC Remediation (Living Room Area and Foyer Area)

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[Body truncated at extraction limit]

Date: May 10, 2021 05:05 PM

From: "Christian Gray" <christiangray3@protonmail.com>

To: "Margaret Sandercock" <mbs@goodfarblaw.com>

Subject: HP Court

Was there any word from Skaller regarding the scope of work? The pretrial conference is tomorrow, right? I need to look at email but I seem to remember May 11th as the date.

Sent with ProtonMail Secure Email.

Date: May 10, 2021 05:50 PM

From: "Margaret Sandercock" <mbs@goodfarblaw.com>

To: "Christian Gray" <christiangray3@protonmail.com>

Subject: Re: HP Court

Yes, we have a court conference tomorrow 9 30 am. I reached out to the landlord attorney first thing this morning to find out what is going on. As you know, if I don't update before the conference, it is difficult for us to make the conference productive because it's difficult to have a private discussion.

He has not been able to reach ALC. He says he'll try again today.

From: Christian Gray

Reply-To: Christian Gray

Date: Monday, May 10, 2021 at 1:05 PM

To: Margaret Sandercock

Subject: HP Court

Was there any word from Skaller regarding the scope of work? The pretrial conference is tomorrow, right? I need to look at email but I seem to remember May 11th as the date.

Sent with ProtonMail Secure Email.

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Date: May 20, 2021 08:30 PM

From: "Margaret Sandercock" <mbs@goodfarblaw.com>
To: "Christian Gray" <christiangray3@protonmail.com>, "Edward Olmsted" <olmsted.mac@mac.com>
Cc: "David May" <davidmortimermay@gmail.com>
Subject: FW: Christian Gray, 226 Franklin St. HP

It is not clear that the emergency work will take place as soon as I said. See below.

Ed and Christian, what do you want to do in terms of scheduling the remediation work? What dates work?

From: David Skaller

Date: Thursday, May 20, 2021 at 4:22 PM

To: Margaret Sandercock

Subject: RE: Christian Gray, 226 Franklin St. HP

I spoke with my client and he said he cannot commence the emergency work until he is provided access by not just your 2 clients but also the tenant of apt G32. I understand an access request notice was sent to that tenant yesterday and there has been no response. My client would like to move this process along and spoke with the remediation company who informed him that they are ready to start the remediation work as soon as May 24th or any other day thereafter. Please reach out to Ed and find out when he is available to be at the apartment for each of the days the work is to take place and then we will reach out to ALC to coordinate. if I recall properly, the experts need not be in the apt on the 1st day because that is mostly set up work and not actual remediation. If we hear from the tenant of apt G32 that access will be provided in the interim , we will let you know. Let's see if we can schedule this work ASAP.

Do you want us to prepare a stipulation of settlement?

From: Margaret Sandercock

Sent: Thursday, May 20, 2021 11:55 AM

To: David Skaller

Subject: Re: Christian Gray, 226 Franklin St. HP

This is acceptable BUT we do want our expert present and if the remediation has to wait till he can be present, that must be the case. He is very busy and the sooner you tell me what day(s) you want for remediation, the more likely he will be available on the days you prefer.

From: David Skaller

Date: Thursday, May 20, 2021 at 11:51 AM

To: Margaret Sandercock

Subject: RE: Christian Gray, 226 Franklin St. HP

Margaret

I am pleased to hear that your client has agreed to the scope of work previously agreed to by our experts. We agree to have our expert perform the testing after the remediation work is completed and provide you and your client with the report. Your expert will then have the opportunity to do his own testing within an agreed upon time after receiving the report from our expert. We previously offered to permit both experts to be present while the work is being performed. Please let me know if you want to include this as part of our agreement.

As to the emergency work, my client would prefer to perform the remediation work 1st but if your client is insistent on the emergency work being performed in his apartment 1st, then we will agree as long as it is agreed that the remediation work follows emergency work involved in his apartment

which should take 3 days. The remediation work will not wait until the emergency work is completed in the entire building.

Please let me know if this is acceptable and I can begin to draft a stipulation of settlement.

THIS IS FOR SETTLEMENT PURPOSES ONLY

From: Margaret Sandercock

Sent: Tuesday, May 18, 2021 5:13 PM

To: David Skaller

Subject: Christian Gray, 226 Franklin St. HP

Without prejudice and for settlement purposes only, we have prevailed on Mr. Gray to accept the existing scope of work provided that the owner will conduct its post testing first and give us the results before we have to start our post testing. If the scope of work is not sufficient as Mr. Gray believes, this will protect us from some of the expense of repeated tests because we will perhaps be able to use your test reports to show that the scope of work was not sufficient.

Today I heard from Joe Burden about scheduling "emergency" shoring work needed in Mr. Gray's unit and also the unit of his neighbor, David May, during the week of June 15. Mr. Gray is inclined to consent to that date and I have asked Mr. May to notify me if he can also consent. If they both consent, that work should be done before the mold remediation because it's an emergency. We would then need to find a date after the shoring to start the mold remediation.

If this is agreeable to you, I would love to see if we can speak to the court before Friday afternoon as I have a trial Friday and I am not sure it will be over by 2 30.

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[Body truncated at extraction limit]

Date: May 21, 2021 04:53 PM

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To: "Margaret Sandercock" <mbs@goodfarblaw.com>

Subject: Re: FW: Christian Gray, 226 Franklin St. HP

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LLP a

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Date: May 21, 2021 04:54 PM

From: "Margaret Sandercock" <mbs@goodfarblaw.com>

To: "Christian Gray" <christiangray3@protonmail.com>

Subject: HP court today

Thank you for your testimony today, it was very helpful.

