

Corporation Counsel Applies to Withdraw its Representation of Former Mayor Adams, Jeffrey Maddrey and Timothy Pearson: A Tale of Unbridled Hubris; Abuse of Power; and Tacit Performative Apologies

Judge Sylvia Hinds Radix and Lisa Zornberg deserve apologies. Over the past few weeks, it appears that the Mamdani administration, is taking steps to address the abuses of the Adams administration. This time it was the weaponization of General Municipal Law 50-k.

This blog is a postscript of sorts to the one I wrote on September 15, 2024 entitled: "[Beach Mathura v. Adams et. al.](#),: Should Taxpayers be Required to Foot the Bill or Should Mayor Adams do the Right Thing for Once?" In the aforementioned, I examined whether the City should be obligated to represent former Mayor Adams in a sexual harassment/sexual assault case when he was an employee at the Transit Authority.

In the previous blog, I discussed the events that took place at the former Mayor's weekly press conference on March 19, 2024. At that conference, while Judge Hinds Radix confirmed that the City would indeed represent former Mayor Adams and his cronies, she also referenced Executive Order No. 19, which was signed on March 10, 1995. The E.O. memorialized the merger of officers from the New York Transit Authority into the uniformed personnel at the NYPD. At the time, Transit was not a municipal agency. The effect of the merger: transit officers like former Mayor Adams would be considered employees of the NYPD, and thereby employees of the City of New York.

It was a subtle move by Judge Hinds Radix, because what she was in effect saying: was that former Mayor Adams was not an employee of the City of New York during time relevant; and that he was thereby not entitled to legal representation. Absolutely no one in the mainstream press focused on this subtle confrontation of corruption. Instead the focus was on Municipal Law 50-K.

As a litigator who represents employees in lawsuits against the City of New York, I am quite familiar with Rule 50-K. The rule is invoked, anytime city employees are named as defendants in lawsuits against the city in their individual and or their official capacities. When these suits are filed, the City will usually respond to the Court with a request for an extension to file an answer to the operative pleading/complaint. The extension is usually for either 45 to 60 days. During this time, lawyers from the City and Corporation Counsel's office: will interview anyone named in the complaint; and will conduct 50-K hearings to determine whether they will represent the named defendant employees.

To make their determination, the Corporation Counsel, will assess whether the named defendants acted within the scope of their employment. To translate, such query seeks to determine whether the named defendants' acts were consistent with the functions of their jobs. In this context, was sexual harassment/sexual assault a part of or in furtherance of former Mayor Adams's job duties? The answer to this question is rather obvious: No.

A professional with integrity would have opted to pay for their own legal representation up front. However, as has been the case time and time again with the former Adams administration, the former mayor refused to act with integrity or any modicum of consideration for the New York City taxpayer. He has been consistent, he has and will always be about himself.

Instead he retained one of the most expensive lawyers in the city, Alex Spiro. A lawyer who has represented the likes of Jay Z and Elon Musk. Former Mayor Adams thought it was appropriate that the City's taxpayers finance his representation by a lawyer and his firm, who bills at over \$1,000 per hour. In short (no pun intended), the former Mayor Adams delusionally fancied himself to be on par with billionaires. That was at least until Mr. Spiro withdrew from the Beach Mathura case. He would continue however to represent Mr. Adams in his federal case.

As the prior weeks affirmed, the legal representation of former Mayor Adams was not the only one shrouded in controversy. Judge Hinds Radix and Lisa Zornberg also posed the same objections for two other former administration officials: Jeffrey Maddrey, Former NYPD Chief of Department; and Timothy Pearson, Former Special Advisor to Mayor Adams. Like former Mayor Adams, both Maddrey and Pearson were named as defendants in discrimination and sexual harassment/assault lawsuits.

Upon information and belief, like Judge Hinds Radix, Zornberg was also forced to resign when she confronted Mayor Adams about representing both "men." Upon information and belief, Zornberg was pushed out when: she insisted that neither Maddrey nor Pearson acted within the scope of their employment; and after she insisted that they be required to pay for their legal representation.

The ouster of these two Esteemed Jurists was indicative of a misogynistic pattern by former Mayor Adams and his cronies. The message was clear: dissent, objections from women, who validly raised questions about violations of the law and procedures would not be tolerated. Such behavior would instead be met with swift and humiliating reprisal and retaliation for the public to see. The City's taxpayers and resources be damned. No costs would be spared to cover up and defend the alleged brutal misdeeds of those in power, including the former Mayor himself. What should be clear after the City's recent Court applications to withdraw their representation is that: Judge Hinds Radix and Lisa Zornberg deserve apologies; and that the City's taxpayers deserve their money back.

