

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

CASITA, L.P., derivatively on behalf of
MAPLEWOOD EQUITY PARTNERS
(OFFSHORE) LTD.,

Plaintiff,

-against-

ROBERT V. GLASER,
MAPLEWOOD HOLDINGS LLC,
MAPLEWOOD MANAGEMENT LP and
MAPLEWOOD PARTNERS LP,

Defendants,

and

MAPLEWOOD EQUITY PARTNERS
(OFFSHORE) LTD.,

Nominal Defendant.

Index No. 600782/07

IAS Part 43

Hon. Robert R. Reed

**MEMORANDUM OF LAW OF PLAINTIFF CASITA, L.P. IN SUPPORT
OF ITS MOTION, BY ORDER TO SHOW CAUSE, FOR AN ORDER PURSUANT
TO CPLR 5229 RESTRAINING ASSET TRANSFERS BY THE DEFENDANTS AND
DIRECTING THE DEFENDANTS TO SUBMIT TO AN EXAMINATION**

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Plaintiff Casita, L.P. (“Casita”) respectfully submits this memorandum of law in support of its motion pursuant to CPLR 5229 for an order (i) restraining the defendants from making or suffering any sale, assignment, transfer, or interference with any property in which they have an interest; and (ii) directing the defendants to submit to an examination, by producing documents requested by Casita, and by answering questions under oath in a deposition to be conducted by Casita’s counsel.¹

PRELIMINARY STATEMENT

Casita has just learned that Glaser is transferring, concealing, and disposing of assets to avoid payment of any judgment in this action. Absent an order from this Court, there is a danger that he will move all of his recoverable assets—plus the assets of the three defendant MapleWood companies he indisputably controls—out of the reach of potential creditors, including Casita and the other investors in the Offshore Fund. Glaser and MapleWood should be stopped immediately and held to account for their latest wrongdoing.

On May 17, 2018, after a seven-week trial for breach of fiduciary duty, the jury returned a verdict against Glaser and MapleWood in the amount of \$14,997,540. The defendants moved to set aside the verdict. Their motion was briefed, and argument was heard on July 31, 2018. A decision on the motion is pending.

Separately, Glaser is a defendant in an action for divorce that was filed by his wife, Robyn Glaser, in state court in Michigan. Mrs. Glaser began the divorce action in May 2017, but Casita did not learn of its existence until late September 2018, when Mrs. Glaser’s counsel contacted Casita’s counsel.

¹ This memorandum will refer to the defendants MapleWood Holdings LLC, MapleWood Management LP, and MapleWood Partners LP collectively as “MapleWood”; to the defendant Robert V. Glaser as “Glaser”; and to MapleWood Equity Partners (Offshore) Ltd., the entity on whose behalf Casita filed this lawsuit, as the “Offshore Fund.” References to “Ex. ___” are to the exhibits accompanying the affirmation of Casita’s counsel, Jerome C. Katz, dated November 30, 2018.

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