SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK
----------x

VLADIMIR RAVICH,

Plaintiff,

-against- Index No.: 161574/2025

THE CITY OF NEW YORK, et al.

Defendants
----------x

AFFIRMATION OF ERIC SANDERS, ESQ. IN OPPOSITION TO PLAINTIFF'S ORDER TO SHOW CAUSE TO DISQUALIFY COUNSEL

I, Eric Sanders, Esq., an attorney duly admitted to practice law in the Courts of the State of New York, hereby affirm the following under penalties of perjury pursuant to CPLR 2106:

1. I submit this affirmation in opposition to Plaintiff Vladimir Ravich's Order to Show Cause seeking to disqualify me and my firm, The Sanders Firm, P.C., from representing Deputy Chief Winston M. Faison.

2. The application is extraordinary, punitive, and unfounded.

3. It is not grounded in any genuine conflict of interest under the New York Rules of Professional Conduct but represents an effort to interfere with Deputy Chief Faison's ability to obtain counsel of his choosing in separate and unrelated matters involving discrimination and corruption within the NYPD Aviation Unit.

I. THE LIMITED AND NON-CONFIDENTIAL CONTACT WITH VLADIMIR RAVICH

4. Months before the filing of this action, Mr. Ravich contacted my office to make a preliminary inquiry about possible employment-related claims against the NYPD.

5. His brief outreach did not concern Deputy Chief Faison; it focused solely on his dissatisfaction with how the NYPD Office of Equity and Inclusion handled a request for an office-lighting accommodation.

6. The contact consisted of one short intake conversation and a follow-up email attaching a rudimentary "timeline." The information he provided contained no medical, financial, or otherwise sensitive details.

7. It reflected only general workplace grievances and raised immediate doubts about the factual and legal viability of his proposed claims.

8. Based on my professional judgment, the allegations did not appear credible or made in good faith.

9. We never met in person; no retainer agreement was executed; no attorney–client relationship was formed.

10. The discussion never moved beyond an initial intake-level screening.

11. No legal advice was rendered beyond generic procedural guidance.

12. After reviewing the minimal material provided, I determined that representation was probably not appropriate.

13. In accordance with standard office practice where no attorney–client relationship arises, I destroyed the limited documents he transmitted and retained no notes or files.

14. At no time did I obtain confidential information that could reasonably be considered "significantly harmful" to Mr. Ravich in any subsequent or unrelated matter—the prerequisite for disqualification under Rule 1.18.

15. The information was no more detailed than what any prospective plaintiff routinely includes in a public pleading.

16. During this same period, I became heavily involved in assisting Retired Lieutenant Quathisha Epps, a Black Female, with the development and preservation of her legal claims arising from serious allegations of sexual coercion, retaliation, and command-level misconduct inside of NYPD Headquarters that implicates the Police Commissioner's Office and senior personnel within One Police Plaza, as well as offices within City Hall. That matter demanded substantial attention and temporarily placed my broader practice on hold for several months. After that matter stabilized, I followed up with Mr. Ravich to determine whether he still sought a consultation. He then informed me that he had retained attorney John Scola, Esq., and was pursuing his own course of action.

17. Having elected that course, he cannot retroactively convert a short, unconsummated intake call into a permanent bar on my representation of unrelated clients.

II. INDEPENDENT KNOWLEDGE OF AVIATION UNIT CONDITIONS

18. As set forth below, there is a longstanding pattern of retaliation against safety-based reporting and racial exclusion within the Aviation Unit, and that history provides critical context for evaluating the current events involving Deputy Chief Faison.

19. In fact, my familiarity with the NYPD Aviation Unit operations, internal culture, safety protocols, and patterns of retaliation dates back more than a decade before I ever heard Mr. Ravich's name.

20. In 2011, I represented Detective Fernando Angel Argote, an NYPD helicopter mechanic with extensive aviation-maintenance credentials, who filed internal complaints alleging that Aviation Unit supervisors retaliated against him for identifying serious mechanical and airworthiness issues involving NYPD helicopters. His case was publicly reported in the New York Daily News on August 1, 2011.

