

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE: JJ ARCH LLC,

Appellant.

Case #24-08649 (JAV)

Bankr. Pro. #24-10381 (JPM)

Before the Honorable
Jeannette A. Vargas, D.J.

**CORRECTED
DECLARATION**

I, Benjamin Robert Rajotte, Esq., respectfully submit this Corrected Declaration in support of Appellant's Reply Brief, and affirm, under penalty of perjury, pursuant to 28 U.S.C. § 1746, that this submission is true and correct to the best of my knowledge, information, and belief, formed after an inquiry reasonable under the circumstances:

1. Attached as Exhibit A is a true and correct copy of the a table entitled, *Parties and Counsel Common to Index #158055/2023*, which undersigned counsel personally prepared as a demonstrative exhibit.
2. Attached as Exhibit B is a true and correct copy of a summary of litigation in relation to the Arch Companies, entitled *Arch-Related Litigation*, which undersigned counsel personally prepared as a demonstrative exhibit.

3. On August 15, 2025, undersigned received an email from counsel for the JJ Arch-affiliated entity, Pebble Creek Borrower LLC, in relation to *Jackson v. Pebble Creek Borrower LLC*, Case #01-CV-2023-902315.00 (Jefferson County Cir. Ct., Ala. 2023), stating: “Ben, as we understand it, our representative for Pebble Creek in the Jackson litigation is Kevin Weiner. We have not been authorized to speak to any other representatives regarding the defense of the matter.”

Respectfully submitted,

Dated: August 15, 2025
Hartford County, Connecticut

MAIDEN LANE LAW GROUP



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Attorneys for JJ Arch LLC

Exhibit A

Parties and Counsel Common to Index #158055/2023

Simpson v. Chassen

Index #158055/2023 (N.Y. Sup. Ct. N.Y. County, Comm. Div. Aug. 15, 2023)*

<i>Party</i>	<i>Counsel</i>	<i>Adverse Pleadings</i>
Simpson	Maiden Lane (May 5, 2025-)** Lorenc Law Firm (Jan. 7, 2025 to May 12, 2025)** Jaspan Schlesinger Narendran (Mar. 3, 2025)*** Altman & Company (Nov. 16, 2023- last filing, Mar. 5, 2024) Israel Law Firm (Oct. 12, 2023 to Mar. 29, 2024) Griffin LLP (Oct. 11, 2023 to Nov. 8, 2023) Bailey Law Firm (Aug. 5, 2023 to Oct. 11, 2023)	N/A
JJ Arch	Maiden Lane (May 5, 2025-)** Lorenc Law Firm (Jan. 7, 2025 to May 12, 2025)** Israel Law Firm (Oct. 12, 2023 to Mar. 29, 2024) Griffin LLP (Oct. 11, 2023 to Oct. 12, 2023) Bailey Law Firm (Aug. 5, 2023 to Oct. 11, 2023)	N/A

Chassen	<p>Schwartz Law Firm (Sept. 11, 2023-)</p> <p>Klestadt Winters Jureller Southard & Stevens (Oct. 24, 2024-)</p> <p>Aidala, Bertuna & Kamens (Aug. 29, 2023 to Sept. 11, 2023)</p> <p>Fried, Frank, Harris, Shriver & Jacobson (Aug. 16, 2023 to Aug. 30, 2023)</p>	<p>a) Contempt motion (first), filed as an Emergency Order to Show Cause for alleged violation of the Court's Interim Order restoring Simpson as JJ Arch's Managing Member (Sept. 14, 2023) (Mot. Seq. #3, NYSCEF Doc. #61-87); lacks reference civil vs. criminal</p> <p>b) Re: control of AREH, joinder to 608941 N.J. Inc.'s Order to Show Cause to transfer control of AREH from JJ Arch to 608941 N.J. Inc. (Nov. 6, 2023) (Mot. Seq. #5, NYSCEF Doc. #341-44)</p> <p>c) Receivership motion (first), brought by Emergency Order to Show Cause in tandem with 908931 N.J. Inc.'s receivership motion (see below) over JJ Arch (Jan. 28, 2024) (Mot. Seq. #7, NYSCEF Doc. #485-520)</p> <p>d) Criminal and civil contempt motion (second), by Emergency Order to Show Cause, nine days post-dismissal of <i>In re JJ Arch LLC, infra</i>, seeking to divest Simpson of control of JJ Arch (Oct. 20, 2024) (Mot. Seq. #11, 13, NYSCEF Doc. #641-90, 711-57)</p> <p>e) Letter filed by Klestadt Winters Jureller Southard & Stevens in support of Chassen's motion to divest Simpson of control of JJ Arch (Oct. 22, 2024) (Mot. Seq. #11, NYSCEF Doc. #704) ("Among other things, the Dismissal Order found that JJ Arch proceeded in <i>bad faith</i>" (emphasis in original))</p> <p>f) Receivership motion (second) re: four JJ Arch/non-AREH properties</p>
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		<p>(Dec. 16, 2024) (Mot. Seq. #17, NYSCEF Doc. #994-1000), granted (NYSCEF Doc. #1352, 1360, 1366, 1481)</p> <p>g) Criminal and civil contempt motion (third) after the Receiver was unable to enforce the receivership because it lacked a writ of execution (Apr. 30, 2025) (Mot. Seq. #24, NYSCEF Doc. #1450-61, 1470-73)</p> <p>h) Joinder to the Receiver's motion seeking a writ of execution to the Suffolk County Sheriff's Office re: four JJ Arch/non-AREH properties (May 9, 2025) (Mot. Seq. #23, NYSCEF Doc. #1483)</p> <p>i) Criminal and civil contempt motion (fifth; Chassen brought the fourth motion in the case on removal, Case #25-04004 (S.D.N.Y. May 9, 2025), see below), filed as an Emergency Order to Show Cause shortly after remand (May 30, 2025) (Mot. Seq. #26, NYSCEF Doc. #1537-58); contempt trial pending</p> <p>j) Appearances at Court hearings in support of referenced motions</p>
AREH	<p>Olshan Frome Wolosky (Oct. 21, 2024-****)</p> <p>Polsinelli Law Firm (Nov. 8, 2023 to Oct. 21, 2024)</p> <p>Griffin LLP (Oct. 17, 2023 to Nov. 8, 2023)</p> <p>Bailey Law Firm (Aug. 5, 2023 to Oct. 11, 2023)</p>	<p>a) Letter support of contempt trial (July 18, 2025) (Mot. Seq. #26, NYSCEF Doc. #1682) ("AREH's position is that Monday's [contempt] hearing should go forward as scheduled. The Court is without question familiar with Mr. Simpson's history of eleventh-hour maneuvers to avoid operating under this Court's orders or to face sanction for having violated them, many of which have been counsel assisted. This includes</p>

