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Mangione and Comey Are in NY Courts This Week: New York Brief

By Mike Vilensky

(Bloomberg Law) -- *A new month is upon us, and so are a bunch of big cases. Here's what on tap this week:*

Luigi Mangione will challenge key evidence in the Manhattan district attorney's murder case against him today.

The 27-year-old, charged with fatally shooting a UnitedHealth Group executive, is arguing the contents of a backpack, including an alleged gun and journal, were unlawfully taken by police during a warrantless search and should be barred from trial.

The suppression hearings before state Judge Gregory Carro are expected to last days, with the officers involved in Mangione's arrest being called and crossed. The proceedings, likely to draw spectators to 100 Centre Street, will offer **a preview of the prosecution's trial strategy** and give the defense its first chance to hear from witnesses.

Mangione's separately being prosecuted in federal court, where the government's seeking the death penalty. **Docket**

- Manhattan federal Judge Jesse Furman will hold the first case conference Thursday in **Maurene Comey's challenge to her firing from the Justice Department**. Comey, an ex-Southern District prosecutor who worked on cases against Jeffrey Epstein and Ghislaine Maxwell, says the DOJ unlawfully ousted her because she's James Comey's daughter or for her perceived political beliefs. **Docket**
- An Albany federal court on Thursday will hear Attorney General **Letitia James' challenge to acting US Attorney John Sarcone**'s appointment as Albany's top prosecutor. The hearing follows James' successful challenge to President Donald Trump's appointment of Lindsey Halligan as an interim US attorney in Virginia. **Docket**
- Also Thursday, Mobileye Global investors will ask the Second Circuit to revive **claims that the autonomous driving company hindered financial results by pushing excess inventory** to avoid supply chain shortages. A Manhattan federal judge earlier this year tossed the proposed class action, saying the plaintiffs hadn't shown the company deceived shareholders. **Docket**

NY Lawmaker Looks to Fill CFPB Void

Brooklyn Sen. Zellnor Myrie is introducing a bill to toughen penalties for financial crimes, a measure that would help New York keep pace with other states stepping up consumer protections as the Consumer Financial Protection Bureau steps back.

Corporations with annual revenues greater than $100 million that are convicted of state felonies would face stiffer fines under Myrie's bill, my colleague ***Raga Justin*** scoops. Currently, fines assessed on companies convicted of state crimes are generally capped at $500,000, penalties that corporations view as the "cost of doing business," Myrie, a Democrat, said.

The bill **would allow state prosecutors to pursue equity fines** on publicly traded companies, transferring a percentage of shares to a state victim's compensation fund. The measure would also include **new**

definitions of virtual currency, as New York looks to regulate crypto.

Sixteen states have boosted their consumer financial protection laws as the Trump administration has scaled back the CFPB. **Read More**

Q&A: Mass Tort Lawyer Adam Slater

Adam Slater is the founder of Slater Slater Schulman, a midsize mass tort plaintiffs' firm that's brought sex assault claims against the Boy Scouts of America and New York prison system.

Slater, a St. John's Law grad based in New York, has focused recently on the Child Victims Act and Adult Survivors Act. **The pair of post-#MeToo laws expanded the statute of limitations** for abuse suits.

He chatted about potential changes to New York pleading standards and what he's learned from Sun Tzu.

MV: Your biggest mistake in early years of practice was—?

AS: Thinking I could do everything at once and believing that someone with more experience knew more than me

What New York statute would you add or repeal?

AS: Court of Claims Act 11(b) requires survivors of child and adult sexual abuse to plead with unrealistic specificity the minute details of their abuse. Last session, a fix to make 11(b) more realistic and compassionate passed the Senate but stalled in the Assembly. It is imperative this bill be approved.

What book is on your bedside table?

AS: "The Art of War." Anything by John Grisham.

Have you learned anything from "Art of War" that helps you in court?

AS: I am forever reminded when I pick it up that the key to success is both patience and nimbleness.

Favorite Grisham?

AS: By far "The Rainmaker."

Is it better to be a bulldog or underestimated?

AS: Underestimated. It's always better if the other side doesn't appreciate your strengths and ability to succeed.

What's the last thing you believed beyond a reasonable doubt?

AS: That the Mets were going to turn their season around and make the playoffs, but I was wrong.

This interview has been condensed and edited. Email me to participate at mvilensky@bloombergindustry.com .

