

129 A.D.3d 535
Supreme Court, Appellate Division, First
Department, New York.

Annabelle Sarah BOND, Plaintiff–Respondent,
v.
Warren LICHTENSTEIN, Defendant–Appellant.

June 16, 2015.

Synopsis

Background: Mother brought action to enforce judgment she obtained from Hong Kong awarding child support. Mother moved for summary judgment. The Supreme Court, New York County, [Manuel J. Mendez, J., 2014 WL 3533447](#), granted motion. Father appealed.

Holdings: The Supreme Court, Appellate Division, held that:

[1] summary judgment was proper, and

[2] father lacked standing to seek disqualification of mother’s counsel.

Affirmed.

West Headnotes (2)

[1] **Judgment**
🔑 [Judgments of Courts of Foreign Countries](#)

Trial court properly granted mother summary judgment in action to enforce judgment she obtained from Hong Kong awarding child support; father was accorded due process in the Hong Kong proceeding, which he commenced, and the court had personal jurisdiction over him, judgment did not violate New York’s public policy regarding child support as it recognized both parents’ obligation to pay support, and judgment was not obtained by fraud.

[Cases that cite this headnote](#)

[2] **Attorney and Client**
🔑 [Disqualification proceedings; standing](#)

Father did not have standing to move to disqualify mother’s counsel in action to enforce Hong Kong judgment awarding child support to mother, where he did not have a prior attorney-client relationship with mother’s attorneys. Rules of Prof.Conduct, Rule 8.4.

[Cases that cite this headnote](#)

Attorneys and Law Firms

*63 Arkin Solbakken LLP, New York ([Stanley S. Arkin](#) of counsel), for appellant.

Blank Rome LLP, New York ([Seth J. Lapidow](#) of counsel), for respondent.

[ACOSTA, J.P., RENWICK, MOSKOWITZ, MANZANET–DANIELS, FEINMAN, JJ.](#)

Opinion

Judgment, Supreme Court, New York County (Manuel J. Mendez, J.), entered July 22, 2014, awarding plaintiff the total sum of \$599,644.76, unanimously affirmed, without costs. Appeals from orders, same court and Justice, entered July 17, 2014, which granted plaintiff’s motion for summary judgment in lieu of a complaint, and denied defendant’s motion to disqualify plaintiff’s attorneys, unanimously dismissed, without costs, as subsumed in the appeal from the judgment.

[1] Supreme Court properly granted plaintiff summary judgment based on the judgment she obtained from Hong Kong (*see Sung Hwan Co., Ltd. v. Rite Aid Corp.*, 7 N.Y.3d 78, 817 N.Y.S.2d 600, 850 N.E.2d 647 [2006]; *Downs v. Yuen*, 298 A.D.2d 177, 748 N.Y.S.2d 131 [1st Dept.2002]). Defendant was accorded due process in the Hong Kong proceeding, which he commenced, and the court had personal jurisdiction over him. The judgment did not violate New York’s public policy regarding child support as it recognized both parents’ obligation to pay

support.

Nor was the judgment procured through fraud (*see Greschler v. Greschler*, 51 N.Y.2d 368, 376, 434 N.Y.S.2d 194, 414 N.E.2d 694 [1980]). To the extent defendant raised the issue of the status of certain monies received by plaintiff, the Hong *64 Kong court considered that issue and found it irrelevant. Thus, the court was not defrauded.

^[2] Supreme Court also properly denied defendant's disqualification motion. Defendant did not have standing to make the motion because he did not have a prior attorney-client relationship with plaintiff's attorneys (*see Tekni-Plex, Inc. v. Meyner & Landis*, 89 N.Y.2d 123, 131, 651 N.Y.S.2d 954, 674 N.E.2d 663 [1996]; Rules of

Professional Conduct [22 NYCRR 1200.0] rule 1.9 [a]). Nor was a conflict of interest presented by the attorneys' representation of plaintiff (*see* Rules of Professional Conduct [22 NYCRR 1200.0] rule 1.7[a][1]).

We have considered defendant's remaining claims and find them unavailing.

All Citations

129 A.D.3d 535, 11 N.Y.S.3d 63, 2015 N.Y. Slip Op. 05125

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