

Introduction to Agency or Fiduciary Causes of Action......1

Obligor Aiding Agent Disloyalty to Principal14

Contents

Agency or Fiduciary Causes of Action

Chapter 1

1-A

1-13

1-14

1-15

1-16

1-17

1-18 1-19

2-A

Chapter 2

Attorney and Legal Services Causes of Action

1-1	Agent Breaching Fiduciary Duty to Principal	2
1-2	Agent Negligent In Collecting Debt	2
1-3	Agent's Liability for Principal's Obligation	3
1-4	Agent's Negligence Causing Harm to Others	3
1-5	Agent's Personal Liability on Contract	4
1-6	Bailments	4
1-7	Caring for Collateral or Security	5
1-8	Charitable Organization Liable for Wrongdoing	6
1-9	Consignee Liability for Damaged Art	6
1-10	Co-Sureties Contributing on Debt Default	6
1-11	Escrow Agent Improperly Disbursing Funds	7
1-12	Faithless Servant Doctrine	7





2-2	Attorney Increasing Inadequate Contingency Fee	19
2-3	Claim for Attorney's Fees	20
2-4	Judiciary Law § 487 (Attorney Deceit)	20
2-5	Legal Fraud	21
2-6	Legal Malpractice In Criminal Cases	22
Chapte Bankii	er 3 ng, Commercial Paper and Creditor Causes of Action	
3-A	Introduction to Banking, Commercial Paper and Creditor Causes of Action	25
3-1	Bank Leaving Funds Transfer Incomplete	25
3-2	Bank Misconduct When Relying on Power of Attorney	26
3-3	Bank Mishandling Funds Transfer	26
3-4	Bankrupt's Voiding of Preferential Transfer of Property	26
3-5	Bank's Wrongful Dishonor of Negotiable Instrument	27
3-6	Bank's Wrongful Payment of Negotiable Instrument	27
3-7	Bounced Check Causing Damage	27
3-8	Certified or Cashier's Check Wrongfully Dishonored	28
3-9	Checking Account Funds Misappropriated by Fiduciary	29
3-10	Collecting Bank Late Objection to Negotiable Instrument	30
3-11	Collecting Bank Mishandling Negotiable Instrument	30
3-12	Credit Issuer Dishonoring or Repudiating	30
3-13	Debtor Lying to Creditor About Assets	31
3-14	Debtor's Fraudulent Conveyance	31
3-15	Electronic Fund Transfer Privacy or Safety Violation	31
3-16	Enforcement of Security Interest Delegating Seller's Performance	32
3-17	Fraudulent Negotiable Instrument Paid or Taken	32
3-18	Lessee's Default on Lease of Goods	32
3-19	Lessor's Breach of Implied Warranty on Goods	33
3-20	Lessor's Breach of Express Warranty on Goods	34
3-21	Lessor's Default on Lease of Goods	34
3-22	Letter of Credit Obligation Breached	35



3-23	Mistaken Payment on Draft Returned	35			
3-24	Mortgage Contingency Loan Exacting Illegal Commission36				
3-25	Mortgage Exacting Illegal Points and Prepayments Fees	36			
3-26	Mortgage Holder Breaching Escrow Obligations	37			
3-27	Mortgagee Failing to Cancel Redeemed Mortgage	37			
3-28	Negotiable Instrument	38			
3-29	Negotiable Instrument Forged or Stolen	39			
3-30	Negotiable Instrument Signed for Accommodation	39			
3-31	Noncompliance With Secured Transactions Laws	40			
3-32	Spouse Liable for Other Spouse's Debt	40			
3-33	Registration of Investment Security Transfer Denied	41			
3-34	Summary Judgment in Lieu of Complaint (New York Civil Practice Law and Rules § 3213)	42			
Chapter Constit	r 4 utional Causes of Action				
4-A	Introduction to Constitutional Causes of Action	43			
4-1	Challenging Condemnation	43			
4-2	Grand Jury Proceedings Unlawfully Disclosed	4 4			
4-3	Inverse Condemnation	45			
4-4	Privacy Invasion	45			
4-5	Revenge Porn	46			
4-6	State Constitutional Rights Violation	46			
4-7	State Destruction of Private Property	46			
4-8	State Taking Land Requiring Compensation	47			
4-9	Taking	48			
4-10	De Facto Taking	49			
4-11	Regulatory Taking	49			
Chapter Contrac	r 5 ct or Quasi-Contract Causes of Action				
5-A	Introduction to Contract or Quasi-Contract Causes of Action	51			
5-1	Accounting	51			







