UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----------x 12-CV-02858 (VB)

JACOB TEITELBAUM, Individually and as Father to CHILD A and CHILD B,

Plaintiff,

-against-

JUDA KATZ; CHAYA KATZ; JOEL TENNENBAUM; BLUMA TENNENBAUM; DAVID RUBENSTEIN; KIRYAS JOEL COMM AMBULANCE CRP; DISTRICT FAMILY COURT OF ORANGE COUNTY 9TH JUDICIAL DISTRICT; HON. ANDREW P. BIVONA; ATTY. MARIA PETRIZIO; CHILDREN'S RIGHTS SOCIETY OF ORANGE COUNTY; ATTY. KIM PAVLOVIC; ATTY JOHN FRANCIS X. BURKE; CHILD PROTECTIVE SERVICES OF ORANGE COUNTY; DEPARTMENT OF SOCIAL SERVICES OF ORANGE COUNTY; CHRISTINE BRUNET; ATTY. STEPHANIE BAZILEOR; JOHN DOES 1 THROUGH 95; JANE DOES 1 THROUGH 20,

Defendants.

MEMORANDUM OF LAW IN SUPPORT OF DEFENDANT'S MOTION AND IN OPPOSITION TO PLAINTIFF'S MOTION TO AMEND AND SUPPLEMENT THE COMPLAINT

SILER & INGBER, LLP
Attorney for Defendant
KIRYAS JOEL COMMUNITY AMBULANCE CORPORATION
s/h/a KIRYAS JOEL COMM AMBULANCE CRP
301 Mineola Blvd.
Mineola, NY 11501
Tel: 516-294-2666
Fax: 516-294-0870

TABLE OF CONTENTS

TABLE OF AUTHORITIES

CASES

STATUTES

RULES

PRELIMINARY STATEMENT

Defendant, KIRYAS JOEL COMMUNITY AMBULANCE CORPORATION s/h/a KIRYAS JOEL COMM AMBULANCE CRP, respectfully submits this memorandum of law in support of its motion and in opposition to plaintiff's motion to amend and supplement the complaint pursuant to Fed. R. Civ. P. 15(b)(2) and Fed. R. Civ. P. 15(d). Defendant submits that plaintiff has failed to allege sufficient facts to support a Section 1983 or 1985 claim against him in accordance with this Court's order of February 11, 2013, and requests that this Court dismiss the complaint with prejudice, together with any such other and further relief as this Court deems just and proper.

STATEMENT OF FACTS

As this Court is aware, plaintiff commenced this action individually and on behalf of his two children against defendant and others alleging claims under 42 U.S.C. § 1983 and 42 U.S.C. § 1985. On December 18, 2012, defendant moved pursuant to Fed. R. Civ. P. 12(b)(1) and Fed. R. Civ. P. 12(b)(6) on the grounds that he is not a state actor for purposes of liability under 42 U.S.C. § 1983 and that plaintiff failed to state a claim of conspiracy under 42 U.S.C. § 1983 or 42 U.S.C. § 1985. On February 11, 2013, this Court granted the motions of defendant and several codefendants. In so doing, this Court granted plaintiff leave to file a second amended complaint "for the sole purpose of alleging sufficient facts to support a Section 1983 or 1985 claim against Kiryas Joel EMS and/or Rubenstein."

On May 6, 2013, plaintiff filed what amounts to a motion for leave to serve a second amended complaint against all defendants. Defendant now opposes that motion, and asserts that plaintiff has failed to allege facts sufficient to support his Section 1983 and 1985 claims against defendant in conformance with this Court's order.

ARGUMENT

POINT I

THIS COURT SHOULD DISMISS PLAINTIFF'S CAUSES OF ACTION UNDER 42 U.S.C. § 1983 AND 42 U.S.C. § 1985 WITH PREJUDICE.

Plaintiff contends that this Court should allow him to amend and supplement his first amended complaint, and has provided this Court with a copy of his proposed second amended complaint. This Court previously granted plaintiff leave with respect to his Section 1983 and 1985 claims, only.

