BenchNOTES Newsletter

April 2020

The documents below are in PDF format. [Download the Adobe Reader](#).

Trials Division – COVID-19 Update

COVID-19 Update

The OATH Trials Division located at 100 Church Street, NY, NY 10007 is closed until further notice but is still holding conferences and trials by phone. If interested in taking advantage of this option, please email OATHCalunit@oath.nyc.gov

Read more about *Trials Division – COVID-19 Update*

Licensing

Appeal from marriage license denial granted.

The City Clerk denied a marriage license application after discovering two licenses had been issued in 1990 and 1995 to an individual using the same name and birth date as the applicant.

Office of the City Clerk v. Marcial, OATH Index No. 1044/20 (Mar. 12, 2020)

Read more about *Office of the City Clerk v. Marcial*

Personnel

Dereliction of duty found.

Respondent, a hospital housekeeping aide, was charged with dereliction of duty, insubordination, and engaging in disruptive behavior.

Health and Hospitals Corp. (Queens Hospital Center) v. Khan, OATH Index No. 0001/20 (Mar. 23, 2020).

Read more about *Health and Hospitals Corp. (Queens Hospital Center) v. Khan*

Vehicle Retention

Police Department may retain seized car.

Petitioner sought to retain, pending the forfeiture proceeding, a car seized in connection with an arrest as the alleged instrumentality of a crime.

Police Dep't v. Ntuli, OATH Index No. 1331/20, mem. dec. (Mar. 3, 2020).

Read more about *Police Dep't v. Ntuli*

Contracts

Extra work claim denied.

In a case brought before the Contract Dispute Resolution Board ("CDRB"), a subcontractor claimed that it was entitled to additional compensation to repair damage caused by another subcontractor in constructing the new Police Academy in Queens.

Turner/STV v. Dep't of Design and Construction, OATH Index No. 2474/19, mem. dec. (Mar. 9, 2020).

Read more about *Turner/STV v. Dep't of Design and Construction*