		<p>the bad faith chapter 11 filing of JJ Arch LLC in brazen violation of this Court’s orders, three bad faith removals of this proceeding to federal court, a frivolous appeal of JJ Arch’s bankruptcy dismissal, and now, the insistence upon an evidentiary hearing concerning what amounts to an undisputed contempt motion.”)</p> <p>b) Appearances at Court hearings in support of referenced motions</p>
608941 N.J. Inc. (“Oak”)	<p>Meister Seelig & Fein (Nov. 9, 2023-)* Haynes and Boone (Oct. 17, 2023 to June 10, 2025)*</p>	<p>a) Motion for receivership over JJ Arch (Oct. 17, 2023) (Mot. Seq. #4, NYSCEF Doc. #225-66)</p> <p>b) Order to Show Cause to transfer control of AREH from JJ Arch to 608941 N.J. Inc. (with Chassen) (Nov. 6, 2023) (Mot. Seq. #5, NYSCEF Doc. #296-320)</p> <p>c) Motion to dismiss Simpson and JJ Arch’s counterclaims, stating, among other things, that the plaintiffs “breach of fiduciary claim is doomed from the start because Oak owed no fiduciary duty to JJ Arch” (Feb. 22, 2024) (Mot. Seq. #9-10, NYSCEF Doc. #616-21)</p> <p>d) Renewed motion to dismiss, repeating the argument stated in its prior motion, including a heading which reads as follows: “Simpson Has Not Established That Oak Owed Him (or Anyone Else) a Fiduciary Duty” (Mar. 21, 2025) (Mot. Seq. #21-22, NYSCEF Doc. #1390-1400)</p> <p>e) Appearances at Court hearings in support of referenced motions</p>

Receiver Huebscher	<p>Farrell Fritz (Mar. 18, 2025-)</p> <p>a) Motion seeking a writ of execution to Sheriff's Office re: four JJ Arch/non-AREH properties subject to receivership (Apr. 28, 2025) (Mot. Seq. #23, NYSCEF Doc. #1435-49, 1463-69)</p> <p>b) Joinder to Chassen's third contempt motion (May 1, 2025) (Mot. Seq. #24, NYSCEF Doc. #1474)</p> <p>c) Joinder to Chassen's fifth contempt motion (May 30, 2025) (Mot. Seq. #26, NYSCEF Doc. #1567-69)</p> <p>d) "Supplemental" joinder to Chassen's fifth contempt motion: Rajotte's and Simpson's recent e-mails continue to make it absolutely clear that ... the only way that the Receiver will be able to peaceably take possession of the Rêver Motors business premises, 1640 Montauk Highway and the other receivership properties is for Simpson and Rajotte to be immediately held in civil and criminal contempt, and Simpson jailed. (June 16, 2025) (NYSCEF Doc. #1567-69)*****</p> <p>e) Appearances at Court hearings in support of referenced motions</p>
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* Gaps in jurisdiction:

- Apr. 1, 2024 to Oct. 20, 2024 (*In re JJ Arch LLC*, Bankr. Pro. #24-10381, *infra*).
- Mar. 20, 2025 to Apr. 25, 2025 (*Simpson v. Chasen*, Case #25-02372, *infra*, remanded for nonpayment of filing fee).
- May 9, 2025 to June 2, 2025 (*Simpson v. Chassen*, Case #25-04004, *infra*, refiling remanded with attorneys' fees; entry of notice of removal, May 15, 2025).

** The Lorenc Law Firm moved to withdraw from this action after one month. See Order to Show Cause (Feb. 6, 2025) (Mot. Seq. #18, NYSCEF Doc. #1092-94); Ltr. to Ct. (Feb. 10, 2025) (NYSCEF Doc. #1138); *see also* Renewed Order to Show Cause (May 9, 2025) (Mot. Seq. #25, NYSCEF Doc. #1494-97). Maiden Lane entered into a legal representation agreement with Simpson, individually and derivatively, and with JJ Arch, on April 7, 2025, first appearing in this case on May 5, 2025.

