

**All in 1 Spot With Theratalk, SLP, PT, OT,  
Psychology, PLLC v Noor Staffing Group, LLC**

2024 NY Slip Op 32902(U)

August 15, 2024

Supreme Court, New York County

Docket Number: Index No. 652227/2019

Judge: Joel M. Cohen

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SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK: COMMERCIAL DIVISION PART 03M

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ALL IN 1 SPOT WITH THERATALK, SLP, PT, OT,  
PSYCHOLOGY, PLLC, IRENE CHRISTOFOROU-  
GIOULES, MARIA PANAYIOTOU-MAMOUNAS

Plaintiffs,

- v -

NOOR STAFFING GROUP, LLC, HABIB NOOR, JACOB  
ELETTO,

Defendants.

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INDEX NO. 652227/2019

MOTION DATE 12/15/2023

MOTION SEQ. NO. 005

**SUPPLEMENTAL DECISION  
+ ORDER ON MOTION**

HON. JOEL M. COHEN:

The following e-filed documents, listed by NYSCEF document number (Motion 005) 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 166

were read on this motion to COMPEL DISCOVERY/IN CAMERA REVIEW.

Plaintiffs move to compel production of documents that were withheld by Defendants on the basis of the attorney-client privilege. Specifically, Plaintiffs contend that in-house and retained counsel for Defendants provided mixed business and legal advice that is discoverable in the context of this contract dispute between professional staffing companies.

By interim order dated April 5, 2024, the Court directed the parties to submit a representative sample of documents withheld by Defendants for an *in camera* review (*All in 1 Spot with Theratalk, SLP, PT, OT, Psychology, PLLC v Noor Staffing Group, LLC*, 2024 N.Y. Slip Op. 31160[U], [N.Y. Sup Ct, New York County 2024]). The parties have submitted forty-five “families” of documents (*i.e.*, email trails with attachments) for review (NYSCEF 166). There is some overlap in the documents selected. Further, many of the documents are duplicative and part of common email chains.

Following the *in camera* review, the Court determines that the withheld documents are substantially shielded from disclosure by the attorney-client privilege. Portions of email trails that include non-parties, including counsel for the Plaintiffs, shall be produced with appropriate redactions, if they have not been produced already.

The Court's determinations are as follows:

**Documents Designated by the All in 1 Parties**

1. NSG 0055385 – PRIVILEGED
2. NSG 0055386 – NSG 0055387 – The top email on 55386 is PRIVILEGED and may be redacted, the balance of the trail is NOT PRIVILEGED
3. NSG 0055406 to NSG 0055410 – The top email on 55406 is PRIVILEGED and may be redacted, the balance of the trail is NOT PRIVILEGED
4. NSG 0055411 — The email and attachments (NSG 0055411- NSG 0055417) are PRIVILEGED
5. NSG 0055470 – NSG 0055472 – The emails are PRIVILEGED, except for the bottom email, which is NOT PRIVILEGED
6. NSG 0055510 – NOT PRIVILEGED
7. NSG 0055511 – NSG 0055513 – The emails are PRIVILEGED, except for the bottom email, which is NOT PRIVILEGED
8. NSG 0055514 – NSG 0055516 – The emails are PRIVILEGED, except for the bottom email, which is NOT PRIVILEGED
9. NSG 0055772 – NSG 0055777 – The emails are PRIVILEGED, except for the bottom email, which is NOT PRIVILEGED
10. NSG 0055790 – NSG 0055791 – The emails and attachment (NSG 0055792 – NSG 0055799) are PRIVILEGED
11. NSG 0055812 – NSG 0055815 – The emails and attachments (NSF 0055816 and NSG 0055817 – NSG 0055827) are PRIVILEGED
12. NSG 0055851 – NSG 0055852 – The top email on 0055851 is PRIVILEGED and may be redacted, the attachment (NSG 0055853) is NOT PRIVILEGED

13. NSG 0055854 – NSG 0055856 – The top two emails on 0055854 are PRIVILEGED and may be redacted, the balance of the trail is NOT PRIVILEGED
14. NSG 0055857 – NSG 0055859 – The top two emails on 005857 are PRIVILEGED and may be redacted, the balance of the trail is NOT PRIVILEGED
15. NSG 0055860 – NSG 0055862 - The top four emails on 0055860 are PRIVILEGED and may be redacted, the balance of the trail is NOT PRIVILEGED
16. NSG 0055863 – NSG 0055865 - The top five emails on 0055863 are PRIVILEGED and may be redacted, the balance of the trail is NOT PRIVILEGED
17. NSG 0055882 – NSG 0055884 - The top three emails on 0055882 are PRIVILEGED and may be redacted, the balance of the trail is NOT PRIVILEGED
18. NSG 0055885 – NSG 0055887 – The emails on 0055885 are PRIVILEGED and may be redacted the balance of the trail is NOT PRIVILEGED
19. NSG 0055913 – NSG 0055913 – PRIVILEGED
20. NSG0055937 – NSG 0055940 – PRIVILEGED
21. NSG 0055948 – NSG 0055952 – PRIVILEGED
22. NSG 0056662 – NSG 0056688 – The emails on 0056662 are PRIVILEGED and may be redacted, the balance of the trail is NOT PRIVILEGED
23. NSG 0056848 – NSG 0056848 – PRIVILEGED
24. NSG 0058859 – NSG 0058861 – PRIVILEGED
25. NSG 0058878 – NSG 0058879 – the emails and attachments (NYSG 005889, NSG 0058881) are PRIVILEGED

