

New York Brief

Mamdani Gig-Worker Safety Plan Is Gaining Ground: New York Brief

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In this edition: Chicago takes a cue from New York's gig-worker safety bill, living in the Flatiron Building won't be cheap, and Victoria Wickman wins this month's poll.

NYC Delivery Driver Bill Is Model for Others



Photographer: Klaus Galiano/Bloomberg via Getty Images

A New York City proposal to hold corporate giants like Amazon responsible for delivery workers whose labor is performed through contractors offers a playbook for others, legal observers tell *Tre'Vaughn Howard*.

Mayor Zohran Mamdani is backing legislation that would require so-called last-mile shipment facilities to get licenses from the city to establish minimum safety, training, and worker protection standards. City officials are **linking the last-mile subcontracting setup to public safety**, citing recent upticks in injury-causing crashes near warehouse facilities.

The legislation signals a broader regulatory effort to redraw the lines of responsibility with the rise of gig work, Cornell University law professor Stewart J. Schwab said. The push has expanded to Chicago, with similar Teamsters-supported legislation.

Imposing liability on a large company like Amazon would compel operators of warehouses and storage facilities where goods are delivered to **rethink the methods they use to force drivers** to take routes that put workers and pedestrians at risk, Schwab said.

Amazon has argued that its delivery service partners **make their own hiring decisions and assign routes** and that the bill would mandate a single-employer model.

Leading the News

OpenAI, Microsoft Leaders Admitted AI Threatens News, Books

OpenAI Inc. and Microsoft Corp. executives admitted that their AI tools were substitutes for articles published by the New York Times and other outlets as well as books, and acknowledged the threat their technology posed to the industries, according to newly unsealed court documents.

NJ Transit Riders Get Longer Commutes, Fewer Trains Next Month

New Jersey Transit and Amtrak riders will experience reduced service and longer travel times next month, as NJ Transit finishes construction on a new Portal North Bridge, an important passenger-rail link along the Northeast Corridor.

Guggenheim Staff Face SEC Interviews in Probe of Walter's Empire

US regulators are seeking interviews with employees of Guggenheim Partners LLC as they hunt for evidence of potential wrongdoing at Chief Executive Officer Mark Walter's business empire.

The Flatiron Gets 2nd Life as Luxury Condos



Photographer: Timothy A. Clary / AFP via Getty Images

For 124 years the Flatiron Building, one of the most photographed structures in the world, has been celebrated by New Yorkers. Sometime late this fall, it will become home to a select few of them, *Nick Mafi* reports.

Over the years the office tower has housed the pulp magazine pioneer Frank Munsey, the puppeteer Tony Sarg, the Imperial Russian Consulate and, for a half-century, Macmillan Publishers. Never residents.

The Flatiron is now one of the **crown jewels of a national office-to-residential movement**, alongside the Chrysler Building, another similarly storied New York landmark whose owner has publicly proposed converting it into housing.

Buyers have **paid from \$11 million to more than \$50 million for units** in the building, where the least expensive apartments are roughly the size of a suburban house. Sixteen of the 37 residences are under contract, according to Corcoran Sunshine Marketing Group, at an average price of \$19 million.

Poll Results: NY's Top Torts Attorneys



Photographer: Ricardo Birnbaum Photography

We asked who you'd turn to if you needed a personal injury lawyer. **Victoria Wickman** took the crown — with a little help from her clients.

Wickman won in a landslide with over 100 votes and 93% of the vote share. Many of them came from people she's formerly represented who rallied on her behalf, like Reddit retail investors boosting a beloved stock. **"She's a real warrior,"** said developer **Robert Carrao**, a Wickman voter and onetime client to whom she passed along the poll.

A past president of the New York State Trial Lawyers Association, Wickman told me that personal attention to her clients is how she stands out in a crowded field (and dominates newsletter polls).

"I've had clients that after their cases were over said, 'Does this mean we're not going to be friends anymore?'" she said by phone. "And I'm like, 'Of course we're going to still be friends!' I develop personal relationships with my clients, and I think that that shows I am personally fighting for them."

Judith Livingston came in second. **Michael Lamonsoff**, **Ross Cellino**, and **Ben Crump** followed. **Peters Berger Koshel & Goldberg**, **Top Dog Law**, and **Louis Grandelli** scored write-in votes.

Paul Hastings' **Eric Landau** wrote in Grandelli. Landau said he refers cases to Grandelli, and "the great majority of times he has taken on the matter and has always produced a result that the client believes is fair."

By the Way

- **Political party leaders play an outsize role** in deciding who becomes a New York state court judge, a NY1 investigation found. When the news outlet sought to ask Brooklyn Democratic Party chair Rodneyse Bichotte Hermelyn about the process, she "hid behind a tablecloth."
- **Sean "Diddy" Combs hasn't paid** part of his legal fees to Sher Tremonte, the firm said. The firm is representing him in a defamation suit against Nexstar but has asked to withdraw from the case. Combs claims they were "overcharging" him. (Rolling Stone)
- **Billy Joel** is alive, in case you've heard otherwise.