Because I thought the trial was going to be longer than it was (the landlord projected 26 exhibits but only used about 8), I made arrangements with the landlord lawyer on the HP case to call the court this morning rather than this pm. We have a new control date with the court for June 14 at 9 30 am. I expect a settlement agreement long before that and we may not need to deal with the court June 14. I didn't want you to try to tune in this afternoon.

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Date: May 21, 2021 05:18 PM

From: "Christian Gray" <christiangray3@protonmail.com>

To: "Margaret Sandercock" <mbs@goodfarblaw.com>

Subject: Re: HP court today

Your welcome. I happy to hear that it was helpful.

As far as the settlement agreement is concerned:

I would still like them to clarify the following as ALC seemed to agree with the parameters of the three points that we found agreement on, that I outlined in the email.

Here is the "laundry list" that you asked for, that I had already put at the end of the last email thread regarding this.

"In summary:

Agreed Items:

Confirm scope of work of agreed items: 3,5, 6.

3. East Living Room Wall should be removed entirely.

5. All Common Hallway walls should be removed entirely, including shared wall with room 2 and shared wall with bathroom.

6. Both HVAC units will be cleaned and serviced and flex duct will be removed.

Contested Items:

For

Items 1 and 2. ALC should test for mold as agreed. If they won't remove the compromised drywall in the wall cavity in the Party Wall, and the compromised drywall between the joists that make up the acoustic ceiling then they need to be encapsulated, which includes the use of a vapor barrier, etc. "Encapsulated" should be clearly outlined by Ed.

Item

3: The Kitchen Floor will be removed. Ed's test show that it needs to be removed. ALC should prove otherwise or agree to the scope of work."

In light of the fact that we are conceding to leave out the three contested points that we didn't agree upon, I think that they should agree to the clarification of the three items that we do agree upon.

Agreed Items:

Confirm scope of work of agreed items: 3,5, 6.

3. East Living Room Wall should be removed entirely.

5. All Common Hallway walls should be removed entirely, including shared wall with room 2 and shared wall with bathroom.

6. Both HVAC units will be cleaned and serviced and flex duct will be removed.

These three items are very minor compared to the wall shared with David's unit, the Acoustic Ceiling in the living room that was completely saturated with black flood water, and the kitchen floor that was submerged and saturated in this black flood water for days. Please ask them to agree on the clarification of the scope of work that I outlined in regards to the three agreed upon items. This may require Total Renovation to make minor adjustments to the scope of work that is outlined in their contract that they submitted.

Thank you.

As far as start dates, it seems that they agree to start the remediation process after they install the structural supports in my unit required to start the emergency work, which will take three days. That gives us the earliest start date of June 18th, depending upon David and Ed's schedule. It is in my best interest to have to the start date as late as possible to give us time to have a NC with the Loft Board and get the PAA's enforced, etc.. I will be out of town around the 20th through the 1st but I have yet to confirm the dates. Let's get dates from David and Ed and go from there. I need to organize the space before any of the work starts and I will make arrangements to do so once we have a timeline.

Thank you.

Sent with ProtonMail Secure Email.

----- Original Message -----

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To: "Margaret Sandercock" <mbs@goodfarblaw.com>
Cc: "Edward Olmsted" <olmsted.mac@mac.com>, "David May"
<davidmortimermay@gmail.com>
Subject: Re: FW: Christian Gray, 226 Franklin St. HP

The later the better. It looks like they agree to starting it after they install the structural supports in G21 required for them to start the

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Subject: Christian Gray, 226 Franklin St. HP

Without prejudice and for settlement purposes only, we have prevailed on Mr. Gray to accept the existing scope of work provided that the owner will conduct its post testing first and give us the results before we have to start our post testing. If the scope of work is not sufficient as Mr. Gray believes, this will protect us from some of the expense of repeated tests because we will perhaps be able to use your test reports to show that the scope of work was not sufficient.

Today I heard from Joe Burden about scheduling "emergency" shoring work needed in Mr. Gray's unit and also the unit of his neighbor, David May, during the week of June 15. Mr. Gray is inclined to consent to that date and I have asked Mr. May to notify me if he can also consent. If they both consent, that work should be done before the mold remediation because it's an emergency. We would then need to find a date after the shoring to start the mold remediation.

If this is agreeable to you, I would love to see if we can speak to t
[Body truncated at extraction limit]

Date: May 21, 2021 05:29 PM

From: "Margaret Sandercock" <mbs@goodfarblaw.com>
To: "Christian Gray" <christiangray3@protonmail.com>
Subject: Re: HP court today

The scope of work is going to be the scope already prepared. It is not intended to clarify it.

From: Christian Gray

Reply-To: Christian Gray

Date: Friday, May 21, 2021 at 1:18 PM

To: Margaret Sandercock

Subject: Re: HP court today

Your welcome. I happy to hear that it was helpful.

As far as the settlement agreement is concerned:

I would still like them to clarify the following as ALC seemed to agree with the parameters of the three points that we found agreement on, that I outlined in the email.

Here is the "laundry list" that you asked for, that I had already put at the end of the last email thread regarding this.

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Agreed Items:

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3. East Living Room Wall should be removed entirely.

5. All Common Hallway walls should be removed entirely, including shared wall with room 2 and shared wall with bathroom.

6. Both HVAC units will be cleaned and serviced and flex duct will be removed.

Contested Items:

For Items 1 and 2. ALC should test for mold as agreed. If they won't remove the compromised drywall in the wall cavity in the Party Wall, and the compromised drywall between the joists that make up the acoustic ceiling then they need to be encapsulated, which includes the use of a vapor barrier, etc. "Encapsulated" should be clearly outlined by Ed.

Item 3: The Kitchen Floor will be removed. Ed's test show that it needs to be removed. ALC should prove otherwise or agree to the scope of work."

In light of the fact that we are conceding to leave out the three contested points that we didn't agree upon, I think that they should agree to the clarification of the three items that we do agree upon.

