



APPELLATE COURT AFFIRMS JUDGMENTS EXCEEDING \$100 MILLION OBTAINED BY JASPAN SCHLESINGER LLP AFTER MULTI-YEAR TRIAL

Garden City, NY – January 13, 2022 – The end of 2021 brought with it a landmark win for Jaspán Schlesinger LLP when the Appellate Division, Second Department, affirmed five judgments totaling more than \$100 million in damages and property interests in favor of the firm’s client, the Estate of J. Leonard Spodek. The case was originally brought by Spodek a quarter-century ago and concerned Brooklyn buildings that have appreciated exponentially in recent decades, which adds further significance to the affirmance. The appeal was taken from judgments awarded to Spodek in 2016 after an 80-day bench trial handled by Jaspán Schlesinger LLP partners [Steven R. Schlesinger](#) and [Daniel E. Shapiro](#). Mr. Shapiro argued the appeal.

The underlying case involved a dispute between Spodek and his former business partner, Bencion Neiss, both of whom passed away during the litigation. At issue were their respective ownership interests in seven multi-family apartment buildings located in Brooklyn. Spodek’s claims stemmed from a number of transactions that the parties entered into in the early 1990’s, at a time when Spodek was the subject of many well-publicized housing court cases being pursued by New York City’s housing authorities. As a result of both judicial and political pressure that ensued, Spodek was forced to turn over managerial control of some of his “crown jewel” buildings. He partnered with Neiss, a real-estate friend of Spodek’s father, to take over management. Neiss, with help from his personal attorney, seized upon his new managerial role and divested Spodek of his interests in these properties.

In sum, the judgments and the appellate court’s affirmance awarded the Spodek Estate certain percentage interests (ranging from 33%-100%) in six of the seven properties that were the subject of the action. Central to the appellate court’s analysis was its legal interpretation of the language found in arcane stock redemption agreements crafted by Neiss’ attorney. In affirming the argument made by Jaspán Schlesinger LLP’s attorneys, the Appellate Division found that these agreements were governed by UCC Article 9, that Spodek never intended to relinquish ownership in the properties, that he legally maintained a right to redeem such interests, and that he ultimately did so.

A copy of the decision can be found [here](#).

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