

# White Tab 117 -- HP 6086/2020 NYSCEF Docket Analysis (Facts-Only)

---

**Document:** White Tab 117 -- HP 6086/2020 NYSCEF Docket Analysis (Facts-Only) **Color:** White | **Icon:** Document | **Page Count:** TBD | **Version:** v1.0 | **Updated:** 2026-03-20 | **DocID:** WHITE-TAB-117 **Binder Volume:** 07 | **Binder Part:** C -- Active Evidence Resources (100-Series) | **Binder Tab:** 117

## GUARDRAIL: WHITE -- FACT REPOSITORY ONLY

Facts & source pinpoints only. No strategy, no argument, no legal opinions. All quotations are "as reported" unless exact text appears in a cited source.

---

## PART A -- Docket Overview

---

### Case Information

Field	Value
Case Caption	Christian Gray v. American Package Company Inc et al
Index Number	LT-006086-20/KI
Court	Civil Court of the City of New York, Kings County, L&T Division
Part	Housing Part B
Case Type	HP Action with Harassment
Filed	June 30, 2020
Property	97 Green Street, Apt G21, Brooklyn, NY 11222

**Building address note:** The Sandercock Affirmation (Doc #12, para 5) identifies the building as "226 Franklin St., Brooklyn, NY" and describes it as "a large interim multiple dwelling subject to the Loft Law with numerous a/k/a street addresses, including 97 Green Street."

### Docket Status

The NYSCEF docket for LT-006086-20/KI contains 38 entries. Documents #33 through #36 are filing errors (deleted on NYSCEF). The remaining **34 documents** are all accounted for and summarized in Part B below.

## PART B -- Complete Document Inventory

All 34 available NYSCEF documents are listed below in docket order. The "Topic/Relevance" column indicates the document's relationship to the principal issues in this docket: scope compliance, affidavit accuracy, and procedural history.

Doc #	Document Type	Filed By	Date	Pgs	Content Summary	Topic/Relevance
1	Case Summary Prior to Conversion	Court	08/18/2020	1	Case filing record; property identified as 97 Green St G21; early judges: Poley (Jul 20), Weisberg (Aug 14, Sep 18)	Court date history
2	Stipulation and Consent to E-Filing	Court	08/18/2020	3	NYSCEF consent signed by Elizabeth Sandercock (Goodfarb & Sandercock) and Michael M. Bobick (Belkin Burden Goldman)	Attorney identification; Bobick involvement
3	Order -- Transfer	Court	03/16/2021	1	Handwritten court form; largely illegible; relates to trial readiness	Procedural
4	Legacy -- Initiating OSC	Court	03/22/2021	2	Original Order to Show Cause; signed by Judge Kenneth T. Barany; verified petition dated June 29, 2020	Originating document
5	Legacy -- Verified Answer	Court	03/22/2021	30	BBG's full verified answer with affirmative defenses and counterclaim	Respondent's pleading
6	Legacy -- Water Intrusion Inspection	Court	03/22/2021	17	ALC Environmental Feb 7, 2020 inspection by Kowalewski; pre-litigation water intrusion assessment	Pre-litigation conditions
7	Legacy -- Mold Inspection	Court	03/22/2021	24	Olmsted June 15, 2020 mold inspection; describes "catastrophic flood caused by sprinkler head bursting	Baseline mold conditions; see WT-107

Doc #	Document Type	Filed By	Date	Pgs	Content Summary	Topic/ Relevance
					on the floor above" on Oct 23, 2019	
8	Legacy -- August 12, 2020 Stipulation	Court	03/22/2021	2	Two-attorney stipulation: Sandercock + Bobick (BBG); adjournment from Aug 14, 2020 hearing	Bobick as counsel of record
9	Stipulation of Settlement (Request to SO Order)	Sandercock, E.	06/29/2021	12	Pre-filing version of stipulation; identical content to Doc #10 without NYSCEF filing stamps	Duplicate of #10
10	<b>Stipulation of Settlement -- So Ordered</b>	Court	06/29/2021	12	Full SO-ordered stipulation: 17 paragraphs + Exhibit 1 (scope of work, pp. 8-11) + apartment diagram (p. 12). Exhibit 1 contains 8 margin comments by Jack Glass (JG1-JG8; see Part F). Signature on SO-ORDERED stamp is visually consistent with "Stoller."	<b>Court-ordered scope; Glass annotations; see WT-106</b>
11	Notice of Motion (Motion #1)	Sandercock, E.	06/14/2022	2	Motion to Restore; return date July 7, 2022, Part B, Room 409	Filing date: 10 months after Aug 2021 lab results
12	Affirmation in Support (Motion #1)	Sandercock, E.	06/14/2022	4	Supporting affirmation; describes flood, mold conditions, landlord's failure to complete remediation; para 10 describes buyout campaign and harassment	Factual basis for motion
13	Exhibit A (Motion #1) -- OSC	Sandercock, E.	06/14/2022	37	Original Order to Show Cause with supporting documents (scanned)	Originating documents
14	Exhibit B (Motion #1) -- Answer	Sandercock, E.	06/14/2022	27	BBG's Verified Answer (scanned)	Respondent's pleading

