SHER EDLING LLP
PROTECTING PEOPLE AND THE PLANET

SHER EDLING LLP MISSION

Sher Edling LLP (SELLP) represents states, cities, and other public agencies in high-impact, high-value environmental cases. We combine decades of top-level litigation and trial experience with an unwavering dedication to holding polluters accountable for the damage they cause. Our work arises out of our conviction that the courts provide the last even playing field to take on the biggest polluters. Our team signed up for this work to make a difference for our clients and the world.

Representative Clients

- State of Rhode Island
- State of Delaware
- State of Minnesota
- State of Wisconsin
- District of Columbia
- City of Baltimore
- City of Charleston
- City of Richmond
- City of Santa Cruz
- City of Imperial Beach
- City of Chula Vista
- City & County of San Francisco
- City of Oakland
- City of Annapolis
- City & County of Honolulu
- County of Maui
- City of New York
- City of Patterson
- City of Turlock
- City of Riverbank
- City of National City
- Anne Arundel County
- Santa Cruz County
- Marin County
- San Mateo County

- Albertson Water District
- Atlantic City Municipal Utilities Authority
- Bethpage Water District
- Carle Place Water District
- Franklin Square Water District
- Garden City Park Water District
- Greenlawn Water District
- Jericho Water District
- Locust Valley Water District
- Manhasset-Lakeville Water District
- Oyster Bay Water District
- Plainview Water District
- Port Washington Water District
- Rio Linda Elverta Community Water District
- Ridgewood Water
- Roslyn Water District
- South Farmingdale Water District
- South Huntington Water District
- Suffolk County Water Authority
- Sacramento Suburban Water District
- Town of Hempstead
- Town of Huntington / Dix Hills Water Department
- Town of Riverhead
- Village of Garden City
- Village of Hempstead
- Village of Mineola
- Village of Williston Park
- Village of Sands Point
- Water Authority of Great Neck North
- Water Authority of Western Nassau County
- West Hempstead Water District
- Westbury Water & Fire District

ENVIRONMENTAL/PUBLIC WELL CONTAMINATION LITIGATION EXPERIENCE

Current Representations

PFOA/PFOS:

Sher Edling currently represents public water providers in New York and New Jersey in cases seeking damages for PFOA/PFOS contamination of drinking water wells caused by off-site pollution from airports, manufacturing facilities, and other sources. Plaintiffs assert a variety of state law tort claims against the manufacturers of PFOA, PFOS, and the products that contain or are manufactured with those toxic perfluorinated compounds.

- Suffolk County Water Authority (NY; 2017)
- Roslyn Water District (NY; 2018)
- Port Washington Water District (NY; 2018)
- Ridgewood Water (NJ; 2018)
- South Farmingdale Water District (NY)
- Water Authority of Western Nassau County (NY; 2019)
- Atlantic City Municipal Utilities Authority (NJ; 2019)
- Village of Garden City (NY; 2019)
- Garden City Park Water district (NY; 2019)
- Carle Place Water District (NY; 2019)
- Village of Mineola (NY; 2019)
- Bethpage Water District (NY; 2019)
- Water Authority of Great Neck North (NY; 2019)
- Town of Hempstead (NY; 2020)
- Village of Sands Point (NY; 2020)
- Manhasset-Lakeville Water District (NY; 2020)
- Town of Riverhead (NY; 2021)
- Town of Huntington (NY; 2021)
- Franklin Square Water District (NY)
- Albertson Water District (NY)
- Greenlawn Water District (NY)
- Locust Valley Water District (NY)
- South Farmingdale Water District (NY)
- State of Wisconsin

In addition, Sher Edling has various leadership roles in *In re: Aqueous Film-Forming Foams Products Liability Litigation* (the "AFFF MDL"), a national Multi-District Litigation concerning certain PFAS-related cases assigned to Judge Richard Gergel in Charleston, S.C. Judge Gergel has appointed Stephanie Biehl of SELLP to the Executive Committee, where she co-chairs the Public Water Supplier Committee of the Plaintiffs' Executive Committee in that MDL. Ms. Biehl also leads the AFFF MDL ESI team—the largest contamination MDL in the country—and is also the Co-Chair of the Discovery Committee in that MDL.