21. Through that representation, I learned firsthand that Aviation personnel who raised legitimate safety concerns were accused of being "not team players," pressured to overlook mechanical defects, removed from maintenance assignments, and threatened with discipline for grounding aircraft that were unsafe to fly.

22. Detective Argote identified, among other issues, excessive tail-rotor play on a Bell 412 helicopter used for air–sea rescue and counterterrorism missions, as well as missing operational paperwork on other aircraft—each of which required grounding under standard aviation-safety protocols. Rather than address those defects, his supervisors removed him from the maintenance floor and reassigned him to guard duty.

23. I also became familiar with Aviation's institutional dynamic: command pressure to keep helicopters flying despite mechanical red flags; hostility toward maintenance personnel who followed federal safety requirements; and a culture in which grounding an aircraft—even for documented mechanical reasons—was treated as insubordination. That case involved detailed discussions of safety inspections, maintenance logs, aircraft-readiness policies, and the internal decision-making hierarchy governing whether NYPD helicopters were allowed to fly.

24. This experience is directly relevant to the present motion because it demonstrates that my understanding of Aviation Unit practices, cultural dynamics, and internal pressures was formed more than a decade before my brief intake contact with Mr. Ravich in 2025.

25. Nothing he said, wrote, or implied contributed meaningfully to my pre-existing professional knowledge.

26. My familiarity with Aviation operations arose entirely from independent representation, independent investigation, and publicly reported matters long before Deputy Chief Faison's tenure or any of the personnel involved in this action.

27. Long before Mr. Ravich contacted my office, I was aware—through my professional experience and prior communications with NYPD personnel—of persistent racial hostility and institutional resistance to Deputy Chief Faison's leadership. He was the first Black—and, by all accounts, the most credentialed[1]—commanding officer in the Aviation Unit's history.

28. In fact, my familiarity with the Aviation Unit's historical lack of diversity predates both this litigation and my legal career. During my own service as an NYPD police officer in the late 1980s, I do not recall a single Black commanding officer or Black pilot assigned to the Aviation Unit. This absence was a persistent topic of discussion among officers.

29. I vividly recall that in July 1988, while assigned to Field Training Unit 17 in what is now part of Queens North, one of my fellow officers, Veronica Funchess—a Black Female officer who if I remember correctly, held a valid pilot's license—repeatedly expressed interest in joining the Aviation Unit but was never afforded that opportunity.

30. Despite being objectively qualified, she, like other Black officers at the time, could not obtain this highly coveted assignment. This history confirms that the racial barriers Deputy Chief Faison later confronted were neither new nor isolated but part of a longstanding structural problem within the Unit.[2]

[1] *Deputy Chief Faison's Federal Aviation Administration Airman Certificates confirm his extensive aviation credentials. His ratings include: Commercial Pilot (Airplane Single Engine Land; Rotorcraft–Helicopter; Instrument Airplane and Instrument Helicopter); Certified Flight Instructor (Airplane Single Engine; Rotorcraft–Helicopter; Instrument Helicopter); Remote Pilot (Small Unmanned Aircraft System); and Ground Instructor (Advanced and Instrument). Each certificate is publicly verifiable through the FAA Airmen Registry.*

[2] *This entrenched lack of diversity persisted even after Deputy Chief Faison's appointment on May 10, 2023. Following an NYPD Headquarters directive to identify qualified pilots of color, several such candidates were located. Yet despite their credentials, those officers faced significant obstacles in obtaining assignment to the Unit, and their qualifications were repeatedly scrutinized by elements of the existing command structure—further illustrating the institutional resistance that predated and then confronted Deputy Chief Faison's leadership.*

31. In late 2024, multiple sources within One Police Plaza and the Aviation Unit informed me of entrenched discriminatory practices, retaliation, and internal sabotage aimed at undermining Black supervisors. These accounts had nothing to do with Mr. Ravich and pre-dated his outreach by many months.