They Said It

"What judges don't necessarily realize is that we have externs coming in that are on the cusp of a generation that learned how to write using generative AI. They used it in law school, and they may come into your chambers thinking that's fine."

—California federal Judge Allison Goddard, who trains judges on AI tools. Her remarks are part of a broader debate in the judiciary about using AI, after a New Jersey federal judge issued a flawed opinion and blamed it on a law school intern using ChatGPT. **Read More**

Leading the News

AI Spending Surge Prompts Companies to Wrestle With Its Worth

In-house legal departments have bought artificial intelligence tools to churn through contracts, speed up workflows, and analyze documents. Now comes the hard part: Proving the software is worth the cost.

Space Firm Chief Accountant Got IPO Ready With Specialized Hires

Voyager Technologies Inc. got ready for its recent debut as a publicly traded company by hiring specialized accountants and practicing quarterly financial reporting.

Tom Goldstein Identifies Funder He Used to Pay Personal Debts

SCOTUSBlog co-founder Tom Goldstein identified Parabellum Capital as the litigation funder he used to pay off seven-figure personal expenses in an appeal Wednesday related to his ongoing criminal case for tax evasion.

Finance

Worldwide Markets Roiled by Data-Center Snafu in Chicago Suburb

One of the first signs of trouble arrived at 9:41 p.m. Eastern time on Thursday, when most of Wall Street was shut and traders were still enjoying the Thanksgiving holiday in the US.

The Private Equity-Owned Data Center Behind Giant CME Outage

About 45 minutes west of downtown Chicago lies a rather unassuming, glass-encased data center that some of the world's largest markets depend on. By one 2018 estimate, at least $25 quadrillion of notional trade volume passes through the facility every day.

TD Bank, First Horizon Shed Investor Suit Over Failed Merger

Toronto-Dominion Bank and First Horizon Corp. defeated investor allegations they misrepresented the approval prospects for a dashed $13.4 billion deal.

Protesters Disrupt Federal Immigration Action in Manhattan

Protesters thwarted a planned immigration operation in Lower Manhattan, forcing federal agents into retreat after blocking the ramp of a Department of Homeland Security parking garage near Chinatown.

In the Courts

Kalshi Market Maker Bets Against Consumers, Lawsuit Alleges

Kalshi Inc. was accused in a proposed class action of illegally operating as a sports bookmaker and misleading customers about its market-making activities, the latest in a series of legal challenges facing the predictions-market firm.

Attorney Software Providers Settle Trade Secret Dispute

CourtAlert.com voluntarily dismissed its lawsuit accusing American LegalNet Inc. of stealing confidential information and using it to solicit clients.

This Week in Chancery Court: Sears Hometown Deal, ITG Brands

Long-running litigation in Delaware Chancery Court over the the take-private restructuring of Sears Hometown and Outlet Stores Inc. may be at an end with a settlement awaiting a judge's approval.

Columnist Corner

There's irony in law firms pushing to keep a human in the loop for legal automation, "yet when it comes to billing—one of the most relationship-sensitive aspects of any engagement—they've systematically eliminated the human in the loop," **Eric Dodson Greenberg** writes in a new Good Counsel column.

Law firm metrics exalt realization rates—the percentage of billed time that actually gets collected—but this emphasis can cause damage to one of the most valuable firm assets—partners' relationships with their clients, Eric says. **Read More**

Commentary & Opinion

NYC Church's Win in Property Tax Case Shows Complexity of Use

The New York Court of Appeals' ruling last week in a property tax charitable exemption case shows that particular facts in such cases are often so unique as to be difficult to apply confidently elsewhere.

Federal Rules Changes Run the Gamut. Practitioners Must Take Note

Clients and practitioners should monitor efforts to amend the Federal Rules and anticipate how the changes might materialize in pending cases.

Collaboration Is the New Economics of Cross-Selling in Law Firms

Visibility and collaboration have become measurable assets that directly influence growth, integration, and client service for law firms.

Effective Sustainability Reporting Means Adopting Digital Tools

Credible sustainability reporting today must be digital. Companies serious about sustainability can't afford to treat technology as optional—it is a core enabler of efficiency, transparency, and strategic insight.

Editor's Pick

Plastic Cup Billionaire Shifts Fortune to New 'Sin Stock' Bets

Billionaire Kenneth Dart, the reclusive, Cayman Islands-based heir to his family's eponymous plastic-cup fortune, made $4 billion from a contrarian bet on Big Tobacco. Now, he's turned his attention to another vice.

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