

**Lebedev v Blavatnik**

2023 NY Slip Op 30546(U)

February 22, 2023

Supreme Court, New York County

Docket Number: Index No. 650369/2014

Judge: Andrea Masley

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This opinion is uncorrected and not selected for official publication.

SUPREME COURT OF THE STATE OF NEW YORK  
 COUNTY OF NEW YORK: COMMERCIAL DIVISION PART 48

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LEONID L. LEBEDEV,	<b>INDEX NO.</b>	<u>650369/2014</u>
Plaintiff,	<b>MOTION DATE</b>	<u>N/A</u>
- v -	<b>MOTION SEQ. NO.</b>	<u>014</u>
LEONARD BLAVATNIK and VIKTOR VEKSELBERG,	<b>DECISION + ORDER ON MOTION</b>	
Defendants.		

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HON. ANDREA MASLEY:

The following e-filed documents, listed by NYSCEF document number (Motion 014) 1341, 1342, 1343, 1344, 1345, 1346, 1347, 1348, 1349, 1350, 1351

were read on this motion to/for ATTORNEY - DISQUALIFY/RELIEVE/SUBSTITUTE/WITHDRAW.

Upon the foregoing documents, it is

On December 7, 2022, defendant Viktor Vekselberg was advised on the record of his right to self-representation or engage new counsel and provided with contact information for Legal Referral Service, ABCNY (LRS). Vekselberg was also referred to LRS on November 23, 2022. (NYSCEF Doc. No. 1345, OSC [mot. seq. no. 014].)

Accordingly, it is

ORDERED that the motion of Kimberly A. Havlin from law firm White & Case LLP (White & Case), to be relieved as attorney for Vekselberg is granted upon filing of proof of compliance with the following conditions: that White & Case retain and preserve copies of its files from this action for the duration of this action, including any appeals; that White & Case will retain and preserve files from this litigation that are in the United States within the United States; that White & Case's files from this litigation that were or are held by White & Case exclusively in its Moscow office location will be retained and

preserved by White & Case on its servers located in the United States and/or the European Union; that White & Case will take reasonable steps to ensure that its offices around the globe are instructed to retain and preserve documents relating to this action; and that all such files will be retained and preserved in their current form or another reasonably accessible form;<sup>1</sup> and it is further

ORDERED that, within 10 days from the date of this decision and order, Attorney Havlin shall serve a copy of this order with notice of entry upon the former client by email ([vvmail@renova-group.ru](mailto:vvmail@renova-group.ru)) and upon the attorneys for all other parties appearing in this action by posting to the New York State Courts Electronic Filing System (NYSCEF);<sup>2</sup> and it is further

ORDERED that any new attorney retained by Vekselberg file a notice of appearance with the Clerk of the General Clerk's Office (60 Centre Street, Room 119) and the Clerk of the Part; and it is further

ORDERED that the filing of a notice of appearance with the Clerk of the General Clerk's Office, shall be made in accordance with the procedures set forth in the *Protocol on Courthouse and County Clerk Procedures for Electronically Filed Cases* (accessible at the "E-Filing" page on the court's website at the address [www.nycourts.gov/supctmanh](http://www.nycourts.gov/supctmanh)); and it is further

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<sup>1</sup> This condition is excerpted from White & Case's email and the text of which was agreed to by plaintiff. (NYSCEF Doc. No. [NYSCEF] 1352.)

<sup>2</sup> NYSCEF is "a means of filing and serving legal documents electronically with various courts, including the Surrogate's Court, Supreme Court and the Court of Claims." (<https://iappscontent.courts.state.ny.us/NYSCEF/live/faq.htm>.) NYSCEF has instructions for unrepresented litigants accessible on the NYSCEF homepage or using this URL: <https://iapps.courts.state.ny.us/nyscef/UnRepresentedHome>.

ORDERED that no further proceedings may be taken against Vekselberg without leave of this court for a period of 10 days of the date of this order with the exception of the deadlines set forth in this order; and it is further

ORDERED that the issue of the reasonable value of legal services rendered and disbursements paid by movant will be severed and referred to the Special Referee Clerk for assignment to a Special Referee to hear and report if Attorney Havlin requests such a referral within 10 days of the date of this order. Otherwise, such a referral is waived; and it is further

ORDERED that Vekselberg has an obligation, if he so chooses to represent himself, to stay informed<sup>3</sup> about the action and participate in the action or risk default; and it is further

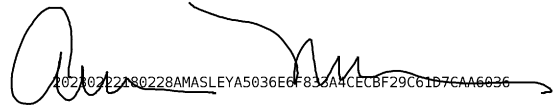
ORDERED that plaintiff's attorney shall, following the date of this decision and order, email Vekselberg (vvmail@renova-group.ru) a copy of all subsequent NYSCEF filings, whether e-filed by any court user, plaintiff's counsel, or a nonparty, if any, forward all Microsoft Teams calendar invitations and links to court proceedings, and include Vekselberg on all email communications with the court and those existing email communications in which ongoing discussions are being had that included White & Case, whether those communications be between the parties and the court or between the parties; and it is further

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<sup>3</sup> In addition to NYSCEF, mentioned above, WebCivil Supreme – eCourts “contains information on both Active and Disposed Civil Supreme Court cases in all 62 counties of New York State.” (<https://iapps.courts.state.ny.us/webcivil/FCASMain>.) Using WebCivil Supreme – Courts, “[y]ou may search for cases by Index Number, Party Name, Attorney/Firm Name or Justice, and produce calendars for a specific Attorney/Firm or by Justice or Part . . . [track cases using] eTrack . . . and receive email updates and appearance reminders for cases you wish to follow.”

ORDERED that Vekselberg shall email to SFC-Part48@nycourt.gov a copy of his doctor's note in support of his absence at the last proceeding before the court; and it is further

ORDERED that movant shall file to NYSCEF and email (SFC-Part48@nycourts.gov) the transcripts of any proceeding on this motion.



2/22/2023

DATE

ANDREA MASLEY, J.S.C.

CHECK ONE:

CASE DISPOSED

GRANTED

DENIED

NON-FINAL DISPOSITION

GRANTED IN PART

OTHER

APPLICATION:

SETTLE ORDER

SUBMIT ORDER

CHECK IF APPROPRIATE:

INCLUDES TRANSFER/REASSIGN

FIDUCIARY APPOINTMENT

REFERENCE