

# *Course Materials*

## Issues in Contemporary Beth Din Practice

Sunday, October 14, 2012; 9:15 – 11:15 am

Beis Medrash of Bergenfield

371 South Prospect Avenue, Bergenfield, New Jersey



**BETH DIN of AMERICA**  
בית דין דאמריקא

**ORTHODOX  
UNION** תורה  
ומצוות  
*Enhancing Jewish Life*

### Schedule

- 9:15am** The Din Torah Process - Rabbi Shlomo Weissmann
- 9:35am** The Prohibition of Litigating In Secular Court - Rabbi Dani Rapp
- 10:10am** The Role of Secular Law in the Din Torah Process - Rabbi Yona Reiss
- 10:50am** Q&A: Practical Issues that Arise in Beth Din - Rabbi Shlomo Weissmann and Ilana Blass

### Presenters

Ilana Blass, Esq. is the Administrative Attorney at the Beth Din of America, where she serves as the primary manager of the commercial and matrimonial *din torah* (arbitration) caseload of the Beth Din. She also plays a role in the Beth Din's handling of contested *get* (Jewish divorce) matters. Ms. Blass graduated the Benjamin N. Cardozo School of Law in 2003 where she was a member of the Cardozo Law Review. Following graduation, Ms. Blass was an associate at the law firms of Debevoise and Plimpton and Mandel, Katz & Brosnan.

Rabbi Dani Rapp is a graduate of Columbia Law School, and currently serves as Associate Dean of Judaic Studies at Yeshiva University. He is a Yadin Yadin musmach (advanced ordination) of the Rabbi Isaac Elchanan Theological Seminary of Yeshiva University, and frequently sits as a *dayan* (arbitrator) at arbitration proceedings before the Beth Din of America.

Rabbi Yona Reiss is the Dean of the Rabbi Isaac Elchanan Theological Seminary (RIETS) at Yeshiva University. He is a Yadin Yadin musmach (advanced ordination) of RIETS and an attorney who was an associate for six years at the international law firm of Cleary, Gottlieb, Steen & Hamilton. He is a graduate of Yale Law School, where he served as senior editor of the Yale Law Journal. He currently serves on the editorial board of Tradition magazine, and has published articles in the Wall Street Journal and the New York Law Journal. Prior to becoming the Dean of RIETS, Rabbi Reiss served as Director of the Beth Din of America.

Rabbi Shlomo Weissmann is a graduate of Columbia Law School, and practiced law for a number of years at Debevoise and Plimpton LLP, Day Pitney LLP and Kelley Drye LLP. He received his rabbinic ordination at RIETS in 2001. Since 2008, he has served as the Director of the Beth Din of America.





**BETH DIN of AMERICA**  
בית דין דאמריקא

Rabbi Moshe Steinberg, זצ"ל  
Founding Av Beth Din

Rabbi Gedalia Dov Schwartz  
Av Beth Din

Rabbi Mordechai Willig  
Assistant Av Beth Din

Rabbi Michael Broyde  
Chaver Beth Din

Rabbi Jonathan Reiss  
Chaver Beth Din

Rabbi Shlomo Weissmann  
Director

הרב מתתיהו ברויד  
חבר בית דין

הרב יונה ריס  
חבר בית דין

הרב שלמה ווייסמאן  
מנהל

הרב משה שטיינברג, זצ"ל  
אב בית דין הראשון

הרב גדלי' דוב שווארץ  
אב בית דין

הרב מרדכי וויליג  
סגן אב בית דין

פנה אלינו שעלדן כהן בבקשה להזמין את כבוד  
לדין תורה. לכן הגנו מבקשים מכבוד' להחקשר אל בית דיננו  
עם קבלת הזמנה זו כדי לתאם פגישה וכדי לשמוע הטענות  
והתביעות של שני הצדדים.

