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

4  
5 RICHARD C. LITMAN,

6  
7 Plaintiff,

8 vs.

9 JOSHUA B. GOLDBERG,

Index No. 524343/2025

10 Defendant

11 **[PROPOSED] ORDER ON PLAINTIFF'S**  
12 **CROSS-MOTION**  
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17 Upon the foregoing papers, including Plaintiff's Notice of Cross-Motion, the Affidavit of  
18 Richard C. Litman, and the accompanying Memorandum of Law, and after due deliberation, it is  
19 hereby:

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21 **ORDERED** that Defendant's Motion to Dismiss the Second Amended Complaint is **DENIED** in  
22 its entirety; and it is further

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24 **ORDERED** that Plaintiff's Cross-Motion is **GRANTED**; and it is further

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26 **ORDERED** that Defendant Joshua B. Goldberg shall provide to Plaintiff, within 60 days of the  
27 entry of this Order, a full and equitable accounting under oath for all Revenues and trust funds  
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**[PROPOSED] ORDER ON PLAINTIFF'S CROSS-MOTION**

1 relating to Plaintiff's originated clients for the period beginning June 14, 2023, through the date  
2 of the accounting; and it is further

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4 **ORDERED** that a constructive trust is imposed over all funds and benefits derived from  
5 Plaintiff's vested 20% purchase-price interest and from the unauthorized commercial use of his  
6 identity, pending the outcome of the accounting; and it is further

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8 **ORDERED** that the parties shall appear for a preliminary conference on [                    ] to establish  
9 a schedule for the targeted discovery necessary to effectuate this Order.  
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11 **ENTER:**

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**Hon. Aaron D. Maslow, J.S.C.**