

Insights: Publications

Current Developments in Cross-Border Litigation | Recognition of Foreign Judgment

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In *Baikowitz v. Jacobson*, Index No. 606292/2023 (Sup. Ct. Nassau Cty. Dec. 20, 2023), Plaintiff sought to enforce a Canadian default judgment in New York state court under the New York foreign judgment enforcement statute. The court considered whether service of process was effectuated properly in the Canadian proceeding. The court found that the individuals were not served at their dwelling or abode and there was no mailing to the last known address or to the actual place of business. The limited liability company was served by leaving documents with “John Doe”. Defendants submitted affidavits that they were the only members of the limited liability company and neither they, nor the Secretary of State of New York, were served. Thus, the court found that Plaintiff failed to properly serve the Defendants and dismissed the request to recognize the Canadian judgment.

Particularly with regard to trying to enforce default judgments across borders, proper service is paramount.

Related People



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