

Gross v. 141-30 84<sup>th</sup> Road Apartment Owner's Corp and Jeneryl Management Corp., Supreme Court, New York County, Index No. 60056/2008 (Judge directs verdict in Defendant-Board-of-Managers' favor after bench trial regarding allegations of Defendant's breach of fiduciary).

Judge issues decision in favor of defendants in commercial action on July 31, 2014. Plaintiff, Jack Gross, an attorney and share holder, alleged that due to the corporation's malfeasance, breach of its fiduciary duties, negligent financial accounting and other general negligence allegations, caused the sale of his apartment fail just prior to the real estate market collapsing. A bench trial was conducted and various witnesses and financial experts testified. At trial, after the plaintiff rested, the motion to dismiss was orally argued to the court. The judge granted the motion and dismissed the case based on the speculative nature of plaintiff's damages. Trial conducted by Joshua H. Stern.