

CIVIL COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK PART S

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IN THE MATTER OF:

GREGORY SCOTT,

	Petitioner,	Index No.:
Vs.		LT-301175-20/NY

KOSOVA PROPERTIES, INC., HAMDI NEZAJ, FATOS NEZAJ,
SHPEND NEZAJ, ANTON SHABAJ, AGUSTIN SHABAJ, AND
DEPARTMENT OF HOUSING PRESERVATION AND DEVELOPMENT,

Respondents.

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DATE: September 22, 2022

HELD AT: 111 Centre Street
New York, New York 10013
Motion

BEFORE: HONORABLE NORMA J. JENNINGS,
Judge

APPEARANCES: JENNIFER ROZEN, ESQ.
Attorney for Gregory Scott

CARLOS PEREZ-HALL, ESQ.
Attorney for the Respondents

ALSO PRESENT: GREGORY SCOTT

1 THE COURT: I think Mr. Scott is here as well,
2 is that correct? All right, can everyone step up?

3 FEMALE VOICE: Good morning.

4 THE COURT: Good morning.

5 MALE VOICE: Good morning, Your Honor.

6 THE COURT: Well, I mean -- well, I guess first
7 we're going to have to deal with the motion for -- to be
8 relieved. All right, so this is Index #301175 of '20,
9 Gregory Scott vs. Kosova Properties. Your appearances,
10 please.

11 MS. JENNIFER ROZEN: Jennifer Rozen of Rozen Law
12 Group for the Petitioner, Gregory Scott.

13 MR. CARLOS PEREZ-HALL: Carlos Perez-Hall from
14 Borah Goldstein Altschuler Nahins & Goidel, for the
15 Respondents, Your Honor. Good morning.

16 THE COURT: Good morning. And we have Mr. Scott
17 here as well?

18 MR. GREGORY SCOTT: Gregory Scott, Your Honor.

19 THE COURT: Okay, so this case has been -- this
20 is a 2020 case, okay, so it's your case, Mr. Scott, that
21 you brought against the landlord and HPD for violations,
22 is that correct?

23 MR. SCOTT: Correct.

24 THE COURT: Is it? Let me --

25 MR. SCOTT: -- No, for harassment.

1 THE COURT: Oh, for harassment. Okay. So
2 you've been represented throughout by Ms. Rozen. Ms.
3 Rozen has now did a -- filed a motion to withdraw as your
4 counsel, is that correct?

5 MR. SCOTT: Correct.

6 THE COURT: And do you have any objection to
7 that, or is there any way to repair the relationship?

8 MR. SCOTT: Before I answer, I've been given
9 conflicting information. Is this being recorded? And
10 will I be able to use the audio in the future?

11 THE COURT: Well, it's being recorded. I record
12 every case that comes in front of the Court, it gets
13 recorded.

14 MR. SCOTT: -- Okay, I was given conflicting
15 information. So I can always go to the -- ask for the
16 audio recording and get a transcript, is that correct?

17 THE COURT: Yes, you can.

18 MR. SCOTT: Okay, thank you. Sorry, would you
19 repeat that?

20 THE COURT: Ms. Rozen, who has appeared in this
21 proceeding --

22 MR. SCOTT: -- Right.

23 THE COURT: -- as your counsel --

24 MR. SCOTT: -- Right.

25 THE COURT: -- has moved to withdraw as your

1 counsel in this proceeding. That is the first thing
2 that's in front of the Court right now.

3 MR. SCOTT: -- Correct.

4 THE COURT: So the question that I had was do
5 you have any opposition to her moving to withdraw as your
6 counsel, and was there any way to repair the relationship
7 before she withdrew as your counsel.

8 MR. SCOTT: Yes, I do. I can repair it. She
9 has come up with no good reason and simply wants to drop
10 me after being paid \$34,000 and not having fulfilled the
11 obligation to go through trial.