1,4-Dioxane:

Sher Edling represents public water providers on Long Island, including Suffolk County Water Authority, the nation's largest supplier of public drinking water from groundwater, in litigation to recover damages for 1,4-dioxane contamination of drinking water wells. The lawsuits all assert claims against the manufacturers of 1,4-dioxane and products containing 1,4-dioxane.

- Suffolk County Water Authority (NY; 2017)
- Roslyn Water District (NY; 2018)
- West Hempstead Water District (NY; 2018)
- Carle Place Water District (NY; 2018)

- Garden City Park Water District (NY; 2018)
- Port Washington Water District (NY; 2018)
- Bethpage Water District (NY; 2018)
- Manhasset-Lakeville Water District (NY; 2018)
- Oyster Bay Water District (NY; 2018)
- Jericho Water District (NY; 2018)
- Locust Valley Water District (NY; 2018)
- Albertson Water District (NY; 2018)
- Westbury Water & Fire District (NY; 2019)
- Water Authority of Western Nassau County (NY; 2019)
- Franklin Square Water District (NY; 2019)
- Water Authority of Great Neck North (NY; 2018)
- South Farmingdale Water District (NY; 2019)
- Plainview Water District (NY; 2019)
- Village of Mineola (NY; 2019)
- Village of Williston Park (NY; 2019)
- Village of Garden City (NY; 2019)
- Town of Huntington/Dix Hills Water Department (NY; 2019)
- Greenlawn Water District (NY; 2019)
- South Huntington Water District (NY; 2019)
- Village of Hempstead (NY; 2019)
- Town of Hempstead (NY; 2019)

TCP:

Sher Edling attorneys have successfully litigated cases on behalf of water suppliers seeking damages for TCP contamination of drinking water wells for nearly fifteen years.

- City of Patterson, CA (2019; TCP well contamination)
- City of Turlock, CA (2019; TCP well contamination)
- City of Riverbank, CA (2019; TCP well contamination)
- Sacramento Suburban Water District (2019; TCP well contamination)
- City of Oceanside, CA (2005 – 2011; TCP well contamination)
- California Water Service Company (2003 – 2016; MTBE, TCP, PCE/TCE well contamination)
- California Water Service Company and City of Bakersfield, CA (2003 – 2016; TCP well contamination)
- Hawaii Water Service Co. (2003-2008; TCP and DBCP)
- City of Livingston, CA (2005 – 2011; TCP well contamination)
- City of Wasco, CA (2005-2013; TCP well contamination)
- City of Sunnyvale and Sunnyvale Redevelopment Agency, CA (2008 – 2011; PCE/TCE groundwater and soil contamination)

Transboundary Water Pollution

City of Imperial Beach et al. v. IBWC, Veolia North America (S.D. Cal. no. 18-cv-457-JM-JMA (filed March 2, 2018). Sher Edling represents the cities of Imperial Beach and Chula Vista California, as well as the Port of San Diego, which seek equitable relief and damages related to transboundary water contamination against the International Boundary Water Commission and Veolia Water North America.

Hexavalent Chromium:

Sacramento Suburban Water District v. United States, Court of Federal Claims no. 17-860 C (filed June 23, 2017); *Rio Linda Elverta Community Water District v. United States*, Court of Federal Claims no. 17-859 C (filed June 23, 2017); *Sacramento Suburban Water District v. Elementis Chromium, Inc.*, E.D. Cal. no. 2:17-cv-01353-TLN-AC (filed June 30, 2017); *Rio Linda Elverta Community Water District v. United States*, E.D. Cal. no. 2:17−CV−01349−KJM−GGH (filed June 30, 2017). Sher Edling represents these water districts who seek damages for hexavalent chromium contamination of drinking water wells suffered by public water district resulting from off-site contamination of a former U.S. Air Force Base. Plaintiffs assert claims against the U.S. Government under the Resource Conservation & Recovery Act (imminent and substantial danger), the Federal Tort Claims Act, and in the Court of Federal Claims for an unconstitutional taking of property. Plaintiff also asserts state law tort claims against the manufacturers of products containing chromic acid.

CERCLA Administrative Matters:

Sher Edling represents private and public entities across the country against corporate and other federal governmental entities in administrative adjustment of potential liability under the Comprehensive Environmental Response, Cleanup, and Liability Act ("CERCLA"), 42 U.S.C. § 9601 et seq. These matters typically rise out of legacy and ambient contamination on or connected to federal property impacting public entities soil and/or groundwater.