32. In recent months I have also spoken with current and former Aviation Unit members—none associated with Mr. Ravich—who described coordinated efforts to leak negative stories about Black officers to the *New York Post.* Their descriptions were consistent, detailed, and corroborated across sources. These independent observations—not anything derived from Mr. Ravich—form the foundation of my understanding of the systemic issues now under review.

33. Only months after Mr. Ravich's initial inquiry did I learn, through public reporting, that he and his attorney, John Scola, Esq., were quoted in a *New York Post* article dated August 30, 2025, entitled "*NYPD Pilots Say Allegedly Unsafe Boss Discriminated Against Them in Favor of Black Pals*." That story—and two preceding articles from July 26 and August 2, 2025—recycled anonymous allegations of incompetence, "cronies," and "overtime abuse" aimed squarely at Deputy Chief Faison and other Black officers. None were substantiated. The timing and thematic overlap with counsel's litigation filings suggest deliberate orchestration, not coincidence.

34. I have a clear and specific recollection of the timeline of my limited contact with Mr. Ravich. On April 9, 2025, I responded to his preliminary inquiry by asking that he provide a basic "timeline" of his concerns so that I could determine whether his matter was appropriate for representation. This is my standard intake practice and does not constitute legal advice or engagement.

35. On April 21, 2025, Mr. Ravich sent a brief, unsolicited email stating that two FBI agents from the Public Corruption Unit had visited him regarding "federal grants." That email contained no details of any underlying incident, participants, or potential claims, nor did it request legal advice.

36. Finally, on August 14, 2025, Mr. Ravich emailed me to advise that he had retained attorney John Scola. These three isolated communications—spanning four months and devoid of substantive content—confirm that no attorney–client relationship was ever formed, no confidential information was exchanged, and no matters discussed had any bearing on Deputy Chief Faison or the systemic issues underlying my current representation.

37. Specifically, the August 14, 2025 email conclusively establishes that no attorney–client relationship ever existed. In his own words, Mr. Ravich stated: *"I was under the impression that you may not have had the interest in taking my case… Regardless in that time I've retained John Scola."* (NYSCEF Doc. No. 3 at 27.) He further offered to "assist in any of [my] cases," demonstrating that he regarded me not as his counsel but as an outside professional contact. This contemporaneous written statement is dispositive: it affirms that he never believed I represented him, that he retained different counsel, and that no confidence or strategy was shared. Any claim to the contrary is fabricated post hoc and contradicted by his own communication.

III. NO ATTORNEY–CLIENT RELATIONSHIP AND NO "SIGNIFICANTLY HARMFUL" INFORMATION

38. Even assuming, *arguendo*, that Mr. Ravich's brief outreach placed him in the posture of a "prospective client," Rule 1.18(b) and (c) of the New York Rules of Professional Conduct prohibit the use or revelation of information only if it is "significantly harmful to that person in the matter." That standard is not remotely met here. Rule 1.18, Comment [2] explains

that a "prospective client" is merely "a person who consults with a lawyer about the possibility of forming a client–lawyer relationship." Mr. Ravich's brief intake inquiry—lasting only minutes and never advancing beyond the threshold of possible engagement—falls squarely within that limited definition and carries no continuing obligations beyond the rule's plain language.

39. I received no detailed confidential material, performed no investigation, and developed no theory or strategy. What was conveyed was general and nonspecific. Courts have repeatedly held that such high-level background information is insufficient to trigger disqualification. See *Ullmann-Schneider v. Lacher & Lovell-Taylor, P.C.*, 110 A.D.3d 469 (1st Dep't 2013); *Mayers v. Stone Castle Partners, LLC*, 126 A.D.3d 1, 4–5 (1st Dep't 2015).

40. Nor is there any "substantial relationship" between that preliminary inquiry and my representation of Deputy Chief Faison. The classic disqualification scenario—where counsel switches sides armed with material confidences in the same matter—is wholly absent. See *Falk v. Chittenden*, 11 N.Y.3d 73, 78 (2008) (substantial-relationship test requires overlap of facts and legal issues); *see also Kassis v. Teacher's Ins. and Annuity Assn.*, 93 N.Y.2d 611, 615–16 (1999) (side-switching requires substantial relationship + risk to confidences). Here there is none.