*** Ltr. to Ct. (Mar. 3, 2025) (NYSCEF Doc. #1351 (diligence re: properties subject to receivership)).

**** On November 8, 2023, filed the *Wietschner v. 9 Vandam JV LLC, infra*, action on behalf of the Wietschner Family Trust, an investor in the Arch Companies, against the JJ Arch-affiliated entity, 9 Vandam JV LLC. As summarized in the annotations following the table describing the parties and counsel to the *Wietschner, infra*, action, JJ Arch (whose original members included Simpson as Managing Member, and Chassen) and Oak hold the ultimate membership interests in 9 Vandam JV.

***** On June 10, 2025, Meister Selig & Fein filed a Consent to Change Attorney, dated June 5, 2025, on behalf of 608941 N.J. Inc., “in place and stead” of Haynes and Boone (NYSCEF Doc. #1559).

One day beforehand, on June 9, 2025, undersigned sent counsel for Chassen and the Receiver an email alleging that Oak is orchestrating a conspiracy to evade federal jurisdiction and using the receivership as a weapon of retaliation. Further, undersigned questioned whether Chassen gave informed consent to the contempt and receivership motions, and questioned whether Simpson’s offer to mediate had been conveyed as an offer of compromise or settlement under the Rules of Professional Conduct. On June 16, 2025, the Receiver’s counsel uploaded the email to the docket (NYSCEF Doc. #1568).

On June 18, 2025, undersigned met and conferred with Chassen’s counsel seeking assurances, which were not provided, that Simpson’s mediation proposal, as referenced above and sent by counsel-to-counsel email on June 6, 2025, was conveyed to Chassen. The proposal sought to mediate the dispute as it relates to the two properties located at 1640 Montauk Highway and Rêver Motors, the business located at that address, and 225 Head of Pond Road, both located in Water Mill, New York.

During the call, undersigned made clear that Simpson remained unwilling to enter either of the two properties, and that they had remained vacant since the case was remanded on May 29, 2025, subsequently apprising the Court of this aspect of the conversation at a hearing held on June 27, 2025. During the course of the hearing, opposing counsel argued that neither Simpson nor his counsel were entitled to a trial on Chassen’s fifth contempt motion, joined by the Receiver, under motion sequence #26.

Simpson v. Chassen

Case #25-02372 (S.D.N.Y. Mar. 20, 2025), remanded for nonpayment of filing fee

<i>Party</i>	<i>Counsel</i>	<i>Adverse Pleadings</i>
Simpson	N/A*	N/A
JJ Arch	N/A	N/A
Chassen	Schwartz Law Firm (Mar. 24, 2025 to disposition)	<p>a) Emergency letter motion for conference (Mar. 24, 2025) (ECF Doc. #4)</p> <p>b) Order to Show Cause seeking remand with sanctions and attorneys' fees (joined by AREH, 608941 N.J. Inc., and Receiver Huebscher) (Apr. 2, 2025) (ECF Doc. #8-11)</p> <p>c) Letter "apprising" the Court of an email from Simpson, dated April 14, 2025, in which he accused Justice Cohen of bias; sent on the same day that Oak joined Chassen's motion for sanctions; which was also the day when the Receiver stormed onto Simpson's property unannounced with an armed guard*</p> <p>Although omitted in the letter submission of Chassen's counsel, the email is prefaced as follows:</p> <p>These folks don't stop their harassment. Per my note over the weekend, we need Court intervention. I literally left my family in the middle of Passover because of the anxiety of this malfeasance that continues....</p> <p>The damages to me and others escalate by the day while these folks continue to break the law without any enforcement whatsoever....</p> <p>(Apr. 17, 2023) (ECF Doc. #23-24)</p>

		d) Joint motion for remand and attorneys' fees, filed by Chassen's counsel and signed (" /s/ ") by all opposing counsel, including for AREH, 608941 N.J. Inc., and the Receiver; it was "filed out of an abundance of caution to ensure that the Moving Parties will be deemed to have formally moved for remand within 30 days of removal" if that the Order to Show Cause were not signed beforehand (Apr. 18, 2025) (ECF Doc. #25-26)
AREH	Olshan Frome Wolosky (Apr. 16, 2025 to disposition)	<p>a) Joinder to Chassen's motion for remand and attorneys' fees (with 608941 N.J. Inc. and the Receiver) (Apr. 16, 2025) (ECF Doc. #16-17, 19)</p> <p>b) Joint motion for remand and attorneys' fees (with Chassen, 608941 N.J. Inc., and the Receiver) (Apr. 18, 2025) (ECF Doc. #25-26)</p> <p>c) Rule 11 motion for sanctions and attorneys' fees against Simpson and former counsel (Apr. 24, 2025) (ECF Doc. #28-33), mooted by dismissal for nonpayment of filing fee</p>
608941 N.J. Inc. ("Oak")	Haynes and Boone (Apr. 14, 2025 to disposition)	<p>a) Joinder to Chassen's motion for remand and attorneys' fees (with AREH and Receiver Huebscher) (Apr. 14, 2025) (ECF Doc. #14)</p> <p>b) Joint motion for remand and attorneys' fees (with Chassen, AREH, and the Receiver) (Apr. 18, 2025) (ECF Doc. #25-26)</p>

Receiver Huebscher	Farrell Fritz (Apr. 11, 2025 to disposition)	a) Joinder to Chassen's motion for remand and attorneys' fees (with AREH and 608941 N.J. Inc.) (Apr. 11, 2025 (ECF Doc. #12-13)) b) Request for conference (Apr. 15, 2025) (ECF Doc. #15, 18) c) Joint motion for remand and attorneys' fees (with Chassen, AREH, and 608941 N.J. Inc.) (Apr. 18, 2025) (ECF Doc. #25-26)
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* The Lorenc Law Firm was named with Simpson in AREH's Rule 11 motion, although counsel made no appearance and previously moved to withdraw in the case-in-chief, Index #158055/2023, *supra*.

