

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK**

NAVAID ALAM, COBHAM CAPITAL, LLC,
WESTERN FINANCIAL INVESTMENTS L.P.,
and LALANI HOLDINGS, LLC

Plaintiffs,

vs.

KABIR AHMAD, IFG GENERAL PARTNER
LTD., KABIR CAPITAL LLC, IFG FUND, L.P.,
MUJTABA MOHAMED JAFFER, EMERGING
CAPITAL PARTNERS, TEMASEK
INTERNATIONAL PTE LTD., TEMASEK
INTERNATIONAL (USA) LLC

Defendants.

IFG GENERAL PARTNER LTD., IFG FUND,
L.P., KABIR CAPITAL, LLC, and KABIR
AHMAD,

Third-Party Plaintiffs,

v.

ABDUL SULTAN LALANI, ABDUL SULTAN
LALANI AND TALAT LALANI FAMILY
TRUST, and LALANI CHILDREN'S TRUST,

Third-Party Defendants.

Index No. 653651/2018

Motion Sequence No. 23

(Ostrager, J.)
IAS Part 61

**NOTICE OF WITHDRAWAL OF
MOTION FOR ADMISSION *PRO
HAC VICE* OF JOHN M. PIERCE**

PLEASE TAKE NOTICE that Plaintiffs and Counterclaim-Defendants Defendants Navaid Alam, Cobham Capital, LLC, Western Financial Investments L.P., Lalani Holdings, LLC, by their undersigned attorneys, hereby withdraw the Motion for Admission *Pro Hac Vice* of John M. Pierce (Dkt. No. 374).

To be clear, Plaintiffs withdraw the Motion not because of Defendants' opposition, but because the Motion is moot. After the Motion was filed, Plaintiffs

elected to retain Warren Terzian LLP. So there is no longer a need for Mr. Pierce to appear *pro hac vice*. Warren Terzian LLP is in the process of filing its motion for *pro hac vice* admission (it requested certificates of good standing on May 27 and is still waiting to receive them from the California State Bar—it appears their processing may be delayed due to COVID).

One more thing bears mention. Defendants base their opposition on “Defendants['] fear” that “Mr. Pierce’s personal financial entanglements . . . would impact Mr. Pierce’s representation in this matter.” Motion at 7.

Defendants don’t care about that. This is just another house that Defendants burn in their scorched earth litigation strategy. Yet another house is Defendants’ refusal to respond to Warren Terzian LLP’s emails about this case (which include Pierce Bainbridge counsel of record on them) on the theory that “[u]nfortunately [AXS Law Group] cannot discuss these matters with anyone other than counsel of record in the case.”

The truth comes out in footnote 6 of the opposition. In that footnote, Defendants foreshadow that they will oppose Warren Terzian LLP’s forthcoming *pro hac vice* motions due to “similar concerns.” But Warren Terzian LLP is not facing *any* of the issues raised in the opposition. It does not use third-party litigation financing. It is not facing any lawsuits or judgments. No lien affecting Pierce Bainbridge’s interest could affect Warren Terzian LLP’s interest (which was negotiated between Plaintiffs and Warren Terzian LLP).¹

¹ Or if any lien does affect Warren Terzian LLP’s interest, the effect would be the same as it would be for any new firm coming in.

Accordingly, Plaintiffs request this Court remove this motion from calendar currently set for June 8, 2020, without prejudice.

Dated: June 4, 2020
New York, New York

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HECHT LLP**



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