

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

IRENA K. MAUSNER, individually and as trustee of
the Irena K. Mausner Revocable Trust U/A/D May
16, 2022,

Plaintiff,

v.

IAN O. MAUSNER,

Defendant.

Case No.: 23-cv-994-JMF

~~PROPOSED~~ JUDGMENT

September 26, 2024

In accordance with the Court's ~~August 5, 2024~~ Corrected Opinion and Order (ECF No. 164) finding that Plaintiff Irena K. Mausner ("Dr. Mausner"), individually and as trustee of the Irena K. Mausner Revocable Trust U/A/D May 16, 2022, has proven her claims for Breach of Fiduciary Duty (Counts II and III), Conversion (Counts IV, V, VI, and VII), Slander of Title (Counts VIII and IX), and Equitable Accounting (Count I),

It is hereby **ORDERED, ADJUDGED, and DECREED**: that Dr. Mausner has judgment against Defendant Ian O. Mausner ("Mr. Mausner") as follows:

- a. in the amount of \$2,400,026.43 for the claims of Breach of Fiduciary Duty (Count II) and Conversion (Count IV) based on transfers made to Robinhood Account A, which is comprised of \$1,700,000 in damages and \$700,026.43 in pre-judgment interest calculated from March 28, 2020 through October 23, 2024 at 9% per annum simple interest;
- b. in the amount of \$125,199.97 for the claims of Breach of Fiduciary Duty (Count II) and Conversion (Count V) based on a transfer made out of Dr. Mausner's J.P.

Morgan IRA account, which is comprised of \$100,000 in damages and \$25,199.97 in pre-judgment interest calculated from January 5, 2022 through October 23, 2024 at 9% per annum simple interest;

- c. in the amount of \$61,256.96 for the claim of Conversion arising out of the conversion of Dr. Mausner's Colgate-Palmolive stock (Count VI), which is comprised of \$50,375.80 in damages and \$10,881.16 in pre-judgment interest calculated from May 31, 2022 through October 23, 2024 at 9% per annum simple interest;
- d. in the amount of \$8,324.63 for the claim of Conversion arising out of the conversion of Dr. Mausner's long-term care checks (Count VII), which is comprised of:
 - (i) \$3,542 in damages for one of the long-term care checks plus \$643.67 in pre-judgment interest calculated from October 17, 2022 through October 23, 2024 at 9% per annum simple interest; and
 - (ii) \$3,503.20 in damages for the other long-term care check plus \$635.76 in pre-judgment interest calculated from October 18, 2022 through October 23, 2024 at 9% per annum simple interest; and
- e. in the amount of \$263.35 for the claims of Breach of Fiduciary Duty (Count III) and Slander of Title (Counts VIII and IX) arising out of the cloud on title on the California properties created by Mr. Mausner, which is comprised of: (i) \$115 in damages for the San Diego Property plus \$16.21 in pre-judgment interest calculated from October 19, 2022 through October 23, 2024 at 7% per annum simple interest; and (ii) \$118 in damages for the Carlsbad Property plus \$14.14 in pre-judgment interest calculated from February 6, 2023 through October 23, 2024 at 7% per annum simple interest.

It is hereby **FURTHER ORDERED, ADJUDGED, and DECREED**: that post-judgment interest shall accrue pursuant to 28 U.S.C. § 1961 from the date of this judgment until payment.

It is hereby **FURTHER ORDERED, ADJUDGED, and DECREED**: that Dr. Mausner is entitled to equitable relief in the form of an accounting. As part of this accounting, Mr. Mausner shall, within twenty-one (21) days of the entry of this Judgment, produce all relevant financial [records demonstrating](#) ~~records, demonstrate~~ how Dr. Mausner's money was expended, and return any pilfered funds in his possession.


It is hereby **FURTHER ORDERED, ADJUDGED, and DECREED**: that the automatic stay imposed by Federal Rule of Civil Procedure 62(a) is dissolved.

It is hereby **FURTHER ORDERED, ADJUDGED, and DECREED**: that Dr. Mausner's claims for Fraud (Count X) and Violation of the New York Fair Credit Reporting Act (Count XI)—on which summary judgment was not granted and which would require trial—and Unjust Enrichment (Count XII), which the Court found to be duplicative of Dr. Mausner's other claims, are dismissed.

It is hereby **FURTHER ORDERED, ADJUDGED, and DECREED**: that the Court shall maintain and retain jurisdiction with respect to this action and for purposes of enforcing the terms of this Judgment. [The Clerk of Court is directed to close the case.](#)

SO ORDERED.

Dated: New York, New York
[October 23](#), 2024



JESSE M. FURMAN
United States District Judge