Doc #	Document Type	Filed By	Date	Pgs	Content Summary	Topic/ Relevance
15	Exhibit C (Motion #1) -- Stipulation	Sandercock, E.	06/14/2022	13	Full SO-ordered stipulation text including all 17 paragraphs, scope of work, and Glass margin comments	Court-filed scope; see WT-106
16	Exhibit D (Motion #1) -- Olmsted Report	Sandercock, E.	06/14/2022	24	Olmsted follow-up scope identifying mold not eradicated after remediation	Post-remediation conditions; see WT-110
17	Affirmation in Opposition (Motion #1)	Phillips/Skaller	07/28/2022	9	Opposition to Motion to Restore. Requests referral to "Hon. J. Stoller, J.H.C." (para header, p. 1). Argues scope completed. Cites Bard v. Mautner-Glick. Claims Olmsted caused re-contamination through "improper" probing.	Referral request; scope completion claims
18	<b>Kowalewski Affidavit in Opposition</b>	Phillips	07/28/2022	16	Sworn affidavit: claims ServPro completed remediation "with the prescribed scope of work" (para 6); "no deficiencies or irregularities" (para 11); scope requirements met (para 12). Includes resume and license. Page 14: NJAIHA training certificate lists Jack Glass as her instructor (June 17, 2014).	<b>Scope completion claims; Glass-Kowalewski professional relationship</b>
19	<b>Glass Affidavit in Opposition</b>	Phillips	07/28/2022	12	Sworn affidavit: claims ServPro "completed the remediation work as stated in the scope of work" (para 6); claims Olmsted's probing "caused the Apartment to be re-contaminated with	<b>Scope completion claims; re-contamination allegation</b>

Doc #	Document Type	Filed By	Date	Pgs	Content Summary	Topic/ Relevance
					mold" (para 15c); claims Olmsted's methods are "not a standard and customary method" (para 13). Includes CV (35+ years).	
20	Exhibit A (Opposition) -- ALC PRV Report	Phillips	07/28/2022	27	ALC Post Remediation Verification Report dated Aug 3, 2021. Basis for scope completion claims in Docs #18-19.	PRV report; see WT-108
21	Exhibit B (Opposition) -- Bard Decision	Phillips	07/28/2022	55	Bard v. Mautner-Glick decision by Hon. Jack Stoller (Jan 19, 2022). Cited as controlling precedent by opposition.	Precedent cited by respondent
22	<b>Reply Affirmation #1</b>	Sandercock	08/31/2022	7	Itemizes 11 specific scope items not completed (para 5a-k; see Part D). Describes conduct as a "one-two shuffle" (para 10). States Olmsted "did not make any holes of any sort" (para 12). Distinguishes Bard on facts.	<b>11-item scope deficiency list</b>
23	Reply Affirmation #2 (Olmsted Affidavit)	Sandercock	08/31/2022	10	Sworn Olmsted affidavit curing evidentiary deficiency noted by opposition	Expert sworn testimony
24	Stipulation -- Adjournment (Motion #1)	Phillips	10/10/2022	2	Adjourn to Nov 22, 2022; sur-reply deadline Nov 15; SO-ORDERED J.H.C.	Procedural
25	Substitution of Attorney	Oksman	11/15/2022	2	Ween & Kozek PLLC replaces Goodfarb & Sandercock LLP as petitioner's counsel; notarized	Attorney substitution
26		Oksman	11/15/2022	1		