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These three items are very minor compared to the wall shared with David's unit, the Acoustic Ceiling in the living room that was completely saturated with black flood water, and the kitchen floor that was submerged and saturated in this

black flood water for days. Please ask them to agree on the clarification of the scope of work that I outlined in regards to the three agreed upon items. This may require Total Renovation to make minor adjustments to the scope of work that is outlined in their contract that they submitted.

Thank you.

As far as start dates, it seems that they agree to start the remediation process after they install the structural supports in my unit required to start the emergency work, which will take three days. That gives us the earliest start date

of June 18th, depending upon David and Ed's schedule. It is in my best interest to have to the start date as late as possible to give us time to have a NC with the Loft Board and get the PAA's enforced, etc.. I will be out if town around the 20th through the

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Sent with ProtonMail Secure Email.

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Date: May 21, 2021 05:45 PM

From: "Christian Gray" <christiangray3@protonmail.com>

To: "Margaret Sandercock" <mbs@goodfarblaw.com>

Subject: Re: HP court today

These were small asks and could have been easily negotiated, in my opinion. The fact that they got negotiated out after they were already agreed upon, given up as collateral for "chips" in negotiations on projects that have nothing to do with mine is disappointing, but educational to say the least.

Would you let those issues stand if it were your house, where you sleep and prepare food and have your friends and family visit?

It seems we will have to rely on more tests, after the first phase is complete, and go from there. Hopefully the next tests will be enforced.

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Date: May 21, 2021 06:03 PM

From: "Margaret Sandercock" <mbs@goodfarblaw.com>

To: "Christian Gray" <christiangray3@protonmail.com>

Subject: Re: HP court today

We agreed we were going with the existing scope of work; we never discussed any changes. At some point in time, I don't want to keep asking for things they won't do. It's a waste of time (mine) and money (yours.)

From: Christian Gray

Reply-To: Christian Gray

Date: Friday, May 21, 2021 at 1:45 PM

To: Margaret Sandercock

Subject: Re: HP court today

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Date: Jun 01, 2021 01:02 PM

From: "Jenifer Orefice" <jo@goodfarblaw.com>

To: "Christian Gray" <christiangray3@protonmail.com>

Cc: "Margaret Sandercock" <mbs@goodfarblaw.com>

Subject: HP case settlement

Ms. Sandercock has been away but is available to discuss the attached proposed Stipulation with you tomorrow afternoon.

Jenifer Orefice, Legal Assistant

Goodfarb & Sandercock, LLP

235 Main Street - Penthouse Suite

White Plains, NY 10601

Phone: 914.428.3400

Fax: 914.428.3407

JO@Goodfarblaw.com

NYC Office:

110 East 59th Street, 22nd floor

New York, NY 10022

Phone: 212.509.0440

Fax: 212.509.0464

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Date: Jun 02, 2021 08:11 PM

From: "Margaret Sandercock" <mbs@goodfarblaw.com>

To: "Christian Gray" <christiangray3@protonmail.com>, "Edward Olmsted" <olmsted.mac@mac.com>

Subject: FW: Gray HP

Here is the proposed settlement agreement with my comments. Please let me know what you think. I would like to get back to the landlord lawyer Friday if possible, but any way, Monday at the latest.

From: Elizabeth Sandercock

Date: Wednesday, June 2, 2021 at 4:08 PM

To: Margaret Sandercock

Subject: Gray HP

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Date: Jun 04, 2021 06:22 PM

From: "Margaret Sandercock" <mbs@goodfarblaw.com>

To: "Christian Gray" <christiangray3@protonmail.com>, "Edward Olmsted" <olmsted.mac@mac.com>

Subject: Proposed agreement settling HP case

When can we review this so I can respond to the landlord. Note that I got it mid last week when on vacation, so they are waiting a while to hear from us.

I am available the rest of today except at 4 30 when I have a scheduled call. I am also available Monday but only up to 4 30 pm.

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Date: Jun 04, 2021 07:38 PM

From: "Margaret Sandercock" <mbs@goodfarblaw.com>

To: "Edward Olmsted" <olmsted.mac@mac.com>

Cc: "Christian Gray" <christiangray3@protonmail.com>

Subject: Re: Proposed agreement settling HP case

The time you propose is fine with me. Christian, can you be available then?

From: Edward Olmsted

Date: Friday, June 4, 2021 at 2:38 PM

To: Margaret Sandercock

Subject: Re: Proposed agreement settling HP case

Monday at 9

I have a trial by zoom Monday so can spare 30 minutes

Sent from olmsted's iPhone

On Jun 4, 2021, at 2:22 PM, Margaret Sandercock wrote:

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Date: Jun 04, 2021 08:14 PM

From: "Christian Gray" <christiangray3@protonmail.com>

To: "Margaret Sandercock" <mbs@goodfarblaw.com>

Subject: Re: Proposed agreement settling HP case

Yes. See you on Monday at 9am. I will send the Zoom link today.

Thank you.

Sent from ProtonMail for iOS

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Date: Jun 04, 2021 08:16 PM

From: "Margaret Sandercock" <mbs@goodfarblaw.com>

To: "Christian Gray" <christiangray3@protonmail.com>

Cc: "Edward Olmsted" <olmsted.mac@mac.com>

Subject: Re: Proposed agreement settling HP case

I am just going to call in.

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Reply-To: Christian Gray

Date: Friday, June 4, 2021 at 4:15 PM

To: Margaret Sandercock

Subject: Re: Proposed agreement settling HP case

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Date: Jun 07, 2021 03:03 AM

From: "Christian Gray" <christiangray3@protonmail.com>

To: "Margaret Sandercock" <mbs@goodfarblaw.com>

Cc: "Edward Olmsted" <olmsted.mac@mac.com>

Subject: Re: Proposed agreement settling HP case

Here's the link.