ויקוב הדין את ההר.  
בכבוד רב,  
שלמה ווייסמאן  
הרב שלמה ווייסמאן  
מנהל

כ"ה אב תשע"ב  
August 13, 2012

Via Certified Mail and Regular Mail  
Goldberg Payment Systems, Inc.  
300 Broadway, Suite 1200  
New York, New York 10007  
Attention: Richard Goldberg

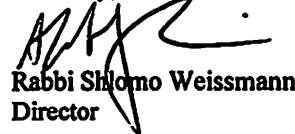
Dear Mr. Goldberg:

We have been contacted by Sheldon Cohen, on behalf of Make Me A Deal, Inc., with an address at 515 Fifth Avenue, New York, New York 10036, who requested that we summon you, on behalf of Goldberg Payment Systems, Inc., to a *din torah* concerning money allegedly owed relating to the purchase of credit card processing equipment. A copy of the claim letter is enclosed. The Beth Din may share your response to this summons with Mr. Cohen.

We ask you to respond to this summons no later than August 28, 2012. The Rules and Procedures of the Beth Din of America are available online at [www.bethdin.org](http://www.bethdin.org).

Should you have any questions regarding the Beth Din process, please feel free to contact us at 212-807-9042.

Sincerely,

  
Rabbi Shlomo Weissmann  
Director

cc: Sheldon Cohen

August 7, 2012

To the Beth Din of America:

Richard Goldberg of Goldberg Payment Systems told me he would sell me some credit card machines for \$15,000. Then he delivered them, but they don't work. And then he sent me a bill for \$21,000. I told him I won't pay him a nickel for his broken machines. Then he took me to court! Please summon him to your rabbinical court.

Thank you.

Sheldon Cohen



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אב בית דין

הרב מרדכי וויליג  
סגן אב בית דין

ט"ז חשוון תשע"ג  
November 1, 2012

**Via Regular Mail, Certified Mail and Email**

Goldberg Payment Systems, Inc.  
300 Broadway, Suite 1200  
New York, New York 10007  
Attention: Richard Goldberg

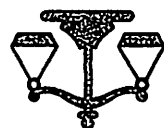
Make Me A Deal, Inc.  
515 Fifth Avenue  
New York, New York 10036  
Attention: Sheldon Cohen

Dear Mr. Goldberg and Mr. Cohen:

Pursuant to our letter of October 15, 2012, which gave warning of the issuance of a contempt order against Richard Goldberg, on behalf of Goldberg Payment Systems, Inc., the Beth Din of America has now issued a *Shtar Seruv* (contempt order) against Richard Goldberg, on behalf of Goldberg Payment Systems, Inc., for his failure to submit to beit din. A copy of the *Shtar Seruv* declaration is enclosed.

Sincerely,

Rabbi Shlomo Weissmann  
Director



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Director

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הרב מתתיהו ברוך  
הרב מרדכי שווארץ  
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הרב שלמה ווייסמאן  
מנהל  
הרב אבנר ז"ל  
הרב אבנר ז"ל  
הרב אבנר ז"ל  
הרב אבנר ז"ל

**כבוד**

אשר אליו יפנו כל מי שיש לו בעיה משפטית או כל מי שיש לו בעיה רבנית או כל מי שיש לו בעיה של חוקי התורה והמצוות. אנחנו פה בשביל זה.

יום

הרב אבנר ז"ל  
בית דין

**SERV**

The undersigned makes known that Richard Goldberg, on behalf of Goldberg Payment Systems, Inc., with an address at 300 Broadway, Suite 1200 New York, New York 10007, has been summoned to appear before our Beth Din, in order to respond to a claim brought by Sheldon Cohen on behalf of Make Me a Deal, Inc. Goldberg Payment Systems, Inc. has failed to submit to binding arbitration in front of the Beth Din of America or in front of any other beth din panel. Therefore, Richard Goldberg, on behalf of Goldberg Payment Systems, Inc., is a "mesarev l'din", in refusing to appear before the Beth Din according to Jewish law and Sheldon Cohen, on behalf of Make Me a Deal, Inc., may pursue his claims in the secular courts or by any other legal means.

In testimony thereof, we set our hand this

Rabbi Gedalia Dov Schwartz  
Av Beth Din

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## **Sample Arbitration Provision**

**The following is a sample clause that can be included in a contract between two parties:**

**“Any controversy or claim arising out of or relating to this contract, or the breach thereof, shall be settled by arbitration by the Beth Din of America, Inc. currently located at 305 Seventh Avenue, New York, New York, in accordance with the Rules and Procedures of the Beth Din of America, and judgment upon the award rendered by the Beth Din of America may be entered in any court having jurisdiction thereof.”**