As a preliminary matter, it should be noted that plaintiff's reliance on Fed. R. Civ. P. 15(b)(2) is of no moment here, given that no trial has occurred in this action. Turning to Fed. R. Civ. P. 15(d), that provision allows a plaintiff to seek leave of court to supplement the previous complaint to include events that occurred after the date of the pleading sought to be amended. A court may deny such a motion based on undue delay, bad faith, dilatory tactics, undue prejudice to the party to be served with the proposed pleading, or futility of the proposed pleading. See ***Astra Aktiebolag v. Andrx Pharms., Inc.***, 695 F. Supp. 2d 21, 25 (S.D.N.Y. 2010). Mere conclusory allegations are not sufficient to state a claim under Section 1983 or 1985. See ***Parent v. New York***, 786 F. Supp. 2d 516, 539 (N.D.N.Y. 2011); ***Williams v. Reilly***, 743 F. Supp. 168, 173-74 (S.D.N.Y. 1990).

In this case, the allegations contained in plaintiff's proposed second amended complaint in regard to his Section 1983 and 1985 claims are virtually identical to those contained in the first amended complaint that was the subject of this Court's February 2013 order. The only new allegations with respect to those claims are that all of the defendants have impermissibly "influenc[ed] the judicial system" (Second Amended Complaint, at ¶ 385, 402). Even if these

allegations were true, they fail to demonstrate that defendant was a state actor for purposes of Section 1983. These allegations similarly fail to demonstrate that defendant was motivated by "invidious discriminatory animus" to deprive plaintiff of his constitutional rights for purposes of Section 1985. See ***Mian v. Donaldson, Lufkin & Jenrette Sec. Corp.***, 7 F.3d 1085, 1087 (2d Cir. 1993).

This Court foresaw the apparent futility of plaintiff's efforts to assert any cognizable claim against defendant at page 12 of its February 2013 decision, when it noted: "it appears unlikely that plaintiff can sufficiently plead a Section 1983 claim against Kiryas Joel EMS or Rubenstein by further amending his complaint." Indeed, plaintiff's proposed Second Amended Complaint fails to allege any new facts sufficient to state a Section 1983 or 1985 claim against defendant.

To the extent that the proposed second amended complaint seeks to reassert causes of action sounding in intentional infliction of emotional distress, this Court already dismissed that cause of action as against defendant, and should deny plaintiff's motion as being futile. See ***Astra Aktiebolag v. Andrx Pharms., Inc.***, 695 F. Supp. 2d at 25. To the extent that plaintiff now seeks to assert causes of action against defendant for wrongful eviction, false arrest, abuse of process, and cruel and inhuman treatment, defendant submits that such claims are similarly futile based upon the facts alleged and the case law cited in defendant's motion to dismiss. Moreover, such new claims clearly fall outside the scope of leave granted to plaintiff by this Court in February 2013 with respect to Sections 1983 and 1985. Accordingly, this Court should deny plaintiff's motion and dismiss the complaint in its entirety with prejudice as against defendant.

POINT II

LEGAL STANDARD FOR MOTION TO DISMISS

"A motion to dismiss may be granted only when it appears beyond doubt that the plaintiff can prove no set of facts in support of his claim which would entitle him to relief. ***Warren v. Goord***, 476 F.Supp. 2d 407, 409 (S.D.N.Y. 2007) (internal citations and quotations omitted). On a Rule 12 (b) (6) motion, the function of the court "is not to weigh the evidence that might be presented at a trial but merely to determine whether the complaint itself is legally sufficient. ***Goldman v. Belden***, 754 F.2d 1059, 1067 (2d Cir. 1985). "In considering the motion, the court must examine the factual allegations of the complaint, including exhibits to the complaint and documents or statements incorporated in it by reference." ***Romer v. Morgenthau***, 119 F.Supp.2d 346, 352 (S.D.N.Y.) The Supreme Court of the United States stated that though a motion to dismiss "must take all of the factual allegations in the complaint as true, [it is] not bound to accept as true a legal conclusion couched as a factual allegation." ***Ashcroft v. Iqbal***, 556 U.S. 662, 678, 129 S. Ct. 1937, 1949-50 (2009). This standard was reiterated in ***Woodward v. Office of Dist. Atty.***, 689 F. Supp. 2d 655, 658 (S.D.N.Y. 2010), where the Court ruled that "allegations that are no more than legal conclusions are not entitled to the assumption of truth." (internal citation and quotation omitted). The Second Circuit has stressed that this Rule 12 (b) (6) motion standard applies with particular force when a plaintiff alleges civil rights violations or appears *pro se*. ***Romer***, F.Supp.2d at 353.

Defendant KIRYAS JOEL respectfully submits that based on the arguments set forth below, plaintiff's Amended Complaint should be dismissed as against the KIRYAS JOEL COMMUNITY AMBULANCE CORPORATION.