5-2	Account Stated	52
5-3	Anticipatory Breach of Contract	52
5-4	Breach of Contract Causing Damage	53
5-5	Breach of Implied Covenant of Good Faith and Fair Dealing	55
5-6	Buyer Recovering Specifically Identified Goods	50
5-7	Careless Contractual Work	5
5-8	Child's Right to Rescind Contract	5
5-9	Confusing Language In Written Contract	58
5-10	Constructive Fraud In Contract	5
5-11	Consumer Contract Containing Unlawful Provision	59
5-12	Consumer Credit Billing Error	60
5-13	Consumer Goods Leased Under Unconscionable Circumstances	6
5-14	Consumer Loan Broker Acting Improperly	6
5-15	Contract	62
5-16	Contract Performance Interfered With by Outsider	62
5-17	Contract Rescission	63
5-18	Coverage for Causes Extending From Insured Risk	64
5-19	Duress Permitting Contract Rescission	64
5-20	Fraud by Others Outside Contract	65
5-21	Fraud Permitting Reformation or Rescission	65
5-22	Goods Sold and Delivered	60
5-23	Guaranty	60
5-24	Implied Contract	6
5-25	Insane Party Rescinding Contract	6
5-26	Insolvent Buyer Having Bought Goods	68
5-27	Insolvent Lessor Having Leased Goods	68
5-28	Insolvent Seller Having Sold Goods	69
5-29	Intentional Interference With Contractual Relationship	69
5-30	Intentional Interference With Prospective Economic Advantage	69
5-31	Limited Partnership Certificate Containing Falsehood	70
5-32	Malicious Interference With Contract Rights	71







5-33	Malicious Interference With Prospective Economic Advantage	7 1
5-34	Money Had and Received	7 1
5-35	Mutual Mistake In Contract	72
5-36	Obligation to Pay Services Sought for Other	72
5-37	Overpayment on Contract Recovered	73
5-38	Promise Causing Detrimental Reliance	73
5-39	Promissory Estoppel	74
5-40	Quantum Meruit	74
5-41	Quasi-Contract	75
5-42	Recoupment for Contract Breach Harming Outsider	75
5-43	Reliance on Another's Conduct (Estoppel)	70
5-44	Rescission and Cancellation of Written Instruments (Fraud)	70
5-45	Rescission and Cancellation of Written Instruments (Misrepresentations)	7
5-46	Sale of Goods Breached by Buyer	7
5-47	Sale of Goods Breached by Seller	7
5-48	Sale of Personal Property	78
5-49	Statute of Frauds	78
5-50	Substantial Performance of Contract Allowing Recovery	79
5-51	Third-Party Beneficiary	80
5-52	Unconscionability Permitting Contract Rescission	8
	5-52:1 Substantive Unconscionability	
	5-52:2 Procedural Unconscionability	
5-53	Unilateral Mistake In Contract	82
5-54	Unjust Enrichment	82
5-55	Warranty on Goods Breached by Seller	83
Chapte Corpor	r 6 ate and Partnership Causes of Action	
6-A	Introduction to Corporate and Partnership Causes of Action	85
6-1	Association and Membership Liability	80
6-2	Association Membership Wrongfully Interfered With	80







