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

RICHARD C. LITMAN,

Plaintiff,

vs.

JOSHUA B. GOLDBERG,  
Defendant

Index No. 524343/2025

**NOTICE OF CROSS-MOTION AND OPPOSITION  
TO DEFENDANT’S MOTION TO DISMISS**

PLEASE TAKE NOTICE that upon the annexed Affidavit of Richard C. Litman, sworn to on the 26<sup>th</sup> day of November, 2025, the accompanying Memorandum of Law in Opposition to Defendant’s Motion to Dismiss and in Support of Plaintiff’s Cross-Motion, together with all prior pleadings and proceedings herein, the plaintiff, Richard C. Litman, will cross-move this Court at I.A.S. Part 2, before the Hon. Aaron D. Maslow, J.S.C., at the Supreme Court of the State of New York, County of Kings, 320 Jay Street, Brooklyn, New York 11201, Courtroom

**NOTICE OF CROSS-MOTION AND OPPOSITION TO DEFENDANT’S MOTION TO DISMISS**

1 15.58, on the return date of Defendant’s motion to dismiss (presently December 5, 2025), or as  
2 soon thereafter as counsel may be heard, for an Order:

- 3
- 4 1. Denying Defendant’s Motion to Dismiss the Second Amended Complaint in its entirety;
- 5
- 6 2. Granting Plaintiff’s cross-motion for an equitable accounting, directing Defendant, in his  
7 individual capacity, to account under oath for all Revenues and trust funds relating to  
8 Plaintiff’s originated clients for the period beginning June 14, 2023 (the date of the  
9 Arbitration Award) through the date of the accounting, with particular focus on major  
10 clients such as King Faisal University and King Saud University, and including such  
11 reasonable tracing into earlier deposits and transfers as is necessary to understand  
12 payments applied, reclassified, or carried forward into that period;
- 13
- 14
- 15
- 16 3. Imposing a constructive trust, in favor of Plaintiff (and ultimately his New York estate),  
17 on all funds and benefits unjustly retained by Defendant that are derived from (a)  
18 Plaintiff’s vested 20% purchase-price interest in Revenues from his originated clients’  
19 matters during the five-year earn-out period, and (b) Defendant’s continued commercial  
20 use of Plaintiff’s name and identity as a patent attorney and attorney of record after June  
21 14, 2023, without the written consent required by New York law;
- 22
- 23
- 24 4. Directing such targeted discovery and document production as may be necessary to  
25 effectuate the Court-ordered accounting, including but not limited to Soluno and PC Law  
26

27 **NOTICE OF CROSS-MOTION AND OPPOSITION TO DEFENDANT’S MOTION TO DISMISS**

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1 reports, trust ledgers, bank statements, receivable/write-off records, and USPTO-related  
2 documents for Plaintiff-originated matters affecting the June 14, 2023–present period;

3  
4  
5 5. Providing that, upon completion and review of the accounting, Plaintiff may move on  
6 notice for entry of a money judgment for any amounts shown to have been collected on  
7 Plaintiff-originated matters during the June 14, 2023–present period and not previously  
8 paid toward his vested 20% earn-out, together with appropriate interest; and  
9

10  
11 6. Granting such other and further relief as the Court deems just and proper.  
12

13 PLEASE TAKE FURTHER NOTICE that this cross-motion is made in conjunction with, and shall serve as,  
14 Plaintiff’s opposition to Defendant’s Motion to Dismiss.  
15

16 Dated: Brooklyn, New York  
17 November 26th, 2025

18 Respectfully submitted,

19 

20  
21 **Richard C. Litman, Plaintiff Pro Se**  
22 172 Sterling Place, Apt. 8  
23 Brooklyn, NY 11217  
24 (703) 409-8850  
25 [rlitman@gmail.com](mailto:rlitman@gmail.com)

26  
27 **VERIFICATION**

28 **NOTICE OF CROSS-MOTION AND OPPOSITION TO DEFENDANT’S MOTION TO DISMISS**

1 I, Richard C. Litman, am the Plaintiff in the within action. I have read the foregoing Notice of  
2 cross-motion and opposition and know the contents thereof. The same is true to my knowledge,  
3 except as to the matters therein stated to be alleged on information and belief, and as to those  
4 matters, I believe them to be true.

4 I verify under penalty of perjury that the foregoing is true and correct.

5 Dated: Brooklyn, New York November 26, 2025

6 

7 **Richard C. Litman, Plaintiff Pro Se**  
8 172 Sterling Place, Apt. 8  
9 Brooklyn, NY 11217  
10 (703) 409-8850  
11 [rlitman@gmail.com](mailto:rlitman@gmail.com)

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**NOTICE OF CROSS-MOTION AND OPPOSITION TO DEFENDANT’S MOTION TO DISMISS**