POINT III

PLAINTIFF'S FIRST CAUSE OF ACTION UNDER 42 U.S.C. § 1983 SHOULD BE DISMISSED

A. Defendant KIRYAS JOEL, a volunteer ambulance company, is not a state actor for purposes of 42 U.S.C. § 1983

The Plaintiff alleges that the KIRYAS JOEL COMMUNITY AMBULANCE CORPORATION is liable to Mr. Teitelbaum, individually, and as a father to Child "A" and Child "B" under 42 U.S.C. §1983 and 42 U.S.C. §1985. The elements for a claim for relief under 42 U.S.C. §1983 are:

1. A violation of a right protected by the Federal Constitution;
2. Proximately caused;
3. By the conduct of a person; and
4. Who acted under color of any statute, ordinance, regulation, custom or usage of any State.

"In order to prevail on a federal civil rights action under Section 1983, a plaintiff must demonstrate: (1) the deprivation of any rights, privileges or immunities secured by the Constitution and laws; (2) by a person acting under the color of state law. ***Hollman v. County of Suffolk***, 2011 WL 2446428, at *4 (E.D.N.Y. June 15, 2011). Even if the plaintiff has sufficiently alleged a constitutional injury, a claim under Section 1983 will not be successful unless it is shown that the injury in question was caused by a party that whose actions at the time were under the "color of state law." ***Id.*** Therefore, the pivotal question becomes whether or not that "alleged infringement of federal rights is 'fairly attributable to the state.'" ***Hollman***, citing ***Lugar v. Edmonson Oil Co.***, 457 U.S. 922, 937 (1982) and ***Wyatt v. Cole***, 504 U.S. 158,

161 (1992) (affirming that"[t]he purpose of § 1983 is to deter state actors from using the badge of their authority to deprive individuals of their federally guaranteed rights and to provide relief to victims if such deterrence fails."); ***Tancredi v. Metro Life Ins. Co.***, 316 F.3d 308, 312 (2d Cir.2003) ("A plaintiff pressing a claim of violation of his constitutional rights under § 1983 is thus required to show state action.").

In this case, the Plaintiff cannot prove KIRYAS JOEL COMMUNITY AMBULANCE CORPORATION was a "State actor" for purposes of §1983 litigation. Indeed, generally speaking, private medical personnel are not State actors and do not act under color of State Law for §1983 purposes. See, ***Morse v. City of New York***, 2001 WL 968996 (not reported in Federal Supplement) (S.D.N.Y. 2001). See also, ***Sykes v. McPhillips***, 412 F. Sup 2d 197 (N.D. N.Y. 2006).

Plaintiff states that defendant KIRYAS JOEL COMMUNITY AMBULANCE CORPORATION, along with other enumerated parties, "in their capacities as State run entities and/or agents of the State of New York or the various political subdivisions contained therein, and acting under the Color of Law, did, both individually and in cooperation with one another, deprive the Plaintiff of his Constitutional Rights pursuant to 42 U.S.C. § 1983 by and through the 14th Amendment to the United States Constitution." (AC, ¶ 219).

Plaintiff states that on or about April 14, 2010, defendant KIRYAS JOEL arrived at the home of Defendants Juda and Chaya Katz but did not take any further action. (AC, ¶39-40). Plaintiff asserts that on or about April 27, 2010, defendant KIRYAS JOEL was contacted by plaintiff's wife. (AC, ¶43). This was because it was possible that plaintiff's child, "Child 'A,'" ingested Tylenol. (AC, ¶43). After arriving at Plaintiff's residence, defendant KIRYAS JOEL transported Plaintiff's wife to the appropriate medical institutions. (AC, ¶49). Plaintiff states

that on or about September 16, 2010, Plaintiff's wife telephoned defendant KIRYAS JOEL on account of Child 'B' not waking from his usual nap. (AC, ¶¶ 69-70). Defendant KIRYAS JOEL arrived at Plaintiff's residence and transported "Child 'B'" to Westchester Medical Center. (AC, ¶71). Plaintiff alleges that on or about July 18, 2011, defendant KIRYAS JOEL transported Plaintiff to Bellevue Hospital Center. (AC, ¶94). Then, on or about July 19, 2010, Plaintiff states that defendant KIRYAS JOEL sought to again transport Plaintiff to the appropriate medical facility. (AC, ¶99). Plaintiff asserts that on or about September 8, 2011, defendant KIRYAS JOEL transported Plaintiff's wife to NY Presbyterian in Westchester County, where she was institutionalized for two and a half weeks. (AC, ¶¶118, 121). After Plaintiff's wife was released from NY Presbyterian, plaintiff alleges that on or about October 6, 2011, plaintiff's wife's parents contacted defendant KIRYAS JOEL. (AC, ¶¶124-125). Defendant KIRYAS JOEL arrived at plaintiff's residence and transported plaintiff's wife to Orange County Horton Medical Center. (AC, ¶127).

