

2015 WL 5102527

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United States Court of Appeals,  
Second Circuit.

In re Avraham SOFER, 1040  
Management, LLC, Debtors.  
Adar 980 Realty, LLC, Creditor–Appellant,  
v.  
Avraham Sofer, 1040 Management,  
LLC, Debtors–Appellees.

No. 14–3464–bk. | Sept. 1, 2015.

Appeal from the United States District Court for the Eastern  
District of New York ([Ross](#), J.).

#### Attorneys and Law Firms

[Abraham Neuhaus](#), Neuhaus & Yacoob LLC, Brooklyn, NY,  
for Appellant.

Present: [GUIDO CALABRESI](#), [CHESTER J. STRAUB](#) and  
[ROSEMARY S. POOLER](#), Circuit Judges.

#### SUMMARY ORDER

**\*1 ON CONSIDERATION WHEREOF, IT IS  
HEREBY ORDERED, ADJUDGED, AND DECREED**  
that the order of said District Court be and it hereby is  
**AFFIRMED.**

Adar 980 Realty, LLC appeals from: (1) the May 20, 2014  
order of the United States District Court for the Eastern  
District of New York ([Ross](#), J.) denying Adar 980's motion to  
correct the record on appeal for appeals taken from the March  
13, 2014 decision and order of the United States Bankruptcy

Court for the Eastern District of New York ([Craig](#), B.J.) to  
the district court; and (2) the August 5, 2014 opinion and  
order of the same district court (a) affirming the order of the  
same bankruptcy court dismissing the adversary proceeding  
seeking contempt and other associated relief on the ground  
that Adar 980 lacked prudential standing; and (b) declining  
to consider Adar 980's motion to convert a March 13, 2014  
so-ordered dismissal with prejudice filed in an adversary  
proceeding below into a dismissal without prejudice. We  
assume the parties' familiarity with the underlying facts,  
procedural history, and specification of issues for review.

We affirm for the reasons set out in the thorough opinions of  
the bankruptcy and district courts below. Prudential standing  
remains a jurisdictional requirement in our Circuit. *See*  
[Thompson v. Cty. of Franklin](#), 15 F.3d 245, 248 (2d Cir.1994).  
No subsequent precedent of the Supreme Court requires us  
to reconsider that holding. “The prudential standing rule  
normally bars litigants from asserting the rights or legal  
interests of others in order to obtain relief from injury to  
themselves.” [Rajamin v. Deutsche Bank Nat'l Trust Co.](#), 757  
F.3d 79, 86 (2d Cir.2014) (internal quotation marks and  
alteration omitted). “[T]he plaintiff generally must assert his  
own legal rights and interests, and cannot rest his claim to  
relief on the legal rights or interests of third parties.” *Id.*  
(internal quotation marks omitted). As the bankruptcy court  
determined, Adar 980 failed to demonstrate a particularized  
injury sufficient to demonstrate prudential standing. *See*,  
*e.g.*, [In re Ampal–Am. Israel Corp.](#), 502 B.R. 361, 368–73  
(Bankr.S.D.N.Y.2013).

We have considered the remainder of Adar 980's arguments  
and find them to be without merit. Accordingly, the orders of  
the district court hereby are AFFIRMED.

#### All Citations

--- Fed.Appx. ----, 2015 WL 5102527 (Mem)