12 THE COURT: Ms. Rozen?

13 MS. ROZEN: Yeah, I mean, obviously I disagree
14 with that statement and I have plenty in writing that is
15 governed by the attorney/client privilege and I certainly
16 don't want to harm Mr. Scott --

17 THE COURT: -- No, absolutely.

18 MS. ROZEN: -- you know. So I put minimal
19 details in the papers for that reason. There has been an
20 irreconcilable breakdown in relationship with respect to
21 strategy, with respect to certain threats that Mr. Scott
22 has made against me and my firm and my profession. So
23 there is no way in my opinion that this can be repaired.
24 I'm happy to give you additional information in camera
25 should you want that, and/or documentation, but like I

1 said, I wish Mr. Scott no harm, I just cannot provide
2 competent representation to him under this set of
3 circumstances.

4 THE COURT: Okay. So Mr. Scott, counsel is
5 requesting that she be relieved. My question to you then
6 would be, do you plan on obtaining new counsel.

7 MR. SCOTT: Her motion has a number of omissions
8 and misrepresentations, Your Honor, and one of them at the
9 end, in effect, badly destroys my ability to get new
10 counsel because any new counsel -- in fact, I've tried two
11 law firms before, one it was just too complicated, too
12 much time given how far along it is. The other one said
13 he didn't like taking cases that had been ongoing. This
14 is actually in a way been ongoing since 2016. You
15 mentioned 2020, but that's because the original case from
16 2016 was withdrawn without prejudice because DHCR had
17 ruled in my favor and gave me rent reduction for some of
18 the harassment issues, which I'm still on, Your Honor.
19 And the rest of the harassment cases were moved to my
20 ongoing first case --

21 THE COURT: -- How many harassment cases have
22 you brought?

23 MR. SCOTT: There was the one in 2016. It was
24 withdrawn without prejudice because I was awarded rent
25 reduction for some of the issues. The other instance is

1 because the trial kept getting postponed in Housing Court
2 in 2016. So I moved the additional --

3 MS. ROZEN: -- I had nothing to do with that
4 case.

5 MR. SCOTT: -- I moved the additional
6 harassments, which had not been ruled on, to my Supreme
7 Court against the landlord. So that -- the --

8 THE COURT: You have a Supreme Court case, too?

9 MR. SCOTT: I have two Supreme Court cases
10 against them for two false arrests and an aggravated
11 assault where I was knocked out by the landlord's son who
12 is 34 years younger than I am and who knocked me out in
13 the lobby and put me into the hospital. That was 2018.
14 So there are two ongoing Supreme Court cases which are
15 separate from the harassment. But because in 2020 I was a
16 sitting and caged duck in their building and they were
17 intimidating me and committing crimes and other
18 harassment, I had to take back some of the harassment from
19 the Supreme Court case so we could quickly get in front of
20 a Judge. And now it's two years later. Both of these
21 attorneys have been responsible for five postponements,
22 and here I am.

23 THE COURT: So right now, again, I'm asking --
24 there's some flags going up for me, but Ms. -- counsel
25 wants to withdraw. I can't force her to remain as your

1 counsel. I can adjourn it for you to -- first of all, let
2 me hear -- I'm sorry, Mr. Perez-Hall.

3 MR. PEREZ-HALL: I have no objection and I have
4 no position on this matter and [inaudible] my clients to
5 defend them, so I'm here, present as -- representing them
6 for my clients, but I have no objection to the motion.
7 You have a stay that was requested for [inaudible] lawyer
8 for Mr. Scott [inaudible] counsel, should Your Honor rule
9 that way.

10 THE COURT: You said four -- oh, four a month.
11 I was like, four months? Okay.

12 MR. PEREZ-HALL: Four a month, yes. See,
13 because at four months we were requesting for a stay. So
14 whatever the parties --

15 THE COURT: -- You're actually what, requesting
16 to the end of the year?

17 MS. ROZEN: I requested four months in my papers
18 because Mr. Scott --

19 THE COURT: -- Oh, you have no objection to the
20 four-month stay?

21 MR. PEREZ-HALL: I spoke to my client
22 [inaudible] --

23 THE COURT: -- I mean, I'd like to do some
24 investigation here myself, counselors. Like I said,
25 there's some things that's like raising a red flag here

1 for me, so --

2 MR. PEREZ-HALL: -- I'm here because there's a
3 motion on. I have no position.

4 THE COURT: -- Or objection, okay. Okay.

5 MR. PEREZ-HALL: I'm not objecting or otherwise
6 pontificating on any of [inaudible].

7 THE COURT: And what is happening in -- is there
8 a date for the Supreme Court case, or --

9 MR. SCOTT: -- We're still not on --

10 MS. ROZEN: -- I don't represent Mr. Scott on
11 that.

12 MR. SCOTT: No, I have another attorney. We're
13 not even on the trial calendar yet, Your Honor.

14 THE COURT: So if you have another attorney in
15 that case, have you spoken to him about representing you
16 in this case?

