

**Matter of Edgar Valentine Loew, an Incapacitated Person.**

Motion No: 2022-00686A 2022-00840 2022-00997A

Slip Opinion No: 2022 NYSlipOp 65006(U)

Decided on April 26, 2022

Appellate Division, First Department, Motion Decision

Published by [New York State Law Reporting Bureau](#) pursuant to  
Judiciary Law § 431.

This motion is uncorrected and is not subject to publication in the  
Official Reports.

**Supreme Court of the State of New York**  
**Appellate Division, First Judicial Department**

Present – Hon. Dianne T. Renwick,  
Ellen Gesmer  
Manuel J. Mendez  
Julio Rodriguez III,

Justice Presiding,  
  
Justices.

---

---

In the Matter of

**Confidential**

Edgar Valentine Loew,

Motion Nos. 2022-00686A  
2022-00840  
2022-00997A

An Incapacitated Person.

Index No. 500294/18  
Case Nos. 2022-00247  
2022-00958  
2022-01285

---

---

An order of a Justice of this Court having been entered simultaneously herewith granting the applications of Judy S. Mock, Esq. (M-2022-00686) and Gary Elias, Esq. (M-2022-00997), pursuant to CPLR 5701(c), for leave to appeal to the Appellate Division, First Department, from orders of Supreme Court, New York County, entered on or about August 24, 2021 (Case No. 2022-00247), which appointed a Special Guardian, and on or about February 24, 2022 (Case No. 2022-00958), which, among other things, removed Judith S. Mock, Esq., as Guardian of the Person and Property of Edgar Valentine Loew, an incapacitated person, and Gary Elias, Esq., as Mr. Loew's court appointed counsel, and appointed Donald Duboulay, Esq. as new counsel to Mr. Loew,

And an appeal having been taken by respondent-appellant, Rachida Naciri, from an amended order, same court, entered March 8, 2022, which appointed Katherine B. Huang, Esq., as Successor Guardian (Case No. 2022-01285),

And prior guardian-appellant, Judy S. Mock having moved for an order staying enforcement of the aforesaid order entered on or about August 24, 2021, pending the hearing and determination of the appeal therefrom, and remanding the matter to a different Justice of the Supreme Court (M-2020-00686A),

And prior guardian-appellant, Judy S. Mock having moved for an order staying enforcement of the aforesaid order entered on or about February 24, 2022, pending the hearing and determination of the appeal therefrom, remanding the matter to a different Justice of the Supreme Court, and reinstating Judy S. Mock, Esq. as Guardian of the

Person and Property of Edgar Valentine Loew, an incapacitated person (M-2022-00840),

And Gary Elias, Esq. having moved for an order staying enforcement of the aforesaid orders entered on or about August 24, 2021 and on or about February 24, 2022, pending the hearing and determination of the appeal therefrom, and remanding the matter to a different Justice of the Supreme Court (M-2022-00997A),

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motions are granted to the extent of staying, pending the hearing and determination of the aforesaid appeals, on condition the appeals are perfected for the September 2022 Term: (1) the removal of Judy S. Mock, Esq. as Guardian of the Person and Property of Edgar Valentine Loew, an incapacitated person, and Gary Elias, Esq., as Mr. Loew's court appointed counsel, and the appointment Kathleen Huang, Esq., as Successor Guardian and Donald Duboulay, Esq. as new appointed counsel for Mr. Lowe; and (2) the powers granted to the Special Guardian by subsection iii of the second decretal paragraph of the order entered on or about August 24, 2021 (setting forth the powers of the Special Guardian). The motions are otherwise denied.

ENTERED: April 26, 2022



Susanna Molina Rojas  
Clerk of the Court