

54 Thompson Capital LLC v Ohebshalom

2025 NY Slip Op 33485(U)

September 15, 2025

Supreme Court, New York County

Docket Number: Index No. 156571/2024

Judge: Jeffrey H. Pearlman

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This opinion is uncorrected and not selected for official publication.

**SUPREME COURT OF THE STATE OF NEW YORK
NEW YORK COUNTY**

PRESENT: HON. JEFFREY H. PEARLMAN **PART** **44M**

Justice

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54 THOMPSON CAPITAL LLC,

Plaintiff,

- v -

RICHARD OHEBSHALOM, 48TH STREET HOLDING
LLC, 53RD GROUP ASSOCIATES LLC, 615FW-
RLLC, 640FW-R LLC, CENTURY DEVELOPMENT
PROPERTIES LLC, CHELSEA 261W21-RT LLC, F-ASTROID
REALTY LLC, LIMESTONE 248 W105-RT LLC, NISSAN
ASSOCIATES LLC, PRIME REALTY ASSOCIATES LLC, PS
HOLDINGS MEMBER LLC, PS PARENT LLC, REDROCK
REALTY ASSOCIATES LLC, RIVERSIDE GROUP
LLC, SHALCO PROPERTIES LLC,

Defendant.

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INDEX NO. 156571/2024

MOTION DATE 07/19/2024,
07/18/2025

MOTION SEQ. NO. 001

**DECISION + ORDER ON
MOTION**

The following e-filed documents, listed by NYSCEF document number (Motion 001) 3, 6, 7, 9, 10, 11, 12 were read on this motion to/for TURNOVER PROCEEDING.

On July 19, 2024, Petitioner, 54 Thompson Capital LLC ("Petitioner"), commenced this special proceeding pursuant to CPLR §§ 5225 and 5240 seeking to enforce a judgment entered on November 9, 2023, in the amount of \$6,016,007.05 plus interest (the "Judgment") against respondent Richard Ohebshalom a/k/a Richard M. Ohebshalom ("Judgment Debtor"), by obtaining turnover of the Judgment Debtor's membership interests in certain limited liability companies (collectively, the "Ohebshalom Entities") in which the Judgment Debtor holds an interest. Proof of service on Respondent was filed and indicates that service was effectuated in Israel in January 2024, pursuant to CPLR § 308 and the applicable international service provisions. Respondent has failed to appear, respond, or move with respect to the Petition, and the time to do so has expired.

Under CPLR § 3215, a plaintiff may obtain a default judgment when a defendant has failed to appear or respond within the prescribed time. The Petitioner has met the requirements for entry of a default judgment, including providing proof of service and a verified petition establishing entitlement to the relief sought. The relief sought is appropriate under CPLR § 5225(a) and (b), which authorizes a judgment creditor to compel turnover of property in which a judgment debtor has an interest. Petitioner has sufficiently alleged and documented that the Judgment Debtor owns significant membership interests in the Ohebshalom Entities, and that the turnover of such interests is necessary to satisfy the Judgment. Moreover, the Court may, in its discretion under CPLR § 5240, regulate and facilitate enforcement of judgments as deemed necessary.

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It is hereby **ORDERED** that Petitioner is granted default judgment against Judgment Debtor; and it is further

ORDERED that the Judgment Debtor is directed to turn over to Petitioner his membership interests in the following entities:

- 48th Street Holding LLC
- 53rd Group Associates LLC
- 615FW-R LLC
- 640FW-R LLC
- Century Development Properties LLC
- Chelsea 261 W21-RT LLC
- F-Astroid Realty LLC
- Limestone 248 W105-RT LLC
- Nissan Associates LLC
- Prime Realty Associates LLC
- PS Holdings Member LLC
- PS Parent LLC
- Redrock Realty Associates LLC
- Riverside Group LLC
- Shalco Properties LLC

and Petitioner is authorized to sell such interests and apply the proceeds of the sale to the outstanding amount of the Judgment, interest, and costs, with any surplus to be returned to the Judgment Debtor;

ORDERED that the Ohebshalom Entities are directed to recognize Petitioner as the owner of the Membership Interests on their books and records;

ORDERED that the Judgment Debtor and the Ohebshalom Entities shall execute and deliver all documents or instruments necessary or appropriate to effectuate and/or evidence the transfer of the Membership Interests to Petitioner;

ORDERED that if the Judgment Debtor or any of the Ohebshalom Entities fail or refuse to execute and deliver such documents or instruments, a constructive trust is hereby established over the Membership Interests and Petitioner is authorized to nominate a trustee to execute and

deliver such documents or instruments on behalf of the Judgment Debtor and/or the Ohebshalom Entities;

ORDERED that Petitioner is awarded costs and disbursements of this proceeding, to be paid directly to Petitioner’s counsel.

HON. JEFFREY H. PEARLMAN
JEFFREY H. PEARLMAN, J.S.C. J.S.C.

9/15/2025
DATE

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