The early actions of the current Corporation Counsel, Steven Banks, are promising. The withdrawal of representation from these cases is a good first step. However, the costs expended to date on conduct that clearly fell outside of the parameters of the law should be addressed. For example, on only a few of Mr. Pearson's cases alone, to date, the City has already spent over \$1.4 million.

At least the first \$800,000 spent was to settle lawsuits where he was alleged to have assaulted one staff person, and where he fraudulently procured the arrest and detainment of another.

Clad in NYPD emblazoned paraphernalia, Pearson masqueraded as NYPD personnel and ordered the arrest of one of the employees he confronted at a City run migrant shelter. During the same encounter he viciously assaulted a female guard who was simply doing her job. Ultimately, it remains a mystery as to why he has not been criminally charged for impersonating a police officer, which is a felony....but I'll digress. To be clear, at time relevant, Pearson had been retired from the force for over a decade. As such, he had no business calling in police orders or arrests for that matter, and he had no business representing himself as someone with the authority to call in orders and arrests.

Then there were the allegations towards former Chief of Department, Jeffrey Maddrey. Once former Lieutenant Quanthisha Epps decided to stop being a forced member of Maddrey's harem of on the job concubines, she too faced an onslaught of public humiliation. In what can't be described as anything other than cutting your nose off to spite your face, someone leaked that Epps had earned excessive amounts of overtime to the mainstream press. As Chief of Department, the buck stopped with Maddrey, he would ultimately be responsible for any expenditures and approvals. As such, it was confounding that he wasn't held accountable for the overtime abuses, but again I'll digress.

Ignoring these realities however, these stories were leaked and much larger scandals were unearthed. Headline after headline depicted sordid details of an alleged sex ring, promotions for pay and potential money laundering. Like Adams, the electronic devices for Maddrey and Pearson were seized by the government. It remains unclear however, whether the government will indict Maddrey or Pearson, or whether a Commission of the NYPD will take place.

Last month, current NYPD Commissioner Jessica Tisch testified in front of the City Council, that both Maddrey and the department were indeed currently under federal investigation. The question then should be, if and when there will be any indictments? I respectfully submit that the indictments and Commission have been long overdue. But by judging how federal prosecutions have been going in this Circuit as of late, despite the indictments, Maddrey, Pearson and Adams may continue to evade any substantive consequences for their alleged actions or lack thereof.

What should be clear by now is, the facts undergirding the allegations for all three "men" involved are nothing short of absurd. But what's even more absurd is former Mayor Adams's refusal to settle any of the cases before he left office, including his own. The only possible explanation is unbridled hubris.

Let's be clear, the conduct exhibited by each of these "men" has no business in the workplace. Let's also be clear, the City's Taxpayers have no business financing the legal representation for any of them. However, if neither Adams nor his cronies were willing to do the right thing and pay out of their own pockets, they could have at least settled these cases before the costs became astronomical for the City's taxpayers. Instead, to date, none of these "men" have taken

responsibility for their alleged misconduct. Instead we have heard lies and nonsensical responses to press queries from their respective current counsel of record.

The harm and humiliation have also been profound for Judge Hinds Radix and Lisa Zornberg. Both of these women are Esteemed Jurists. Judge Hinds Radix should have been able to close out her career with the dignity and reverence it deserved. Instead, she was subjected to the mechanizations of an unscrupulous linguistically challenged mayor and his ruthless underlings. Judge Hinds Radix, was ignominiously discarded for simply standing up to a group of pillaging bandits masquerading as senior public servants.

Unfortunately Zornberg suffered a similar fate. Prior to being associated with the disastrous Adams administration, Zornberg had an illustrious career as a prosecutor with the Department of Justice's Southern District office. In hindsight, her appointment may have been attributable to some strange prescient foresight, and she was probably appointed to her position as a prophylactic measure. Unbeknownst to her, Zornberg was supposed to help Adams and his crew bob and weave anticipated prosecutorial landmines as they continued with their antics. It is clear now however, that a jurist of Zornberg's caliber, with her reputation and track record, would not knowingly have signed up for that job.

I'll close with this: all jobs, all money, ain't good money. A prestigious title working in a prestigious office sometimes simply isn't worth it. Sometimes we have to examine who we are, what we stand for and weigh that against the possible negative repercussions and ramifications of working for unrepentantly, malevolent and unscrupulous actors. We must do what the Bible says: "do not cast your pearls before swine." For if we don't stand for something, we can potentially lose everything; only to be left with the option of seeking a performative apology after decades of accomplishments, hard work and personal sacrifice.