6-3	Avoiding the Corporate Liability Shield or Piercing the Corporate Veil	.86
6-4	Business Judgment Rule	.87
6-5	Business Partner Breaching Fiduciary Duty to Co-Partner	.88
6-6	Corporate Officer Participating In Tort	.88
6-7	Cost of Defending Against Derivative Suit	.89
6-8	Demand Futility	.89
6-9	Director's Liability to Shareholders	.90
6-10	Dissolution for Deadlock	.90
6-11	Dissolution of Limited Liability Company	.91
6-12	Dissolution for Oppression	.91
6-13	Improperly Buying Securities During Corporate Takeover	.92
6-14	Member Liability In Joint Enterprise	.92
6-15	Minority Shareholder Freeze-Out	.93
6-16	Partner Breaching Duty to Co-Partner	.93
6-17	Partnership Liability for Debts	.94
6-18	Partnership Liability for Injury	.94
6-19	Principal/Promoter Liability for Post-Incorporation Debt	.94
6-20	Principal's/Promoter's Bad Faith Liability for Real Estate Broker's Commission	.95
6-21	Redeeming Shares In Company Merger Or Sale	.95
6-22	Right of Inspection	.96
6-23	Sales Commission Due From Principal	.96
6-24	Successor Corporation Liable for Predecessor	.96
6-25	Usurpation of Corporate Opportunity	.97
Chaptei Damage	r 7 e-Related Causes of Action	
7-A	Introduction to Damage-Related Causes of Action	.99
7-1	Breach of Contract Lost Profits Damages	.99
7-2	Contribution	100
7-3	Economic Loss Rule	100
7-4	Indemnification From Person Ordering Tort	101

(







7-5	Interest Awarded on Damages102					
7-6	Punitive Damages Due From Tortfeasor					
7-7	Recovery or Contribution From Tortfeasor					
7-8	Tortious Conduct Lost Profits Damages	104				
Chapte Employ	r 8 ver-Employee Causes of Action					
8-A	Introduction to Employer-Employee Causes of Action	105				
8-1	Competition With Employer or Principal	105				
	8-1:1 Claim for Employee Breach of Fiduciary Duty	106				
	8-1:2 Claim for Misappropriation and Unfair Competition	107				
8-2	Contractual Covenant Not to Compete Violated	107				
8-3	Employer Breach of Employee Manual	107				
8-4	Employer Improperly Handling Employee Wages	108				
8-5	Employer Liability for Employee Act	108				
8-6	Employer Retaliation Against Employee	Employer Retaliation Against Employee				
8-7	Hostile Work Environment—Sexual Harassment					
8-8	Negligent Hiring					
8-9	New York City Human Rights Law	111				
8-10	New York Labor Law § 193	111				
8-11	New York State Human Rights Law	112				
8-12	Quid Pro Quo Sexual Harassment	112				
8-13	Sex Discrimination In Wage Payment	113				
8-14	Work Environment Harassment	114				
8-15	Work, Labor and Services (Quantum Meruit)	114				
8-16	Wrongful Discharge In Violation of Company Policy	115				
Chapte Equital	r 9 ble Causes of Action					
9-A	Introduction to Equitable Causes of Action	117				
9-1	Equitable Estoppel	11′				
9-2	Equitable Fraud	118				
9-3	Equitable Subrogation	118				