Christian Gray is inviting you to a scheduled Zoom meeting. 9am Monday, June 7th.

Join Zoom Meeting

<https://us04web.zoom.us/j/75191882131?pwd=Q1djSSszbUZFNSdDlhYlZvY0orZz09>

Meeting ID: 751 9188 2131

Passcode: yfBc39

Sent with ProtonMail Secure Email.

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Date: Jun 15, 2021 08:02 PM

From: "Margaret Sandercock" <mbs@goodfarblaw.com>

To: "Christian Gray" <christiangray3@protonmail.com>

Subject: HP update

I am sorry it slipped my mind yesterday to tell you that the judge called both lawyers yesterday to ask for a progress report and he says he will do so again on or about June 30. We are pretty close to having a settlement agreement that can be signed. The landlord lawyer has backed off on our most important objections.

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Date: Jun 14, 2022 03:57 PM

From: "Margaret Sandercock" <mbs@goodfarblaw.com>
To: "Christian Gray" <christiangray3@protonmail.com>, "Edward Olmsted" <olmsted.mac@mac.com>

Subject: Christian's HP case

I was able to figure out how to do a motion to restore even though Christian is out of town. The court date I chose is 7/7. No one will have to show up that day; it may well be that the court appearance is remote since there are attorneys on both sides. However, I think we are moving toward having to do a hearing as to whether they did the scope of work they agreed to and in any case, whether the scope must be expanded. The hearings in that courtroom are in person.

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Date: Jun 14, 2022 04:27 PM

From: "Jenifer Orefice" <jo@goodfarblaw.com>
To: "Christian Gray" <christiangray3@protonmail.com>
Cc: "Margaret Sandercock" <mbs@goodfarblaw.com>

Subject: HP case

A copy of the motion to restore is attached for your records.

Jenifer Orefice, Legal Assistant

Goodfarb & Sandercock, LLP

235 Main Street - Penthouse Suite

White Plains, NY 10601

Phone: 914.428.3400

Fax: 914.428.3407

JO@Goodfarblaw.com

NYC Office:

110 East 59th Street, 22nd floor

New York, NY 10022

Phone: 212.509.0440

Fax: 212.509.0464

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Date: Jul 06, 2022 05:15 PM

From: "Margaret Sandercock" <mbs@goodfarblaw.com>

To: "Christian Gray" <christiangray3@protonmail.com>

Subject: HP case

The court shifted the date for the motion to restore the HP case to the calendar to Aug. 1. It was supposed to take place tomorrow.

This is an in person appearance at 141 Livingston St., Room 409, in downtown Brooklyn. You are welcome on the 1st; you have to prove you've been vaccinated. You don't have to come on the 1st but if the case is scheduled for trial, you will need to be there on future dates. Therefore, if there are dates after 8/1 when you are unavailable, please let me know before 8/1. If you are not vaccinated, please let me know as I will have to explore the alternatives.

Thank you.

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Date: Jul 06, 2022 08:50 PM

From: "Christian Gray" <christiangray3@protonmail.com>

To: "Margaret Sandercock" <mbs@goodfarblaw.com>

Subject: Re: HP case

Thanks for the update.

I am vaccinated but I haven't received booster shots. Can I still attend the court date in person, or can attend via WebX? There is a good possibility that I will be in Sarasota for my Mother's birthday on July 30th and would need to make arrangements.

I am back in NYC and will be working on a buyout number as well as getting on the same page with Adam regarding the damages case.

Thank you for your work.

Christian

Sent with Proton Mail secure email.

----- Original Message -----

On Wednesday, July 6th, 2022 at 1:15 PM, Margaret Sandercock wrote:

The court shifted the date for the motion to restore the HP case to the calendar to Aug. 1. It was supposed to take place tomorrow.

This is an in person appearance at 141 Livingston St., Room 409, in downtown Brooklyn. You are welcome on the 1st; you have to prove you've been vaccinated. You don't have to come on the 1st but if the case is scheduled for trial, you will need to be there on future dates. Therefore, if there are dates after 8/1 when you are unavailable, please let me know before 8/1. If you are not vaccinated, please let me know as I will have to explore the alternatives.

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Date: Jul 06, 2022 08:58 PM

From: "Margaret Sandercock" <mbs@goodfarblaw.com>

To: "Christian Gray" <christiangray3@protonmail.com>

Subject: Re: HP case

That court does not use Web Ex , but rather Microsoft Teams, and will not allow you to participate remotely unless everyone does, which is unlikely in this case. Aug. 1 is not a big deal if you are not there. I am asking about this for dates after Aug. 1 for a trial or hearing. And, I will have to ask about vaxed but no booster, it may be OK.

From:
Christian Gray

Date: Wednesday, July 6, 2022 at 4:51 PM

To: Margaret Sandercock

Subject: Re: HP case

Thanks for the update.

I am vaccinated but I haven't received booster shots. Can I still attend the court date in person, or can attend via WebX? There is a good possibility that I will be in Sarasota for my Mother's birthday on July 30th and would need to make arrangements.

I am back in NYC and will be working on a buyout number as well as getting on the same page with Adam regarding the damages case.

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Christian

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Proton Mail secure email.

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Date: Aug 31, 2022 06:11 PM

From: "Jenifer Orefice" <jo@goodfarblaw.com>
To: "Christian Gray" <christiangray3@protonmail.com>
Cc: "Margaret Sandercock" <mbs@goodfarblaw.com>
Subject: HP case

A copy of the Reply Affidavits served and filed today is attached.