Doc #	Document Type	Filed By	Date	Pgs	Content Summary	Topic/ Relevance
	Notice of Appearance				Ween & Kozek PLLC; 20 Jay St, Suite 814, Brooklyn	New counsel contact
27	Stipulation (Request to SO Order)	Phillips	11/16/2022	2	Adjournment: Nov 22 to Jan [blank], 2023; at petitioner's request	Adjournment chain
28	Stipulation of Adjournment	Oksman	12/28/2022	2	Adjournment: Jan 4, 2023 to <b>Feb 1, 2023 at 10:00am</b>	Brackets Feb 1 hearing date
29	Stipulation of Adjournment	Oksman	01/26/2023	2	Adjournment: <b>Feb 1, 2023 to Mar 6, 2023 "on consent"</b>	Lists Feb 1, 2023 as adjournment from-date; states adjournment was "on consent"
30	Stipulation of Adjournment	Oksman	03/01/2023	2	Adjournment: Mar 6 to Apr 19, 2023, on consent	Procedural
31	Decision/ Order (Motion #1)	Court	09/29/2023	2	Decision by Hon. Remy Smith, J.H.C., denying Motion to Restore (see Part E). Standalone filing.	Decision on motion
32	Notice of Entry (Motion #1)	Phillips	10/02/2023	3	Notice of Entry; contains full Smith Decision (identical to Doc #31); identifies "Hon. Remy Smith, J.H.C."	Decision service
37	Notice of Appeal	Kozek	10/31/2023	7	Contains: Notice of Appeal + embedded Notice of Entry + full Decision/Order text + RATA appellate form + Affirmation of Service. Three independent references to "Hon. Remy Smith" as deciding judge. RATA form states decision was "based upon arguments that were never raised in opposition."	Appeal filing; judge confirmation
38	Notice of Entry --		10/02/2024	2	Appellate Term dismissed the appeal for failure to	

Doc #	Document Type	Filed By	Date	Pgs	Content Summary	Topic/ Relevance
	Appellate Term	Cruz Castillo			perfect. No extension of time was granted. Panel: Buggs, J.P.; Toussaint; Mundy. Docket: 2023-01216 KC.	Appeal disposition

**Note on Docs #33-36:** These four docket entries are filing errors and have been deleted from NYSCEF. They do not contain substantive content.

## PART C -- Judicial History

### Judges Involved in HP 6086/2020

Judge	Role	Date(s)	Source
Kenneth T. Barany	Signed original Order to Show Cause	June 2020	Doc #4
Julie Poley	Presided at first HP appearance	July 20, 2020	Doc #1
Michael L. Weisberg	Presided at second and third HP appearances	Aug 14 and Sep 18, 2020	Doc #1
[Signature consistent with "Stoller"]	SO-ordered the June 29, 2021 stipulation	June 29, 2021	Doc #10, p. 1 (pending confirmation)
Jack Stoller	Decided Bard v. Mautner-Glick; referral to him requested by Skaller	Jan 19, 2022 (Bard); Jul 28, 2022 (request)	Doc #21; Doc #17
<b>Remy Smith, J.H.C.</b>	<b>Decided Motion to Restore (denial); conference judge</b>	<b>Sep 29, 2023 (decision)</b>	<b>Doc #37 (3 independent refs); Docs #31, #32</b>

**Note on "J.H.C.":** This abbreviation appears after judicial names throughout the docket (e.g., "Hon. Remy Smith, J.H.C." in Docs #31, #32; "Hon. J. Stoller, J.H.C." in Doc #17). It is a title abbreviation for "Judge of the Housing Court."

### Remy Smith Identification

Doc #37 contains three independent documentary references confirming Hon. Remy Smith as the judge who decided the Motion to Restore:

1. Notice of Appeal (p. 1): identifies the decision as issued by "Hon. Remy Smith, J.H.P."

2. Notice of Entry (p. 2): identifies the decision as by "Hon. Remy Smith, J.H.C."

3. Decision signature block (p. 4): "BY: Remy Smith, J.H.C."

The RATA appellate form (p. 5) also states: "Judge (name in full): Hon. Remy Smith."

## **Stoller Referral Request**

Doc #17 (Skaller's Affirmation in Opposition, p. 1) requests: "This matter should be referred to Hon. J. Stoller, J.H.C." Stoller had decided *Bard v. Mautner-Glick* (Doc #21) in the respondent's favor on January 19, 2022. The Motion to Restore was instead decided by Judge Smith.

## **Appellate Term Panel**

The Appellate Term disposed of the appeal by order dated September 23, 2024 (Doc #38). Panel: Hon. Cheree A. Buggs, J.P.; Hon. Wavny Toussaint; Hon. Marina Cora Mundy. Appellate Term Docket: 2023-01216 KC.

---

## **PART D -- Affidavits and Rebuttal Record**

---

This section documents the competing sworn statements filed in connection with the Motion to Restore (Motion #1), along with related subsequent events identified in the project record.