Simpson v. Chassen

Case #25-04004 (S.D.N.Y. May 9, 2025), *refiling remanded with attorneys' fees*

<i>Party</i>	<i>Counsel</i>	<i>Adverse Pleadings</i>
Simpson	Maiden Lane*	N/A
JJ Arch	N/A	N/A
Chassen	Schwartz Law Firm (May 26, 2025 to disposition)**	Emergency motion for remand and (fourth) criminal and civil contempt motion (joined by AREH and Receiver Huebscher) (May 27, 2025) (ECF Doc. #6-13)
AREH	Olshan Frome Wolosky (June 4, 2025 to disposition)	Joinder to Chassen's remand and contempt motion (joined by Receiver Huebscher) (June 4, 2025) (ECF Doc. #24-26)
608941 N.J. Inc. ("Oak")	N/A	N/A
Receiver Huebscher	Farrell Fritz (May 27, 2025 to disposition)	Joinder to Chassen's remand and contempt motion (joined by Receiver Huebscher) (May 27, 2025) (ECF Doc. #14, 16-17)

* Maiden Lane entered its first appearance on behalf of attorney and client on July 25, 2025, in requesting reconsideration of the Court's granting of attorneys' fees. Undersigned was not joined or served as a party. *See Attorney Declaration in Opposition to Emergency Motion* (ECF Doc. #41 ¶7).

** The Schwartz Law Firm was the only law firm which moved for attorneys' fees subsequently to submit proofs of amounts sought due for fee reimbursement (July 10, 2025) (ECF Doc. #32), later reduced following motions seeking reconsideration (July 25 & 29, 2025) (ECF Doc. #38-39, 41).

The timesheets submitted by the Schwartz Law Firm annotate at least two conversations had with counsel for Oak and AREH (July 10, 2025) (ECF Doc. #32:1 at 3, Apr 3, 2025 entry—"Draft, Revise and Finalize Memo of Law and Support Papers for Remand in *Simpson v. Chassen*; Further Research legal issues regarding remand; Call with JK" (apparent reference to Jonathan Koevary, Esq. of Olshan Frome Wolosky); Apr. 18, 2025 entry—"Finalize and File Notice of Motion in *Simpson v. Chassen* Federal Action for Remand, and Communications with AB" (apparent reference to Aishlinn Bottini, Esq. with Haynes and Boone; *see also* ECF Doc. #32:2 at 2, May 23, 2025 entry—"Calls and emails"; May 24, 2025 entry—"Calls and emails").

A number of entries for work performed during the same time periods are redacted, however Chassen's counsel made no filings on the docket for the case-in-chief, Index #158055/2023, *supra*, between March 20, 2025 (removal) and April 25, 2025 (notice of remand), and limited filings between May 15, 2025 (refiled removal) and May 29, 2025 (notice of remand). Yet thirty-two line items detailing attorney time spent on the case, and other portions of the invoices, are fully redacted among the two invoices submitted by counsel. Additionally, the invoices lack the recipient's contact information.

In re JJ Arch LLC
 Bankr. Pro. #24-10381 (Bankr. S.D.N.Y. Mar. 7, 2024), dismissed*

<i>Party</i>	<i>Counsel</i>	<i>Adverse Pleadings</i>
Simpson	N/A	N/A
JJ Arch	Lorenc Law Firm (Mar. 17, 2025 to May 28, 2025) Davidoff Hutcher & Citron (June 24, 2024-; withdrawal motion, Dec. 11, 2024) Wiggin and Dana (Mar. 19, 2024-; withdrawal motion, June 1, 2024) Griffin LLP (Mar. 7, 2024-; withdrawal motion, June 3, 2024)	N/A
Chassen	Schwartz Law Firm (Mar. 18, 2024 to disposition) Klestadt Winters Jureller Southard & Stevens (Mar. 21, 2024 to disposition) Formerly Kirby Aisner & Curley (Mar. 14, 2024 to June 17, 2024)	a) Joint motion to dismiss (with AREH) (Mar. 14, 2024) (ECF Doc. #4) b) Joint motion for relief from stay (with AREH) (Mar. 25, 2024) (ECF Doc. #40) c) Joint motion to remand (with AREH and 608941 N.J. Inc.) (Apr. 10, 2024) (ECF Adv. Pro. #24-01335 Doc. #2-3), (Sept. 30, 2024) (ECF Adv. Pro. #24-04026 Doc. #5-6) d) Joint objection to motion re: deadline for proofs of claim (with AREH and 608941 N.J. Inc.) (June 19, 2024) (ECF Doc. #142) e) Appearances at Court hearings in support of referenced motions
AREH	Olshan Frome Wolosky (Mar. 18 2024 to disposition)	a) Joint motion to dismiss (with Chassen) (Mar. 18. 2024) (ECF Doc. #13-14)