Jenifer Orefice, Legal Assistant

Goodfarb & Sandercock, LLP

235 Main Street - Penthouse Suite

White Plains, NY 10601

Phone: 914.428.3400

Fax: 914.428.3407

JO@Goodfarblaw.com

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Date: Sep 01, 2022 03:55 PM

From: "Margaret Sandercock" <mbs@goodfarblaw.com>
To: "Christian Gray" <christiangray3@protonmail.com>
Subject: HP case

The HP case was on the calendar today. It has been postponed to Oct. 11. After 9/12, we need to work out a date when Jack Glass, the landlord's evaluator, can come and see the space again; Ed Olmsted has to be present when that happens. Can you please give me a choice of several dates for this to occur?

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Date: Nov 07, 2022 03:34 PM

From: "Nina Oksman" <noksman@weenkozek.com>

To: "Christian Gray" <christiangray3@protonmail.com>

Cc: "Michael Kozek" <mkozek@weenkozek.com>

Subject: 226 Franklin - Sub of counsel Christian Gray HP and Supreme Ct

Christian,

Attached here are the sub of counsel for your two cases. Same instructions as per below.

Let me know how you want to proceed.

Best,

Nina

Nina C. Oksman | Senior Associate | WEEN & KOZEK

BROOKLYN: 20 Jay Street, Ste. 814 | Brooklyn, NY 11201

HUDSON VALLEY: 319 Main Street | Poughkeepsie, NY 12601noksman@weenkozek.com | www.weenkozek.com

P: (212) 964-1822 | F: (212) 385-9827

Pronouns: she/her/hers

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----- Forwarded message -----

From: Nina Oksman

Date: Mon, Nov 7, 2022 at 3:30 PM

Subject: 226 Franklin - Sub of counsel OATH Harassment application

To: erez horovitz , Kathryn Downie , Christian Gray , David May

Cc: M.P. Kozek

Folks,

Attached is the substitution of counsel for the OATH harassment application. Please sign it in the line indicated with your name before a notary public. The notary should then complete, sign and stamp the acknowledgment at the bottom of page 2 or the last page. You can each have it signed and notarized and pass the document along, or sign separate versions I can put together in one pdf later.

You can print this document and bring it to sign before a notary or any local bank may have a notary on staff and do it for free or for a small charge, just need to call them and ask what time the notary is in.

We can also set up appointments for video notarization (but this is billable time which is less cost effective). For video notarization, you should have your ID, and be able to either print the affidavit and sign it in front of me via video meeting or have the ability to electronically sign with adobe or other programs, and share your screen so I can "watch" you sign.

Let me know how you want to proceed with notarizations.

Best,
Nina

Nina C. Oksman | Senior Associate | WEEN & KOZEK

BROOKLYN: 20 Jay Street, Ste. 814 | Brooklyn, NY 11201

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Date: Nov 08, 2022 10:41 AM

From: "Nina Oksman" <noksman@weenkozek.com>

To: "Christian Gray" <christiangray3@protonmail.com>

Cc: "Michael Kozek" <mkozek@weenkozek.com>

Subject: Re: 226 Franklin - Sub of counsel Christian Gray HP and Supreme Ct

Christian,

I just wanted to bump you on these subs of counsel. The most time sensitive issue is your HP action bc there is currently a court date of 11/22. We need to sub in right away so that we can reach out to the other attorneys and the Court and request an adjournment, which could take a little time to facilitate.

Let me know if you have questions or if we can help in any way,
Nina

Nina C. Oksman | Senior Associate | WEEN & KOZEK

BROOKLYN: 20 Jay Street, Ste. 814 | Brooklyn, NY 11201

HUDSON VALLEY: 319 Main Street | Poughkeepsie, NY 12601noksman@weenkozek.com | www.weenkozek.com
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On Mon, Nov 7, 2022 at 3:34 PM Nina Oksman wrote:

Christian,

Attached here are the sub of counsel for your two cases. Same instructions as per below.

Let me know how you want to proceed.

Best,
Nina

Nina C. Oksman | Senior Associate | WEEN & KOZEK

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From: Nina Oksman

Date: Mon, Nov 7, 2022 at 3:30 PM

Subject: 226 Franklin - Sub of counsel OATH Harassment application

To: erez horovitz , Kathryn Downie , Christian Gray , David May

Cc: M.P. Kozek

Folks,

Attached is the substitution of counsel for the OATH harassment application. Please sign it in the line indicated with your name before a notary public. The notary should then complete, sign and stamp the acknowledgment at the bottom of page 2 or the last page. You can each have it signed and notarized and pass the document along, or sign separate versions I can put together in one pdf later.

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We can also set up appointments for video notarization (but this is billable time which is less cost effective). For video notarization, you should have your ID, and be able to either print the affidavit and sign it in front of me via video meeting or have the ability to electronically sign with adobe or other programs, and share your screen so I can "watch" you sign.

Let me know how you want to proceed with notarizations.

Best,
Nina

Nina C. Oksman | Senior Associate | WEEN & KOZEK

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HUDSON VALLEY: 319 Main Street | Poughkeepsie, NY 12601noksman@weenkozek.com | www.weenkozek.com

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[Body truncated at extraction limit]

Date: Nov 08, 2022 07:17 PM

From: "Christian Gray" <christiangray3@protonmail.com>

To: "Nina Oksman" <noksman@weenkozek.com>

Cc: "Michael Kozek" <mkozek@weenkozek.com>

Subject: Re: 226 Franklin - Sub of counsel Christian Gray HP and Supreme Ct

Hi Nina,

I just got back to NYC and will get these docs notarized today. Would you like me to mail them to you or shall I scan them and send them to you as a PDF?

Thank you.

Peace,
Christian

Sent with Proton Mail secure email.