17 MR. SCOTT: He knows nothing about Housing
18 Court. You all are as specialized in law as we are in
19 philosophy.

20 THE COURT: But he is -- it's a harassment case,
21 right? Part of it is harassment?

22 MR. SCOTT: -- He's --

23 THE COURT: It's the same issue.

24 MR. SCOTT: No, his is false arrest and
25 malicious prosecution.

1 THE COURT: Ah, okay.

2 MR. SCOTT: Very simple tort.

3 THE COURT: Okay. Okay.

4 MR. SCOTT: But the problem is, Your Honor, by
5 her publicizing this and making it seem as if I was
6 unreasonable, and she even just claimed I threatened her.
7 And I can send you also stuff in camera to show how wild
8 her accusations are because on May 27th, out of the blue,
9 she says we have a complete attorney/client relationship
10 breakdown, and all of the emails before that will show you
11 there was no breakdown. All --

12 MS. ROZEN: -- This didn't have to be
13 publicized. I did request numerous times that Mr. Scott
14 substitute me out for another attorney, until it got to
15 the point where some of the communications were so
16 outlandish I had literally no choice but to make this
17 motion. So that is on Mr. Scott.

18 THE COURT: -- I mean --

19 MS. ROZEN: -- It's clear just by sitting here
20 that there is no way that the two of us can work together.

21 MR. SCOTT: Well, I don't know why that's clear?
22 I mean, she's --

23 THE COURT: -- I mean, I don't think she goes
24 into very much specifics, Mr. Scott. So if you're talking
25 four months, are we talking the beginning of 2023?

1 MR. SCOTT: But Your Honor, what if a new
2 attorney that I go to to hire, being sensible, reads the
3 final motion and sees what she has put down at the end,
4 that I, in effect, abused her and am irrational? If you
5 were an attorney --

6 MS. ROZEN: -- Those were not my words.

7 MR. SCOTT: -- would you take over my case,
8 given what she has now --

9 THE COURT: -- I can't go on -- you're a
10 philosopher, I'm not --

11 MR. SCOTT: -- Well, as a philosopher, I can
12 tell you that if I were a rigorous attorney, I would have
13 grave doubts about taking on Greg Scott if he is such an
14 irrational, abusive client. I may not be able to get.

15 THE COURT: Mr. Scott, there are many people
16 here that go pro se. If you do not -- this has given you
17 more than enough time to get another attorney.

18 MR. SCOTT: So I don't know what pro se means,
19 even though I can read ancient Greek.

20 THE COURT: -- You said you're not -- you have
21 no -- you go without an attorney.

22 MR. SCOTT: I'm sorry?

23 THE COURT: So I'm going to grant her motion,
24 and I'm going to adjourn your case to the beginning of the
25 year. Of course my calendar, let's see if it goes to

1 January, so I can tell you. I think we're off that
2 Monday. So do you want to do the 4th of January? The 5th
3 of January?

4 MR. PEREZ-HALL: [inaudible] I have a young
5 child [inaudible] and I have daycare issues that week
6 [inaudible] --

7 THE COURT: -- Okay, so they're out of school.
8 So the 9th?

9 MR. PEREZ-HALL: -- [inaudible] comes to Court
10 with me, which I'd rather not have any [inaudible]. Yeah,
11 the 9th [inaudible].

12 MS. ROZEN: And just for the record, I've
13 offered to cooperate with whoever Mr. Scott hires as new
14 counsel. I'm happy to hand over -- in fact, I have handed
15 over all of my work product and will continue to cooperate
16 in that respect.