#### **Documents Designated by NSG Parties**

26. NSG 0055418 - NSG 0055420 – The emails and attachment (NSG 005421-NSG 0055452) are PRIVILEGED, other than the December 14, 2017, transmittal email which is NOT PRIVILEGED
27. NSG 0055507 – NSG 0055509 – The emails are PRIVILEGED, other than the bottom email and attachment which are NOT PRIVILEGED

28. NSG 0055517 – NSG 0055519 – Page 0055517 and that attachment (NSG 0055520 – NSG 0055551) are PRIVILEGED, and the balance is NOT PRIVILEGED.
29. NSG 0055552 – NSG 0055555 – Pages 0055552-055553 are PRIVILEGED, and the balance is NOT PRIVILEGED
30. NSG 0055560 – NSG 0055562 – Pages 0055560 and the first email on 055561 are PRIVILEGED, and the balance is NOT PRIVILEGED
31. NSG 0055566 – NSG 0055568 – Pages NSG 0055566 - NSG 0055557 and the attachments (NSF 0055569 – NSG 0055599, NSG 0055600 – NSG 0055632) are PRIVILEGED, and the balance is NOT PRIVILEGED
32. NSG 0055646 – NSG 0055650 – Pages 0055646 through the top email on 0055649 are PRIVILEGED
33. NSG 0055663 – NSG 0055666 - Pages 0055663-0055665 are PRIVILEGED, and the balance is NOT PRIVILEGED
34. NSG 0055694 – NSG 0055699 – Pages 0055694-0055697 and the attachments (NSG 005700 – NSG 005730, NSG 005731 – NSG 005763) are PRIVILEGED, and the balance is NOT PRIVILEGED
35. NSG 0055816 – The email is PRIVILEGED
36. NSG 0055839 – The email and attachment (NSG 00840 – NSG 00850) are PRIVILEGED
37. NSG 0055860 – NSG 0055862 – PRIVILEGED other than email at the bottom of the chain
38. NSG 0055922 – NSG 0055923 – PRIVILEGED
39. NSG 0055933 – NSG 0055936 – The top email is PRIVILEGED, and the balance is not PRIVILEGED
40. NSG 0055953 – NSG 0055955 – The top email is PRIVILEGED, and the balance is not PRIVILEGED
41. NSG 0056115 – the email and the attachment (NSG 0056116 - NSG 0056141) is PRIVILEGED
42. NSG 0056198 – the email is PRIVILEGED and the attachment (NSG 0056199 – NSG 0056225, NSG 0056226) are NOT PRIVILEGED

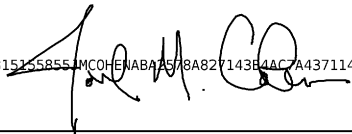
- 43. NSG 0056254 – NSG 0056255 – The internal emails are PRIVILEGED, and the balance is NOT PRIVILEGED
- 44. NSG 0056465 – PRIVILEGED (the attachment was not provided, but it appears it would be PRIVILEGED based on the email)
- 45. NSG 0056789 - NSG 0056790 and attachment (NSG 0056791 – NSG 0056799) are PRIVILEGED

Accordingly, it is

**ORDERED** that Plaintiffs’ motion is **GRANTED IN PART** to the limited extent that any non-privileged documents (or portions thereof) identified above be produced to Defendants within ten (10) days; it is further

**ORDERED** that the parties confer and provide a joint status update letter on or by September 4, 2024, including whether any discovery issues require a resolution.

This constitutes the decision and order of the Court.

  
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**JOEL M. COHEN, J.S.C.**

8/15/2024  
DATE

CHECK ONE:	<input checked="" type="checkbox"/>	CASE DISPOSED	<input type="checkbox"/>	NON-FINAL DISPOSITION	<input type="checkbox"/>	
	<input type="checkbox"/>	GRANTED	<input type="checkbox"/> DENIED	<input checked="" type="checkbox"/>	GRANTED IN PART	<input type="checkbox"/> OTHER
APPLICATION:	<input type="checkbox"/>	SETTLE ORDER		<input type="checkbox"/>	SUBMIT ORDER	
CHECK IF APPROPRIATE:	<input type="checkbox"/>	INCLUDES TRANSFER/REASSIGN		<input type="checkbox"/>	FIDUCIARY APPOINTMENT	<input type="checkbox"/> REFERENCE