----- Original Message -----

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Christian,

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Best,
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From: Nina Oksman

Date: Mon, Nov 7, 2022 at 3:30 PM

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To: erez horovitz , Kathryn Downie , Christian Gray , David May

Cc: M.P. Kozek

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Best,
Nina

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Date: Nov 08, 2022 02:31 PM

From: "Nina Oksman" <noksman@weenkozek.com>
To: "Christian Gray" <christiangray3@protonmail.com>
Cc: "Michael Kozek" <mkozek@weenkozek.com>

Subject: Re: 226 Franklin - Sub of counsel Christian Gray HP and Supreme Ct

Thanks Christian. Please scan them over and then you can snail mail the originals when you have time.

Nina C. Oksman | Senior Associate | WEEN & KOZEK

BROOKLYN: 20 Jay Street, Ste. 814 | Brooklyn, NY 11201

HUDSON VALLEY: 319 Main Street | Poughkeepsie, NY 12601noksman@weenkozek.com | www.weenkozek.com
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On Tue, Nov 8, 2022 at 2:18 PM Christian Gray wrote:

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Peace,
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On Monday, November 7th, 2022 at 3:34 PM, Nina Oksman wrote:

Christian,

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Nina C. Oksman | Senior Associate | WEEN & KOZEK

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Date: Mon, Nov 7, 2022 at 3:30 PM
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To: erez horovitz , Kathryn Downie , Christian Gray , David May
Cc: M.P. Kozek

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[Body truncated at extraction limit]

Date: Nov 08, 2022 07:33 PM

From: "Christian Gray" <christiangray3@protonmail.com>

To: "Nina Oksman" <noksman@weenkozek.com>

Subject: Re: 226 Franklin - Sub of counsel Christian Gray HP and Supreme Ct

Will do. Thanks!

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----- Original Message -----

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Nina C. Oksman | Senior Associate | WEEN & KOZEK

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Hi Nina,

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Thank you.

Peace,
Christian

Sent with Proton Mail secure email.

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Christian,

Attached here are the sub of counsel for your two cases. Same instructions as per below.

Let me know how you want to proceed.

Best,
Nina

Nina C. Oksman | Senior Associate | WEEN & KOZEK

BROOKLYN: 20 Jay Street, Ste. 814 | Brooklyn, NY 11201

HUDSON VALLEY: 319 Main Street | Poughkeepsie, NY 12601noksman@weenkozek.com | www.weenkozek.com

P: (212) 964-1822 | F: (212) 385-9827

Pronouns: she/her/hers

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From: Nina Oksman

Date: Mon, Nov 7, 2022 at 3:30 PM

Subject: 226 Franklin - Sub of counsel OATH Harassment application

To: erez horovitz , Kathryn Downie , Christian Gray , David May

Cc: M.P. Kozek

Folks,

Attached is the substitution of counsel for the OATH harassment application. Please sign it in the line indicated with your name before a notary public. The notary should then complete, sign and stamp the acknowledgment at the bottom of page 2 or the last page. You can each have it signed and notarized and pass the document along, or sign separate versions I can put together in one pdf later.

You can print this document and bring it to sign before a notary or any local bank may have a notary on staff and do it for free or for a small charge, just need to call them and ask what time the notary is in.

We can also set up appointments for video notarization (but this is billable time which is less cost effective). For video notarization, you should have your ID, and be able to either print the affidavit and sign it in front of me via video meeting or have the ability to electronically sign with adobe or other programs, and share your screen so I can "watch" you sign.

Let me know how you want to proceed with notarizations.

Best,
Nina

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On Monday

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From: "Nina Oksman" <noksman@weenkozek.com>

To: "Christian Gray" <christiangray3@protonmail.com>

Subject: Re: 226 Franklin - Sub of counsel Christian Gray HP and Supreme Ct

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To: "Michael Kozek" <mkozek@weenkozek.com>, "Nina Oksman" <noksman@weenkozek.com>

Subject: G21 HP Section Folder Google Drive Link

Greetings,

Below is a link to the Google Drive folder: G21 HP Section Folder

https://drive.google.com/drive/folders/135gmLezkaOpKlV_QccSMBOSdLgsa0q0I?usp=sharing

I sent an invite to access the Notion page so that we can work directly on/from that. You would have to register for a free Notion account to access the page. Now may not be the time to move directly over to Notion as it has a learning curve. In the meantime I have sent the drive link for quick reference.

The Google Drive link has the HTML, PDF formats with an additional Link Resources Folder that contains all of the PDF files referenced in the the HTML/PDF formats.

Notion enables toggles but the HTML/PDF versions have all of the toggles open so the document ends up being 30 pages. It's there for reference.

Please let me know if you have any questions or need anything else from me.

I am concerned about your initial concern regarding the wording of the Stipulation of Settlement, and that it may cause issues with suing for damages relating to the fixtures (build out of G21) also that it could compromise my Harassment Case. It seems to me that the best course of action would be to demand a new Stipulation of Settlement agreement that is written by you to ensure that I am able to sue for the damages as well as use it as leverage and justification in the Harassment Case. They committed perjury and we should be able to create a new Stipulation of Settlement and move forward with the remediation process due to the fact that it is not in their best interests to be convicted of perjury and contempt of court.

My Harassment Case, according to Margaret, was a main point of leverage in negotiations and, also, according to her, the perjury was the strongest point of leverage. That is why she tried to break me off from the TA and negotiate a buyout for just my unit, which included settling the damages and dropping the harassment case against Marty. Margaret seemed very confident that she could get it done and was pressing me very hard to move forward with the buyout negotiation.

Thank you for your time and work.

Peace,

Christian

Sent with Proton Mail secure email.

Date: Feb 03, 2023 09:35 PM

From: "Christian Gray" <christiangray3@protonmail.com>

To: "Michael Kozek" <mkozek@weenkozek.com>

Subject: Feb 1st HP meeting with Judge Smith

Hi Michael,

Checking in. How did it go? What's going on?

Thanks.

Peace,
Christian

Sent with Proton Mail secure email.