xiv	ENCYCLO	PPEDIA OF NEW YORK CAUSES OF ACTION				
	10-5:1	Guardianship of Minor	135			
10-5	Guardian	ship	135			
	10-4:8	Living Apart Pursuant to Separation Decree	13			
	10-4:7	Living Apart Pursuant to Separation Agreement	13			
	10-4:6	Imprisonment	13			
	10-4:5	Cruel and Inhuman Treatment	13			
	10-4:4	Adultery	13			
	10-4:3	Abandonment	13			
	10-4:2	Fault Divorce	12			
	10-4:1	No-Fault Divorce				
10-4	Divorce		12			
	10-3:6	Parental Alienation				
	10-3:5	Enforcement of Visitation—Temporary Order	128			
	10-3:4	Enforcement of Visitation				
	10-3:3	Visitation of Grandparents				
	10-3:2	Visitation Rights of Sibling				
10-3	10-3:1	Custody				
10-3		and Visitation				
10-2	-	nt				
10-1						
10-A	Introduct	ion to Family and Matrimonial Causes of Action	12			
Chapt Famil		imonial Causes of Action				
9-13	Specific I	Performance	12			
9-12		g Trust				
9-11		on Despite Contract Breach				
9-10	•	ion of Written Instruments				
9-9	•	a Trust				
9-8	•	ing Property to Pay Debt				
9-7		Implied Indemnification11				
9-6	**	ation (or Corporation) By Estoppel				
9-5	**	in Pais				
9-4	Estoppel	by Deed	11			







	10-5:2	Guardianship of Mentally Retarded/Developmentally	
		Disabled	
	10-5:3	Guardianship of Adult	
	10-5:4	Waste of Assets	
10-6	Separatio	n From Bed and Board	140
10-7	Paternity		141
10-8	Matrimor	nial Emergency Applications	142
	10-8:1	Automatic Orders	142
	10-8:2	General Requirements for Matrimonial Motions	142
	10-8:3	Temporary Maintenance	142
	10-8:4	Temporary Child Support	143
	10-8:5	Temporary Custody	144
	10-8:6	Relocation	145
	10-8:7	Orders of Protection	146
	10-8:8	Restraint of Assets	147
	10-8:9	Exclusive Use and Occupancy	148
	10-8:10	Counsel and Expert Fees	149
Chapto Insura	er 11 nce Causes	of Action	
11-A	Introducti	ion to Insurance Causes of Action	151
11-1	Insurance	Policy	151
11-2	Insurance	Broker Liability	152
11-3	Insurance	Broker Malpractice	153
11-4	Insurance	Carrier Defrauded or Exploited	153
11-5	Insurance	Carrier Supplying Defense of Suit	154
11-6	Insurance	Carrier's Bad Faith	154
11-7	Insurance	Claim Wrongfully Delayed or Denied	155
11-8	Insurance	Policy Rescission	155
11-9	Insurance	Policy Terminated Without Notice to Insured	156
11-10	Insurer W	rongfully Disclosing Confidential Information	156
11-11	Life or Ho	ealth Insurance Obtained by Fraud	157
11-12	New York	State Disclaimer Statute	157







11-13	Disclaime	er for Lack of Cooperation	157	
11-14	New York	New York State Prompt Pay Law		
11-15	No-Fault	Claim	158	
11-16	Subrogati	on	159	
Chapte Judicia	er 12 al Causes of	f Action		
12-A	Introducti	ion to Judicial Causes of Action	161	
12-1	Abuse of 1	Process	161	
12-2	Capias Ad	l Respondendum	162	
12-3	Concealm	nent or Destruction of Evidence (Spoliation of Evidence)	162	
12-4	Concert o	f Action	162	
12-5	Contempt		163	
12-6	Court Sar	nctions for Delay	163	
12-7		Abuse of Legal Process (Malicious Prosecution)		
12-8		ublic Officer Liable for Negligent Acknowledgment		
Chapte Real P		uses of Action		
13-A	Introducti	ion to Real Property Causes of Action	167	
13-1	Land-Rela	ated Causes of Action	167	
	13-1:1	Abnormal Dangers on Land	167	
	13-1:2	Adverse Possession of Property	168	
	13-1:3	Broker's Liability for Injury at Open House	169	
	13-1:4	Buyer In Breach Liable for Real Estate Broker's Commission	169	
	13-1:5	Buyer Recovering Costs Due to Title Defect	169	
	13-1:6	Co-Tenant's Share of Profits and Expenses	170	
	13-1:7	Covenant in Deed Violated	170	
	13-1:8	Customer Injured Off Leased Premises	170	
	13-1:9	Discharge of Mortgage	170	
	13-1:10	Easement After Property Divided	171	
	13-1:11	Easement by Implication	171	
	13-1:12	Easement by Necessity	172	
	13-1:13	Easement by Prescription	172	



