

SUPREME COURT OF THE STATE OF NEW YORK, APPELLATE DIVISION,
FIRST DEPARTMENT

Corvus Capital Ltd. v. Strand Hanson Ltd.

2026 NY Slip Op 00419 · No. Case No. 2025-00161; Appeal No. 5699; Index No. 651020/24 · Decided January 29, 2026

SUMMARY

The Appellate Division, First Department, unanimously affirmed dismissal of Corvus Capital Ltd.'s amended complaint for lack of personal jurisdiction under CPLR 3211(a)(8). The court held that a prelitigation letter sent by a New York law firm on behalf of a foreign defendant to a California company did not constitute a tortious act within New York under CPLR 302(a)(2), particularly where the letter was not sent to the party with whom the plaintiff claimed a business relationship. The court did not reach the alternative forum non conveniens issue.

CASE DETAILS

COURT	Supreme Court of the State of New York, Appellate Division, First Department
WRITING FOR THE COURT	Scarpulla, J.P.; Kapnick, J.; González, J.; Shulman, J.; O'Neill Levy, J.
JURISDICTION	New York Supreme Court, Appellate Division, First Department
DECIDED	January 29, 2026
DOCKET	Case No. 2025-00161; Appeal No. 5699; Index No. 651020/24
DISPOSITION	affirmed
PROCEDURAL POSTURE	Plaintiff appealed from an order of Supreme Court, New York County, granting defendant's motion under CPLR 3211(a)(8) to dismiss the complaint for lack of personal jurisdiction.
STANDARD OF REVIEW	The Appellate Division reviewed the CPLR 3211(a)(8) dismissal for lack of personal jurisdiction and whether the pleaded facts established a basis for New York long-arm jurisdiction.
PRECEDENTIAL VALUE	Published
PARTIES	Corvus Capital Ltd. v. Strand Hanson Ltd.

TOPICS

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PRACTICE AREAS

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QUESTIONS PRESENTED

1. Whether the amended complaint alleged a tortious act within New York sufficient to support personal jurisdiction over the nondomiciliary defendant under CPLR 302(a)(2).
2. Whether the court needed to reach the alternative forum non conveniens ground for dismissal after concluding that personal jurisdiction was lacking.

HOLDINGS

1. A prelitigation letter sent by a law firm in New York on behalf of an overseas client to a company in California, without any other nexus between the defendant and New York, does not satisfy CPLR 302(a)(2)'s requirement that the tortious act occur within New York. The amended complaint therefore failed to establish a basis for long-arm jurisdiction over Strand Hanson.
2. Because long-arm jurisdiction was not appropriate, the court did not need to reach the alternative determination that the action should be dismissed on forum non conveniens grounds.
3. The court exercised its discretion, in the interest of judicial economy, to treat the amended complaint as the operative pleading and consider the motion to dismiss it, despite the lower court order's failure to clearly reference the amended complaint.

KEY QUOTATIONS

"A prelitigation letter allegedly sent by a law firm in New York on behalf of its overseas client to a company in California, with no other nexus between defendant and New York, does not fulfill CPLR 302(a)(2)'s requirement to plead a tortious act within the state." ([*1])

"Inasmuch as the assertion of long-arm jurisdiction is not appropriate here, we need not reach the alternative determination that the action should be dismissed on forum non conveniens grounds under CPLR 327(a), an inquiry which presumes jurisdiction" ([*1])

FACTUAL BACKGROUND

Corvus Capital, a Cayman Islands investment firm, alleged that Strand Hanson, a United Kingdom company, tortiously interfered with a transaction involving Corvus's subsidiary, Conduit Pharmaceuticals. After a proposed merger involving Conduit and Galmed Pharmaceuticals collapsed, Conduit pursued a transaction with Murphy Canyon Acquisition Corp., a Delaware company based in California, without Strand Hanson. Corvus alleged that a prelitigation letter sent by Strand Hanson's counsel from or through a New York office to Murphy Canyon, warning of intended litigation in England, caused another investor to demand an increased guaranteed return and damaged Corvus by at least \$24 million.

PROCEDURAL HISTORY

Supreme Court, New York County, granted Strand Hanson's motion to dismiss for lack of personal jurisdiction and also determined that dismissal on forum non conveniens grounds was an alternative basis for dismissal. The Appellate Division exercised its discretion to treat the amended complaint as the operative pleading and unanimously affirmed the order insofar as appealed from.

DISPOSITION

affirmed

CASES CITED

- Bankers Consec Life Ins. Co. v. Egan-Jones Ratings Co., 193 AD3d 539, 539-540 [1st Dept 2021]
- U.S. Reins. Corp. v. Humphreys, 240 AD2d 264, 264 [1st Dept 1997]
- America/Intl. 1994 Venture v. Mau, 146 AD3d 40, 54 [2d Dept 2016]
- Bangladesh Bank v. Rizal Commercial Banking Corp., 226 AD3d 60, 63 [1st Dept 2024]

OPINION

PER CURIAM.