The law with reference to volunteer ambulance associations and their employees is that they do not qualify as State actors for purposes of §1983 claims. ***Hollman***; ***Spencer v. Eckman***, not reported in Federal Supp.2d 2005 WL 711511 (E.D.PA); ***McKinney v. West End Volunteer Ambulance Association***, 821 F. Supp.1012 (E.D.PA 1992). This classification was upheld by Judge Feuerstein, who ruled that a volunteer ambulance company was not a state actor for purposes of asserting claims under Section 1983. ***Glowczenski v. Taser Int'l Inc.***, CV04-4052(WDW), 2010 WL 1948249 (E.D.N.Y. May 13, 2010).

The presence of defendant KIRYAS JOEL was at all times requested by plaintiff's wife, other familial relations and various local governmental actors. At all times in the plaintiff's

Amended Complaint, defendant KIRYAS JOEL's actions were attributable to its function as a volunteer ambulance association.

B. Plaintiff has failed to allege a §1983 conspiracy

"To succeed on a § 1983 conspiracy claim, a plaintiff must prove: "(1) an agreement between a state actor and a private party; (2) to act in concert to inflict an unconstitutional injury; and (3) an overt act done in furtherance of that goal causing damages." ***Parent v. New York***, 786 F. Supp. 2d 516, 539 (N.D.N.Y. 2011) aff'd, 11-2474-CV, 2012 WL 2213658 (2d Cir. June 18, 2012), quoting ***Ciambriello v. Cnty. of Nassau***, 292 F.3d 307, 324–25 (2d Cir.2002).

> A plaintiff is not required to list the place and date of defendants meetings and the summary of their conversations when he pleads conspiracy, but the pleadings must present facts tending to show agreement and concerted action. Without a meeting of the minds, the independent acts of two or more wrongdoers do not amount to a conspiracy. ***Fisk v. Letterman***, 401 F. Supp. 2d 362, 376 (S.D.N.Y. 2005) (internal citations omitted).

The plaintiff "must provide some factual basis supporting a meeting of the minds, such that defendants entered into an agreement, express or tacit, to achieve the unlawful end." ***Green v. City of Yonkers***, (S.D.N.Y. 2012).

"Conclusory allegations that a private person acted in concert with a state actor are insufficient to maintain a conspiracy claim under § 1983." ***Parent v. New York***, 786 F. Supp. 2d at 539 (N.D.N.Y. 2011). A complaint which only contains "conclusory, vague, or general allegations of conspiracy to deprive a person of constitutional rights cannot withstand a motion to dismiss." ***Boddie v. Schnieder***, 105 F.3d 857, 862 (2d Cir. 1997) (internal quotations and citations omitted).

At bar, plaintiff has failed to allege any factual allegations to support his claim that a conspiracy existed between defendant KIRYAS JOEL and any of the other named defendants. Plaintiff simply alleges in a conclusory manner that the named defendants acted "in cooperation

with one another [to] deprive the Plaintiff of his Constitutional Rights pursuant to 42 USC §1983 by and through the 14th Amendment to the United State[s] Constitution." (AC, ¶219). Plaintiff's conclusory allegation is not sufficient to maintain a conspiracy claim under §1983 and therefore his claim should be dismissed. ***Brown v. Legal Aid Society***, 367 Fed.Appx. 215, 216 (2d Cir. 2010); ***Respass v. New York City Police Dept.***, 852 F.Supp.173, 178-179 (E.D.N.Y. 1994).

Therefore, your affirmant respectfully submits that Plaintiff's §1983 claims must fail as against this defendant as it is not a State actor and no conspiracy existed. Therefore, we respectfully request that the Court dismiss this claim.

POINT IV

PLAINTIFF'S SECOND CAUSE OF ACTION UNDER 42 U.S.C. §1985 SHOULD BE DISMISSED BECAUSE PLAINTIFF HAS FAILED TO PLEAD THE ELEMENTS OF CONSPIRACY

"In order to state a claim under Section 1985(3), a plaintiff must allege that (1) he was a member of a protected class, (2) that the defendants conspired to deprive him of his constitutional rights, (3) that the defendants acted with class-based, invidiously discriminatory animus, and (4) that he suffered damages as a result of the defendants' actions. ***Di Costanzo v. Henriksen***, 94 1995 WL 447766 at *3 (S.D.N.Y. July 28, 1995).

