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





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

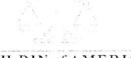
Presenters

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

-Application to Open a Case in the Beth Din

תובע	(Plaintiff)	Information for all corre	espondence	נתבע	(Defendant)	Information for all co	nrespondence
Name	Cohen	Sheldo- First		Name	Goldberg	C. Charl First	(
Firm Name	Malu Me	a Scal The		Firm Name	Goldberg Po	gener + Systems	
Address	515 St	L Ave		Address	300 Boul		
					5K 120	٥	
	∕ r City	∠ ^γ State	/ 003 C Zip		New Y.	och NY State	/300 7 Zip
Daytime Phone	712 - 50	29 - 5-00:		Daytime Phone	212 - 81	00 - 1230	
Cell Phone	917 - 5	23 - 5601		Cell Phone			
Fax Number				Fax Number			
Email Address	s cohen @	deal com		Email Address	rgallley (2 golden 1-1	agent. con
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Claim:

- Please briefly describe the nature of the claim including pertinent details on a separately typed page.
- 2. Please make sure to include any supporting documentation (e.g., agreement, contract, promissory note, relevant correspondence). Please include three (3) copies of the claim letter and supporting documentation. Please note that Beth Din of America policy is to forward copies of the claim letter and supporting documentation to all litigants.
- 3. A \$100 filing fee must be enclosed with this application, or may be paid in person or by phone via credit card. In the event that the Beth Din of America decides not to send out a hazmana or to take any other action in this case, the filing fee will be returned.

Please mail your application form (including all supporting documentation) together with a check for the filing fee made out to the *Beth Din of America* to: Beth Din of America, 305 Seventh Avenue, 12th Floor, New York NY 10001.

The Rules and Procedures of the Beth Din can be accessed online at www.bethdin.org. A hard copy of the Rules and Procedures can be obtained upon request.

Your application will be reviewed and a response given within three weeks of receipt of the form.

Applicant Signature	Speller Cohen
Date	1/7/12

For Office Use Only:
Amount of Claim SFiling Fee. S
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H.D. William J.
Notes



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 כית דין

פנה אלינו שעלדן כהן בבקשה להזמין את כבד' לדין תורה. לכן הננו מבקשים מכבד' להתקשר אל בית דיננו עם קבלת הזמנה זו כדי לתאם פגישה וכדי לשמוע הטענות והתביעות של שני הצדדים. ויקוב הדין את ההר. בכבוד רב, לא ה נויים מאן

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.

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



Rabbi Moshe Steinberg, זצ"ל המומות Av Beth Oin

Rabbi Gedalia Dov Schwartz Av Betti 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 הבר 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 מרזכי וויליג סגן אב בית דין

ט"ז חשון 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

Directo

הרב משה שטיינברג. וצ"ל הרב גדלי' דוב שווארץ אב בית דין הרב מרדכי וויליג הרב מרדכי וויליג

הרב מתמיהו ברויד הבר בית דין הרב יונה ריס חבר בית דין

הרב שלמה ווייסמאן

atua

Rabbi Michael Broyde Chaver Seth Oin Rabbi Jonathan Reiss Chaver Belli Din

Rabbi Shlomo Weissmann

חוופכוסו

Founding Av Beth Din Rabbi Gedalia Dov Schwartz Av Beth Din Rabbi Mordechai Willig

Rabbi Moshe Steinberg, 7""

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<u>כתב סירוב</u>

הנונו בזה שהנתבע ריששארד גרלדברג בעד גאלדבערד פימענט סיסטעמס הוזמן לבית דיננו ולא השיב

כהנגן בענין חביעת **שעלדן כהן**. לכן, החובע יכול לפנות לערכאות או בכל דרך חוקית אחרת. ולראיה באנו על החתים היום

: אב בית דין
אב בית דין

The undersigned makes known that Richard Goldberg, on behalf of Goldberg Payment Systems, Inc., with an address at 300 Broadway, Sunte 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 behalf of Make Me a Deal, Inc., may pursue his claims in the secular courts or by any other legal means.

In testimany thereof, we set our hand this

Rabbi Gedalia Dov Schwartz Av Beth Din

BETH DIN of AMERICA בית דין דאמריקא

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."