

**Matter of Benedict**

Motion No: 2022-04303

Slip Opinion No: 2023 NY Slip Op 62194(U)

Decided on February 21, 2023

Appellate Division, First Department, Motion Decision

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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. Rolando T. Acosta, Justice Presiding,  
Dianne T. Renwick  
Sallie Manzanet-Daniels  
Barbara R. Kapnick  
Troy K. Webber, Justices.

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In the Matter of Tabber B. Benedict,  
(OCA Atty. Reg. No. 4176632),  
a disbarred attorney:  
Petitioner,

Motion No. 2022-04303  
Case No. 2013-00311

For Reinstatement to the Bar  
of the State of New York,

Attorney Grievance Committee  
for the First Judicial Department,  
Respondent.

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An order of this Court having been entered on July 23, 2013 (M-1759), disbaring petitioner (who was admitted to practice as an attorney and counselor-at-law in the State of New York at a Term of the Appellate Division of the Supreme Court of New York for the First Judicial Department on October 30, 2003) from practice as an attorney and counselor-at-law in the State of New York, effective nunc pro tunc to November 27, 2012,

And petitioner, by his attorney, Hal R. Lieberman, Esq., having moved this Court on December 5, 2022, for an order reinstating him as an attorney and counselor-at-law in the State of New York,

And the Attorney Grievance Committee, by Jorge Dopico, its Chief Attorney (Peter Hertzog, of counsel), having submitted an affirmation in opposition, dated December 2, 2022, stating, inter alia, that it opposes petitioner's reinstatement based on his papers alone, but does not oppose referral of his application to a referee for a hearing and a report concerning whether petitioner satisfies the standards for reinstatement as set forth in 22 NYCRR § 1240.16,

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

Ordered that petitioner's motion is granted to the extent of referring this matter to Bruce N. Lederman, 747 Third Avenue, 23<sup>rd</sup> Floor, New York, NY 10017, (212) 204-6018, lederman.bruce@gmail.com, as Referee, to conduct a hearing at which petitioner will have the burden of establishing by clear and convincing evidence that he possesses the requisite character and general fitness to resume the practice of law, and that he otherwise meets the standards for reinstatement set out in 22 NYCRR 1240.16(a). The Referee shall hold and complete the hearing within 60 days from the date of entry hereof and issue a report and recommendation to this Court.

Entered: February 21, 2023



Susanna Molina Rojas  
Clerk of the Court