

People v DevClock LLC

2025 NY Slip Op 32470(U)

July 11, 2025

Supreme Court, New York County

Docket Number: Index No. 451983/2025

Judge: Joel M. Cohen

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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 03M

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PEOPLE OF THE STATE OF NEW YORK, BY LETITIA
JAMES, ATTORNEY GENERAL OF THE STATE OF NEW
YORK

Petitioner,

- v -

DEVLOCK LLC,

Respondent.

INDEX NO. 451983/2025

MOTION DATE 06/05/2025

MOTION SEQ. NO. 001

**DECISION + ORDER ON
MOTION**

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HON. JOEL M. COHEN:

The following e-filed documents, listed by NYSCEF document number (Motion 001) 2, 8
were read on this motion for DISSOLUTION.

The People of the State of New York, by their attorney, Letitia James, Attorney General of the State of New York (“NYAG”) filed a Petition pursuant to Executive Law § 63(12) against Respondent DEVLOCK LLC (“Respondent”), seeking to dissolve Respondent; permanently enjoin Respondent from continuing any fraudulent or illegal acts; and issuing an order directing that the name and address listed as the name and address for service of process for Respondent shall not appear in the Entity Information search results page for online searches of the Department of State's Division of Corporations, Corporation and Business Entity Database for Respondent. Respondent has not responded, filed an answer, or otherwise appeared in this action. For the following reasons, NYAG’s Petition is granted.

Executive Law § 63(12) provides for relief upon petition by the NYAG “whenever any person shall engage in repeated fraudulent or illegal acts or otherwise demonstrate persistent fraud or illegality in the carrying on, conducting or transaction of business.” Executive Law §

63(12) defines “fraud” and “fraudulent” to include “any device, scheme or artifice to defraud and any deception, misrepresentation, concealment, suppression, false pretense, [or] false promise.”

The NYAG has broad investigatory and enforcement powers under Section 63(12) (*People by James v Richmond Capital Group LLC*, 80 Misc 3d 1213(A) [Sup Ct New York County 2023] [collecting cases]).

The NYAG has established that Respondent’s Articles of Organization (NYSCEF 3) misrepresent the address at which Respondent may receive process from the Secretary of State. Specifically, the Articles of Organization for DEVCLOCK LLC, filed on November 8, 2023, by non-party Businessrocket, Inc., located in Sherman Oaks, CA (NYSCEF 3), state that the Secretary of State shall mail a copy of any process to the personal address of an individual who has filed an affirmation stating that he is not affiliated with Respondent, nor did he authorize the use of his address in connection with Respondent's formation (*see* NYSCEF 4). According to the affirmation, it appears that the non-party filed a complaint with the NYAG’s Bureau of Consumer Frauds and Protection stating that “[s]omeone fraudulently created an LLC using my name, address and I'm assuming SSN” and sought dissolution of the LLC or “disconnection of my name to the company” (NYSCEF 4). According to the Petition, Respondent’s false filing has caused harm to the non-party, whose name and address Respondent has wrongly adopted, as well as to the Department of State and anyone else who attempts to contact Respondent (NYSCEF 1).

Since the record demonstrates (without opposition) that Respondent has provided a false address for service upon DEVCLOCK LLC, and there is no other address listed for DEVCLOCK LLC, NYAG has filed an affirmation of service of the Petition and supporting papers on Respondent through the Secretary of State (NYSCEF 8).

Accordingly, it is

ORDERED that the NYAG's unopposed Petition is **GRANTED**; it is further

ORDERED that Respondent DEVCLOCK LLC is permanently enjoined from continuing any fraudulent or illegal acts including but not limited to maintaining fraudulent Articles of Organization; it is further

ORDERED, ADJUDGED, and DECREED that, pursuant to Executive Law 63(12), Respondent DEVCLOCK LLC shall be dissolved forthwith because of persistent fraud in the carrying on of its business, specifically by filing fraudulent articles of organization with the Department of State; it is further

ORDERED that the Clerk of Court enter judgment in favor of Petitioner and against Respondent; it is further

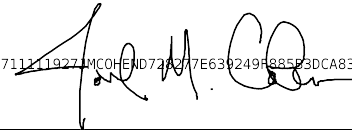
ORDERED, ADJUDGED, and DECREED that the Clerk of the Court shall provide a certified copy of this Order and Judgment to the Attorney General, and it is further

ORDERED, ADJUDGED, and DECREED that the Attorney General shall transmit a certified copy of the Order and Judgment to the Department of State, which, by filing a copy of the same, shall dissolve DEVCLOCK LLC and remove the address of the current registered agent from its public records, including from the Department of State's Division of Corporations and Corporation and Business Entity Database; and it is further

ORDERED that the NYAG serve a copy of this Decision and Order with notice of its entry on non-party Businessrocket, Inc. within ten (10) days of the date of this Order.

This constitutes the decision and order of the Court.

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7/11/2025

DATE

JOEL M. COHEN, J.S.C.

CHECK ONE:

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CASE DISPOSED

GRANTED

SETTLE ORDER

INCLUDES TRANSFER/REASSIGN

DENIED

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NON-FINAL DISPOSITION

GRANTED IN PART

SUBMIT ORDER

FIDUCIARY APPOINTMENT

OTHER

REFERENCE

APPLICATION:

CHECK IF APPROPRIATE: