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November 6, 2017

Hon. Roanne L. Mann, U.S.M.J.
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: Tadepalli v. Credit Corp Solutions Inc., 17-cv-03227-ERK-RLM

Dear Chief Magistrate Judge Mann,

This firm represents Defendant Credit Corp. Solutions, Inc., in the above captioned lawsuit. We have been placed into the position of having to write this letter to inform the Court of what appears to be intentional and material misrepresentations regarding Plaintiff's unsuccessful Motion to Transfer (DKT. No. 26), as well as related abuse of the Court's processes. In this respect, while we are not currently asking the Court for any relief or sanction, as Officers of the Court - subject to Rule 8.3 of the Rules of Professional Conduct (22 NYCRR § 1200.0), we are obligated to report this information to correct misrepresentations in the record. Consistent with our understanding of the Rules, it is not our place to advise the Court on the legal application of whether a violation has occurred; however, it is essential to provide the Court with sufficient detail, so that the Court may seek fair, impartial and vigorous enforcement of the Rules in the interests of the public and the legal profession.

Accordingly, Defendant is providing the Court with evidence demonstrating that Maximov Law, LLP files all of its cases in this Court claiming that each respective Plaintiff resides in Kings County, notwithstanding Plaintiff's actual residence. Indeed, based on a random sample of cases,¹ it appears that every single civil cover sheet filed by Maximov Law, LLP alleges that a respective Plaintiff's county of residence is Kings County, and the attorney certifies that that the events or omission giving rise to the claim or claims, or a substantial part thereof, did not occur in Nassau or Suffolk County.

¹ Consistent with prior findings by Defendant and the Court, the sampling was conducted in further preparation of Plaintiff's deposition, scheduled for November 13, 2017 at 10:00 a.m.

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In the instant matter, as pointed out by Defendant and acknowledged by Plaintiff, the civil cover sheet (certified and signed by Maxim Maximov) incorrectly states (1) that Plaintiff's county of residence is Kings County; and (2) certifies that the events or omissions giving rise to the claim or claims, or a substantial part thereof, did not occur in Nassau or Suffolk County. In point of fact, Plaintiff's sole residence and domicile is actually in Suffolk County, NY. (*See* DKT. No. 26). In order to resolve this issue, Plaintiff filed a Motion to Transfer, alleging that this listing was an "inadvertent oversight," and the unintentional misstatement was apparently confirmed "upon a review and discussion with the Plaintiff..." *Id.* In opposing Plaintiff's Motion to Transfer, Defendant established that the instant action is the third such lawsuit filed by Maxim Maximov, LLP on behalf of Tadepalli - with the same misstatements presented on the civil covers sheet.²

During the Court's hearing on Plaintiff's Motion to Transfer, Plaintiff's attorney appeared contrite in apologizing for the "error," expressing to the Court that this type of conduct had never happened before, and will never happen again. Nevertheless, there was unquestionably a lack of candor, which is especially troubling given the scope and duration of this conduct. Unfortunately, Plaintiff's statements to both the Court and in the Motion to Transfer are not only without a colorable basis, they are directly contradicted by unambiguous evidence to the contrary. For starters, we've identified yet another putative class action Tadepalli case (*now a total of 4 lawsuits*) filed with the same false claims contained on the civil cover sheet and attorney certification. *See Bhushan Tadepalli v. Midland Credit Management, Inc. et al*, 16-cv-07124-DLI-PK.³

Likewise, we came across a number of cases filed by Plaintiff's counsel with similar issues. For example, in the case of Gutman v. CFS2 Inc., 16-cv-06745-LDH-VMS, Plaintiff alleged having a residence in Kings County, NY. However, not only does Plaintiff not reside in Kings County, Plaintiff doesn't even reside in the State. Similar to the instant matter, Gutman v. CFS2 Inc., appears to be at least the second matter filed by Maxim Maximov, LLP on behalf of Basya Gutman, with the same objectively frivolous allegation that Plaintiff resides in Kings County, NY. *See Gutman v. Professional Recovery Services, Inc.*, 13-cv-05412-MKB-RML.

Based on our random sample of cases, there is a pattern of misconduct that is intentional and likely to continue in the future.