41. Disqualification requires a realistic, not speculative, risk that confidential information could be used adversely. *Jamaica Pub. Serv. Co. v. AIU Ins. Co.*, 92 N.Y.2d 631, 637 (1999). The risk alleged here is entirely conjectural. At most, I was exposed to generic grievances long since aired in public.

42. Accordingly, no violation of Rules 1.7, 1.9, or 1.18 exists. There was no representation, no confidential transfer, no substantial relationship, and no adversity in the same or a related matter.

IV. MY REPRESENTATION OF DEPUTY CHIEF FAISON IS DISTINCT AND PROTECTED

43. My representation of Deputy Chief Faison concerns his own claims of systemic racial discrimination, retaliation, and public corruption within the Aviation Unit. Those matters are separate and distinct from any personal claim Mr. Ravich may pursue. They involve different facts, witnesses, and legal theories.

44. Deputy Chief Faison's claims include documented patterns of hostility toward Black leadership, misuse of federal and local funds, falsified maintenance and overtime records, and retaliatory internal investigations. None of these issues bear any factual or legal nexus to Mr. Ravich's alleged office-lighting accommodation grievance.

45. Granting disqualification under these circumstances would weaponize the Rules of Professional Conduct to silence whistleblowers and obstruct inquiry into corruption. It would permit a litigant to retroactively impose a permanent veto on counsel based on a trivial intake conversation—a result no precedent endorses.

V. COUNSEL'S PATTERN OF LITIGATION GAMESMANSHIP AND MEDIA COORDINATION

46. Disqualification motions are frequently "interposed for tactical reasons," *S & S Hotel Ventures Ltd. P'ship v. 777 S.H. Corp.*, 69 N.Y.2d 437, 443–44 (1987), and must be viewed with caution. Here, Plaintiff's counsel, John Scola, Esq., has a documented history of using litigation filings and coordinated media leaks to damage the reputations of Black NYPD personnel.

47. Across more than twenty prior suits, Mr. Scola has advanced inflammatory allegations against Black officers and executives that later collapsed under scrutiny. The pattern is familiar: file sensational pleadings, channel them to the *New York Daily News* and *New York Post*, to favored reporters who will peddle the narrative and later disclaim responsibility once the

claims unravel. See *Tekni-Plex, Inc. v. Meyner & Landis*, 89 N.Y.2d 123, 131–32 (1996) (courts must guard against tactical misuse of disqualification and confidentiality doctrines).

48. The most striking and well-documented example of this pattern is the *Detective David Terrell* saga—popularly branded in the press as the "Monster Cop" narrative—engineered through coordinated efforts by attorney John Scola (then of Nwokoro & Scola, Esqs.), disgraced former NYPD officer–turned–private investigator Manuel Gomez (terminated by the Department), and a network of collaborating law firms and media figures.

49. Between 2015 and 2018, this coalition filed and promoted approximately twenty-two meritless civil-rights lawsuits against Detective Terrell, a Black Male, all of which were ultimately dismissed, while simultaneously conducting a media campaign through *WNBC*, *PIX 11*, the *New York Daily News*, and the *New York Post*. Those outlets disseminated demonstrably false narratives portraying Terrell as corrupt, abusive, and dishonest, inflicting enduring reputational and emotional harm despite the complete absence of any judicial finding of misconduct.

50. In a September 6, 2017 press release titled *Bronx DA Dismissal of Criminal Charges Against Pedro Hernandez*, I publicly refuted those allegations and clarified that Detective Terrell had no investigative role in the *Hernandez* prosecution and that Bronx District Attorney Darcel Clark's dismissal of the case was an act of prosecutorial discretion, not an acknowledgment of police wrongdoing. The press statement filed on Terrell's behalf exposed the existence of what we described as a "*cottage industry*" — a coordinated enterprise of unethical attorneys and private investigators, led by Mr. Scola and Mr. Gomez, who conspired with gang members and their associates to fabricate misconduct claims for profit.