		<p>b) Joint motion for relief from stay (with Chassen) (Mar. 25, 2024) (ECF Doc. #38-39)</p> <p>c) Joint motion to remand (with Chassen and 608941 N.J. Inc.) (Apr. 10, 2024) (ECF Adv. Pro. #24-01335 Doc. #2-3), (Oct. 10, 2024) (ECF Adv. Pro. #24-04026 Doc. #12).</p> <p>d) Joint objection to motion re: deadline for proofs of claim (with Chassen and 608941 N.J. Inc.) (June 19, 2024) (ECF Doc. #142)</p> <p>e) Appearances at Court hearings in support of referenced motions</p>
608941 N.J. Inc. ("Oak")	Haynes and Boone (Mar. 18, 2024 to disposition)	<p>a) Intervention to join motion to remand (with Chassem and AREH) (Apr. 10, 2024) (ECF Adv. Pro. #24-01335 Doc. #4)</p> <p>b) Joint objection to motion re: deadline for proofs of claim (with Chassen and AREH) (Jume 20, 2024) (ECF Doc. #143)</p> <p>c) List of Creditors includes 608941 N.J. Inc. and 35 Oak Holdings Ltd. through counsel</p> <p>d) Appearances at Court hearings in support of referenced motions</p>
Receiver Huebscher	[Formerly designated as Chapter 11, Subchapter V Trustee; Chapter 11, Subchapter V deselected, June 5, 2024]	List of Creditors includes Eric Huebscher, Subchapter v Trustee; total fees awarded, \$12,240 (Aug. 7, 2024) (ECF Doc. #172)

* Includes appearances in three associated adversary proceedings.

In re JJ Arch LLC
 Case #24-08649 (S.D.N.Y. Nov. 14, 2024), *appellate review of dismissal*

<i>Party</i>	<i>Counsel</i>	<i>Adverse Pleadings</i>
Simpson	N/A	N/A
JJ Arch	Maiden Lane (July 31, 2025-) Formerly Lorenc Law Firm (Nov. 14, 2024 to May 28, 2025)	N/A
Chassen	Schwartz Law Firm (July 31, 2025-) Klestadt Winters Jureller Southard & Stevens (July 31, 2025-)	Appellee's brief jointly submitted by Chassen and AREH (July 31, 2025) (ECF Doc. # 49)
AREH	Olshan Frome Wolosky (Dec. 11, 2024-)	<p>a) Opposition to undersigned's request for an extension of time to file Appellant's opening brief in light of the criminal and civil contempt trial against attorney and client (June 26, 2025) (ECF Doc. #45)</p> <p><i>See also</i> Letter support of contempt trial, Index #158055/2023, <i>supra</i> (July 18, 2025) (Mot. Seq. #26, NYSCEF Doc. #1682) ("Messrs. Simpson and Rajotte are likely acting in cahoots to either (1) adjourn the hearing; or (2) benefit from their conceded wrongful conduct by way of a springboard to assert allegations not presently before the Court.")</p> <p>b) Appellee's brief jointly submitted by Chassen and AREH (July 31, 2025) (ECF Doc. # 49)</p>
608941 N.J. Inc. ("Oak")	N/A	N/A
Receiver Huebscher	N/A	N/A

Arch Real Estate Holdings v. Great American Ins. Co.

Index #652914/2024 (N.Y. Sup. Ct. N.Y. County, Comm. Div. June 7, 2024)

<i>Party</i>	<i>Counsel</i>	<i>Adverse Pleadings</i>
Simpson	N/A	N/A
JJ Arch	N/A	N/A
Chassen	N/A	N/A
AREH	Olshan Frome Wolosky (June 7, 2024-)	Summons and Complaint (June 7, 2024) (NYSCEF Doc. #1)
608941 N.J. Inc. ("Oak")	N/A	N/A
Great American	Kaufman Borgeest & Ryan (July 17, 2024-) Skarzynski Marick & Black (July 17, 2024-)	[Answer (July 17, 2024) (NYSCEF Doc. #19) ("JJ Arch's potential liability is primarily derivative of Jeffrey Simpson's, an undisputed Insured Person.")]

Great American Ins. Co. v. Arch Real Estate Holdings LLC

Index #653208/2024 (N.Y. Sup. Ct. N.Y. County, Comm. Div. June 25, 2024)*

<i>Party</i>	<i>Counsel</i>	<i>Adverse Pleadings</i>
Simpson	N/A	N/A
JJ Arch	N/A	N/A
Chassen	Schwartz Law Firm (Oct. 22, 2024-)	Opposition to summary judgment motion by Offit Kurman, JJ Arch's former bankruptcy counsel, based on the <i>In re JJ Arch</i> dismissal (Dec. 31, 2024) (NYSCEF Doc. #152-55, 195-206)
AREH	Olshan Frome Wolosky (July 12, 2024-)**	a) Opposition to intervention by JJ Arch "because it has no interest in the proceeds of the insurance policy at issue" (Aug. 19, 2023) (NYSCEF Doc. #47-58) b) Answer and opposition to costs of defense coverage (Aug. 30, 2024) (NYSCEF Doc. #63-74) c) Opposition to Offit Kurman's summary judgment motion on similar grounds as Chassen's motion (Dec. 31, 2024) (NYSCEF Doc. #156-69, 175-93)
608941 N.J. Inc. ("Oak")	N/A	N/A
Great American	Kaufman Borgeest & Ryan (June 25, 2024-) Skarzynski Marick & Black (June 25, 2024-)	Summons and Complaint (June 25, 2024) (NYSCEF Doc. #1)

* This action is one of the three removed State Court Actions, as referenced in Appellant's Reply Brief on the Southern District's instant review of the bankruptcy dismissal. *Great American Ins. Co. v. Arch Real Estate Holdings LLC*, Case #25-2375 (S.D.N.Y. Mar. 20, 2025). The case was remanded on July 1, 2025 (ECF Doc. #32). AREH and Chassen moved in support of Great American's remand motion under a joint filing (Apr. 17, 2025) (ECF Doc. #9-10).