Date: Feb 03, 2023 04:43 PM

From: "Michael Kozek" <mkozek@weenkozek.com>
To: "Christian Gray" <christiangray3@protonmail.com>,
"noksman@weenkozek.com" <noksman@weenkozek.com>
Subject: Re: Feb 1st HP meeting with Judge Smith

Christian,

Sorry for being out of touch all week, it's been very busy. There's been many developments. We met with Skaller and have been communicating with Olmstead about a meeting at the unit to walk through the details of what will be in the new scope of work. Could you do a 730pm virtual meeting with me on Monday to discuss everything?

Michael P. Kozek
Partner | WEEN & KOZEK
mkozek@weenkozek.com | www.weenkozek.com

P: (212) 964-1822 | F: (212) 385-9827

Pronouns: he/him/his

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HUDSON VALLEY: 319 Mill Street | Poughkeepsie, New York 12601

SELECTED TO SUPERLAWYERS: 2017-2022

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On Fri, Feb 3, 2023 at 4:35 PM Christian Gray wrote:

Hi Michael,

Checking in. How did it go? What's going on?

Thanks.

Peace,
Christian

Sent with Proton Mail secure email.

Date: Feb 03, 2023 10:32 PM

From: "Christian Gray" <christiangray3@protonmail.com>
To: "Michael Kozek" <mkozek@weenkozek.com>
Subject: Re: Feb 1st HP meeting with Judge Smith

Yes, I can do Monday at 7:30pm.

I am very concerned about Ed flip flopping, as he has done consistently. He puts his interests and relationship with Jack Glass before mine, which he basically told me in other words. He clearly stated in the email that I included in the PDF that I sent you, that the entire scope of work needs to be done. There should be nothing but studs standing in there, up to David's side of the drywall. I have to pay Ed every time that he walks in there and then pay for his tests and the reports that he writes. Ed clearly stated that the full scope of work needs to be done (as cited in the email I included in the PDF that I sent you). The full scope of work is defined in the SoS, and it hasn't been done. Why does Ed need to specify anything? The Scope

of Work outlined in the SoS is clear. If they need clarification, I will give it them. The only question they should have is about the exact construction of the space, not whether or not items should or should not be removed. The Scope of Work is no longer a matter of opinion or interpretation, that happened in a very long and expensive (to me) negotiation. Why do I need to pay Ed to come in, yet again, to do the same things that he has been doing, multiple times, for years now? I am getting juiced by this process. We must have MASSIVE leverage at this point. Let's use it. I've been getting run around for way too long and I'm the only one that doesn't benefit financially from the process. I fund this vicious cycle while being homeless without my studios for the last 3.5 years.

Ed added items to the Scope of Work, including the total removal of the Kitchen Floor. Those items should be added. Nothing should be taken off of the SoW. In the past, every time that Jack Glass and Ed do a walk through, something that was already included in the SoW in the SoS, is removed in bargaining. Enough already.

Are they going to honor the PAA? If so let's get the FULL Scope of Work done and I will remove whatever else, as oppose to spending \$\$ arguing over drywall and other wastes of time and money.

I need to be able to sue for damages that relate to the fixtures that get removed...there is MUCH to talk about.

No need to get into it on this email thread, we can talk on Monday.

Thank you for your time and work. My apologies if my tone is abrasive, it is only my frustration with the process and with those who have been involved before you took over. I am grateful for your work.

See you on Monday.

Thanks for your time.

Sent with Proton Mail secure email.

----- Original Message -----

On Friday, February 3rd, 2023 at 4:43 PM, Michael Kozek wrote:

Christian,

Sorry for being out of touch all week, it's been very busy. There's been many developments. We met with Skaller and have been communicating with Olmstead about a meeting at the unit to walk through the details of what will be in the new scope of work. Could you do a 730pm virtual meeting with me on Monday to discuss everything?

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On Fri, Feb 3, 2023 at 4:35 PM Christian Gray wrote:

Hi Michael,

Checking in. How did it go? What's going on?

Thanks.

Peace,
Christian

Sent with Proton Mail secure email.

Date: Feb 16, 2023 05:45 PM

From: "Nina C. Oksman" <noksman@weenkozek.com>

To: "Michael Kozek" <mkozek@weenkozek.com>

Cc: "Christian Gray" <christiangray3@protonmail.com>

Subject: Re: Feb 1st HP meeting with Judge Smith

Hi Christian,

We spoke with Ed Olmsted today and we are all on the same page. He is going to be sending us possible inspection dates this evening and we will reach out to the other side to get the inspection on the books.

Be in touch soon,
Nina

Nina C. Oksman | Partner | WEEN & KOZEK

BROOKLYN: 20 Jay Street, Ste. 814 | Brooklyn, NY 11201

HUDSON VALLEY: 319 Main Street | Poughkeepsie, NY 12601noksman@weenkozek.com | www.weenkozek.com

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SUPERLAWYERS RISING STAR: 2021-2022

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On Fri, Feb 3, 2023 at 4:44 PM Michael Kozek wrote:

Christian,

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On Fri, Feb 3, 2023 at 4:35 PM Christian Gray wrote:

Hi Michael,

Checking in. How did it go? What's going on?

Thanks.

Peace,
Christian

Sent with Proton Mail secure email.

Date: Feb 16, 2023 10:51 PM

From: "Christian Gray" <christiangray3@protonmail.com>

To: <noksman@weenkozek.com>, <mkozek@weenkozek.com>

Subject: Re: Feb 1st HP meeting with Judge Smith

Hi Nina,

I'm glad to hear that Ed is on the same page. Sounds good.

Thank you.

Peace,
Christian

On Thu, Feb 16, 2023 at 17:45, Nina C. Oksman wrote:

Hi Christian,

We spoke with Ed Olmsted today and we are all on the same page. He is going to be sending us possible inspection dates this evening and we will reach out to the other side to get the inspection on the books.