- City of Chula Vista
- City of National City

Selected Prior Representations

- *City of St. Louis (MI) v. Velsicol Corp.* In 2006, the City retained Vic Sher to address DDT-related contamination leaking from a failed Superfund remedy at the former Velsicol facility in St. Louis, Michigan. Investigation revealed that pCBSA had already reached many of the City's wells. The case settled in 2011 with the City recovering $26.5 million to fund a new water system.

- *In re MTBE Products Liability Litigation (City of New York) v ExxonMobil,* 725 F.3d 65 (2nd Cir. 2013). In 2008, the City of New York asked Vic Sher to assume the lead trial counsel role in the City's case against the oil industry over MTBE contamination of wells in Queens, the first to proceed to trial in a nationwide multidistrict litigation. In 2009, a four-month federal jury trial resulted in a verdict for the City of $104.7 million, with a total recovery of more than $125 million. The Second Circuit affirmed in all respects in 2013. Mr. Sher also was designated by the court as national co-lead counsel for the plaintiffs in the related federal multidistrict litigation, *In Re: MTBE Products Liability Litigation*.

- *State of New Hampshire v. ExxonMobil*, 168 N.H. 211, 126 A.3d 266 (N.H. 2015). In 2003, the New Hampshire Attorney General retained Vic Sher as lead outside counsel to prosecute the first statewide case to recover the costs of MTBE contamination. Over most of the next decade, Mr. Sher guided the case as it prepared for trial. First, the oil companies tried to transfer the case to federal court; Mr. Sher argued the case in the U.S. Court of Appeals for the Second Circuit that sent the matter back to state court where it belonged. Then, Mr. Sher prepared the expert and legal approach that allowed the State to prove its case against the oil companies on a landscape basis without getting bogged down in impossible intricacies of individual sites. The oil companies challenged virtually every aspect of the case, including the State's rights to recover costs related to

private wells and the ability to prove its case based on expert evidence of the extent of contamination. Ultimately, the State recovered more than $140 million in pretrial settlements, and, in the largest trial ever held in the State of New Hampshire, the jury awarded more than $236 million against ExxonMobil. The New Hampshire Supreme Court affirmed the jury verdict in 2015 (and the U.S. Supreme Court declined to review).

- *In re MTBE Products Liability Litigation* (S.D.N.Y. 2003 – 2011). This multi-district litigation over public well contamination by the gasoline additive MTBE included more than 150 cases from around the country. The District Court designated Vic Sher as one of three co-lead counsels for the plaintiffs. Most of the cases settled against most of the defendants in 2008 for an aggregate $423 million cash payment plus a "safety net" for future well impacts. Mr. Sher's clients –public water agencies located in California – received more than $108 million from the group settlement.

- *In re Methanex* (NAFTA Tribunal). In 2004 the U.S. Department of State retained Vic Sher as a consultant on the environmental and expert aspects of an international trade case brought by Methanex, a Canadian manufacturer of MTBE that claimed California's ban of MTBE because of concern over groundwater contamination violated NAFTA's free trade provisions. The matter was resolved against Methanex in 2005.

- *South Lake Tahoe Public Utility District v. Atlantic Richfield Co.*, *et al.* Vic Sher was a senior member of the trial team on this landmark MTBE case, which settled in August 2002. The Utility District brought an action against a manufacturer of MTBE (Lyondell), the California refiners who supplied gasoline containing MTBE, and several local gasoline station owner/operators. The case went to trial starting in September 2001 against six non-settling defendants. In April 2002, the jury returned a special verdict on refiner/manufacturer liability, finding that MTBE and gasoline containing MTBE were defective products, and that Shell and Lyondell Chemical had acted with "malice" by failing to disclose the significant hazards associated with the use of MTBE in gasoline. The matter finally settled in August 2002 for a total of more than $69 million.

- *City of Santa Monica v. Shell*, *et al.* Vic Sher served as lead outside co-counsel in the MTBE lawsuit relating to the City's Charnock well field, which provided about 40% of the City's drinking water (a total of about 7,500 gallons per minute ("gpm") peak capacity). MTBE contamination forced the City to shut down the wells and well field in 1996. Government agencies identified about thirty potential source sites (current or former retail gasoline stations and two oil company pipelines) within a one and one-quarter mile radius of the well field. The City filed suit in June 2000 against the manufacturers of MTBE and the refiners of gasoline containing MTBE based upon causes of action for products liability, negligence, nuisance, and trespass. In 2003 the City achieved a landmark settlement with all but one defendant, Shell, which settled in 2006. Under the settlements, the City received approximately $130 million in cash plus the full costs of constructing, operating, and maintaining an MTBE treatment facility to clean Santa Monica's water, with a total overall settlement value of about $500 million.

