

Simpson v Chassen

2026 NY Slip Op 30555(U)

February 11, 2026

Supreme Court, New York County

Docket Number: Index No. 158055/2023

Judge: Joel M. Cohen

Cases posted with a "30000" identifier, i.e., 2013 NY Slip Op 30001(U), are republished from various New York State and local government sources, including the New York State Unified Court System's eCourts Service.

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

-----X

<p>JEFFREY SIMPSON, INDIVIDUALLY AND DERIVATIVELY, AS MANAGING MEMBER OF JJ ARCH LLC, SUING DERIVATIVELY AS MANAGING MEMBER OF ARCH REAL ESTATE HOLDINGS LLC, JJ ARCH LLC,</p> <p style="text-align: center;">Plaintiffs,</p> <p style="text-align: center;">- v -</p> <p>JARED CHASSEN, FIRST REPUBLIC BANK, YJ SIMCO LLC, ARCH REAL ESTATE HOLDINGS LLC, 225 HPR LLC, JJ NY 550 LLC, 1640 MONTAUK LLC, 1640 MOTORS LLC, 146 E. 89 BORROWER 1 LLC,</p> <p style="text-align: center;">Defendants.</p>	<p>INDEX NO. <u>158055/2023</u></p> <p>MOTION DATE <u>01/21/2026</u></p> <p>MOTION SEQ. NO. <u>038</u></p> <p style="text-align: center;">INTERIM DECISION + ORDER ON MOTION</p>
---	--

-----X

HON. JOEL M. COHEN:

The following e-filed documents, listed by NYSCEF document number (Motion 038) 2314, 2315, 2316, 2317, 2318, 2319, 2320, 2321, 2339, 2340, 2341

were read on this motion for

ATTORNEY WITHDRAWAL

Maiden Lane Law Group ("Maiden Lane") moves pursuant to CPLR 321(b)(2) to withdraw as counsel for Plaintiff Jeffrey Simpson, individually and derivatively on behalf of JJ Arch LLC ("JJ Arch"), while seeking to remain counsel for JJ Arch. The branch of the motion seeking withdrawal as counsel for Mr. Simpson is unopposed. Defendants oppose Maiden Lane's application to remain counsel for JJ Arch. In this interim decision, the Court memorializes its earlier oral grant of the unopposed portion of the motion (discussed below), reserving decision on the remainder pending further briefing.

"[A]n attorney may withdraw as counsel of record upon a showing of good and sufficient cause, and reasonable notice to the client" (*Mason v MTA New York City Tr.*, 38 AD3d 258 [1st Dept 2007]; CPLR 321[b][2] [requiring notice]). Good cause exists "upon a showing of

irreconcilable differences between attorney and client" (*Djeddah v Williams*, 267 AD2d 156, 157 [1st Dept 1999]; *see also Matter of Cassini*, 182 AD3d 13, 40 [2d Dept 2020] [An “attorney must demonstrate that good cause exists to end the relationship with the client, such as by showing an irretrievable breakdown in the relationship or a failure of cooperation by the client”]).

Here, Maiden Lane has demonstrated a breakdown in the attorney-client relationship. Counsel states that representing Mr. Simpson has become increasingly challenging in part due to “direct communications by Mr. Simpson with multiple Courts and interested parties without copying or notifying counsel, some of which represent that I have been terminated and may not act on his behalf personally” (NYSCEF 2315 [Rajotte Affirmation] at ¶7).

The Court scheduled an in-person status conference on January 21, 2026 in part to address the status of Mr. Simpson’s representation (NYSCEF 2265). On the day of the conference, Mr. Simpson sent email correspondence to chambers refusing to appear at the conference and expressly revoking counsel’s authority to act on his behalf, stating among other things:

If Mr. Rajotte [counsel] feels he has to attend, to protect his license to practice law, I'm not going to give him an ultimatum but he is not authorized to do anything here other than listen , defend himself if necessary, or actually stand up against corruption. Those are his choice's [sic] not mine.

(NYSCEF 2340).

In light of Mr. Simpson’s email communications and counsel’s representations in his affirmation and at the conference regarding the breakdown of the attorney-client relationship, at

the conference the Court orally granted the branch of Maiden Lane's application to withdraw as attorney of record for Mr. Simpson on January 21, 2026.¹

Based on the foregoing, and for the reasons stated on the record at the conference on January 21, 2026, it is

ORDERED that Maiden Lane's motion is **GRANTED IN PART** insofar as it seeks to withdraw as counsel for Mr. Simpson individually and derivatively on behalf of JJ Arch, and Mr. Simpson is deemed to be representing himself *pro se* unless and until he indicates otherwise (he is not able to serve as *pro se* counsel with respect any derivative claims asserted on behalf of JJ Arch). The Court reserves decision on the branch of the motion seeking permission to remain counsel to JJ Arch pending further briefing; it is further

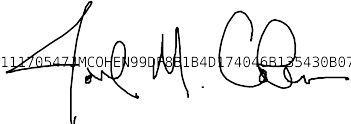
ORDERED that Maiden Lane is to comply with its obligations under Rule 1.16(d) of the Rules of Professional Conduct, as applicable to the facts presented, to "take steps, to the extent reasonably practicable, to avoid foreseeable prejudice to the rights of the clients, including giving reasonable notice to the clients, allowing time for employment of other counsel, delivering to the clients all papers and property to which the clients are entitled, promptly refunding any part of a fee paid in advance that has not been earned and complying with applicable laws and rules"; it is further

ORDERED that Maiden Lane shall promptly serve a copy of this Order upon Mr. Simpson by email, and, if practicable, by hard copy at his last known home and business addresses, respectively, by certified mail, return receipt requested; and it is further

¹ The day after the conference, Mr. Simpson sent an email to counsel for the receiver in this action—titled "Ben has been relieved"—stating, "So now you are stuck with me[,]"—an apparent acknowledgment of the Court's decision granting Maiden Lane's application to withdraw as his counsel (NYSCEF 2332).

ORDERED that Maiden Lane assist Mr. Simpson regain access to NYSCEF if he elects to remain *pro se*.

This constitutes the interim Decision and Order of the Court.


20260211170547 JMC0HEN19907881B4D174046B175430B07DE8DCA

JOEL M. COHEN, J.S.C.

2/11/2026
DATE

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