

Matter of Singer
2025 NY Slip Op 35594(U)
March 12, 2025
Supreme Court, Westchester County
Docket Number: Index No. 56535/2025
Judge: Elena Goldberg-Velazquez
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**To commence the statutory time period
For appeals as of right (CPLR § 5513[a]),
you are advised to serve a copy of this
order, with notice of entry,
upon all parties.**

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF WESTCHESTER

-----X
In the Matter of the Application of

DECISION AND ORDER

DOUGLAS E. SINGER, ESQ.

Index No.: 56535/2025

Pursuant to 22 NYCRR 1200, RPC 1.15(g)(3) for an
Order Directing the Disbursement of Funds from the
Attorney Trust Account of Cunningham Galloway &
Maret

-----X
Hon. Elena Goldberg-Velazquez, J.S.C.

The following papers, numbered 1, were read and considered in connection with Plaintiff's Notice of Petition pursuant to New York Rules of Professional Conduct at 22 NYCRR 1200, Rules of Professional Conduct 1.15(g)(3) seeking an Order: (A) Directing Douglas E. Singer, as successor signatory of the Attorney Trust Account of Cunningham Galloway & Maret, to disburse the funds in the Attorney Trust Account to the persons and in the amounts set forth in Exhibit E annexed to the Petition; and (B) Providing such other and further relief as the Court deems proper:

PAPERS

NUMBERED

Petition/Notice of Petition for Order Directing Disbursement of Funds from
Attorney Trust Account/Exhibits A – Q

1

Upon the foregoing papers, the Court now rules as follows:

Petitioner is an attorney admitted to practice in the State of New York who was appointed by Order dated September 26, 2022, as successor signatory of an attorney trust account with J.P. Morgan Chase Manhattan Bank N.A. maintained by the law firm of Cunningham Galloway & Maret. Based upon the Petition the Petitioner was appointed successor signatory of the aforementioned Attorney Trust Account upon the death of Frances C. Galloway, who was the last remaining partner of Cunningham Galloway & Maret. According to Petitioner Attorney Galloway died on June 23, 2022, and at the time of her death was an attorney licensed and admitted to practice law in the State of New York. Further, Petitioner asserts that the office of the law firm of Cunningham Galloway & Maret was located at 10 Dunham Road, Scarsdale, New York and Attorney Cunningham was in the process of closing the office and “winding up its affairs.” Petitioner asserts that the process of disbursing the funds in the Attorney Trust Fund was not completed at the time of Attorney Cunningham’s death.

According to Petitioner, Julia A. Liucci, was named as co-Executor of Attorney Galloway’s estate on July 28, 2022, by Order of the Surrogate Court, Westchester County. Ms. Liucci in her supporting affidavit indicates that she had been an employee of Cunningham Galloway & Maret since September 2, 1975, and she was responsible for maintaining the law firm’s Attorney Trust Account records which included recording all transactions in the account. According to the Petition the Attorney Trust Account for Cunningham Galloway & Maret had funds totaling one hundred twenty-seven thousand eight hundred forty-three dollars and fifty-two cents (\$127,843.52). Julia A. Liucci set forth in her affidavit that based upon review of the records and the statements of the Attorney Trust Account she has been able to determine those persons entitled

to funds within the account and she was unable to identify or locate certain persons as to the remaining funds in the account. Included in the Liucci Affidavit is a breakdown as to the proposed disbursement of the monies held within the Attorney Trust Account along with an explanation as to the basis of that disbursement or her inability to make a determination. The disbursements as proposed by Liucci are also set forth in Exhibit E (NYSCEF Doc. No. 7) annexed to the instant application.

Petitioner seeks an Order pursuant to 22 NYCRR 1200, Rules of Professional Conduct 1.15(g)(3) directing the funds in the Attorney Trust Account of Cunningham Galloway & Maret be disbursed as set forth in Exhibit E annexed to the instant application.

Petitioner has provided an Affidavit of Service demonstrating that Respondent J.P. Morgan Chase Bank, N.A. was served with the instant Petition on February 6, 2025. Despite service the Respondent has failed to answer, appear or oppose the instant application. As such, the unopposed motion is granted in its entirety.

Accordingly, it is

ORDERED that Plaintiff's Petition (Motion Seq. No. 1) for an Order directing disbursement of the funds in the Attorney Trust Account of Cunningham Galloway & Maret is granted pursuant to 22 NYCRR 1200, Rules of Professional Conduct 1.15(g)(3) is granted in its entirety; and it is further

ORDERED that Petitioner is directed to settle order within ten (10) days of the date hereof including the disbursements from the Attorney Trust Account of Cunningham Galloway & Maret as set forth in Exhibit E (NYSCEF Doc. No. 7) annexed to the instant application.

The foregoing constitutes the Order of this Court on Motion Seq. No 1.

Dated: White Plains, New York
March 12, 2025



Hon. Elena Goldberg-Velazquez, J.S.C.

TO:

DOUGLAS E. SINGER, ESQ.
FALCON RAPPAPORT & BERKMAN, LLP
Petitioner
(via NYSCEF)

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