51. Detective Terrell's sworn filings detailed how gang-related criminal enterprises such as the *Lyman Place Crew (LPC)* and its affiliate, *The Hilltop Gang*—led by Pedro "Pablo 'BigBank Pablo'" Hernandez—routinely used false police-misconduct allegations to disrupt legitimate criminal investigations, secure civil settlements, and manipulate public opinion. His long-term investigation of the *LPC* had resulted in one of the largest gang takedowns in South Bronx history, yielding a 57-count indictment against fifteen members for larceny, assault, and drug and firearm trafficking. That investigation also exposed *The Hilltop Gang*, a violent criminal organization of eighteen members including Hernandez and Angelo Cotto, who fought rival crews to control narcotics, weapons, and extortion operations along Franklin Avenue from East 169th Street to Crotona Park South.

52. These false claims, aided by Gomez and Scola's collaboration with complicit media figures like *PIX 11*'s James Ford and *NBC's* Sarah Wallace, were intentionally publicized to foster jury apathy toward police testimony, thereby increasing acquittal rates for violent offenders and generating lucrative civil settlements funded by taxpayers.

53. Terrell provided concrete examples: in *Floyd v. City of New York* (16-CV-8655), *Cotto v. City of New York* (16-CV-8651), and other companion suits, plaintiffs affiliated with the *LPC* and *Hilltop* gangs falsely alleged wrongful arrests and assaults despite documentary proof that Detective Terrell had no contact with them—some incidents occurring while he was off duty. Despite knowing these facts, Mr. Gomez and Mr. Scola allegedly filed and promoted the false claims anyway, amplifying them through the press to damage the reputation of Terrell and undermine legitimate prosecutions.

54. The public consequence of this coordinated misconduct was devastating. As a direct result of Mr. Scola's and Mr. Gomez's actions, their client Pedro "Pablo 'BigBank Pablo'"

Hernandez—the leader of the *Hilltop Gang*—will never be held accountable for the full scope of crimes committed against the people of this city. His criminal enterprise, implicated in violent turf wars, shootings, robberies and weapons trafficking, was effectively shielded by a web of false lawsuits and manipulative media coverage that discredited the very detective who dismantled his network.

55. That corruption of justice was later judicially confirmed in *People v. Ajaya Neale* (Ind. No. 1746-2014), where the Supreme Court, Queens County, after a *Sirois* hearing on November 1, 2018, condemned Gomez's "sham investigation" and apparent "relationship" with *NBC* reporter Sarah Wallace. The court found that Gomez had coerced eyewitness Erika King into recanting her identification through deception, false promises, and an unauthorized televised interview—conduct designed to eliminate her as the sole identifying witness in a murder trial. The court ruled that Gomez's misconduct, broadcast on *NBC News 4 New York* one day before jury selection, "was not a true investigation" but an effort to obstruct justice, tamper with a witness, and derail a homicide prosecution.

56. The judicial findings in *Neale* vindicated what Detective Terrell and I had long alleged: that Gomez, Scola, and their collaborators weaponized both the courts and the media to undermine law enforcement, damage the reputations of Black and Latino officers, and profit from manufactured controversy. This same nexus of unethical lawyering, manipulated press coverage, and racialized reputational warfare is now being repurposed against Deputy Chief Faison. It represents the same well-rehearsed playbook—file sensational claims, orchestrate media leaks, and disqualify or intimidate effective counsel to prevent public exposure of corruption and discrimination.

57. It bears emphasis that Detective Terrell retained me only after the New York City Law Department, the NYPD, and even the Detectives' Endowment Association failed to publicly defend him against the torrent of false allegations being disseminated through coordinated litigation and media campaigns. Despite years of dedicated service, he was effectively abandoned while his reputation was being destroyed in the court of public opinion.

