



# Fairmark Partners, LLP

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October 29, 2025

**VIA ECF**

Hon. Eric R. Komitee  
United States District Court  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: Letter Motion to Reassign *Cement and Concrete Workers DC Benefit Fund v. The New York Presbyterian Hospital*, No. 25-cv-5571 (E.D.N.Y.)

Dear Judge Komitee:

I represent the plaintiff in the above-captioned matter. On October 3, 2025, we filed this case on behalf of our client in the Eastern District. *See* ECF No. 1. On the accompanying Civil Cover Sheet (“§ VIII. Related Case(s) If Any”), we noted that this case is related to another pending case in this District, *UFCW Local 1500 Welfare Fund v. The New York and Presbyterian Hospital*, No. 2:25-cv-5023 (the “UFCW case”). *See* ECF No. 1-1. The cases are related because they arise from the same transactions and events, involve the same defendant, and a substantial saving of judicial resources is likely to result from assigning both cases to the same judge. For that reason, and because the UFCW case is located in the Central Islip Division, we noted when filing this case that it should also be opened in that Division. Based on a conversation my colleague had earlier this month with the Clerk’s Office, it appears that Central Islip designation was considered by the Clerk’s Office to be an error, and the case was instead opened in the Brooklyn Division, ECF No. 2, and assigned to Judge Irizarry before later being reassigned to you on October 16.

Our intention in filing this case in the Eastern District and noting it related to the UFCW case was that, per the Court’s procedures for related cases, this case would be automatically assigned to the same judge as the UFCW case, after which we could move to consolidate the two actions. Because the cases were not automatically related and now sit in different Divisions, my colleague called the Clerk’s Office on October 14, 2025, after which that Office filed the appropriate Notice of Related Case. ECF No. 7. The Clerk’s Office also informed my colleague that we should inform the Court via letter that the two cases should have been denoted as related and assigned to the judge in the lower-numbered case per the Court’s normal procedures. We filed a letter making that request before Judge Irizarry on October 14, 2025. ECF No. 8. Because two days later the case was reassigned to, we write to reiterate that request.

October 29, 2025  
Page 2 of 2

Accordingly, we respectfully request this case be transferred to the Central Islip Division and assigned to the same judge as the lower-numbered related case, Case No. 25-cv-5023, so that we may move to consolidate the actions.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'J. Crooks', with a stylized flourish at the end.

Jamie Crooks, Esq.  
Managing Partner  
FAIRMARK PARTNERS, LLP