### **D.1) Affidavits in Opposition (Filed July 28, 2022)**

#### **Kowalewski Affidavit (Doc #18):**

Candice A. Kowalewski, MPH, of ALC Environmental, submitted a sworn affidavit stating:

- ServPro conducted remediation "with the prescribed scope of work" and ALC was present every day from July 20-27, 2021 (para 6)
- ServPro completed remediation on July 27, 2021 (para 7)
- "No deficiencies or irregularities related to the scope of work were observed" (para 11)
- "It is my expert opinion that the Respondent-Owner met the requirements of the scope of work" (para 12)

Doc #18 includes Kowalewski's resume and professional license (MA01387). Page 14 contains her NJAIHA training certificate appendix, which lists course instructors. The entry for June 17, 2014 (Epidemiology/Biostatistics) identifies **Jack Glass** as the instructor.

#### **Glass Affidavit (Doc #19):**

Jack Glass, MS, CIH, of ALC Environmental, submitted a sworn affidavit stating:

- ALC/Kowalewski "documented ServPro's performance fully addressed the scope of work" (para 5)
- ServPro "completed the remediation work as stated in the scope of work" (para 6)
- Olmsted's post-remediation inspection found mold because Olmsted "conducted additional demolition of the ceiling and walls" without "standard regulatory precautionary measures" (para 12)

- Olmsted's probing "is not a standard and customary method to inspect for mold" (para 13)
- "Unconventional construction techniques" were "the sole cause of inaccessible mold" (para 14)
- "Olmsted's improper post remediation inspection caused the Apartment to be re-contaminated with mold" (para 15c)

Doc #19 includes Glass's CV documenting 35+ years of environmental consulting experience.

## D.2) Reply and Rebuttal (Filed August 31, 2022)

### Sandercock Reply Affirmation (Doc #22):

Margaret B. Sandercock filed a reply affirmation itemizing 11 specific scope items that were not completed, with reference to the court-ordered scope of work (Doc #10, Exhibit 1):

Item	Scope Requirement	Status per Reply (Doc #22, para 5)
(a)	Rooms 1-3 gut demolition	Only one layer of sheetrock removed; visible mold behind insulation in Room 1 ceiling
(b)	Room 1 wood flooring removal to concrete slab	Not done
(c)	Rooms 1-2 ceilings removal to deck above; deck cleaning	Not done
(d)	Wood framing cleaning	Not possible because wallboard was never removed
(e)	Bathroom raised floor removal (under tub/hot water heater)	Not done
(f)	Bathroom-kitchen shared wall sheetrock removal	Left in place with visible mold
(g)	Shared wall with neighboring unit -- sheetrock removal to cavity	Not done
(h)	Lower 4 feet of common hall wall removal	Not done; visible mold present
(i)	Four 2x2 probes into wall cavity	Not cut
(j)	Living room ceiling probes	Not cut
(k)	Mold remediation filings (pre and post, per Local Law 61 of 2018)	Not made

Doc #22, para 10 describes the conduct as a "one-two shuffle" by the landlord's professionals, who "on visiting the premises post-remediation, in July 2021, stated that further remediation was required and that the landlord's approval would be obtained, but who now, inexplicably, falsely state that the entire scope of work was performed and that nothing further is required."

Doc #22, para 12 states that Olmsted "did not make any holes of any sort," directly contradicting Glass's claim that Olmsted caused re-contamination through demolition.

#### **Olmsted Reply Affidavit (Doc #23):**

Edward A. Olmsted, CIH, CSP, submitted a sworn affidavit curing the evidentiary deficiency identified in the opposition (Doc #17 had argued Sandercock's motion relied on attorney affirmation without personal knowledge).

### **D.3) Subsequent Non-Docket Events Relating to the Affidavits**

**Source-layer note:** The first three entries below are documented in correspondence and hearing records **outside the NYSCEF docket**. They are included here for chronological completeness because they bear on the accuracy of the filed affidavits, but their sourcing is separate from the court-filed documents analyzed in this tab. The NYSCEF docket itself establishes that the Feb 1, 2023 court date occurred (see Part H, adjournment chain) but does not contain a transcript or record of what was stated at that proceeding.