58. Once I was retained, I—and I alone—undertook the task of changing the narrative, publicly documenting the falsity of the claims, exposing the misconduct of the responsible attorneys, investigators, and journalists, and restoring faith in the integrity of the investigative process.

59. Only after my intervention did the New York City Law Department begin to confront these fabricated lawsuits on the merits, aggressively challenging their legal sufficiency and adopting a more assertive defense posture in cases filed against Detective Terrell.

60. My representation not only shifted the public perception but also reestablished a necessary line of accountability—demonstrating that the courts and the public need not accept false narratives simply because they are loudly and repeatedly asserted.

61. In *Trevlyn Headley v. City of New York*, Index No. 155228/2025, Mr. Scola again weaponized the judicial process by filing demonstrably false sexual-harassment accusations against Detective Shatorra Foster, a Black Female officer. Contrary to his pleading, internal NYPD records and the Verified Answer with Counterclaims filed on Foster's behalf establish that it was Headley—not Foster—who engaged in a sustained pattern of sexual coercion, manipulation, and retaliatory abuse toward subordinate Black and Latina Female officers.

62. The record further alleges that on March 14, 2024, inside NYPD Headquarters at One Police Plaza, Headley forcibly sodomized Foster by performing oral sex without consent

while on duty and in uniform—conduct amounting to a criminal sexual act under New York Penal Law §§ 130.05 and 130.50 and actionable under the Gender-Motivated Violence Act.

63. Despite this sworn and corroborated account, Mr. Scola persisted in portraying the known abuser as the victim, compounding the harm to Foster's reputation and to the integrity of the judicial process.

64. His filing fits the same established pattern: inverting victim and aggressor, exploiting media interest in gender or race narratives, and weaponizing litigation to insulate serial misconduct from accountability.

65. In *Thomas G. Donlon v. City of New York*, Index No. 25-cv-5831 (S.D.N.Y. 2025), Scola again engaged in reckless and defamatory pleading by alleging, in Paragraph 1263 of the Verified Complaint, that the Federal Bureau of Investigation conducted a raid on the home of Retired Lieutenant Epps — an event that never occurred.

66. This false, inflammatory claim was made without factual basis or corroboration and was plainly designed to discredit and intimidate Ms. Epps, a Black Female whistleblower, by portraying her as the subject of a criminal probe.

67. In truth, Scola was fully aware that it was *Ms. Epps's own complaints* of quid pro quo sexual harassment, coercion, conduct amounting to a criminal sexual act under New York Penal Law §§ 130.05 and 130.50 and actionable under the Gender-Motivated Violence Act and related criminal conduct by former Chief of Department Jeffrey B. Maddrey that precipitated a federal investigation into multiple patterns of public corruption inside the NYPD — an investigation now understood to extend to City Hall, the Aviation Unit, and other executive commands.

68. By inserting a fabricated FBI raid into a federal pleading, Scola sought to reverse victim and perpetrator, undermine Epps's pending legal claims, and chill other officers from coming forward. The baseless accusation mirrors his broader pattern of using sensational and demonstrably false narratives to corrupt the record, distort public perception, and obstruct accountability for high-level misconduct that will be detailed further upon the filing of Ms. Epps's Verified Complaint.

69. In *Jamie Nardini v. City of New York*, Index No. 161972/2025 (Sup. Ct. N.Y. Cnty. 2025), Mr. Scola again relied on salacious, irrelevant, and demonstrably false narrative devices to smear Retired Lieutenant Epps.

70. Within the Verified Complaint he inserted wholly immaterial claims that Lieutenant Epps was the "girlfriend" of Assistant Chief Ruel Stephenson, a Black Male executive — material neither necessary nor proper under CPLR 3024(b), which prohibits scandalous or prejudicial matter not essential to a claim or defense.

71. The inclusion of these false and irrelevant allegations served no legitimate litigation purpose; they were crafted to taint the record, undermine Ms. Epps's pending sexual-harassment claims, and chill other officers from reporting misconduct by command-level personnel.