Be in touch soon,
Nina

Nina C. Oksman | Partner | WEEN & KOZEK

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On Fri, Feb 3, 2023 at 4:35 PM Christian Gray wrote:

Hi Michael,

Checking in. How did it go? What's going on?

Thanks.

Peace,
Christian

Sent with Proton Mail secure email.

Date: Feb 27, 2023 12:06 PM

From: "Nina C. Oksman" <noksman@weenkozek.com>

To: "Christian Gray" <christiangray3@protonmail.com>

Cc: <mkozek@weenkozek.com>

Subject: Re: Feb 1st HP meeting with Judge Smith

Christian,

Heads up, these are the dates we are looking at for the group inspection, we are waiting for final confirmation from owner and their folks.

Mon March 20, morning or afternoon

Tues March 21 morning or afternoon

Wed March 23 afternoon

Mon March 27 morning or afternoon
Tues March 28 morning or afternoon
Wed March 29 morning

Nina C. Oksman | Partner | WEEN & KOZEK

BROOKLYN: 20 Jay Street, Ste. 814 | Brooklyn, NY 11201

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Christian

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Christian,

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On Fri, Feb 3, 2023 at 4:35 PM Christian Gray wrote:

Hi Michael,

Checking in. How did it go? What's going on?

Thanks.

Peace,
Christian

Sent with Proton Mail secure email.

Date: Sep 29, 2023 11:40 AM

From: "Michael Kozek" <mkozek@weenkozek.com>

To: "Christian Gray" <christiangray3@protonmail.com>

Subject: Fwd: NYSCEF Notification: Kings - Landlord and Tenant - HP Action (with Harassment) - Notification from Court <DECISION/ORDER> LT-006086-20/KI (Christian Gray v. American Package Company Inc et al)

Christian,

The judge just issued this decision on the motion to restore for a hearing on compliance with the agreement. She denied the motion on grounds not argued by either side, finding that there were certain pre-conditions to bringing the motion that were not satisfied in the motion papers that Sandercock submitted. Let's discuss how to deal with this. This does not preclude a motion for contempt, which I have said we would pursue; so I'm not concerned about this having much impact on the settlement discussion.

Michael P. Kozek
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----- Forwarded message -----

From:

Date: Fri, Sep 29, 2023 at 11:24 AM

Subject: NYSCEF Notification: Kings - Landlord and Tenant - HP Action (with Harassment) - Notification from Court LT-006086-20/KI (Christian Gray v. American Package Company Inc et al)

To: , , , , , , ,

Kings County Civil Court - Landlord and Tenant Division

Notification of Filing by Court
09/29/2023

On 09/29/2023,
the NYSCEF System received the documents listed below from court user
Latea Riley-Peterson

Please keep this notice as a confirmation of this filing.

NOTE: Court rules require hard copy service upon any party who has not chosen
to participate in e-filing, and upon attorneys who have opted-out or declined consent to e-filing.

Case Information

Case #: LT-006086-20/KI

Caption: Christian Gray v. American Package Company Inc et al

eFiling Status: Full Participation Recorded

Assigned Case Judge: No Judge Assigned

Documents Received

Doc #
Document

31

DECISION/ORDER

Motion #: 1

E-mail Notifications Sent

Name
Email Address

DAVID SKALLER

dskaller@bbwg.com

DANIEL PHILLIPS

dphillips@bbgllp.com

MICHAEL KOZEK-PERKINS

mkozek@weenkozek.com

NINA OKSMAN

noksman@weenkozek.com

ELIZABETH SANDERCOCK

es@goodfarblaw.com

JULIA WILSON

Wilsonju@hpd.nyc.gov

Please Note

The documents referenced above have been e-filed by the County Clerk in order to maintain a complete electronic docket.

Receipt of this notification does not constitute service of the referenced documents upon any party.

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Date: Sep 29, 2023 06:19 PM

From: "Christian Gray" <christiangray3@protonmail.com>

To: "Michael Kozek" <mkozek@weenkozek.com>

Subject: Re: Fwd: NYSCEF Notification: Kings - Landlord and Tenant - HP Action (with Harassment) - Notification from Court <DECISION/ORDER> LT-006086-20/KI (Christian Gray v. American Package Company Inc et al)

Let me know when you are available to discuss. I am around and working all weekend and next week. I will make the time, at your convenience.

Thank you.

Peace

Sent with Proton Mail secure email.

----- Original Message -----

On Friday, September 29th, 2023 at 11:40 AM, Michael Kozek wrote:

Christian,

The judge just issued this decision on the motion to restore for a hearing on compliance with the agreement. She denied the motion on grounds not argued by either side, finding that there were certain pre-conditions to bringing the motion that were not satisfied in the motion papers that Sandercock submitted. Let's discuss how to deal with this. This does not preclude a motion for contempt, which I have said we would pursue; so I'm not concerned about this having much impact on the settlement discussion.

Michael P. Kozek

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From:

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To: , , , , , , ,

Kings County Civil Court - Landlord and Tenant Division

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Case Information

Case #: LT-006086-20/KI

Caption: Christian Gray v. American Package Company Inc et al

eFiling Status: Full Participation Recorded

Assigned Case Judge: No Judge Assigned

Documents Received

Doc #
Document

31

DECISION/ORDER

Motion #: 1

E-mail Notifications Sent

Name
Email Address

DAVID SKALLER

dskaller@bbwg.com

DANIEL PHILLIPS

dphillips@bbgllp.com

MICHAEL KOZEK-PERKINS

mkozek@weenkozek.com

NINA OKSMAN

noksman@weenkozek.com

ELIZABETH SANDERCOCK

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JULIA WILSON

Wilsonju@hpd.nyc.gov

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