As set forth above, plaintiff has failed to allege a conspiracy, and as such, plaintiff's second cause of action should be dismissed (see id.).

POINT V

PLAINTIFF'S THIRD CAUSE OF ACTION FOR NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS SHOULD BE DISMISSED FOR FAILURE TO STATE A CLAIM

Plaintiff's third cause of action sounds in negligent infliction of emotional distress. (AC, p.30). "A cause of action for negligent infliction of emotional distress must be premised upon the breach of a duty owed to plaintiff which either unreasonably endangers the plaintiff's physical safety, or causes the plaintiff to fear for his or her own safety. ***Matthews v. Malkus***, 377 F. Supp. 2d 350, 361 (S.D.N.Y. 2005).

> This tort has been recognized in New York only where the plaintiff can establish one of the following: she suffered some physical trauma or she was caused to fear for her physical safety; she was within the so-called 'zone of danger' when an immediate family member was killed or injured; she was wrongly notified of the death of a near relative; or the mortal remains of a deceased family member were improperly handled. ***Nevin v Citibank, N.A.***, 107 F.Supp 2d 333, 346 (S.D.N.Y. 2000) (internal citations omitted).

"Thus, the parameters of this tort are extremely narrow." (***Id.***).

> Furthermore, just as in a cause of action for intentional infliction of emotional distress, negligent infliction of emotional distress must be supported by allegations of conduct by the defendants 'so outrageous in character, and so extreme in degree, as to go beyond all possible bounds of decency, and to be regarded as atrocious, and utterly intolerable in a civilized community.' Such extreme and outrageous conduct must be clearly alleged in order for the complaint to survive a motion to dismiss. ***Matthews v. Malkus***, 377 F. Supp. 2d at 361, quoting ***Murphy v. American Home Prods. Corp.***, 58 N.Y.2d 293, 303 (1983), quoting ***Restatement [Second] of Torts*** § 46, Comment d).

At bar, plaintiff has not alleged any duty that KIRYAS JOEL owed to him. Additionally, plaintiff does not allege that he suffered any physical injury as a result of the actions by KIRYAS JOEL. Moreover, no reasonable trier of fact could arrive at the conclusion that defendant KIRYAS JOEL did anything that unreasonably endangered plaintiff's physical safety. The other parameters of this tort are not applicable in the present case. Furthermore, plaintiff has failed to allege any outrageous or extreme conduct on the part of KIRYAS JOEL. The allegations suggest

that defendant KIRYAS JOEL acted pursuant to its lawful duties as a volunteer ambulance company. Finally, as discussed *supra*, plaintiff has only conclusorily alleged a conspiracy between the multiple defendants without any factual allegations or evidence to support such a claim. Based on the foregoing, it is respectfully submitted that plaintiff has failed to allege a claim for negligent infliction of emotional distress and therefore, the cause of action should be dismissed.

POINT VI

NEW YORK PUBLIC HEALTH LAW § 3013 PROVIDES IMMUNITY FOR A VOLUNTARY AMBULANCE SERVICE

Public Health Law § 3013 provides a voluntary ambulance service and any member thereof, an immunity for liability to claims for damages or death sustained by the reason of any act or omission in rendering medical assistance. Liability may only attach in cases where it is established that injury or death was caused by the gross negligence on the part of the voluntary responder. ***Rider v. Gaslight Tavern Corp***., 125 A.D.2d 144. Gross negligence differs in kind not only degree from claims of ordinary negligence and evidences a reckless disregard for the rights of others and smacks of intentional wrongdoing. See, ***Colnaghi,USA v. Jeweler's Protection Services***, 81 N.Y.2d 821. The Court of Appeals has held that proof of gross negligence must evidence such a "reckless disregard" and must be "termed as the failure to exercise even slight care". See, ***Colnaghi,*** *supra* at 823; ***Food Pageant v. Consolidated Edison Corp***., 54 N.Y.2d 167, 172. Phrased differently, the act or omission must be of an aggravated character as distinguished from the failure to exercise ordinary care, and requires a much higher level of culpability than ordinary negligence. See, ***Vecchione v. Amica Mutual Insurance Company***, 274 A.D.2d 576.