** Consent/Representation status deselected on NYSCEF (Aug. 7, 2025 email notice) by Jeremy King, Esq. of Olshan Frome Wolosky. However, an associate with the firm, Sahand Farahati, Esq., remains listed as counsel for AREH. Olshan Frome Wolosky remains counsel in the predecessor to this interpleader action, *Arch Real Estate Holdings LLC v. Great American Ins. Co.*, *supra*; a motion to consolidate the two actions was rendered moot on removal.

Chassen v. Simpson

Index #654928/2024 (N.Y. Sup. Ct. N.Y. County, Comm. Div. Sept. 22, 2024)

<i>Party</i>	<i>Counsel</i>	<i>Adverse Pleadings</i>
Simpson	Maiden Lane (Aug. 8, 2025-) Lorenc Law Firm (Jan. 28, 2025-; withdrawal noted above)	N/A
JJ Arch	N/A	N/A
Chassen	Schwartz Law Firm (Sept. 22. 2024-)	a) Summons and Complaint (Sept. 22, 2024) (NYSCEF Doc. #1) b) Emergency Order to Show Cause to enjoin Simpson from transferring to JJ Arch, YJ Simco, or another entity owned or controlled by Simpson, the following properties and assets: JJ Arch Nostrand LLC, JJ Haverhill LLC, JJ Tuscaloosa LLC, JJ Pebble Creek LLC, JJ Centre Pointe LLC, JJ Colombia LLC, JJ Midtown Oaks LLC, JJ Myrtle Point LLC, JJ 88 Arch LLC, JJ Cambridge LLC, JJ NCSC LLC, JJ Camelot LLC and 5401 California Investors, LLC (Sept 22, 2024) (NYSCEF Doc. #45- 51); effectively mooted on dismissal of <i>In re JJ Arch</i>
AREH	N/A	N/A
608941 N.J. Inc. ("Oak")	N/A	N/A
Receiver Huebscher	N/A	N/A

Chassen v. Simpson

Case #25-02373 (S.D.N.Y. Mar. 20, 2025), remanded, attorneys' fees denied*

<i>Party</i>	<i>Counsel</i>	<i>Adverse Pleadings</i>
Simpson	N/A*	N/A
JJ Arch	N/A*	N/A
Chassen	Schwartz Law Firm (Apr. 17, 2025 to disposition)	<p>a) Emergency letter motion for conference (Apr. 17, 2025) (ECF Doc. #10-11)</p> <p>b) Motion to remand seeking costs and attorneys' fees (Apr. 18, 2025) (ECF Doc. #14-17) (stating, "Simpson may have filed the removal purportedly <i>pro se</i>, but he is represented by counsel in the Commercial Division"); Simpson's then-counsel, however, was petitioning to be removed as counsel in the case-in-chief, Index #158055/2023, <i>supra</i> (described in accompanying annotations)</p> <p>c) Opposition to Simpson's <i>pro se</i> motion to enjoin proceedings in Index #158055/2023, <i>supra</i>, pending the Court's review in <i>In re JJ Arch</i> (May 14, 2025) (ECF Doc. #24, 26)</p>
AREH	N/A	N/A
608941 N.J. Inc. ("Oak")	N/A	N/A
Receiver Huebscher	Farrell Fritz (May 14, 2025 to disposition)	Letter opposition to Simpson's <i>pro se</i> motion to enjoin proceedings in Index #158055/2023, <i>supra</i> , filed as an Interested Party (May 14, 2025) (ECF Doc. #25, 27) ("The Receiver learned of this request ... late yesterday afternoon from counsel for Chassen.")

* See *Chassen v. Simpson*, Case #25-02373, *supra* (May 28, 2025) (ECF Doc. #29 at 12 (“While it is a close call, the Court should not impose sanctions in this case due to Simpson’s pro se status. He is warned, however, that should he remove the State Court Action a second time, he should expect to be sanctioned.” (citations omitted)).

Wietschner v. 9 Vandam JV LLC
 Index #655573/2023 (N.Y. Sup. Ct. N.Y. County, Comm. Div. 2023)

<i>Party</i>	<i>Counsel</i>	<i>Adverse Pleadings</i>
Wietschner Family Trust	Meister Seelig & Fein (Nov. 8, 2023-)*	Summons and Motion for Summary Judgment in Lieu of Complaint (Nov. 8, 2023) (NYSCEF Doc. #1-14), amended (Dec. 20, 2024) (NYSCEF Doc. #16), addressed to 9 Vandam JV LLC, c/o Arch Companies
Simpson	N/A	N/A
JJ Arch	N/A	N/A
Chassen	N/A	N/A
AREH-affiliated entity	Olshan Frome Wolosky (June 7, 2024-)* Polsinelli Law Firm (Jan. 8, 2024 to June 7, 2024)	Opposition to summary judgment motion (Jan. 16, 2024) (NYSCEF Doc. #19-23); affidavit of Kevin Wiener in support (Aff. ¶¶8-9): There was, and continues, to be disputes between the original members of Arch, Jeffrey Simpson and Jared Chassen. Those disputes (and other issues) are being litigated [in Index #158055/2023, <i>supra</i>].... Through Oak, my brother Michael Wiener and I are managing Arch, and are in the process of “righting the ship” of its investments, including the 9 Vandam investment.
608941 N.J. Inc. (“Oak”)	N/A	N/A

* Preliminary notice of the conflicts of interest involving counsel for Oak and AREH in the case-in-chief, Index #158055/2023, *supra*, and this action, was provided in the case-in-chief on July 21, 2025 (NYSCEF Doc. #1694) on the morning before the criminal and civil *quasi-criminal* contempt trial commenced against Simpson and undersigned counsel.