<b>Date</b>	<b>Event</b>	<b>Source</b>
Oct 7, 2022	Skaller stated in correspondence that the scope was "not completed"	Email record (not a NYSCEF filing)
Nov 3, 2022	Skaller offered to withdraw the Glass and Kowalewski affidavits	Email record (not a NYSCEF filing)
Feb 1, 2023	At the HP conference, Skaller stated the affidavits were "inaccurate"	Verbal statement at hearing (not a NYSCEF filing); hearing date confirmed by adjournment chain (Part H)
Sep 29, 2023	Judge Smith denied the Motion to Restore on procedural grounds without reaching the question of whether the scope of work was completed (see Part E)	Docs #31, #32 (NYSCEF)

### **D.4) Glass-Kowalewski Professional Relationship**

The following facts are documented regarding the professional relationship between the two affiants:

- Glass served as Kowalewski's NJAIHA course instructor in June 2014 (Doc #18, p. 14)
- Both were employed by ALC Environmental at the time of their affidavits (Docs #18, #19)
- Glass's margin comments (JG1-JG8) appear in the court-filed scope of work (Doc #10, Exhibit 1; see Part F)
- Kowalewski signed the ALC Post Remediation Verification Report dated August 3, 2021 (Doc #20)
- Both affidavits were filed on the same date (July 28, 2022) by the same counsel (Phillips)

## **PART E -- Decision on Motion to Restore**

---

### **Decision Summary**

On September 29, 2023, Hon. Remy Smith, J.H.C., issued a Decision/Order denying the Motion to Restore (Docs #31, #32). The decision addressed procedural compliance with the stipulation's notification requirements. It did not reach the merits of whether the scope of work was completed.

### **The Court's Stated Reasoning (Doc #31; also reproduced in Docs #32 and #37)**

Judge Smith's analysis proceeded through the following findings:

1. The stipulation required respondent to submit a Post-Remediation Report after completion of the scope of work.
2. Upon receipt of that report, petitioner's counsel was required to send Olmsted to inspect within 5 days ("Olmstead Inspection Deadline") and provide his own report within 14 days.
3. The motion was "devoid of the respondent's remediator's Post Remediation Report that was to trigger the Olmstead Post-Remediation Report."
4. Olmsted's report (Doc #16) was "completely devoid of the date that respondent's remediator 'cleared the work,'" so the court could not determine whether petitioner met the inspection deadline.
5. While respondent attached its PRV report, there was "no proof that it was emailed in compliance with paragraph 5" of the stipulation and "no proof that Olmstead conducted his inspection within 5 days of the email."
6. Conclusion: "The ability to bring this motion was therefore never triggered and the motion must be denied."

### **Scope of the Decision**

The following issues were **not addressed** in the decision:

- Whether the scope of work was completed as required by the stipulation
- The 11 specific scope deficiencies itemized in the Reply Affirmation (Doc #22, para 5a-k)
- The accuracy of the Glass and Kowalewski affidavits (Docs #18, #19)
- The Skaller correspondence regarding scope completion and affidavit accuracy
- The Olmsted findings regarding remaining mold conditions

### **Appeal**

Kozek filed a Notice of Appeal on October 31, 2023 (Doc #37). The RATA appellate form (Doc #37, p. 5) stated the basis of appeal: the order "improperly denied the motion based upon arguments that were never raised in opposition to Petitioner's motion and which are unsupported by the law and the so-ordered stipulation of settlement."

The Appellate Term dismissed the appeal on September 23, 2024 for failure to perfect (Doc #38). No extension of time to perfect had been granted. The appeal was on the dismissal calendar and dismissed without reaching the merits. See Part G for details.

## PART F -- Jack Glass Margin Comments in Court-Filed Scope of Work

### Source

The SO-ordered stipulation (Doc #10) includes Exhibit 1: the scope of work for mold remediation at G21 (pages 8-11). This exhibit, as filed with the court, contains 8 handwritten margin comments by Jack Glass. The comment text below was identified by **visual inspection of the court-filed exhibit pages**, not by automated text extraction (the handwritten annotations are not reliably captured by OCR). The quoted wording should be verified against the page images for any use requiring verbatim accuracy.

### Comment Inventory

ID	Glass Comment Text	Location in Scope
JG1	"Except as noted in 6, below"	Adjacent to gut demolition requirements
JG2	"I would require only 2 feet to expose and examine"	Adjacent to exposure/inspection requirements
JG3	"Since the entire apartment will be cleaned at the end...one containment (limited) will be needed"	Adjacent to containment protocol requirements
JG4	"Not a fan of biocide. We are paying the contractor to remove the visible growth"	Adjacent to biocide/treatment requirements
JG5	"No need to seal up the waste. It is construction debris"	Adjacent to waste disposal/safety requirements
JG6	"Not a thing. ALL water is microbial containing. IT is a good thing!"	Adjacent to contamination/water testing requirements
JG7	"I prefer simple household detergent"	Adjacent to cleaning solution specifications
JG8	"What is significant"	Adjacent to clearance threshold requirements

