



Coronavirus:
Update and Discussion on Continuing Legal
and Practical Issues Related to COVID-19

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Introduction



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PPP Update – Where are We?



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COVID Litigation Update – Statues of Limitations, Jury Trial, Legal Theories and the Courts



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Update from Albany



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Executive Order 202.74

- Impacts closing times for bars, restaurants, liquor stores and gyms
- Non-essential gatherings in private residences are capped at 10
 - Different treatment between events in public spaces vs. events in private residences.
 - CO, HI, IL, KY, MA, MI, MN, NC, NJ, OH, OR, RI, TX (some exceptions), VT (more strict)



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Cluster Update

- Brooklyn (O/Y)
- Broome (Y)
- Chemung (O/Y)
- Erie (Y)
- Monroe (Y)
- Onondaga (Y)
- Orange (Y)
- Queens (Y)
- Rockland (O/Y)
- Steuben (Y)
- Staten Island (Y)
- Tioga (Y)
- Westchester (O/Y)



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Geographic Area	Yellow Zone Metrics	Orange Zone Metrics	Red Zone Metrics
<p>Tier 1 Includes NYC boroughs; Nassau, Suffolk, Westchester, Erie counties; cities of Buffalo, Rochester, Syracuse, Albany, Yonkers</p>	<p>Geographic area has 7-day rolling average positivity > 2.5% for 10 days <u>AND</u> Geographic area has 10 or more new daily cases per 100,000 residents on 7-day average</p>	<p>Geographic area has 7-day rolling average positivity > 3% for 10 days <u>AND</u> Geographic area has 10 or more new daily cases per 100,000 residents on 7-day average</p>	<p>Geographic area has 7-day rolling average positivity > 4% for 10 days <u>AND</u> Geographic area has 10 or more new daily cases per 100,000 residents on 7-day average</p>
<p>Tier 2 Includes Monroe; Onondaga; Orange; Rockland; Albany; Dutchess; Saratoga; Oneida; Niagara; Broome; Ulster; Rensselaer; and Schenectady</p>	<p>Geographic area has 7-day rolling average positivity > 3% for 10 days <u>AND</u> Geographic area has 12 or more new daily cases per 100,000 residents on 7-day average</p>	<p>Geographic area has 7-day rolling average positivity > 4% for 10 days <u>AND</u> Geographic area has 12 or more new daily cases per 100,000 residents on 7-day average</p>	<p>Geographic area has 7-day rolling average positivity > 5% for 10 days <u>AND</u> Geographic area has 12 or more new daily cases per 100,000 residents on 7-day average</p>



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Red Zone Restrictions

- No non-essential gatherings of any size may take place.
- All non-essential businesses must reduce the in-person workforce by 100%.
- All houses of worship must reduce their capacity to the **lesser of 25%** of maximum occupancy or 10 people.
- All restaurants or taverns must close in-person service but may remain open for takeout or delivery.
- Schools must close for in-person instruction unless they follow the State guidance for remaining open.



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Orange Zone Restrictions

- All non-essential gatherings must be limited to 10 people.
- Non-essential business including gyms and personal care services must reduce their in-person workforce by 100%.
- All houses of worship must reduce their capacity to the **lesser of 33%** of maximum occupancy or 25 people.
- All restaurants or taverns must close indoor dining. Outdoor dining is allowed, but every table must be limited to four people.
- Schools must close for in-person instruction unless they follow the State guidance for remaining open.



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Court Changes

- Effective on 11/16: Postponing scheduling new jury trials; postponing the summoning of new trial jurors.
- Jury trials and bench trials that are now in progress may continue.
- Newly-commenced bench trials and hearings will proceed virtually, unless otherwise authorized by our Deputy Chief Administrative Judges.
- Sitting grand juries will continue operating for the time being, but the summoning of new prospective grand jurors is also being postponed at this time.



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Hund v. Cuomo

- Struck down State Liquor Authority's rules that licensed premises could not advertise for musical events/could not sell tickets for musical events



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School Issues – What is the Latest?



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Working Remotely from Outside New York – Tax and Registration Considerations



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