For Respondents' opposition to the instant contempt proceeding, on grounds of procedural defects and as an improper attempt to weaken the attorney-client bond, see Opposition to Charges and Request

for Attorneys' Fees (July 18, 2025) (NYSCEF Doc. #1676-77); Letter Opposition (June 19, 2025) (NYSCEF Doc. #1586); Sur-reply (June 25, 2025) (NYSCEF Doc. #1603); *see also* Hearing Tr. (July 16, 2025) (NYSCEF Doc. #1655, transcript of hearing held on June 27, 2025). Transcripts for the hearings held on July 21, 2025 and August 1 and 4, 2025 remain to be posted to the docket.

See also Ltr. to Ct. (July 18, 2025) (NYSCEF Doc. #1683 ("My client is under constant attack on at least ten litigation fronts, the pace and likes of which I have never encountered in over twenty years of practice, which includes admissions of surveilling his home and posting images as a matter of public record.")); *id.* n.1 ("All of my client's income has been stripped from him, and his twenty-plus year reputation as a successful real estate investor-developer seems, at present, all but destroyed. The instant motion is not only an affront to civility, but it moreover raises serious constitutional and ethical questions about how anyone may be expected to defend themselves against such baseless and personal attacks of alleged criminality, within a civil proceeding, at the same time that Great American Insurance Company is withholding his 'costs of defense' coverage, while acknowledging it to be due."); Ltr. to Ct. (June 24, 2025) (NYSCEF Doc. #1601 ("If Simpson is incarcerated, I must be as well."))).

* * *

Prepared by Benjamin Robert Rajotte, Esq., Maiden Lane Law Group on August 15, 2025

Exhibit B

Arch-Related Litigation

- 1) *Simpson v. Chassen*, Index #158055/2023 (N.Y. Sup. Ct. N.Y. County, Comm. Div. 2023) (case-in-chief, to decide on remand corporate governance issues found to be non-core in *In re JJ Arch, infra* (see Exhibit A, Parties and Counsel in Actions Related to Index #158055/2023)).

Case #25-02372 (S.D.N.Y. 2025), *remanded for nonpayment of filing fee* (Rule 11 motion brought against both Simpson and former counsel by Olshan Frome Wolosky).

Case #25-04004 (S.D.N.Y. 2025), *refiling remanded with attorneys' fees* (joint remand motion by Olshan Frome Wolosky for AREH, the Schwartz Law Firm for Chassen, and Farrell Fritz for Receiver Eric Huebscher; attorneys' fees awarded to Chassen against Simpson and (unnoticed) undersigned counsel, reduced on motion for reconsideration; neither AREH nor Receiver Huebscher petitioned the Court for fees on inquest).

- 2) *In re JJ Arch LLC*, Case #24-10381 (Bankr. S.D.N.Y. 2024) (bankruptcy petition filed by Griffin LLP on behalf of JJ Arch, through Simpson as its Managing Member, on March 7, 2025; in addition to Griffin LLP, JJ Arch was represented by Wiggin and Dana and Offit Kurman, all of which moved to withdraw in June 2024, only weeks before the Bankruptcy Court remanded the case and lifted the automatic stay, on June 24, 2024; Davidoff Hutcher & Citron subsequently appeared as counsel for JJ Arch, filing objections to the Court's proposed findings of fact and conclusions of law with respect to the remand and lifting of the automatic stay, which were mooted on the case's dismissal on October 11, 2024; Chassen moved to dismiss the Bankruptcy Proceeding on March 14, 2024, joined by Olshan Frome Wolosky for AREH on March 18, 2024; remand motions were also filed jointly on behalf of Chassen, AREH, and 608941 N.J. Inc.).

- 3) *Arch Real Estate Holdings LLC v. Great American Ins. Co.*, Index #652914/2024 (N.Y. Sup. Ct. N.Y. County, Comm. Div. 2024) (action to enjoin the Great American Insurance Company's continuing payment of Simpson's costs of defense coverage, filed on June 7, 2024, while the *In re JJ Arch, supra*, bankruptcy automatic stay was in place, and approximately eighteen days before Great American filed its interpleader action, Index #653208/2024, *infra*; on the same date. Olshan Frome Wolosky filed an appearance (through substitution of counsel) on behalf of the JJ Arch-affiliated entity in the *Wietscher, infra*, investor derivative lawsuit).

- 4) *Great American Ins. Co. v. Arch Real Estate Holdings LLC*, Index #653208/2024 (N.Y. Sup. Ct. N.Y. County, Comm. Div. 2024) (Great American's interpleader action over costs of defense coverage, filed on June 25, 2024, one day following the Bankruptcy Court's lifting of the automatic stay, heard through the joint motion of Chassen, AREH, and 608941 N.J. Inc., in the *In re JJ Arch, supra*, Bankruptcy Proceeding; the lead attorney for Olshan Frome Wolosky in this action deselected Consent/Representation status on NYSCEF on August 7, 2025).