72. This tactic mirrors Mr. Scola's broader pattern of weaponizing civil pleadings as vehicles for retribution — using sensational and demonstrably false narratives to corrupt the judicial record, distort public perception, and obstruct accountability for high-level misconduct that will be further detailed upon the filing of Ms. Epps's Verified Complaint.

73. That same approach reappeared in July and August 2025, when a series of *New York Post* articles targeted Deputy Chief Faison and other Black members of the Aviation Unit:

"*Feds Probe Flight Risks*…" (July 26, 2025); "*Feds Widen Probe*…" (August 2, 2025); and "*NYPD Pilots Say Allegedly Unsafe Boss Discriminated Against Them in Favor of Black Pals*" (August 30, 2025). Each relied on anonymous sources and repeated identical rhetoric about "cronies," "safety failures," and "overtime abuse." Their synchronized publication, coinciding with Mr. Scola's filings, underscores a deliberate strategy to poison public perception.

74. This pattern of litigation abuse continued even during the pendency of this very Order to Show Cause.

75. On November 15, 2025, Mr. Scola orchestrated yet another highly prejudicial media hit piece, published on the front page of the *New York Post* under the headline "*Black NYPD Aviation commander sidelined pilot because he was 'old, white': lawsuit*." That article repeated nearly verbatim the same racially charged rhetoric—accusing Faison of "favoring his Black cronies" and "hijacking the Aviation Unit for racial patronage"—and quoted Mr. Scola directly. The timing of this latest publication, coinciding with this motion, makes clear that the disqualification application is not a good-faith ethics concern but part of a broader, ongoing campaign of litigation abuse and reputational warfare.

76. This convergence of unverified pleadings and media dissemination is not coincidental. It exemplifies the misuse of both the courts and the press as instruments of reputational attack. Courts have warned that disqualification should never be granted in aid of such tactics. *Solow v. W.R. Grace & Co.*, 83 N.Y.2d 303, 310 (1994) (mechanistic application of ethics rules cannot serve tactical ends). Viewed in this light, Plaintiff's motion is part of a broader campaign of intimidation rather than a bona fide ethics concern.

77. Having broken that pattern in the past—by exposing the falsity of his coordinated campaigns against Black officers—this disqualification motion represents Mr. Scola's latest attempt to remove the same counsel who previously unraveled his playbook.

78. The Rules of Professional Conduct protect genuine confidences—not speculative grievances repurposed to sideline counsel exposing discrimination. To hold otherwise would allow any would-be plaintiff to paralyze future whistleblower representation through the pretext of a "prior consultation." That is precisely what *Jamaica Pub. Serv.* and *Mayers v. Stone Castle Partners, LLC*, 126 A.D.3d 1 (1st Dep't 2015), caution against.

79. Should this Court wish to receive further evidence regarding the facts of the Detective Second Grade Terrell saga or Mr. Scola's documented pattern of litigation and media abuse, Detective Terrell is available to provide testimony at the Court's convenience.

VI. PREJUDICE TO DEPUTY CHIEF FAISON AND THE PUBLIC INTEREST

80. Deputy Chief Faison has already endured institutional retaliation for challenging discriminatory and corrupt practices within the Aviation Unit and the broader executive promotional standards. Disqualifying his chosen counsel at the behest of an adversary would deepen that retaliation, rewarding gamesmanship and discouraging other Black officers from seeking representation.

81. Such a result would harm not only Deputy Chief Faison but also the public interest in transparent, independent investigation of corruption within the NYPD at the executive level. Ethical rules exist to preserve confidence in the legal system, not to suppress accountability. Allowing disqualification here would invert that purpose.

82. By contrast, denial of the motion causes no prejudice to Mr. Ravich. He is represented by other counsel of his choosing, and any residual confidentiality concerns are fully addressed by existing professional obligations, which I have honored scrupulously.

VII. CONCLUSION

83. The Plaintiff's motion fails not only because it is a bad-faith tactical maneuver, but because it fails on its own merits. My representation of Deputy Chief Faison concerns systemic, high-level corruption and managerial misconduct within the NYPD.