17 MR. SCOTT: And may I offer something for the
18 record, too?

19 THE COURT: The record is on.

20 MR. SCOTT: By doing what she is doing, she is
21 forcing me to redundantly pay about 12 to 20 thousand
22 dollars more to bring a new attorney up to speed. But if
23 you can't force her, Your Honor, that's fine. I know what
24 my legal options are at this point.

25 THE COURT: So we're doing January 9th?

1 MR. SCOTT: I actually had one possible
2 resolution, but it would require that you look at
3 something, as has happened twice in the past hearings. So
4 the first hearing I had against Kosova Properties, Judge
5 Gonzalez looked at a video from the opposing side and did
6 not explain it for the court recording, so it was left
7 silent and it was not known what was in it. Likewise,
8 when Judge Sachs took over the case in 2016, she allowed
9 Joey Nezaj (phonetic), one of the Respondents, to draw out
10 the shape of my apartment, which was critical in
11 establishing perjury or not. She did not read it out to
12 the Court. If I may, I would give you a single page that
13 you can read that offers one possible resolution going
14 forward, but the critical thing is, if you allow it to go
15 on the public record and allow the opposing counsel to
16 hear, it's doomed from the beginning.

17 THE COURT: Mr. Scott, there is no judge in here
18 that can watch or read something without showing it to the
19 other side.

20 MR. SCOTT: Okay.

21 THE COURT: They have a right to see it.

22 MR. SCOTT: Okay, well --

23 THE COURT: If that's the case, and that's an ex
24 parte communication, I could be thrown off the bench.

25 MR. SCOTT: Okay.

1 THE COURT: Okay?

2 MR. SCOTT: I don't want to do that.

3 THE COURT: There is nobody in here that's worth
4 me losing my job.

5 MR. SCOTT: I agree.

6 THE COURT: Okay?

7 MR. SCOTT: That's fine. I'm not a lawyer.

8 THE COURT: Even at a trial, if you think that I
9 am going to look at something without showing the other
10 side, then that is not going to happen. Everything that
11 you show me at trial, he has a right to see it.

12 MR. SCOTT: Right, but in the hearings, that did
13 not happen before.

14 THE COURT: Absolutely. All the time. There is
15 no judge here who can see something without showing the
16 other side.

17 MR. SCOTT: No -- well, she saw it, but she
18 didn't explain it. The video recording. It's on the
19 transcript I have. It's on the audio. Anyway, but again,
20 I'm not a lawyer, so --

21 THE COURT: Did we say January 9th?

22 MR. PEREZ-HALL: Yes, Your Honor.

23 THE COURT: At 9:30 a.m.

24 MR. PEREZ-HALL: Yes, Your Honor.

25 THE COURT: I'm going to adjourn it for a

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1 settlement conference if he gets a new counselor, okay?

2 MR. PEREZ-HALL: Yes, Your Honor.

3 THE COURT: Okay, here's your copy, sir. I'll
4 stamp it. If you're not able to obtain new counsel, there
5 is a help center on the first floor. You can look on the
6 website, get the telephone number if you don't want to
7 come in, because they're not seeing people as of yet in
8 person. And you can call them for advice, but you should
9 try to get an attorney. But there are many people who
10 proceed here without counsel, okay?

11 MS. ROZEN: Thank you.

12 THE COURT: Oh, here's the file. Okay, here's
13 the file. And the date is right, it's January 2023. He's
14 probably looking at it saying what is going on. Okay,
15 thank you, sir, you can step back.

16 MS. ROZEN: Thank you, Your Honor.

17 THE COURT: You're welcome. Good luck.

18 MS. ROZEN: Have a good day.

19 THE COURT: You too.

20 (Proceeding Concluded.)

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C E R T I F I C A T E

I, Julie Davids, certify that the foregoing transcript of proceedings in the Civil Court of the State of New York, County of New York of Gregory Scott v. Kosova Properties, Inc., Hamdi Nezaj, Fatos Nezaj, Shpend Nezaj, Anton Shabaj, Agustin Shabaj, and Department of Housing Preservation and Development, Index #LT-301175-20/NY, was prepared using the required transcription equipment and is a true and accurate record of the proceedings.



09/18/2023

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