

From: Nithin Jayadeva <njayadeva@jdsdevelopment.com>  
Subject: Fwd: BNP Development LLC v. JDS Principal 9DKB LLC, et al., AAA  
Case 01-24-0008-2505  
Date: May 7, 2025 at 1:12:17 PM EDT  
To: Jonathan Minsker <jminsker@minskerlaw.com>, Michael Stern  
<mstern@jdsdevelopment.com>, Serena Rakhlin  
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----- Forwarded message -----

From: **James Reiman** <[jreiman@reimanadr.com](mailto:jreiman@reimanadr.com)>  
Date: Wed, May 7, 2025 at 1:03 PM  
Subject: RE: BNP Development LLC v. JDS Principal 9DKB LLC, et al., AAA  
Case 01-24-0008-2505  
To: Nithin Jayadeva <[njayadeva@jdsdevelopment.com](mailto:njayadeva@jdsdevelopment.com)>  
Cc: Kaufman, Andrew <[Andrew.Kaufman@blankrome.com](mailto:Andrew.Kaufman@blankrome.com)>, Flanders, Craig  
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Thank you for the below note.

Given Claimant's strong objection to continuing the hearing, and given that the hearing is for status, I believe it proper to proceed. You're welcome to join via your cell phone.

Respectfully,

**James (Jim) Reiman, Esq., FCI Arb, Q.Arb.**



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**From:** Nithin Jayadeva <[njayadeva@jdsdevelopment.com](mailto:njayadeva@jdsdevelopment.com)>  
**Sent:** Wednesday, May 7, 2025 11:26 AM  
**To:** James Reiman <[jreiman@ReimanADR.com](mailto:jreiman@ReimanADR.com)>  
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**Subject:** Re: BNP Development LLC v. JDS Principal 9DKB LLC,  
et al., AAA Case 01-24-0008-2505

Arbitrator Reiman,

We respectfully request that you reconsider the decision to continue with today's status conference (and that you grant a brief one-week extension), given that Kasowitz withdrew as counsel yesterday and Respondents currently do not have counsel. Respondents have a right to be represented on the call (and arguably cannot appear without counsel).

As Claimant knows, there is no prejudice to a one-week continuance of the status conference, given that Respondents timely produced the term sheet subject of Par. E of the Partial Final Award and subject to the confidentiality agreement already in place (which you note in your email below was the reason for the expediency).

Moreover, contrary to Claimant's assertion, our lawyers did not withdraw from this matter so that we can have an additional week or two. Claimant's assertion that JDS has delayed other proceedings by having its counsel withdraw is — in addition to being false — entirely irrelevant to this proceeding and the circumstances of Kasowitz's withdrawal. Simply put, we were informed by our counsel that a

conflict arose, and we are actively seeking new counsel.

Until then, we reiterate our request to continue this afternoon's status conference for one week so that Respondents can be represented by counsel, as is their right.

Best,

On Tue, May 6, 2025 at 8:28 PM James Reiman <[jreiman@reimanadr.com](mailto:jreiman@reimanadr.com)> wrote:

Thank you for your response. Per my earlier email, absent your consent, which the above makes clear you do not give, we will proceed tomorrow for the status hearing as scheduled

Respectfully

**Sent from my mobile device:**

**James (Jim) Reiman, Esq., FCIArb, Q.Arb.**  
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**From:** Kaufman, Andrew <[Andrew.Kaufman@BlankRome.com](mailto:Andrew.Kaufman@BlankRome.com)>  
**Sent:** Tuesday, May 6, 2025 6:45:41 PM  
**To:** James Reiman <[jreiman@ReimanADR.com](mailto:jreiman@ReimanADR.com)>; Nithin Jayadeva <[njayadeva@jdsdevelopment.com](mailto:njayadeva@jdsdevelopment.com)>  
**Cc:** Flanders, Craig <[craig.flanders@blankrome.com](mailto:craig.flanders@blankrome.com)>; Treiber, Matthew <[Matthew.Treiber@BlankRome.com](mailto:Matthew.Treiber@BlankRome.com)>; Hambelton,

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**Subject:** RE: BNP Development LLC v. JDS Principal 9DKB LLC, et al., AAA Case 01-24-0008-2505

Arbitrator Reiman,

We oppose this eleventh-hour request from Respondents to delay tomorrow's status conference. Following the issuance of your Partial Final Award, counsel for BNP requested that Respondents produce all remaining responsive books and records within 7 days as contemplated by the award. We received no response save the production of a single document yesterday (by counsel from Kasowitz), after which we followed up further with Kasowitz to confirm that they intended to produce the remaining documents called for by the Partial Final Award. We received no response to that follow-up, and learned for the first time this morning that Kasowitz intended to withdraw as counsel, despite making an initial document production late yesterday afternoon. We also note that we are aware of multiple other instances of JDS engaging in this same tactic of withdrawing counsel to cause delay in the face of an adverse ruling in other cases. Further, to our knowledge, Kasowitz remains as counsel for JDS in several other pending matters, which raises significant suspicion that this is simply a delay tactic. Respondents should be, at a bare minimum, required tomorrow to provide their reasoning for further delaying these proceedings, and should not be excused from making a timely document production on the basis of their belated change in counsel.

Best,

Andrew

**Andrew M. Kaufman** | BLANKROME

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**From:** James Reiman <[jreiman@ReimanADR.com](mailto:jreiman@ReimanADR.com)>  
**Sent:** Tuesday, May 6, 2025 4:30 PM  
**To:** Nithin Jayadeva <[njayadeva@jdsdevelopment.com](mailto:njayadeva@jdsdevelopment.com)>  
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**Subject:** RE: BNP Development LLC v. JDS Principal 9DKB LLC, et al., AAA Case 01-24-0008-2505

Counselor Jayadeva –

Thank you for your note and request.

As expressed in the Partial Final Award, I was concerned by the status of the Assignment in Lieu and that it was not yet a consummated transaction. That is the reason that the Partial Final Award order E required the disclosure of the described documents by today.

If Claimants agree to continue tomorrow's hearing, I've no objection and will continue the hearing as you request. If they object, then we will proceed tomorrow as scheduled.

Mr. Flanders? Your response please.

Respectfully,

**James (Jim) Reiman, Esq., FCI Arb, Q.Arb.**



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**From:** Nithin Jayadeva <[njayadeva@jdsdevelopment.com](mailto:njayadeva@jdsdevelopment.com)>  
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**Subject:** BNP Development LLC v. JDS Principal 9DKB LLC, et al., AAA Case 01-24-0008-2505

Good afternoon Mr. Reiman,

As you know, Kasowitz Benson has withdrawn from representing Respondents in this matter. We are in the process of looking for replacement counsel and expect to have such counsel retained by next week. As such, I request a one week adjournment of tomorrow's conference (I am also unavailable tomorrow afternoon, which further necessitates this adjournment).

Please let me know if this short adjournment can be accommodated.

Sincerely,



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**JDS**

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