- *City of Pomona, CA v. SQMNA*. The City retained Vic Sher to address perchlorate contamination from historic use of Chilean nitrate fertilizer on surrounding citrus crops. Mr. Sher argued the successful appeal of the trial judge's exclusion of expert testimony on stable isotopic analysis and related issues, *City of Pomona v. SQM North America Corp.*, 750 F.3d 1036 (9th Cir. 2014), and helped try the case in 2015 (the Ninth Circuit recently reversed a defense verdict).

- *County of Maui Board of Water Supply v. Dow Chemical et al.* (DBCP). DBCP, a soil fumigant used widely in Hawaii (and elsewhere) on pineapple and other crops, contaminated and threatened the County of Maui's public drinking water wells located around the Island. Vic Sher (with his then firm Miller & Sher) represented the plaintiff. A 1999 settlement with the chemical manufacturers resolved the County's lawsuit and provided the County with a 40-year guarantee of all costs associated with designing, building, installing, maintaining and operating granular activated carbon (GAC) facilities on any County well that either is currently contaminated or becomes contaminated during the 40-year life of the settlement.

- *Hawaii Water Service Co. v. Dow Chemical Co. et al.* (DBCP, TCP). In 2003 HWSC retained Vic Sher in connection with DBCP and TCP contamination of the wells that supply the Kaanapali Resort on Maui, HI. DBCP and TCP came from applications of soil fumigants manufactured by Dow Chemical and Shell Chemical to pineapple fields up-country from the Resort's water supply. The matter resolved favorably in 2008. Vic Sher was also lead counsel on a series of TCP cases in California's Central Valley, including on behalf of the communities of Oceanside, Livingston, Shafter, and Bakersfield.

- *City of Riverside v. Shell Oil Co. et al.* (DBCP). Growing plumes of DBCP impacted a large number of wells in the City of Riverside's public water system. In 2001, the chemical manufacturers settled the City's litigation by paying $4.1 million and agreeing to provide all costs associated with treating DBCP-contaminated drinking water in currently contaminated wells or wells that become contaminated in the future. To date, the City has built two large combined GAC treatment facilities under the settlement, treating a combined flow of approximately 15,000 gpm, and the City anticipates needing a substantial number of additional wells treated over the 40-year life of the agreement either individually or in additional centralized treatment facilities.

- *City of Riverside/Lockheed Martin (TCE).* TCE from a Lockheed Martin defense facility impacted wells in the City of Riverside's public water system. Vic Sher helped the City negotiate a settlement (without the need for a lawsuit) under which Lockheed Martin has paid all costs of treating wells contaminated with TCE from this plume.

- *Lake Davis Rotenone Contamination.* A program to eradicate pike from Lake Davis, California, by the California Department of Fish & Game went horribly awry. Vic Sher represented Plumas County in negotiations that ultimately led the Legislature to appropriate more than $9 million for public and private damages suffered from the lake poisoning.

CLIMATE CHANGE LITIGATION EXPERIENCE

Current Representations

Climate Change

Sher Edling currently represents the following public entities in litigation over fossil fuel industry deception about climate change.

- State of Rhode Island (RI; 2018)
- State of Delaware (DE; 2020)
- State of Minnesota (MN; 2020)
- District of Columbia (DC; 2020)
- City of Baltimore (MD; 2018)
- City of Charleston (SC; 2020)
- City of Richmond (CA; 2018)
- City of Santa Cruz (CA; 2017)
- City of Imperial Beach (CA; 2017)
- City & County of San Francisco (CA; 2018)
- City of Oakland (CA; 2018)
- City of Annapolis (MD; 2021)
- City & County of Honolulu (HI; 2020)
- County of Maui (HI; 2020)
- City of New York (NY; 2021)
- Anne Arundel County (MD; 2021)
- Santa Cruz County (CA; 2018)
- Marin County (CA; 2017)
- San Mateo County (CA; 2017)

