

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK
JUDGE OSTRAGER, BARRY R
MOTION JUDGE OSTRAGER, BARRY R**



**THE STUYVESANT TOWN - PETER COOPER VILLAGE
TENANTS' ASSOCIATION et al**

- v. -

BPP ST OWNER LLC et al

Index No. 152397/2020

Motion No. 003

COURT NOTICE

Filing on Behalf of - Rose Ann Magaldi, Law Clerk on behalf of Justice Ostrager

This case and the related case Roberts, et al. v BPP PCV Owner LLC, et al., Index No. 100956/07, is scheduled for oral argument today, March 26, 2021, at 2:00 p.m. on multiple motions for summary judgment. The previously scheduled court appearance today will proceed.

The purpose of this Court Notice is to advise the parties and counsel of a potential conflict of interest that may require my recusal, even though I have no doubt that I can fairly and impartially preside over this case. Specifically, if, as I believe to be the case, the defendant BPP entities are Blackstone entities, counsel should be aware that the law firm Simpson Thacher & Bartlett, LLP where I was a partner until May 2015, has done substantial work on behalf of Blackstone over the years. Indeed, Blackstone was one of the firms largest clients while I was there.

As counsel presumably knows, I spent my entire pre-judicial career at Simpson Thacher & Bartlett, excluding a federal judicial clerkship immediately after I graduated law school. I worked on matters for Blackstone. The General Counsel of Blackstone is a former Simpson Thacher partner with whom I worked closely. I currently receive a pension from Simpson Thacher which is derived at least in part from the substantial revenue the firm receives from Blackstone.

While Simpson Thacher does not represent the BPP entities in this case, I believe the Canons of Judicial Ethics require me to disclose this information and entertain any application for me to recuse myself from this case. This is a matter that must be discussed today at 2 P.M.

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DATED 03/26/2021

FILED By RoseAnn Magaldi