The Appellate Division, Second Department is in full accord with the New York State Court of Appeals on these issues. The Appellate Division decisions have routinely held that a defendant volunteer ambulance corps and its members are relieved from liability absent competent, admissible evidence of gross negligence. If no issue is found, summary judgment is the appropriate remedy. See, ***Kapinos v. Alvaravo***, 143 A.D.2d 332 (2d Dept. 1988); ***Ciriello v. Virgues***, 156 A.D.2d 417. Accord, ***O'Leary v. Greenpoint Fire Department***, 276 A.D.2d 539 (2d Dept. 2000).

In this case, the admissible evidence has shown that an ambulance corps was requested at the behest of plaintiff, plaintiff's wife, local authorities such as Department of Social Services, and familial relations, among others. The evidence has established that ambulance corps at all times sought to safely transport a combative patient.

Moreover, the Plaintiff has not offered any authority to support the proposition that a volunteer ambulance company has any power to disregard a lawful command from local authorities with respect to being dispatched to plaintiff's residence or to institutionalize plaintiff against his will.

Under these facts, your affirmant respectfully submits that there is no evidence of any gross negligence on behalf of the voluntary ambulance corps or its crew. Therefore, the claims against Defendant KIRYAS JOEL must be dismissed. It is also respectfully submitted that the Plaintiff's Summons and Complaint is devoid of any allegations of gross negligence but only sounds in negligent infliction of emotional distress. Therefore, the pleading fails to state a cause of action pursuant to the very terms of the Public Health Law §3013.

POINT VII

PLAINTIFF'S CLAIMS ON COUNT 2 FOR FALSE ARREST, ON COUNT 3 FOR WRONGFUL EVICTION FROM HOME; ON COUNT 5 FOR ABUSE OF PROCESS; ON COUNT 7 FOR CRUEL AND INHUMAN TREATMENT IN VIOLATION OF 5th , 8th AND 14th AMENDMENTS; AND ON COUNT 8 FOR INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS; ARE PROCEDURALLY AND SUBSTANTIALLY DEFECTIVE.

The above-referenced causes of action are pled in the plaintiff's recent second amended complaint. The court should dismiss all such claims as filed in contravention of the prior order of this court dismissing the plaintiff's action. The court's order only permitted a re-pleading of facts with regard to the plaintiff's 1983 and 1985 claims. The court did not grant permission to refile the above-referenced claims.

However, and for the reasons set forth in the within memo of law, we respectfully request that this court dismiss such claims outright as without merit.

CONCLUSION

Based on the foregoing, it is respectfully submitted that this Court should deny plaintiff's motion to amend and supplement his complaint, and dismiss the complaint in its entirety as against defendant with prejudice, together with any other and further relief as it deems just and proper under the circumstances.

Dated: Mineola, New York
May 17, 2013

Respectfully submitted,

SILER & INGBER, LLP

By:_____
Jeffrey B. Siler (JS4755)
Attorney for Defendant
KIRYAS JOEL COMMUNITY AMBULANCE CORPORATION s/h/a KIRYAS JOEL COMM AMBULANCE CRP
301 Mineola Blvd.
Mineola, NY 11501
Tel: 516-294-2666
Fax: 516-294-0870
Email: jsiler@nylawnet.com

TO: JACOB TEITELBAUM
Pro Se Plaintiff
5 Leipnik Way #102
Monroe, NY 10950

DAVID DARWIN, ESQ.
Orange County Department of Law
Municipal Law Division
15 Matthews Street, Suite 305
Goshen, NY 10924
Tel.: (845) 291-3150
Fax: (845) 291-3167
Email: ddarwin@orangecountygov.com

GARBARINI & SCHER, P.C.
Attn: Gregg D. Weinstock, Esq.
Attorneys for Defendant
Maria A. Patrizio, Esq. s/h/a Maria Petrizio
432 Park Avenue South, 9th Floor
New York, NY 10016-8013
Tel.: 212-689-1113
Email: gweinstock@garbarini-scher.com

HANNIGAN LAW FIRM PLLC
Attorneys for Defendant
David Rubenstein
1881 Western Avenue, Suite 140
Albany, NY 12203
Tel: 518-869-9911

Bluma Tennenbaum
16 Lizensk, Unit 102
Monroe, NY 10950

Joel Tennenbaum
16 Lizensk, Unit 102
Monroe, NY 10950

Chaya Katz
22 Hayes Court, Unit 201
Monroe, NY 10950

Juda Katz
22 Hayes Court, Unit 201
Monroe, NY 10950