

## Court Awards Legal Fees to Carter Ledyard Client in Right-of-Way Dispute

**June 10, 2021**

On May 20, 2021, New York County Supreme Court Justice Barbara Jaffe issued a decision awarding more than \$260,000 in attorneys' fees and disbursements to Carter Ledyard client 42 West 18th Street Realty Corp. (Realty) for amounts it incurred to have Carter Ledyard successfully defend a lawsuit brought by a neighboring condominium claiming a right-of-way through Realty's vacant lot. The lot had been approved by the Landmarks Preservation Commission and City Planning for development into a 17-story condominium, but construction was impeded by the condominium's lawsuit and its related filing of a notice of pendency.

The fee award follows a 2020 [Supreme Court decision](#) in favor of Realty, which granted summary judgment dismissing the claim, canceled the notice of pendency, and awarded Realty its costs and attorneys' fees in defending the action. That earlier decision was [affirmed](#) in January 2021 by the Appellate Division.

According to the court, Carter Ledyard's hourly rates were reasonable and the time spent by Carter Ledyard was justified by the complexity of the issues in the litigation, including the appeal. The court also found that Carter Ledyard's invoices were sufficiently detailed to show the necessity of the work performed.

Alan S. Lewis and Jacob H. Nemon represented Realty throughout the action, appeal and fee application.

### related professionals

**Alan S. Lewis** / Partner

D 212-238-8647

[lewis@clm.com](mailto:lewis@clm.com)

**Jacob H. Nemon** / Partner

D 212-238-8728

[nemon@clm.com](mailto:nemon@clm.com)

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