Corvus Capital Ltd. v Strand Hanson Ltd. (2026 NY Slip Op 00419) Corvus Capital Ltd. v Strand Hanson Ltd. 2026 NY Slip Op 00419 Decided on January 29, 2026 Appellate Division, First Department Published by New York State Law Reporting Bureau pursuant to Judiciary Law § 431. This opinion is uncorrected and subject to revision before publication in the Official Reports.

Decided and Entered: January 29, 2026 Before: Scarpulla, J.P., Kapnick, González, Shulman, O'Neill Levy, JJ. Index No. 651020/24|Appeal No. 5699|Case No. 2025-00161| [*1]Corvus Capital Ltd., Plaintiff-Appellant, v Strand Hanson Ltd., Defendant-Respondent. Sullivan & Worcester LLP, New York (Gerry Silver of counsel), for appellant. Binder & Schwartz LLP, New York (Michelle M. Sloss of counsel), for respondent.

Order, Supreme Court, New York County (Margaret A. Chan, J.), entered December 11, 2024, which, to the extent appealed from, granted defendant's motion under CPLR 3211(a)(8) to dismiss the complaint based on lack of personal jurisdiction, unanimously affirmed, with costs.

As an initial matter, the order does not contain a clear reference to the amended complaint. Therefore, "in the interest of judicial economy, we exercise our discretion to institute the amended complaint as the operative pleading and consider defendant's motion to dismiss the amended complaint" (Bankers Consec Life Ins. Co. v Egan-Jones Ratings Co., 193 AD3d 539, 539-540 [1st Dept 2021]).

This action stems from a dispute between plaintiff Corvus Capital Ltd., an investment firm incorporated in the Cayman Islands, and defendant Strand Hanson Ltd., a company based in the

United Kingdom and organized under its laws. Both the complaint and amended complaint allege, in relevant part, that plaintiff's claim for tortious interference with business relations arises from Strand Hanson's interference with a transaction benefitting nonparty Conduit Pharmaceuticals Ltd., a Cayman Islands company and subsidiary of plaintiff.

In the underlying transaction, Conduit had engaged Strand Hanson as a financial advisor for a planned merger with Galmed Pharmaceuticals. After the merger deal collapsed, Conduit pursued a similar deal with nonparty Murphy Canyon Acquisition Corp., a Delaware company with its principal place of business in California. Conduit's new deal with Murphy Canyon did not include Strand Hanson.

The amended complaint alleges that Strand Hanson tortiously interfered with plaintiff's business relations or prospective economic advantage when it directed its counsel, allegedly located in New York, to send a letter to Murphy Canyon, informing it of Strand Hanson's intention to commence litigation against Conduit in England. According to plaintiff, this letter caused nonparty Nirland Limited, a different investor based in Guernsey, to require plaintiff to agree to a significant increase in Nirland's guaranteed return on its investment in Murphy Canyon, causing damage to plaintiff of not less than \$24 million.

[FN1] Neither the complaint nor the amended complaint alleged a basis for the exercise of jurisdiction under CPLR 302(a)(2). Similar to the original complaint, the amended complaint fails to allege any party's contacts with New York beyond Strand Hanson's engagement of an international law firm with a New York office to act as its agent to send a single letter to Murphy Canyon in San Diego, setting forth Strand Hanson's intent to commence litigation in the UK against Conduit under a financial advisor agreement between it and Conduit.

Indeed, the amended complaint's only references to New York relate solely to the letter counsel sent to Murphy Canyon. A prelitigation letter allegedly sent by a law firm in New York on behalf of its overseas client to a company in California, with no other nexus between defendant and New York, does not fulfill CPLR 302(a)(2)'s requirement to plead a tortious act within the state.

Therefore, the motion court properly concluded that there was no basis for it to exercise long-arm jurisdiction over nondomiciliary Strand Hanson (see e.g. *U.S. Reins. Corp. v Humphreys*, 240 AD2d 264, 264 [1st Dept 1997] ["letter sent by plaintiff's counsel to defendant's new employer, informing the latter of the lawsuit between plaintiff and defendant and advising it that plaintiff would hold it responsible for any damages caused by the disclosure or use of plaintiff's alleged proprietary product information, was insufficient to sustain the proposed counterclaim for tortious interference"]; see also *America/Intl.*

1994 Venture v Mau, 146 AD3d 40, 54 [2d Dept 2016]). Further, the prelitigation letter was not sent to Nirland, with whom plaintiff had the relationship, but rather to Murphy Canyon. Inasmuch

as the assertion of long-arm jurisdiction is not appropriate here, we need not reach the alternative determination that the action should be dismissed on forum non conveniens grounds under CPLR 327(a), an inquiry which presumes jurisdiction (see *Bangladesh Bank v Rizal Commercial Banking Corp.*, 226 AD3d 60, 63 [1st Dept 2024]).

We have considered plaintiff's remaining arguments and find them unavailing. THIS CONSTITUTES THE DECISION AND ORDER OF THE SUPREME COURT, APPELLATE DIVISION, FIRST DEPARTMENT. ENTERED: January 29, 2026 Footnotes Footnote 1: Under a term sheet dated August 21, 2023, plaintiff and Nirland contemplated Nirland's investment of \$20 million into Murphy Canyon, a special purpose acquisition company.