

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CHRISTINA ARGYROS,

Plaintiff,

-against-

THE LIGHTSTONE GROUP, LLC., JENNIFER
CLINE as an individual and in her capacity as
Executive Vice President of Human Resources of
THE LIGHTSTONE GROUP, LLC., and
MITCHELL HOCHBERG, as an individual and in
his capacity as Chief Operating Officer of THE
LIGHTSTONE GROUP, LLC.,

Defendants.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 2/13/2020

18cv5142 (AJN) (DF)

ORDER

DEBRA FREEMAN, United States Magistrate Judge:

Currently pending in the above-captioned action is a motion by former counsel for plaintiff Christina Argyros (“Plaintiff”) to enforce a charging lien (Dkt. 39 (filed on the Docket as a “Motion for Attorney Fees”)), which has been referred to this Court for resolution by the Honorable Alison J. Nathan, U.S.D.J.

On January 23, 2020, this Court ordered Plaintiff to show cause, in writing, no later than February 3, 2020, why the Court should not order Plaintiff’s counsel of record, Donna H. Clancy, Esq. (“Clancy”) to release to White, Hilferty & Albanese, P.C. (Plaintiff’s former counsel of record), the amount of \$17,000, which Plaintiff had reportedly agreed to pay to that firm to satisfy the charging lien. (Dkt. 51.) The Order To Show Cause expressly stated that, if Plaintiff did not respond by February 3, 2020, then this Court would proceed to order Clancy to release the \$17,000 in resolution of the pending motion to enforce the charging lien. The Order To Show Cause also directed Clancy to serve a copy of the Order on Plaintiff, and to file proof of such service on the Docket of this action. On January 29, 2020, Clancy duly filed a Certificate of Service, certifying that, on January 23, 2020, she sent a copy of the Court’s Order To Show

Cause to Plaintiff via email, and that, on January 24, 2020, she sent an additional copy to Plaintiff via Federal Express overnight delivery. (Dkt. 52.) To date, however, the Court has received no response from Plaintiff to the Order To Show Cause.

In light of Plaintiff's apparent agreement to pay \$17,000 to her former counsel to satisfy the charging lien (an agreement reported to this Court by Plaintiff's former counsel and confirmed by Clancy), and Plaintiff's failure to show cause why that amount should not now be released by Clancy, as escrow agent, for the purpose of satisfying the lien, it is hereby ORDERED that Clancy shall release the \$17,000 held in escrow to White, Hilferty & Albanese, P.C., by no later than March 5, 2020, in full satisfaction of the charging lien and in resolution of the motion filed at Dkt. 39.

Dated: New York, New York
February 13, 2020

SO ORDERED



DEBRA FREEMAN
United States Magistrate Judge

Copies to:

All counsel (via ECF)