

**Legal Fees Update,
Motion filed by law firm to collect \$62,498.44 from our Jain Sangh.
Court Hearing Tomorrow.**

November 20, 2014



THE JAIN SANGH INC

**3401 Cooper Ave, Pennsauken, NJ 08109
A Non Profit, Tax Exempt Religious Organization**

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Dear Sadharmik Brothers, Sisters
Jai Jinendra! Pranam!

As everyone was informed by our earlier newsletter the law firm retained by former BOT Chairman had filed a court motion to collect \$62,498.44 from our Sangh for the legal services rendered. Please click following link to read motion. [Motion Filed by Zachary Grayson to collect \\$62,498.44.](#)

Should Sangh pay for legal expense of Law firm hired by BOT?

- **Does the BOT have authority to hire an attorney?**

The simple answer is No. The retaining of any outside services belongs to the elected body of the Sangh – Executive Committee.

The BOT is a non-elected body comprised of the Sangh members, whose Sole responsibility is to look after the long term future of the Sangh and not to interfere in the day-to-day affairs of the Sangh, which is a function of the elected EC. Sec 5.07(9)

- **Who retained Services of law firm of Salaman Grayson, P.C. and why?**

At the time of the lawsuit(s), Sangh had retained the law firm Raymond Coleman Heinold & Norman, LLP to represent itself. Mr. Raymond was representing the Sangh's interests in the case filed by Sweta Haria (Spouse of former BOT member) Swati Shah, Damyantiben Dedhia, Bhavin Shah, Kunjal Shah, Somchand Shah against the Sangh and several members of newly elected EC members at that time for alleged Irregularities in election process.

Even though the Sangh had legal representation, Mr. Grayson appeared in the Court on to represent BOT members to defend against the case Filed against two BOT members (Ramesh Shah and Sachin Haria) by Shashi Shah (former President and founding member) in August, 2013. The lawsuit filed by Mr Shashi Shah claimed that the terms of these two members had expired in December 2012.

- **When how and under what terms, law firm of Salaman Grayson, P.C. was retained?**

As can be seen in the retainer agreement in the above motion, the firm was retained by Dilip V Shah. Also agreement says "The firm and client recognize that the firm has been retained by client in connection with the action by Shashi Shah" Neither Dilip V. Shah nor Mr. Grayson have provided a copy of the services contract to the EC or other

members of BOT and detailed invoice for legal services, till current motion for payment was filed.

- **What lead to such a high level expense for services by law firm of Salaman Grayson, P.C.?**

If Grayson services were retained to defend against case filed by Shashi Shah, his services should have been terminated when the Court dismissed this case during the first hearing on October 26, 2013, and final hearing of appeal on January 31, 2014. The scope of Grayson services was expanded by Dilip V. Shah un till July, 2014 to stop AGM repeatedly, and to map out election plans with SEC.

- **Should Sangh pay for legal services by law firm of Salaman Grayson, P.C.?**

The answer is NO.

- Sangh shall not use its funds to pay for such unauthorized services.
- How can the Sangh pay if one governing body (BOT) takes legal action against another governing body?
- Under the US Contract Law, no payment can be made if there is no legally binding contract. No one is sure as to how law firm of Salaman Grayson, P.C. was accepted to represent a body without any resolution from the body itself.
- If payments are made, the temple will bear the risk of many other such lawsuits in the future and all the hard earned money that Sangh members have donated will be spent in defending such law suits.

- **Has Sangh paid any money to law firm of Salaman Grayson, P.C.?**

Sangh has not paid any money from its accounts to Grayson to date – Thanks to proactive active action by the EC. In the month of February, when court asked BOT to handle Treasury, two attempts were made by BOT to pay \$20,857.50 to the law firm, but they were rejected by court, and check was dishonored. On March 10 court hearing, court said,

Court : No attorneys Fees will be paid without court approval. (Page15, L10-11)

RESOLUTIONS.

Current Executive Committee and Board Of Trustees has passed following resolution.

The Jain Sangh, Inc. does not recognize the appointment of Gerstein Grayson and Cohen LLC (herein referred to as Grayson) as legal representatives of the Jain Sangh, Inc as it is the function of the EC to enter into contracts and manage day to day affairs (and legal services being part of it). The retention of Grayson was done by Dilip V. Shah without the knowledge, consultation or approval of the duly elected Executive Committee as well as without the knowledge and consultation of all members of Board of Trustees.

Therefore, it is here by resolved that the Executive Committee of the Jain Sangh REJECTS the payments to Gerstein Grayson and Cohen LLC for legal services. Similar resolution was passed by previous Executive Committee as well.

Executive Committee passed this resolution with majority, where as Board Of trustees passed it unanimously.

Court Hearing:

As the motion is filed in the court, we have to respond it legally by our lawyer. Conflict Of Interest issue was raised against our Sangh Lawyer Fox Rothschild LLP, and hence Law firm of Hankin Sandman Palladino & weintrob is retained to represent our Sangh.

Our lawyer tried for settlement yesterday, to avoid court expenses but with no success.

Court hearing is scheduled for tomorrow, Friday, November 21st.

We have received several questions by concerned "ec members" and Sangh members about unauthorized

money transactions which was received back fully, but its painful to inform you that none has questioned about unauthorized contract money of \$62,000 that Sangh may have to pay !!!!

Sincerely,

Sanjay Shah,
President,
Jain Sangh Inc.
856 912 0832

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The Jain Sangh
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Pennsauken, New Jersey 08109
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