



Muriel Goode-Trufant
Acting Corporation Counsel

THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, NY 10007

September 6, 2024

New York City Conflicts of Interest Board
c/o Ethan Carrier
General Counsel
2 Lafayette Street
New York, NY 10007

Re: Consulting arrangement with Jonathan Pines

Honorable Members of the Board:

This letter serves to notify the Conflicts of Interest Board that, in accordance with COIB Rule 1- 07(d), the New York City Law Department is planning to retain Jonathan Pines as a consultant. Mr. Pines retired from City service on March 8, 2024, after approximately 39 years with this agency in its General Litigation Division where he was a Deputy Chief. He is intimately familiar with the complexity of the work in General Litigation and specifically Mr. Pines was the lead attorney on a putative class action entitled *Elisa W. v The City of New York* (“Elisa W.”) for nine years prior to his retirement.

In the immediate term, Mr. Pines is being retained as consultant to handle the *Elisa W.* case. Prior to Mr. Pines’ retirement, he successfully defeated two separate motions for class certification in *Elisa W.* with the district court ruling in the City’s favor. The Second Circuit, however, reversed both decisions and just prior to his retirement Mr. Pines briefed yet again the class certification issue. The District Court, on plaintiffs’ third attempt, granted class certification. Mr. Pines is the only attorney who knows the full history of this multi-year case and is intimately familiar with its extensive evidentiary record, as well as all the recent briefing and will be working on a motion requesting that the court reconsider its decision. In addition to losing Mr. Pines as chief litigator in *Elisa W.* upon his retirement last March, the General Litigation Division has experienced an increase in cases and significant attorney turnover leaving a dearth of experienced senior attorneys capable of handling this complex matter.

Mr. Pines is being retained for a period of six months, which is no longer than reasonably necessary to complete the next stage of this litigation. If it is determined that Mr. Pines’ services are still needed at the

conclusion of that six-month period, we will consider renewing this arrangement for an additional six-month period. Mr. Pines will be compensated at a rate comparable to his prior compensation.

Sincerely,

Muriel Goode-Trufant
Acting Corporation Counsel