County of San Mateo v. Chevron Corp., et al., No. 17civ03222 (San Mateo County, CA) (filed July 17, 2017); *County of Marin v. Chevron Corp., et al.*, No. Civ1702586 (Marin County, CA) (filed July 17, 2017); and *City of Imperial Beach v. Chevron Corp., et al.*, No. C17-01227 (Contra Costa County, CA) (filed July 17, 2017), *Cty. of San Mateo v. Chevron Corp.*, 294 F. Supp. 3d 934 (N.D. Cal. 2018), *aff'd in part, appeal dismissed in part*, 960 F.3d 586 (9th Cir. 2020), *reh'g en banc denied* (Aug. 4, 2020). These three cases assert claims for public nuisance, product liability, negligence, trespass, and failure to warn against members of the fossil fuel industry for injuries arising out of rising sea levels. The cases seek abatement, damages, punitive damages, and disgorgement of profits.

County of Santa Cruz v. Chevron Corp., et al., No. 17cv03242 (Santa Cruz County, CA) (filed Dec. 20, 2017); *City of Santa Cruz v. Chevron Corp., et al.*, No. 17cv03243 (Santa Cruz County, CA) (filed Dec. 20, 2017); and *City of Richmond v. Chevron Corp., et al.*, No. CIVMSC18-00055 (Contra Costa County, CA) (filed Jan. 22, 2018), 294 F. Supp. 3d 934 (N.D. Cal. 2018), *aff'd in part, appeal dismissed in part*, 960 F.3d 586 (9th Cir. 2020). These cases assert claims for public nuisance, product liability, negligence, trespass, and failure to warn against members of the fossil fuel industry for injuries arising out of rising sea levels and disruptions to the hydrologic cycle (extreme heat, precipitation, drought, and wildfire). The cases seek abatement, damages, punitive damages, and disgorgement of profits.

City and County of San Francisco v. BP, P.L.C., et al., No. No. CGC-17-561370 (San Francisco County, CA) (filed Sept. 19, 2017), *appeal docketed*, No. 18-16663 (9th Cir. Sept. 4, 2018); and *The People of the State of California, acting by and through the Oakland City Attorney v. BP, P.L.C., et al.*, No. RG17875889 (Alameda County, CA) (filed Sept. 19, 2017), *City of Oakland v. BP PLC*, 969 F.3d 895, 904-06 (9th Cir. 2020). These cases assert a claim for public nuisance against members of the fossil fuel industry for injuries arising out of global warming and sea level rise. The cases seek abatement.

Mayor and City Council of Baltimore v. BP P.L.C., et al., No. 24-C-18-004219 (Baltimore City, MD) (filed July 20, 2018), 952 F.3d 452, 467 (4th Cir. 2020), *cert. granted,* No. 19-1189, 2020 WL 5847132 (U.S. Oct. 2, 2020). This case asserts claims for public nuisance, product liability, negligence, trespass, and

failure to warn against members of the fossil fuel industry for injuries arising out of rising sea levels and disruptions to the hydrologic cycle (extreme heat, precipitation, drought, and wildfire). The case also asserts that defendants violated Maryland's Consumer Protection Act. The case seeks abatement, damages, punitive damages, and disgorgement of profits.

State of Rhode Island v. Chevron Corp., et al., No. PC-2018-4716 (Providence/Bristol County, RI) (filed July 13, 2018), *Rhode Island v. Chevron Corp.*, 393 F. Supp. 3d 142 (D.R.I. 2019), *aff'd in part, appeal dismissed in part*, 979 F.3d 50 (1st Cir. 2020). This case asserts claims for public nuisance, product liability, negligence, trespass, and failure to warn against members of the fossil fuel industry for injuries arising out of rising sea levels and disruptions to the hydrologic cycle (extreme heat, precipitation, drought, and wildfire). The case seeks abatement, damages, punitive damages, and disgorgement of profits.

City and County of Honolulu v. Sunoco LP, et al., No. 1CCV-20-0000380 (First Circuit, HI) (filed March 9, 2020), removed to District Court No. 20-cv-00163 (Dist. of Hawai'i Apr. 15, 2020). This case asserts claims for public and private nuisance, strict liability for failure to warn, negligent failure to warn, and trespass against members of the fossil fuel industry for injuries arising out of rising sea levels and disruptions to the hydrologic cycle (extreme heat, precipitation, drought, and wildfire). The case seeks abatement, damages, punitive damages, and disgorgement of profits.