	13-1:14	Ejectment (Ejectment for Wrongful Possession of Claim On Land)	172
	13-1:15	Injury Off Owner's Land	173
	13-1:16	Injury on Owner's Land	173
	13-1:17	Landowner Excluding Patron for Discriminatory	
		Reasons	17 4
	13-1:18	Landowner's Servant or Contractor Causing Injury	17 4
	13-1:19	Private Nuisance	17 4
	13-1:20	Public Nuisance	175
	13-1:21	Real Estate Broker's Commission Due After Termination	175
	13-1:22	Real Property Defect Concealed by Seller	175
	13-1:23	Slander of Title	176
	13-1:24	Voluntary Payment Doctrine in Foreclosure	176
	13-1:25	Warranty of Habitability by Home Seller	176
	13-1:26	Waste	176
13-2	Landlord-T	Tenant Causes of Action	. 177
	13-2:1	Constructive Eviction of Tenant	177
	13-2:2	Eviction for Illegal Occupancy	177
	13-2:3	Landlord Failing to Protect Tenant	4-0
		From Crime	
	13-2:4	Landlord's Retaliatory Eviction of Tenant	
	13-2:5	Rent Implied by Tenant's Occupation	
	13-2:6	Security Deposit Not Returned To Tenant	
	13-2:7	Subtenant Liable to Landlord for Rent	
	13-2:8	Tenant Equitable Relief for Renewal Options	180
	13-2:9	Tenant Unlawfully Evicted	180
	13-2:10	Warranty of Habitability	181
	13-2:11	Yellowstone Injunctions	182
Chapter Statutor	r 14 ry Causes o	f Action	
14-A	Introduction	on to Statutory Causes of Action	. 185
14-1	Champerty	and Maintenance	. 185
14-2	Construction	on or Mechanics Lien Law	. 186

1 1 1 1	introduction to Statutory Causes of Action
14-1	Champerty and Maintenance







14-3	Consumer Fraud		
14-4	Dram-Shop Act		
14-5	Emergency Aid Not Given or Not Properly Given (Good Samaritan Law)	88	
14-6	Fair Credit Reporting Act	88	
14-7	Martin Act Claims	89	
14-8	New York Anti-SLAPP Law1	89	
14-9	New York Arts and Cultural Affairs Law1	90	
14-10	New York Antitrust Statute—Donnelly Act1	91	
14-11	New York City Snow and Ice Claims1	91	
14-12	New York Equal Access to Justice Act	92	
14-13	New York Franchise Law1	92	
14-14	New York Labor Law § 2401	93	
14-15	New York Labor Law § 241	94	
14-16	Physician Violating Patient Confidentiality195		
14-17	Social Host Liability19	95	
14-18	Son of Sam Law19	95	
14-19	Theft of Personal Identifying Information/Identity Theft	96	
14-20	Trademark and Trade Dress Dilution	96	
14-21	Trademark and Trade Dress Infringement196		
14-22	Voluntary Rescuer Injured by Negligence of Other (Rescue Doctrine) 197		
14-23	New York City Victims of Gender-Motivated Violence Protection Act		
14-24	Medical, Dental or Podiatric Malpractice Based on Lack of Informed Consent198		
Chapte Tort Ca	r 15 nuses of Action		
15-A	Introduction to Tort Causes of Action	99	
15-1	Business Torts1	99	
	15-1:1 Accountant Malpractice	99	
	15-1:2 Business Intentionally Interfered With by Outsider	00	
	15-1:3 Computer Malpractice	00	