### Relationship to Subsequent Events

- The scope of work with these annotations was SO-ordered on June 29, 2021 (Doc #10)
- Remediation was performed July 20-27, 2021

- ALC issued its PRV report on August 3, 2021 (Doc #20), certifying the apartment had "achieved clearance"
- Olmsted's post-remediation inspection (August 16-17, 2021) documented remaining mold conditions
- Glass co-signed an affidavit on July 28, 2022 (Doc #19) stating the scope was completed
- The Sandercock Reply (Doc #22, para 5a-k) itemized 11 scope items not completed

**Cross-reference:** These comments are also documented in WT-106 (Stipulation integration) and WT-108A (scope of work). Doc #10 is the court-filed original confirming the annotations are part of the official record.

## PART G -- Appeal Record

### Notice of Appeal

Michael P. Kozek (filed as "Kozek-Perkins, M.") of Ween & Kozek PLLC filed a Notice of Appeal on October 31, 2023 (Doc #37). The appeal was directed to the Appellate Term of the Supreme Court from Judge Smith's September 29, 2023 Decision/Order.

The RATA appellate form (Doc #37, p. 5) stated:

- Judge: Hon. Remy Smith
- Lower Court #: 6086/2020
- Basis: The order "improperly denied the motion based upon arguments that were never raised in opposition to Petitioner's motion and which are unsupported by the law and the so-ordered stipulation of settlement"

### Appellate Term Disposition

The Appellate Term placed the appeal on the Dismissal Calendar on September 23, 2024. No extension of time to perfect had been granted. The appeal was dismissed for failure to perfect (Doc #38).

Field	Value
Appellate Term Docket	2023-01216 KC
Lower Court #	6086/2020
Panel	Cheree A. Buggs, J.P.; Wavny Toussaint; Marina Cora Mundy
Order Date	September 23, 2024
Notice of Entry filed by	Magda L. Cruz Castillo (BBG), October 2, 2024

## Timeline

Date	Event	Source
Sep 29, 2023	Smith Decision/Order denying Motion to Restore	Docs #31, #32
Oct 2, 2023	Notice of Entry served by Phillips (BBG)	Doc #32
Oct 31, 2023	Notice of Appeal filed by Kozek	Doc #37
Sep 23, 2024	Appeal dismissed for failure to perfect	Doc #38
Oct 2, 2024	Notice of Entry -- Appellate Term dismissal	Doc #38

Elapsed time from Notice of Appeal to dismissal: approximately 11 months. The appeal was never perfected during this period.

## PART H -- Court Date Timeline and Adjournment Chain

### Complete HP 6086/2020 Court Date History

Date	Event	Source
Jun 2020	OSC signed by Judge Barany	Doc #4
Jul 20, 2020	HP appearance, Part B-HP; Judge Poley	Doc #1
Aug 14, 2020	HP appearance, Part B-HP; Judge Weisberg; Bobick stipulation	Docs #1, #8
Sep 18, 2020	HP appearance, Part B-HP; Judge Weisberg	Doc #1
Jun 29, 2021	Stipulation SO-ordered	Doc #10
Jun 14, 2022	Motion to Restore filed	Docs #11-16
Jul 28, 2022	Opposition filed (Glass/Kowalewski affidavits)	Docs #17-21
Aug 31, 2022	Reply filed (Sandercock + Olmsted affidavit)	Docs #22-23
Oct 10, 2022	Adjournment stipulation (to Nov 22)	Doc #24
Nov 15, 2022	Kozek/Oksman substitution of counsel	Docs #25-26
Nov 22, 2022	Adjourned to Jan 2023	Doc #27
Jan 4, 2023	Scheduled date; adjourned to Feb 1 at 10:00am	Doc #28
<b>Feb 1, 2023</b>	<b>HP conference before Judge Smith</b>	<b>Docs #28 (to), #29 (from)</b>

Date	Event	Source
Mar 6, 2023	Adjourned from Feb 1 "on consent"; adjourned to Apr 19	Docs #29, #30
Apr 19, 2023	Court date	Email record
May 25, 2023	Virtual court, 9:30am	Email record
Jul 12, 2023	Court, 2:30pm	Email record
Aug 8, 2023	Court, 4:00pm	Email record
Sep 26, 2023	Oral Argument, 3:30pm (Teams)	Email record
Sep 29, 2023	Smith Decision/Order issued	Docs #31, #32
Oct 2, 2023	Notice of Entry (Phillips)	Doc #32
Oct 31, 2023	Notice of Appeal (Kozek)	Doc #37
Sep 23, 2024	Appellate Term dismissal	Doc #38