State of Minnesota v. American Petroleum Institute, et al., No. 62-cv-20-3837 (Ramsey County, MN) (filed June 24, 2020), removed to District Court No. 20-cv-01636 (Dist. of Minnesota July 27, 2020). The State of Minnesota, by its Attorney General, Keith Ellison, seeks to hold defendants American Petroleum Institute, ExxonMobil Corp. entities, Koch Industries and its affiliates for deliberately undermining the science of climate change, purposefully downplaying the role that the purchase and consumption of defendants' products played in causing climate change and its catastrophic consequences. The State seeks injunctive relief, equitable relief, civil penalties, and damages, together with costs and disbursements including costs of investigation, for violations of the law of Minnesota respecting unfair, discriminatory, and other unlawful practices in business, commerce, or trade.

District of Columbia v. Exxon Mobil Corp., et al., D.C. Superior Court No. 2020 CA 002892 B (D.C. Superior Court, D.C.) (filed June 25, 2020), removed to District Court No. 20-cv-01932-TJK (District of Columbia July 17, 2020). This case asserts that defendants violated the D.C. Consumer Protection Procedures Act by misrepresenting and omitting information material to DC consumers' decisions to purchase defendants' fossil fuel products. The District seeks injunctive relief, civil penalties, costs, and restitution.

City of Charleston v. Brabham Oil Company, Inc., et al., No. 2020CP1003975 (Charleston County, SC) (filed Sept. 9, 2020), removed to District Court No. 20-cv-03579 (Dist. of South Carolina Oct. 9, 2020). This case asserts claims for public nuisance, private nuisance, strict liability for failure to warn, negligent failure to warn, trespass, and violations of the South Carolina Unfair Trade Practices Act against members of the fossil fuel industry for injuries arising out of climate change related impacts. The case seeks abatement, damages, punitive damages, and disgorgement of profits.

State of Delaware v. BP America Inc., et al., No. N20C-09-097 (Delaware Superior Court, DE) (filed Sept. 10, 2020) removed to District Court No. 20-cv-01429 (Dist. of Delaware Oct. 23, 2020). The State of Delaware filed a climate-change related impacts complaint against fossil fuel Defendants and the country's largest oil trade association for climate change related impacts. The State seeks damages, punitive damages, and penalties.

County of Maui v. Sunoco LP, et al., No. 2CCV-20-0000283 (Second Circuit, HI) (filed Oct. 12, 2020), removed to District Court No. 20-cv-00470 (Dist. of Hawai'i Oct. 30, 2020). The County of Maui filed a climate-change related impacts complaint against fossil fuel Defendants. This case asserts claims for public nuisance, private nuisance, strict liability for failure to warn, negligent failure to warn, and trespass and seeks damages, punitive damages, and abatement.

City of Annapolis v. BP P.L.C., et al., No. C-02-CV-21-000250 (Anne Arundel County, MD) (filed Feb. 22, 2021), removed to District Court No. 21-cv-00772 (Dist. of Maryland Mar. 25, 2021). The City of Annapolis filed a climate-change related impacts complaint against fossil fuel Defendants. This case asserts claims for public nuisance, private nuisance, strict liability for failure to warn, negligent failure to warn, trespass, and violation of Maryland's Consumer Protection Act. The City seeks damages, punitive damages, and abatement.

Anne Arundel County v. BP P.L.C., et al., No. C-02-CV-21-000565 (Anne Arundel County, MD) (filed Apr. 26, 2021), removed to District Court No. 21-cv-01323 (Dist. of Maryland May 27, 2021). Anne Arundel County filed a climate-change related impacts complaint against fossil fuel Defendants. This case asserts claims for public nuisance, private nuisance, strict liability for failure to warn, negligent failure to warn, trespass, and violation of Maryland's Consumer Protection Act. The County seeks damages, punitive damages, and abatement.

The City of New York v. Exxon Mobil Corp., et al., No. 451071/2021 (New York County, NY) (filed Apr. 22, 2021), removed to District Court No. 21-cv-04807 (Dist. of New York May 28, 2021). The City of New York asserts that Defendants violated the City's Consumer Protection Law and asserts claims for engaging in deceptive trade practices.