5) *Chassen v. Simpson*, Index #654928/2024 (N.Y. Sup. Ct. N.Y. County, Comm. Div. 2024) (filed expressly to prevent an alternative bankruptcy filing on behalf of multiple JJ Arch-affiliated entities, excluding 9 Vandam JV LLC (*see Wietschner, infra*, investor derivative action), all assets otherwise subject to *In re JJ Arch LLC, supra*).

Case #25-02373 (S.D.N.Y. 2025), *remanded, attorneys' fees denied* (“While it is a close call, the Court should not impose sanctions in this case due to Simpson’s pro se status. He is warned, however, that should he remove the State Court Action a second time, he should expect to be sanctioned.” (citations omitted)).

6) *In re YJ Simco LLC*, Case #25-10437 (Bankr. S.D.N.Y. 2025) (filed on behalf of Simpson’s family office; converted to Chapter 7 on motion joined by Chassen, based on late or incomplete schedules uncorrected by YJ Simco’s prior bankruptcy counsel; Chassen, Receiver Eric Huebscher in Index #158055/2023, *supra*, and Kevin Wiener of 608941 N.J. Inc./35 Oak Holdings Ltd., appeared at the most recent Section 341 meeting of creditors).

Related Derivative or Tort Actions*

7) *Jackson v. Pebble Creek Borrower LLC*, Case #01-CV-2023-902315.00 (Jefferson County Cir. Ct., Ala. 2023) (personal injury lawsuit involving JJ Arch-affiliated entities related to deck collapse at a Birmingham-area affordable housing complex; the deck collapsed on June 25, 2023, at the height of Oak’s circumvention and hostile takeover of Arch in early-to-mid 2023, which was ultimately consummated under a common interest agreement with Chassen on August 3, 2023; the affiliated borrower entity is represented by insurer-appointed counsel, the Perry Law Firm; the plaintiffs are represented by Morgan & Morgan; trial is scheduled for October 2025).

8) *Wietschner v. 9 Vandam JV LLC*, Index #655573/2023 (N.Y. Sup. Ct. N.Y. County, Comm. Div. 2023) (derivative suit against JJ Arch-affiliated entity, 9 Vandam JV LLC; the Wietschner Family Trust is represented by Meister Seelig & Fein, which filed the case on November 8, 2023, one day before appearing in the case-in-chief, Index #158055/2023, *supra*, for Oak; 9 Vandam JV is represented by Olshan Frome Wolosky, which replaced the Polsinelli Law Firm on June 7, 2024, the same day on which Olshan Frome Wolosky simultaneously filed suit against Great American on behalf of AREH, Index #652914/2024, *supra*, to enjoin payment of Simpson’s costs of defense coverage; Olshan Frome Wolosky replaced the Polsinelli Law Firm as AREH’s counsel in the main case, Index #158055/2023, *supra*, on October 21, 2024).

9) *White Cap LP v. Arch Builders LLC*, Index #150701/2024 (N.Y. Sup. Ct. 2024) (against JJ Arch-affiliated entity and Simpson personally; no appearance by defense counsel).

10) *L&W Supply Corp. v. Arch Builders LLC*, Index #650671/2024 (N.Y. Sup. Ct. 2024) (against JJ Arch-affiliated entity and Simpson personally; JJ Arch-affiliated entity unrepresented;

Offit Kurman, counsel to JJ Arch in its bankruptcy action, appeared for Simpson; Borah, Goldstein, Altschuler, Nahins & Goidel appeared upon its withdrawal).

- 11) *435 Central Condo Dev. Holdings LLC v. Midtown Oaks JV Holdings LLC*, Index #652392/2024 (N.Y. Sup. Ct. 2024) (suit against AREH, JJ Arch-affiliated entities, and Simpson personally; JJ Arch-affiliated entities are represented by Kaufman Dolowich).
- 12) *146 89 Funding LLC v. 146 E 89 Borrower I LLC*, Index #850010/2024 (N.Y. Sup. Ct. 2024) (suit against the JJ Arch-affiliated entity and Simpson and Chassen as guarantors; the action was discontinued, as the property is receivership in Index #158055/2023, *supra*).

* AREH's counsel acknowledges that additional Arch-related lawsuits exist. *See* Ltr. to Ct., Index #158055/2023, *supra* (Feb. 27, 2025) (NYSCEF Docket #1321, stating—"AREH or AREH-affiliated entities are parties to more than a dozen other lawsuits and arbitrations concerning various AREH properties. These proceedings are pending in multiple jurisdictions, including New York, Florida, South Carolina and Alabama."); "AREH faces potentially inconsistent and competing discovery obligations in multiple actions across multiple fora.").

Additional Related Personal Actions

- 1) *Bailey v. Simpson*, Case # 659611/2024 (N.Y. Sup. Ct. N.Y. County 2024) (default judgment for collection of approximately \$150,000 in attorneys' fees by the Bailey Law Firm).
- 2) *JPMorgan Chase Bank, NA v. 266 WMTR LLC*, Index #623340/2024 (N.Y. Sup. Ct. Suffolk County 2024) (foreclosure on client's residence, against Jeffrey and Yael Simpson).
- 3) *JPMorgan Chase Bank, NA v. 1055 Park Ave 4 LLC*, Index #850029/2025 (N.Y. Sup. Ct. N.Y. County 2025) (foreclosure on client's residence, against Jeffrey and Yael Simpson).

* * *

Prepared by Benjamin Robert Rajotte, Esq., Maiden Lane Law Group on August 15, 2025