	15-1:4	Unfair Competition	201
	15-1:5	Professional or Tradesperson Malpractice	201
	15-1:6	Usury	202
15-2	Defamati	ion Torts	203
	15-2:1	Defamation by Implication	203
	15-2:2	Defamatory Injury to Reputation	203
	15-2:3	Injurious Falsehood	20
	15-2:4	Libel and Slander	204
		15-2:4.1 Libel	204
		15-2:4.2 Slander	205
	15-2:5	Product Disparagement	205
	15-2:6	Negligent Misrepresentation Causing Harm	200
	15-2:7	Right of Publicity	200
	15-2:8	Words Negligently Spoken	207
15-3	Fraud To	rts	207
	15-3:1	Conversion	207
	15-3:2	Deceit	209
	15-3:3	Breach of Fiduciary Duty	210
	15-3:4	Fraud and Deceit	21
15-4	Intellectu	al Property Torts	212
	15-4:1	Artist's Common Law Copyright Violated	212
	15-4:2	Idea Misappropriation	212
		15-4:2.1 Property Claims	212
		15-4:2.2 Contract Claims	213
	15-4:3	Trade Secret Disclosed or Used Wrongfully	213
	15-4:4	Trafficking Counterfeit Trade or Service Marks	214
15-5	Motor Ve	chicle/Boat Torts	214
	15-5:1	Automobile Damaged at Parking Facility	214
	15-5:2	Negligent Entrustment	215
15-6	Personal	Injury Torts	215
	15-6:1	Animal Attack Cause of Action	215
	15-6:2	Assault	210
	15-6:3	Battery	210
	15-6:4	Dental Malpractice	217





xix



	15-0:5	Emotional Distress (Intentionally Inflicted)	21/
	15-6:6	Emotional Distress (Negligently Inflicted)	218
	15-6:7	Exposing Another to Disease or Toxic Substances Negligently	219
	15-6:8	Failure to Warn and Protect From a Violent Patient	220
	15-6:9	False Arrest and Imprisonment	220
	15-6:10	Future Earning Capacity Damaged by Tort	221
	15-6:11	Future Injury From Present Tortious Personal Injury	221
	15-6:12	Future Medical Expenses Resulting From Tort	221
	15-6:13	Intentional or Malicious Harm to Another (Prima Facie Tort)	222
	15-6:14	Loss of Consortium	222
	15-6:15	Lost Capacity In Living Resulting From Tort	222
	15-6:16	Malpractice (or Malfeasance)	223
	15-6:17	Medical Malpractice	223
	15-6:18	Medical Provider Liability to Third Parties	224
	15-6:19	Negligence	225
	15-6:20	Negligently Caused Economic Loss	226
	15-6:21	Right of Sepulcher	226
	15-6:22	Skateboard and Hover Board Liability	227
	15-6:23	Survivorship	227
	15-6:24	Wrongful Birth	228
	15-6:25	Wrongful Death	228
	15-6:26	Wrongful Life	229
	15-6:27	Foul Ball Liability	229
15-7	Personal l	Property Torts	.230
	15-7:1	Cruelty to Animals	230
	15-7:2	Hotel Liability for Personalty Loss	230
	15-7:3	Lost Property to Be Returned to True Owner	231
	15-7:4	Property Disparagement	231
	15-7:5	Property Tortiously Damaged	231
	15-7:6	Recovery of a Chattel (Replevin)	231
	15-7:7	Repossessing/Reclamation of Goods	232
	15-7:8	Trespass	232
	15-7:9	Trespass on Land	233







