

Children's Health Defense Reports That a Third Judge Was Asked to Step Down in COVID Vaccine Mandate Case

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by [Children's Health Defense](#)

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New York, NY – U.S. District Judge Valerie E. Caproni of the Southern District of New York issued [an order](#) Monday recusing herself from further involvement in [two consolidated federal lawsuits](#) challenging New York City Department of Education (DOE) COVID vaccine mandates. Plaintiffs moved to disqualify Judge Caproni last Thursday after discovering she held up to \$100,000 in Pfizer stock in 2020.

“Federal law prohibits federal judges from taking part in a case in which they have any financial interest, no matter how small,” Sujata Gibson, an attorney for the plaintiffs, told [The Defender](#). “Pfizer stocks have been impacted by court injunctions against COVID vaccine mandates, and ownership of this stock constitutes a conflict of interest.”

The Court then appointed Judge Edgardo Ramos to the case. However, Plaintiffs quickly filed a [joint motion](#) to disqualify Judge Ramos as well, due to his financial investments in COVID vaccine manufacturers. Last night, Judge Ramos recused himself and was replaced by Judge Naomi Reice Buchwald. Plaintiffs filed yet another [motion to](#)

[disqualify](#) Judge Buchwald after finding that she holds up to [\\$250,000 in Pfizer stock and \\$100,000 in Johnson & Johnson](#) as of 2020.

“The fact that we are on our third motion in twenty-four hours to disqualify a judge because of financial conflicts of interest emphasizes the enormity of our Plaintiffs’ battle,” Gibson said.

Judicial financial conflicts of interests are under increasing scrutiny in response to a [Wall Street Journal investigation](#) that found 152 federal judges around the nation have [violated US law and judicial ethics](#) by overseeing 1,076 court cases involving companies in which they or their family owned stock. Plaintiffs were able to access the financial disclosures of the three conflicted judges after President Biden signed the bipartisan [Courthouse Ethics and Transparency Act](#) on May 13, 2022, creating stricter reporting requirements for federal judges.

“Thousands of beloved teachers and educators have been suspended and terminated in violation of their sincerely held religious beliefs,” said Barry Black, co-counsel for plaintiffs. “It is crucial that no financial conflict compromise the decision-making process.”

Kane v. de Blasio plaintiffs are represented by Sujata S. Gibson of the Gibson Law Firm PLLC, Mary Holland of [Children’s Health Defense](#), and Michael Sussman of [Sussman & Watkins](#). *Keil v. City of New York* plaintiffs are represented by Jonathan R. Nelson, Barry Black and Sarah E. Child of [Nelson Madden Black LLP](#).

Defendants, including the city of New York, are jointly represented in both cases by Lora Minicucci of the New York City Law Department.

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Children's Health Defense is a 501(c)(3) non-profit organization. Our mission is to end childhood health epidemics by working aggressively to eliminate harmful exposures, hold those responsible accountable, and establish safeguards to prevent future harm. For more information, visit ChildrensHealthDefense.org.

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