### Adjournment Chain (Documentary Proof of Feb 1, 2023 Hearing)

The following NYSCEF filings establish the adjournment chain bracketing the February 1, 2023 court date:

Doc #	Filed	Adjourns FROM	Adjourns TO	Notes
24	10/10/2022	[prior date]	Nov 22, 2022	Sur-reply deadline Nov 15
27	11/16/2022	Nov 22, 2022	Jan [blank], 2023	At petitioner's request
28	12/28/2022	Jan 4, 2023	<b>Feb 1, 2023 at 10:00am</b>	Oksman + Skaller
29	01/26/2023	<b>Feb 1, 2023</b>	Mar 6, 2023	<b>"On consent"</b>
30	03/01/2023	Mar 6, 2023	Apr 19, 2023	On consent

Doc #29 lists February 1, 2023 as the from-date for the adjournment and states that the adjournment was "on consent."

## PART I -- Attorney Rotation

### Petitioner's Counsel

Attorney / Firm	Period	Key Filings
	2020-2022	Docs #9, #11-16, #22-23 (substantive filings)

Attorney / Firm	Period	Key Filings
Margaret B. Sandercock / Goodfarb & Sandercock LLP		
Elizabeth Sandercock / Goodfarb & Sandercock LLP	2020	Doc #2 (e-filing consent only)
Nina C. Oksman / Ween & Kozek PLLC	2022-2023	Docs #25-26, #28-30 (substitution, adjournments)
Michael P. Kozek / Ween & Kozek PLLC	2023	Doc #37 (Notice of Appeal)

### Respondent's Counsel (Belkin Burden Goldman LLP)

Attorney	Period	Key Filings	Notes
Michael M. Bobick	2020	Docs #2, #8	E-filing consent + HP stipulation
David M. Skaller	2021-2023	Docs #10, #17, #24, #27-29	Led opposition; signed stipulation
Daniel P. Phillips	2022-2023	Docs #17-21, #24, #32	Filed opposition package; Notice of Entry
Magda L. Cruz Castillo	2024	Doc #38	Appellate Term Notice of Entry

**BBG address change:** 270 Madison Avenue, New York (2020-2022) to 60 East 42nd Street, 16th Floor, New York (2023 onward).

## PART J -- Cross-References to Existing Binder Tabs

### NYSCEF Documents with Existing Binder Coverage

NYSCEF Doc	Content	Existing Tab	Notes
#10 (Stipulation + Exhibit 1)	Court-ordered scope of work	WT-106	Doc #10 is the court-filed original; WT-106 contains integrated stipulation text with JG comments verified
#7 (Olmsted June 2020 inspection)	Baseline mold conditions	WT-107	Olmsted's initial inspection report
#20 (ALC PRV Report)	Post-remediation verification	WT-108	ALC certification of "clearance"

NYSCEF Doc	Content	Existing Tab	Notes
#15 (Stipulation, Sandercock exhibit copy)	Scope of work	WT-108A	Confirmed identical to Doc #10 Exhibit 1
#16 (Olmsted follow-up scope)	Post-remediation mold findings	WT-110	Olmsted's response to ALC PRV

## NYSCEF Documents Not Covered by Existing Binder Tabs

NYSCEF Doc	Content
#5 (Verified Answer)	BBG's affirmative defenses and counterclaim
#12 (Sandercock Affirmation)	Motion basis; harassment (para 10)
#17 (Skaller Opposition)	Scope completion claims; Stoller referral request
#18 (Kowalewski Affidavit)	Scope completion claims; Glass-Kowalewski relationship
#19 (Glass Affidavit)	Scope completion claims; re-contamination allegation
#22 (Sandercock Reply)	11-item scope deficiency list
#23 (Olmsted Reply Affidavit)	Sworn expert testimony
#37 (Notice of Appeal package)	Smith decision; Remy Smith confirmation; RATA form
#38 (Appellate Term dismissal)	Appeal dismissed for failure to perfect

## Source PDF Downloads

All 34 NYSCEF docket documents are archived below with stable filenames. Documents #33-36 (filing errors, deleted on NYSCEF) are excluded.