	15-7:10	Trespass to Personal Property/Chattel	. 233
	15-7:11	Trover	. 234
15-8	Status Tor	ts	234
	15-8:1	Administrative Negligence	. 234
	15-8:2	Aiding and Abetting the Commission of Tort	. 234
	15-8:3	Alternative Liability	. 235
	15-8:4	Bystander Emotional Distress	. 235
	15-8:5	Car Renter Liable for Injury	. 236
	15-8:6	Common Carrier Liability	. 237
	15-8:7	Conspiracy	. 237
	15-8:8	Conspiracy to Commit a Tort	. 238
	15-8:9	Indivisible Harm Caused by Separate Tortfeasors	. 238
	15-8:10	Municipal Liability	. 239
	15-8:11	Negligent Advice Causing Damage	. 240
	15-8:12	Negligent Entrustment	. 240
	15-8:13	Opioid Crisis Tort Claims	. 241
	15-8:14	Public Utility Liability	. 241
	15-8:15	Respondeat Superior	. 241
	15-8:16	Vicarious Liability	. 242
	15-8:17	Witness to Injury Suffering Emotional Distress	. 243
Chapte	r 16		
_		auses of Action	
16-A	Introduction	on to Trust and Estate Causes of Action	245
16-1	Breach of 1	Fiduciary Duty by Trustee of Religious Corporation	245
16-2	Constructi	ve Trust	246
16-3	Curtesy		247
16-4	Dower		247
16-5	Elective Share		
16-6	Expected (Gift Maliciously Interfered With by Other	248
16-7	Gifts Caus	a Mortis	248
16-8	Gifts Inter	Vivos	248
16-9	Mismanag	ement of Trust Assets by Trustee	249
16-10	Presumption	on of Death From Absence	249
16-11	-	Make a Will	







16-12	Undue Influence Over Testator or Settlor25			
16-13	Wasting Another's Property or Inheritance			
Chapter Defense				
17-A	Introduction to Defenses	.253		
17-1	Absolute or Qualified Privilege	.254		
	17-1:1 Absolute Privilege	254		
	17-1:2 Fair and True Report Privilege	254		
	17-1:3 Qualified Privilege	254		
17-2	Accord and Satisfaction	.255		
17-3	Act of God Doctrine	.255		
17-4	Adverse Possession	.256		
17-5	Assumption of Risk	.257		
17-6	Collateral Estoppel	.257		
17-7	Economic Interest Defense			
17-8	Emergency Doctrine			
17-9	Emergency Vehicle Driver Defense259			
17-10	"Empty Chair"	.26 0		
17-11	Equitable Estoppel	.260		
17-12	Force Majeure	. 261		
17-13	Frustration of Purpose Doctrine	.262		
17-14	General Release			
17-15	Illegality Doctrine			
17-16	Impossibility of Performance			
17-17	In Pari Delicto	.265		
17-18	Judicial or Litigation Privilege	.266		
17-19	Laches	.267		
17-20	Lack of Insurance Coverage	.268		
17-21	Lack of Standing	.269		
17-22	New York City Pet Law	.269		
17-23	Novation	.270		
17-24	Res Adjudicata	.270		

(







17-25	Stale Rent		271
17-26	Statute of Limitations		
17-27	Statute of Repose2		
17-28	Storm In Progress		
17-29	Wagoner R	tule	274
17-30	Waiver		274
Chapter Provisio	18 onal Remedi	ies	
18-A	Introductio	on to Provisional Remedies	277
18-1	Attachment22		
18-2	Order to Sl	how Cause	279
18-3	Preliminar	y Injunctions	281
18-4	Provisional	Remedies In the Appellate Division, First Department	282
	18-4:1	Stays Under New York Civil Practice Law and Rules § 5519(c) or Temporary Restraining Orders/ Preliminary Injunctions Under New York Civil Practice Law and Rules § 5518	282
	18-4:2	Review of Ex Parte Orders Under New York Civil Practice Law and Rules § 5704(a)	
18-5	Receivershi	ip Appointments	284
	18-5:1	"Necessity" Receiver	284
	18-5:2	Receiver Under "Receiver Clause"	285
	18-5:3	Temporary Receivership	285
18-6	Restraining	g Notice	287
18-7	Seizure of Chattel Under New York Civil Practice Law and Rules § 7102 Before Judgment28		
18-8	Stay of Ark	pitration	289
18-9	Stay/Vacat	ur of Judgment or Order	289
18-10	"Yellowsto	ne" Injunction	292
Index to	Causes of A	Action	295
Table of	Statutes		407
Table of	Cases		417









(