1. Leifer v. Client Services, Inc., 17-cv-06144-LDH-SMG: Plaintiff allegedly resides in Kings County, NY; however, at the time of filing, Plaintiff resided in Monsey, NY.
2. Leifer v. Northstar Location Services, LLC, 17-cv-06149-FB-CLP: Plaintiff allegedly resides in s Kings County, NY; however, at the time of filing, Plaintiff resided in Monsey, NY.

² *See Tadepalli v. Phillips & Cohen Associates, Ltd.* (15-cv-05220-FB-JO) and Tadepalli v. Encore Receivable Management, Inc. (15-cv-01517-CBA-MDG).

³ The Bhushan Tadepalli filing contains a variation on the spelling of Plaintiff's first name, but is apparently the same individual as the instant Plaintiff.

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3. Maisonet v. United Collection Bureau, Inc., 17-cv-05196-FB-SMG: Plaintiff allegedly resides in Kings County, NY; however, at the time of filing, Plaintiff resided in Orange County, NY.
4. Moshe Y. Gutman v. Northland Group Inc., 17-cv-04799-ARR-CLP: Plaintiff allegedly resides in Kings County, NY; however, at the time of filing, Plaintiff resided in Spring Valley, NY.
5. Moshe Gutman v. Allianceone Receivables Management, Inc., 15-cv-01064-BMC: Plaintiff allegedly resides in Kings County, NY; however, at the time of filing, Plaintiff resided in Spring Valley, NY.
6. Povolotsky v. Transworld Systems, Inc., 17-cv-03937-BMC: Plaintiff allegedly resides in Kings County, NY; however, at the time of filing, Plaintiff resided in Huntington, NY.
7. Maisonet v. RGS Financial, Inc., 17-cv-02017-RJD-JO: Plaintiff allegedly resides in Kings County, NY; however, at the time of filing, Plaintiff resided in Orange County, NY.
8. Bhushan Tadepalli v. Midland Credit Management, Inc. et al, 16-cv-07124-DLI-PK: As discussed in further detail above, Plaintiff allegedly resides in Kings County, NY; however, at the time of filing, Plaintiff resided in Selden, NY.
9. Gutman v. CFS2 Inc., 16-cv-06745-LDH-VMS: As discussed in further detail above, Plaintiff allegedly resides in Kings County, NY; however, at the time of filing, Plaintiff resided in Lakewood, NJ.
10. Gutman v. Professional Recovery Services, Inc., 13-cv-05412-MKB-RML: As discussed in further detail above, Plaintiff allegedly resides in Kings County, NY; however, at the time of filing, Plaintiff resided in Lakewood, NJ.
11. Bukhbinoler v. Stoneleigh Recovery Associates, LLC, 16-cv-06140-WFK-CLP: Plaintiff allegedly resides in Kings County, NY; however, at the time of filing, Plaintiff resided in Richmond County, NY.
12. Tadepalli v. Phillips & Cohen Associates, Ltd., 15-cv-05220-FB-JO: As discussed in further detail above, Plaintiff allegedly resides in Kings County, NY; however, at the time of filing, Plaintiff resided in Selden, NY.
13. Tadepalli v. Encore Receivable Management, Inc., 15-cv-01517-CBA-MDG: As discussed in further detail above, Plaintiff allegedly resides Kings County, NY; however, at the time of filing, Plaintiff resided in Selden, NY.
14. Klein v. Credit Bureau of Lancaster County, Inc., 14-cv-06895-KAM-RER: Plaintiff allegedly resides in Kings County, NY; however, at the time of filing, Plaintiff resided in Monsey, NY.
15. Klein v. Payment Resolution Services, LLC, 14-cv-06896-JG-SMG: Plaintiff allegedly resides in Kings County, NY; however, at the time of filing, Plaintiff resided in Monsey, NY.
16. Klein v. Professional Claims Bureau, Inc., 14-cv-07439-JS-AYS: Plaintiff allegedly resides in Kings County, NY; however, at the time of filing, Plaintiff resided in Monsey, NY.

In conclusion, we are reporting this information, as Officers of the Court, strictly for the purpose of complying with Rule 8.3 of the Rules of Professional Conduct. Having said that, Defendant reserves all its rights and defenses and may seek leave of the Court to be heard to the extent any issue involving the foregoing becomes or has been relevant to this dispute.

Thank you for the Court's time and attention to this matter.

Respectfully submitted,

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