In the Courts

Target Defeats NY Warehouse Workers' Walking Time Pay Suit

A federal judge dismissed allegations that Target Corp. illegally withheld pay from warehouse workers in New York for the time they spent walking between a security checkpoint and their assigned departments, finding that state wage-and-hour law doesn't require such compensation.

Limited Partners Must Pay Self Employment Taxes, Court Rules

An investment firm's limited partners don't qualify for an exemption from self-employment taxes on their distributive shares of income, the Second Circuit held.

NJ Power Broker Norcross Sues Inquirer for Defamation

New Jersey Democratic Party boss George Norcross is demanding \$100 million in a defamation suit against the Philadelphia Inquirer and one of its editors for the alleged role she played in a failed prosecution against him.

Phone Searches at Border Without Cause Upheld by Circuit Court

US border agents can search travelers' electronic devices without suspicion of criminal activity, an appellate court found.

Credit Acceptance Settles With States Over Lending Practices

Credit Acceptance Corp. reached a settlement with more than three dozen state attorneys general after the subprime auto lender was accused of targeting low-income car buyers with loans that were designed to fail.

Diamond Maker Keeps Fees Awarded in Carnegie Science Patent Suit

The Federal Circuit upheld a \$2.5 million attorneys' fee award against Carnegie Science and a related lab-grown diamond startup based on their conduct in a patent suit.

RICO Suit Over Tribal Cigarettes Nets Treble Damages Award

A New York tribe convinced a federal district court to triple its damages award and issue sanctions in a RICO suit involving a cannabis and cigarette business.

Cigna Bounces Provider's Suit to Recover No Surprises Act Award

An out-of-network healthcare provider can't sue Cigna Health and Life Insurance Co. to recover more than \$3 million it won against the plan through the No Surprises Act's independent dispute resolution process, a federal appeals court said Thursday.

Policy & Politics

Cyber Fears Drive New York's Push to Audit Utilities' Use of AI

New York's utility regulators will require the energy behemoths to report their use of artificial intelligence and how the technology is woven into the electric grid, as fears of cybersecurity threats to critical infrastructure grow.

Trump DOJ Blasts States' Legal Challenges to Major US Mergers

The US Justice Department official overseeing antitrust enforcement criticized state attorneys general who have sued to block major corporate mergers the agency had already cleared, saying the federal government should take the lead on deals involving national businesses.

NY Attorney General Urges AI Whistleblowers to Come Forward

New York Attorney General Letitia James encouraged workers at artificial intelligence companies to confidentially report activity they think is dangerous or illegal to her office.

Business & Practice

Paul Weiss Products Liability Leader Takes Team to Gibson Dunn

Gibson Dunn & Crutcher is expanding its litigation bench yet again with the addition of a three partner products liability team from Paul Weiss led by the head of its mass torts and products liability practice Kimberly Branscome.

Cahill Sees Double-Digit Revenue Growth as Rebound Extends

Cahill Gordon & Reindel expects to see double-digit growth this year, thanks to a strategic plan set in motion after partner exits and a dip in revenue, according to Managing Partner Herb Washer.

Commentary & Opinion

Rogue AI Agents Are Here. Companies Must Rethink Governance

Corporate boards should ensure consequential AI agents operate under an authority charter setting the delegation's terms, including decision limits, approval points, shutdown authority, and a rollback path, Akerman's Michael Adler and Scott Meyer write.

After-the-Event Insurance Should Get More Litigants' Attention

Litigants in the US and Canada should consider after-the-event insurance options to mitigate the risk presented by expense shifting, Howden's Bob Koneck writes.

The 'Dupe Economy' Is Exposing Limits of Traditional IP Strategy

The growing number of brand "dupes" means legal and business teams must work together to identify commercially important designs early and build overlapping IP and contractual protection around them, Merchant & Gould's Scott Shaw and Marra Clay say.

Roberts' Test in Ballroom Dissent Could Protect Public Landmarks

Chief Justice Roberts' dissent to the justices' decision to allow Trump's ballroom plans to move forward suggests balancing public interest in deciding who can bring a challenge. Congress should codify it, a former federal judge and former deputy SG say.

Editor's Picks

Knicks Pause Ticket Sales After Season Opener Seats Top \$1,200

The New York Knicks suspended individual ticket sales after an internal error resulted in sky-high prices to see the NBA champions play their season opener in October.

NY Penn Station's Tracks Bar Reopens After Seven-Year Absence

New York City commuters can once again raise a Guinness at Tracks Raw Bar & Grill in its longtime Penn Station home, where the well-loved watering hole has returned after almost seven years.

NFL's Most Manic Fans Get a Family-Friendly \$2.2 Billion Stadium

Quarterback Josh Allen, now in his ninth year with the Buffalo Bills of the National Football League, is still knocking on the door of his first Super Bowl appearance. This year, he'll take most of his snaps inside what some fans have dubbed "The House That Josh Built."

Editor's Note

Yesterday's edition misspelled the name of Lisa Solbakken's previous law firm, Willkie Farr & Gallagher.

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