Doc #	Source File	Supports	Download
1	Case Summary Prior to Conversion	Part H (court date history)	<a href="#">PDF</a>
2	Stipulation and Consent to E-Filing	Part I (Bobick, Sandercock identification)	<a href="#">PDF</a>
3	Order -- Transfer	Procedural	<a href="#">PDF</a>
4	Legacy -- Initiating OSC	Part C (Barany; originating document)	<a href="#">PDF</a>

Doc #	Source File	Supports	Download
5	Legacy -- Verified Answer	Part B (BBG affirmative defenses, counterclaim)	<a href="#">PDF</a>
6	Legacy -- Water Intrusion Inspection (ALC, Feb 2020)	Part B (pre-litigation conditions)	<a href="#">PDF</a>
7	Legacy -- Mold Inspection (Olmsted, Jun 2020)	Part B (baseline mold; see WT-107)	<a href="#">PDF</a>
8	Legacy -- August 12, 2020 Stipulation	Part I (Bobick as counsel of record)	<a href="#">PDF</a>
9	Stipulation of Settlement (Request to SO Order)	Part B (pre-filing version; duplicate of #10)	<a href="#">PDF</a>
10	<b>Stipulation of Settlement -- SO Ordered</b>	<b>Parts D, F (scope, Glass comments JG1-JG8; see WT-106)</b>	<a href="#">PDF</a>
11	Notice of Motion (Motion #1)	Part H (filing date; 10-month gap)	<a href="#">PDF</a>
12	Affirmation in Support (Motion #1)	Part B (factual basis; harassment para 10)	<a href="#">PDF</a>
13	Exhibit A -- OSC (scanned)	Part B (originating documents)	<a href="#">PDF</a>
14	Exhibit B -- Verified Answer (scanned)	Part B (respondent's pleading)	<a href="#">PDF</a>
15	Exhibit C -- Stipulation	Part B (court-filed scope; see WT-106)	<a href="#">PDF</a>
16	Exhibit D -- Olmsted Report	Part B (post-remediation conditions; see WT-110)	<a href="#">PDF</a>
17	<b>Affirmation in Opposition</b>	<b>Parts C, D (Stoller referral, scope claims)</b>	<a href="#">PDF</a>
18	<b>Kowalewski Affidavit in Opposition</b>	<b>Part D (scope claims, Glass-Kowalewski training)</b>	<a href="#">PDF</a>
19	<b>Glass Affidavit in Opposition</b>	<b>Part D (scope claims, re-contamination allegation)</b>	<a href="#">PDF</a>
20	Exhibit A (Opposition) -- ALC PRV Report	Part B (PRV report; see WT-108)	<a href="#">PDF</a>
21	Exhibit B (Opposition) -- Bard Decision	Part C (Stoller; precedent cited by respondent)	<a href="#">PDF</a>
22	<b>Reply Affirmation #1 (Sandercock)</b>	<b>Part D (11-item scope deficiency list)</b>	<a href="#">PDF</a>
23	Reply Affirmation #2 (Olmsted Affidavit)	Part D (sworn expert testimony)	<a href="#">PDF</a>

Doc #	Source File	Supports	Download
24	Stipulation -- Adjournment to Nov 22	Part H (adjournment chain)	<a href="#">PDF</a>
25	Substitution of Attorney (Ween & Kozek)	Part I (attorney substitution)	<a href="#">PDF</a>
26	Notice of Appearance (Ween & Kozek)	Part I (new counsel contact)	<a href="#">PDF</a>
27	Stipulation -- Adjournment Nov 22 to Jan	Part H (adjournment chain)	<a href="#">PDF</a>
28	Stipulation of Adjournment (Jan 4 to Feb 1)	Part H (adjournment chain)	<a href="#">PDF</a>
29	Stipulation of Adjournment (Feb 1 to Mar 6)	Part H (adjournment chain)	<a href="#">PDF</a>
30	Stipulation of Adjournment (Mar 6 to Apr 19)	Part H (adjournment chain)	<a href="#">PDF</a>
31	<b>Decision/Order (standalone)</b>	<b>Part E (Smith decision, procedural denial)</b>	<a href="#">PDF</a>
32	Notice of Entry with embedded Decision	Parts C, E (Smith confirmation)	<a href="#">PDF</a>
37	<b>Notice of Appeal (with Decision + RATA form)</b>	<b>Parts C, E, G (Smith ID, appeal)</b>	<a href="#">PDF</a>
38	Appellate Term Dismissal	Part G (failure to perfect)	<a href="#">PDF</a>
--	NYSCEF Master Document List	Part B (docket reference)	<a href="#">PDF</a>

**END -- White Tab 117 -- HP 6086/2020 NYSCEF Docket Analysis v1.0**