

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

-----X

In the Matter of the Application of BENJAMIN CHEVAT,

Petitioner,

- against -

**NOTICE OF CROSS-
MOTION**

Index No.: 153916/2026

THE CITY OF NEW YORK: OFFICE OF THE MAYOR, NEW
YORK CITY LAW DEPARTMENT and NEW YORK CITY
DEPARTMENT OF DESIGN and CONSTRUCTION,

Respondents.

-----X

PLEASE TAKE NOTICE, that upon the annexed Affirmation of Saarah S. Dhinsa, Assistant Corporation Counsel, dated June 30, 2026, and all of the papers, pleadings and proceedings heretofore had and filed herein, Respondents THE CITY OF NEW YORK: OFFICE OF THE MAYOR, NEW YORK CITY LAW DEPARTMENT, and NEW YORK CITY DEPARTMENT OF DESIGN AND CONSTRUCTION, will cross-move this Court in Motion Submission Part, Room 130, 60 Centre Street, New York, NY, 10007, on **July 20, 2026** at 9.30 a.m., or as soon thereafter as counsel can be heard, for an Order:

1. Pursuant to CPLR 3211(a)(7), grant City’s Cross-Motion to dismiss the proceeding against THE CITY OF NEW YORK: OFFICE OF THE MAYOR (“the Mayor’s Office”), NEW YORK CITY LAW DEPARTMENT (“the Law Department”), and NEW YORK CITY DEPARTMENT OF DESIGN AND CONSTRUCTION (“DDC”).
2. For such other and further relief as this Court deems just and proper.

PLEASE TAKE FURTHER NOTICE, that pursuant to CPLR 2214 (b), answering papers, if any, are to be served upon the undersigned at least seven (7) days prior to the return date hereof.

Dated: New York, New York
June 30, 2026

Respectfully Submitted,

STEVEN BANKS
Corporation Counsel of the City of New York
Attorney for The City of New York
100 Church Street
New York, New York 10007

By: Saarah S. Dhinsa
Assistant Corporation Counsel

TO:

Law Offices of Andrew J. Carboy, LLC
Attorneys for Petitioner
Andrew J. Carboy
1 Liberty Plaza, 23rd Floor
New York, NY 10006
Tel: (212) 520-7565