

Radio Drama Network Obtains Injunction Prohibiting Former Director From Interfering With Bank Accounts and Other Financial Assets

November 18, 2019

On November 14, 2019, Supreme Court Commercial Division Justice Andrea Masley ruled from the bench to grant the preliminary injunction sought by our client, Radio Drama Network, enjoining former director Richard L. Kay from interfering with Radio Drama Network's bank accounts and other financial assets, during the pendency of Radio Drama Network's lawsuit against Kay for breach of fiduciary duty, tortious interference, and related claims.

Radio Drama Network's board stripped Kay of all official roles, including bank account signatory, after the Surrogate's Court ruled on July 15, 2019 that Radio Drama Network had stated timely, viable claims sounding in fraud against Kay and that its \$100 million claim against Kay could proceed in that court. [Read more about that case [here](#).] After his removal as bank account signatory, Kay's counsel wrote to Radio Drama Network's banks and financial advisors and instructed them not to follow the instructions of Radio Drama Network absent a court order. Kay then blocked payment of the salary of Radio Drama Network's president and the payment of legal invoices for Radio Drama Network's lawsuit against him. On November 14, Justice Masley held that Kay cited no legal authority for his claim to be financial account signatory, that Radio Drama Network had demonstrated irreparable harm as a result of Kay's obstruction, and held that Radio Drama Network had demonstrated a likelihood of success on its tortious interference claim.

Carter Ledyard attorneys Pamela A. Mann, Gary D. Sesser, and Judith M. Wallace represent Radio Drama Network. Jacob Nemon, Jeremy Steckel and Sarah Ganley assisted on the briefs. Judith Wallace argued the motion.

For more from the *New York Law Journal*, click [here](#).

[View the transcript.](#)

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