84. Whatever information Plaintiff's counsel claims was shared in a brief, unrelated consultation approximately eight months ago bears no substantial relationship to the institutional and racial-equity issues at the heart of the present case.

85. It is a legal and factual impossibility for that information to be "significantly harmful" under Rule 1.18 in a matter involving entirely different subjects, individuals, and timeframes.

86. This demonstrates, once again, that the motion's true purpose is not to protect a genuine confidence, but to sideline opposing counsel who previously exposed similar misconduct.

87. Prior to accepting Deputy Chief Faison as a client, I fully disclosed that Mr. Ravich had once contacted my office seeking representation and eventually, he retained Mr. Scola.

88. I further advised Deputy Chief Faison that if any lawsuit were ever filed against him, he must submit a Request for Legal Assistance to the NYPD Legal Bureau in accordance with Department procedure and cooperate with the New York City Law Department should the City determine coverage under General Municipal Law § 50-k.

89. To this day, I have never discussed Mr. Ravich's lawsuit—or any other employee's lawsuit—against Deputy Chief Faison, nor have I reviewed their pleadings.

90. I have always treated my ethical duties with utmost seriousness.

91. When I determined that Mr. Ravich's proposed claims probably lacked legal merit, I destroyed his materials.

92. That conduct was fully consistent with the New York Rules of Professional Conduct and does not, as a matter of law or fact, create a conflict with my representation of Deputy Chief Faison.

93. Disqualification is a *"drastic remedy"* that may be imposed only upon a clear showing that continued representation *"poses a significant risk of trial taint." S & S Hotel Ventures Ltd. P'ship v. 777 S.H. Corp.*, 69 N.Y.2d 437, 443 (1987); *Mayers v. Stone Castle Partners, LLC*, 126 A.D.3d 1, 5 (1st Dep't 2015).

94. As the Court of Appeals reaffirmed in *Solow v. W.R. Grace & Co.*, 83 N.Y.2d 303, 309 (1994), "disqualification motions implicate both a client's right to chosen counsel and the integrity of the judicial process and should not be granted unless absolutely necessary." No such necessity—or even minimal risk—exists here.

95. For all the foregoing reasons, I respectfully request that this Court deny Plaintiff's Order to Show Cause in its entirety, vacate any interim restraints, and grant such other and further relief as this Court deems just and proper.

96. In addition, because this motion was interposed in bad faith and for purely tactical purposes, I respectfully request that the Court consider awarding costs and sanctions pursuant to 22 NYCRR § 130-1.1 and striking any scandalous or prejudicial material from Plaintiff's submissions under CPLR 3024(b).

97. Moreover, New York courts have not hesitated to impose sanctions where motion practice is undertaken primarily to harass or gain an improper advantage. *Levy v. Carol Mgt. Corp.*, 260 A.D.2d 27, 34 (1st Dep't 1999). This application—lacking legal or factual merit and calculated only to disrupt opposing counsel's representation—squarely fits that description.

Dated: November 17, 2025
New York, NY

Respectfully submitted,

By: /s/Eric Sanders
Eric Sanders

Eric Sanders, Esq.
THE SANDERS FIRM, P.C.
30 Wall Street, 8th Floor
New York, NY 10005
(212) 652-2782 (Business Telephone)
(212) 652-2783 (Facsimile)

Website: http://www.thesandersfirmpc.com

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK INDEX NO.: 161574/2025

VLADIMAR RAVICH,

Plaintiffs,

-against-

THE CITY OF NEW YORK, et al.

Defendants

AFFIRMATION OF ERIC SANDERS, ESQ. IN OPPOSITION TO PLAINTIFF'S ORDER TO SHOW CAUSE TO DISQUALIFY COUNSEL

Duly submitted by:

Eric Sanders, Esq.
THE SANDERS FIRM, P.C.
30 Wall Street, 8th Floor
New York, NY 10005
(212) 652-2782 (Business Telephone)
(212) 652-2783 (Facsimile)

Website: http://www.thesandersfirmpc.com